

The Armed Forces And Drug Trafficking: Operation Rio As A Case Study

CSC 2003

Subject Area Topical Issues

## **EXECUTIVE SUMMARY**

**Title:** The Armed Forces and Drug Trafficking: *Operation Rio* as a Case Study

**Author:** LCDR Luiz Octávio Gavião, Brazilian Marine Corps

**Thesis:** The employment of the Brazilian Armed Forces against drug trafficking in urban areas, using the *Operation Rio* as a model, does not solve the problem of drugs and contributes to the militarization of the public security role in Brazil.

**Discussion:** An agreement between Federal and Rio de Janeiro state governments in 1994 allowed the employment of a joint task force of approximately 125,000 soldiers and policemen in order to reduce drug-related crimes and reestablish the law and order in Rio de Janeiro city. However the limited scale and scope of military operations focused on poor areas of the city were not sufficient enough to decrease violence indices, because drug trafficking in Brazil was widespread along neighboring states and countries, and was also distributed within different social classes, which included politicians, financial organizations and other state officials. *Operation Rio* also raised complex issues about civil-military relations, since the presence of military forces in the streets revived familiar scenes from the period of 1964 to 1984, when a military government imposed a dictatorship in Brazil.

**Conclusion:** *Operation Rio* could not solve the problem of drug trafficking and its related crimes in Brazil, because military forces were not able to address a question that required an effective employment of all national instruments in order to combat an asymmetric “enemy”. In spite of the temporary results and timid apprehensions during *Operation Rio*, the Brazilian government has improved its legislation since 1994 in order to provide military forces with police authority when ordered by the President to guarantee the law and order. In fact this will definitely contribute to an undesired “militarization” of public security in Brazil, which diverts the armed forces from its primary constitutional duties and impairs an improvement of public security forces.

# Report Documentation Page

*Form Approved*  
*OMB No. 0704-0188*

Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, 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. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

1. REPORT DATE <b>2003</b>	2. REPORT TYPE	3. DATES COVERED <b>00-00-2003 to 00-00-2003</b>			
4. TITLE AND SUBTITLE <b>The Armed Forces And Drug Trafficking: Operation Rio As A Case Study</b>		5a. CONTRACT NUMBER			
		5b. GRANT NUMBER			
		5c. PROGRAM ELEMENT NUMBER			
6. AUTHOR(S)		5d. PROJECT NUMBER			
		5e. TASK NUMBER			
		5f. WORK UNIT NUMBER			
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) <b>United States Marine Corps, Command and Staff College, Marine Corps University, 2076 South Street, Marine Corps Combat Development Command, Quantico, VA, 22134-5068</b>		8. PERFORMING ORGANIZATION REPORT NUMBER			
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)		10. SPONSOR/MONITOR'S ACRONYM(S)			
		11. SPONSOR/MONITOR'S REPORT NUMBER(S)			
12. DISTRIBUTION/AVAILABILITY STATEMENT <b>Approved for public release; distribution unlimited</b>					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT <b>Same as Report (SAR)</b>	18. NUMBER OF PAGES <b>64</b>	19a. NAME OF RESPONSIBLE PERSON
a. REPORT <b>unclassified</b>	b. ABSTRACT <b>unclassified</b>	c. THIS PAGE <b>unclassified</b>			

## TABLE OF CONTENTS

TABLE OF CONTENTS.....	iii
LIST OF FIGURES.....	iv
<i>OPERATION RIO</i> : THE MILITARY SOLUTION.....	4
THE DRUG ISSUE IN BRAZIL .....	12
THE QUESTION OF CIVIL-MILITARY RELATIONS.....	36
THE LEGITIMACY OF <i>OPERATION RIO</i> .....	41
FUTURE OPERATIONS.....	52
NOTES.....	55
BIBLIOGRAPHY.....	59

## LIST OF FIGURES

1. Complexo do Alemão favela .....	2
2. Favela buildings.....	2
3. A drug trafficking “soldier”.....	5
4. Search Warrant being executed by a policeman.....	8
5. Brazilian Marines in a check point.....	10
6. A LAV <i>Cascavel</i> at Dendê <i>favela</i> .....	26
7. A 90 mm cannon aiming to one Dendê’s access.....	26
8. State police in action during <i>Operation Rio</i> .....	32
9. Youngster working for the “CV” (Red Command).....	33
10. Military operations focused on poor areas .....	35
11. Children’s toys reflect their daily reality .....	35
12. The day after a police action at Vigário Geral <i>favela</i> .....	38
13. The Brazilian airborne brigade at Borel <i>favela</i> .....	40
14. Police authority during <i>Operation Rio</i> .....	41
15. A special phone line to collect information among the population .....	49
16. Brazilian Army patrolling the streets during <i>Operation Rio</i> .....	50
17. Newspaper cartoon about the searching for the drug dealer <i>Uê</i> .....	51

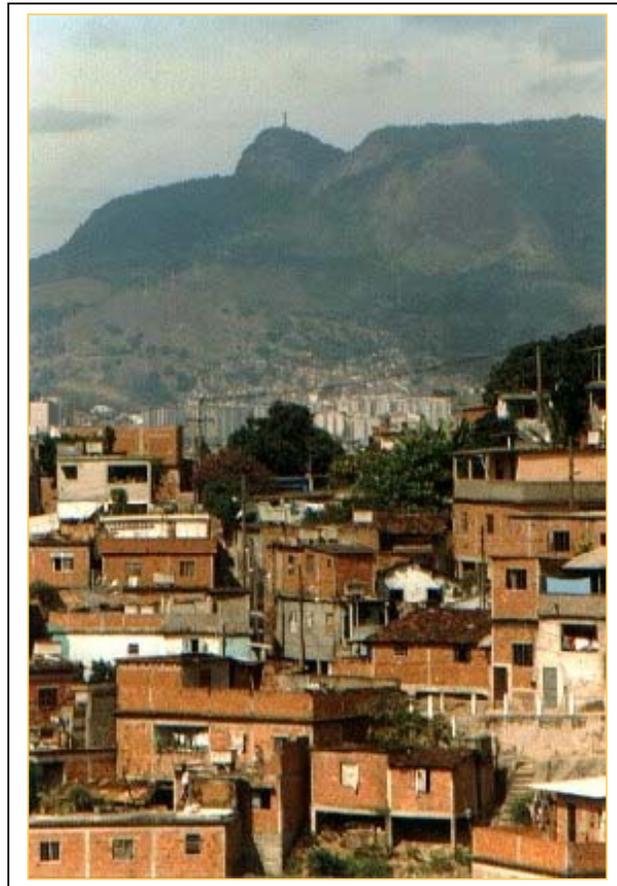
The efforts to reduce drug trafficking in Brazil during the 1990s primarily employed the military and police forces in a joint effort. The centerpiece of the national counter drug policy over the last decade was embodied in *Operation Rio*, which began in late 1994 and terminated in early 1995. On this occasion the armed forces were reinforced by public security forces and acted in combat and police-type operations in the streets and *favelas* of Rio de Janeiro proper in an attempt to reduce the incidents of violence resulting from drug-related crime in the city (see figures 1 and 2).<sup>1</sup>

Two current broad issues are relevant in any analysis of *Operation Rio*. First, the discussion of the drug issue which has been a permanent fixture in U.S.-Latin American relations. Besides representing a serious threat to public health, institutional development, and political stability of developed and developing countries, drug trafficking is estimated to have had an annual turnover of 100 billion U.S. dollars during the last two decades, emerging as one of the fastest growing industries in Latin America.<sup>2</sup>

Second, an analysis of the Brazilian experience can be useful to other countries in order to stimulate the planning of coherent policies against future drug trafficking, because military operations usually focus on part of this complex problem. Despite the importance of this globalized problem in world society, the events of *Operation Rio* have not encouraged extensive discussion about the subject. There is little academic research about this military operation that mobilized about 125,000 troops in the Rio de Janeiro *favelas*, a series of urban agglomerates embracing millions of people. The limited scope of the media coverage has faded over time. Even the military academic community has not been interest enough to conduct a deep study.



**Figure 1.** “Complexo do Alemão” *favela*.  
Source: Author’s archives.



**Figure 2.** *Favela* buildings.  
Source: Author’s archives.

Therefore, the core premise underlying this thesis is that drug trafficking has gradually expanded its influence in the Americas for several decades. This assumption is fundamental to the analysis because current data about drug trafficking will be used to provide some thoughts about developments over the last decade. Even if the available resources indicate a liaison between drug dealers and international banks in 2002, experience indicates that illegal activities usually expand over time, if unchecked. Billion dollar fortunes laundered at fiscal paradises like the Cayman Islands usually need time to achieve a certain volume. Thus, relevant data regarding drug trafficking in Brazil can be judiciously used to project the current situation from that of *Operation Rio* only seven years ago.

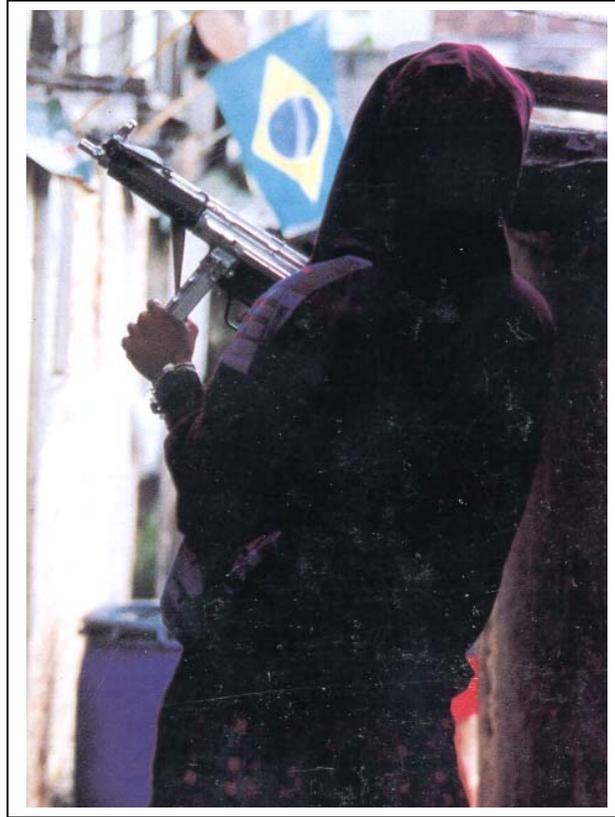
*Operation Rio* should not be implemented in the future in a similar context, because it does not solve the problem of drugs and it provides a significant incentive for the "militarization" of the public security in Brazil. In order to understand the reasons why this approach to the drug problem became ineffective, this paper will provide the background of *Operation Rio*, describe, and analyze the operation, and draw some conclusions that may be useful in future such operations.

## ***OPERATION RIO: THE MILITARY SOLUTION***

The necessity of restoring public order in Rio de Janeiro at the end of 1994 led the Federal Government and the Rio de Janeiro state to issue a formal agreement authorizing the employment of the armed forces to support the civilian authorities in to combat drug trafficking in Rio city.<sup>3</sup> The purpose was to reduce violence in Grande Rio, the metropolitan region of Rio de Janeiro, through the prevention and repression of contraband and drug traffic, the neutralization of armed groups, and the protection of the population.

Social inequality in Rio de Janeiro and the inability of the state in providing basic services to the population, together with the inability of the police to restrain violence made Rio de Janeiro vulnerable to outlaws who filled the void left by the state. In this case, the heads of criminal factions, such as, the Red Command and the Third Command, assumed the role of the state in deprived areas through the distribution of medicine, food and money. When this substitution of the legitimate for an illegitimate authority was resisted, organized crime used its own coercion as a way to get the "collaboration" of the local inhabitants.

The incidences of violence in Rio de Janeiro increased, as the criminal factions became stronger and widened their area of action. The growth of urban crime, drug trafficking, assaults, bank robberies and stray bullets created a climate of insecurity among the Rio de Janeiro population (see figure 3). A high level of police corruption also hindered the state government fight against crime, aggravating the situation.



**Figure 3. A drug trafficking “soldier” (10/29/94).**

Source: Resende, “Operação Rio: Relatos de Uma Guerra Brasileira”, p.49.

The situation in Rio drove a firm decision by the federal and state governments in order to solve the problem of violence there. Taking into account multiple incidents of urban crime in Rio and the people’s approval through opinion surveys, the Brazilian President, Itamar Franco, ordered the employment of the armed forces to support the Government of Rio in reducing the urban violence. The Brazilian Army through its Eastern Military Command would coordinate the actions.<sup>4</sup> Beginning on November 1, 1994, the Army assumed the tasks of reestablishing the governmental authority, reducing the violence, providing security, and safeguarding the Rio de Janeiro population.<sup>5</sup> At this point, the first agreement between the Federal Government and the Government of Rio de Janeiro was signed, extending the period for military participation until December 31, 1994. This operation was named *Rio I*.<sup>6</sup>

With the election of Fernando Henrique Cardoso to the Brazilian Presidency and Marcelo Alencar as the Governor of the Rio de Janeiro State, a second agreement was signed on December 3, 1994, lengthening the previous term to January 31, 1995. This new edition of *Rio I* was called *Operation Rio II*. Basically, *Rio II* continued with the same concept of *Rio I*, but the intervention was restricted to exceptional cases approved by the President. The agreement on *Rio II* was renewed on March 28, 1995, for an indefinite term. However, when General Nilton Cerqueira, a retired Army General, was nominated the Secretary of Public Security in Rio on May 19, 1995, the actions of the Armed Forces in Rio were gradually reduced to patrolling the streets without the occupation of the *favelas*.<sup>7</sup>

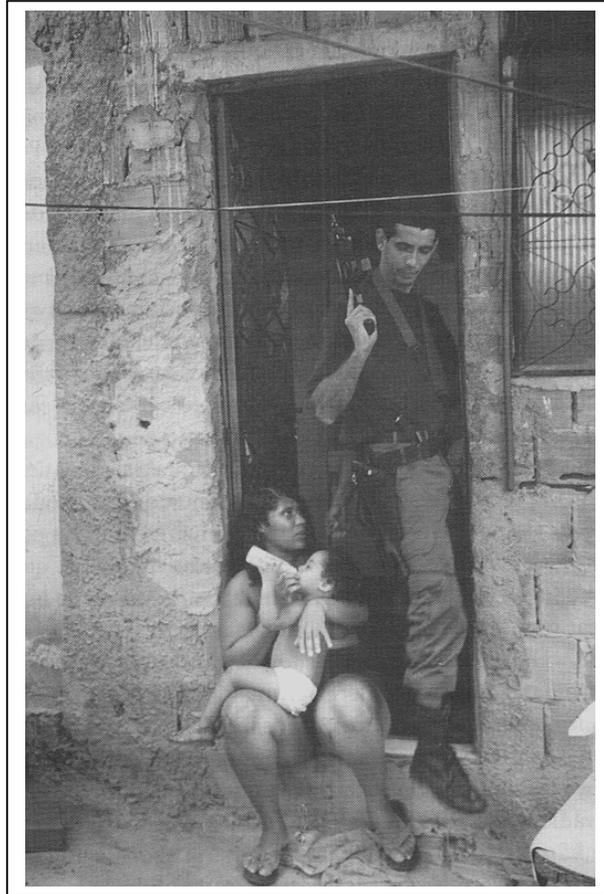
The planning for *Operation Rio* was restricted by a series of legal and operational constraints.<sup>8</sup> First, the operation would have to start and continue in an environment of institutional and constitutional normalcy. Although the situation suggested a de facto declaration of emergency in the state, it was thought to be politically advisable for the Federal intervention to occur with a joint agreement between the federal and state governments.<sup>9</sup> Indeed, the crisis grew from the fact that both governments had lacked popular and political support during the previous years. Any decree of emergency thus could have a considerable impact on governance at the national and state levels. Conversely politicians thought that an agreement would be more flexible than a decree, for it would prevent a series of restrictive measures against civil liberties, as provided in the Federal Constitution. The drawback to guaranteeing an institutional normalcy would be that it limited the military actions in the streets. The armed forces would have to carry out police-type actions without the necessary legal authorization to execute them. Such restriction required the presence of policemen during the execution of the military operations in order to legalize any type of search, seizure, detention or transport of prisoners made by the military.

Second, the right to the inviolability of the home, established in the Brazilian Constitution under Article 5, was another legal aspect which limited the execution of the operation, because the drug traffickers in Rio de Janeiro used the residences in the *favelas* to operate their commerce. According to the Federal Constitution, permission for the execution of searches inside residences, except when caused by deliberate illegal activities, is restricted to the authorization of the inhabitant.<sup>10</sup> Also, the authorized search must be conducted *during daylight hours with a judicial order*. Thus, the specificity of place and time of the search warrants naturally restricted military actions for two basic reasons: the intelligence service had to indicate specific places, not areas to search in the *favelas*, and after sunset military operations were not allowed by the agreement, because home-search procedures at night were prohibited by the Constitution (see figure 4).

Third, the Eastern Military Command established a limited time frame of three months to achieve the intended goals. There was a reasonable concern about extended police-type operations in the streets of Rio, hence this limit. This secondary mission would diminish the military readiness of the troops and would risk the security of military personnel residing in deprived areas. However, the Eastern Military Command acknowledged that actions of short duration would be ineffective in the long-term and would lead to the resurgence of drug trafficking after the end of operations.<sup>11</sup>

Finally, a general lack of adequate and detailed information about the drug trafficking in Rio limited the ability of the military intelligence staff to support the Eastern Military Command. The state police forces did not have a useful criminal intelligence system, and this shortcoming demanded additional effort by the Eastern Military Command to develop an interagency system to support the planning of *Rio I*.<sup>12</sup> This situation imposed the establishment of a special telephone line to receive anonymous information from the civil population, the so called *Disque-Denúncia*. However, the volume of intelligence data was reduced in comparison to the rising indices

of crime in the city. Despite the popular approval of the use of the Armed Forces in Rio, the endemic lack of confidence of the population regarding the state police forces impaired the collection of necessary information for planning. This void would increase uncertainty during the planning and execution of *Operation Rio*.



**Figure 4. Search Warrant being executed by a policeman (11/30/94).**  
Source: Resende, "Operação Rio: Relatos de Uma Guerra Brasileira", p.137.

The command structure assembled all military and police forces under a Task Force led by Army Major-General Roberto Jughurta Camara Senna. He organized the Task Force staff into operations, intelligence, logistics, communications, legal, and public affairs sections. An operations center in the Eastern Military Command was established to support the exercise of command and control.<sup>13</sup> The total personnel included around 125,000 military and policemen with estimated expenses of over 50 million U.S. dollars in 1994 currency.<sup>14</sup>

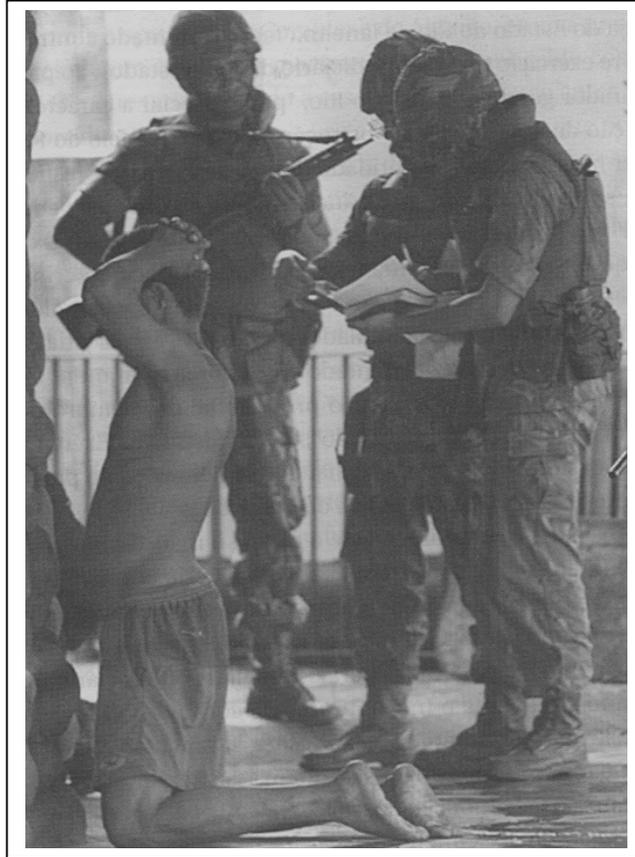
*Operation Rio I* was divided in three phases: the first one, called *GRANITO*, was designed to control the access to Rio de Janeiro. The second one, called *RUBI*, was characterized by the intensification of police-type actions inside the city. The third, called *TOPAZIO*, encompassed major combat actions inside the *favelas* and their peripheries to disrupt drug trafficking in those areas.<sup>15</sup>

*GRANITO* was planned to control all access to Rio de Janeiro by land, air and sea. The Navy intensified the control of ports and coastal areas. The Air Force controlled traffic of small aircraft, mainly at secondary airports. The Army, the Federal Police and the Federal Road Police intensified the control of the borders and fifteen main road accesses to Rio through checkpoints (see figure 5).<sup>16</sup>

*RUBI* included the patrolling of the streets inside the areas where the police had lost control of security. These patrols were carried out by the police forces and Army companies of the Task Force during the eight to twelve hours of daylight in regions with high indices of criminality. Eighty operations of this type were executed during *Operation Rio*.<sup>17</sup>

*TOPAZIO* employed brigade-level military forces in the areas controlled by drug-dealers in Rio de Janeiro, in continuous operations lasting from forty-eight to seventy-two hours. These areas corresponded basically to the *favelas*, densely populated with about fifty to eighty thousand inhabitants, they hence were not associated with the drug trafficking.<sup>18</sup>

Several sub-phases composed each stage of *Operation Rio I*. For instance, *Operation ALVORADA I* consisted of the employment of the Marine Division, on November 19, 1994, in *Dendê Hill*, as one of the sub-phases of *TOPAZIO*. Other operations followed in *Lins Hill*, *Parada de Lucas*, *Kelsons* and *Complexo do Alemão*, the latter comprising eleven huge *favelas*.



**Figure 5. Brazilian Marines in a check point (11/18/94).**  
Source: Resende, "Operação Rio: Relatos de Uma Guerra Brasileira", p.143.

During *Operation Rio II*, only one large operation was carried out which followed a similar approach of *TOPÁZIO*. *Operation VELAME III* involved the largest contingent of Task Force troops that began on January 12 1995. Around 4,200 soldiers from the Navy, Army, Air Force, Civil Police, and Military Police operated jointly in the *Complexo do Alemão favela*. On February 2, the Eastern Military Command announced that the Armed Forces would no longer participate directly in the invasions of the *favelas*, restricting themselves to the support of intelligence, logistics and special operations.<sup>19</sup>

Although a considerable number of government and military authorities considered *Operation Rio* a successful Military Operation in Urbanized Terrain (MOUT), conducted mainly at the brigade level in a domestic environment, the results were effective only in the near term.<sup>20</sup> Applying the teachings of Sun Tzu on "indirect

approach", the drug traffickers avoided direct confrontation with a larger and better equipped force and transferred their activities temporarily to other cities, returning to full activity when the State again left the *favelas*.<sup>21</sup> In addition, the Armed Forces had their image tarnished by accusations of violating individual rights. There were twelve cases in violation of Article 5 of the Brazilian Constitution, which establishes the rights of the individual. The apparent torture during custody of certain prisoners in an attempt to collect information was the worst blot on military conduct since the end of the military government in 1985.<sup>22</sup>

On balance, drug seizures during *Operation Rio* were minute as compared to similar statistics for 1994. During the invasions of the *Dendê*, *Parada de Lucas*, *Lins*, *Kelsons* and *Complexo do Alemão favelas*, only 112 kg of marijuana and 312 kg of cocaine were discovered in 11 days of targeted military operations extending from October 31, when the first agreement was signed, to February 2, 1995, the end of *Operation TOPAZIO*. According to data from the Division of Narcotics Repression of the Department of the Federal Police in Brazil, marijuana and cocaine seizures during 1994, in the Southeastern Region, had been 1,086 kg and 3,346 kg respectively. In the same year, more than 15,489 kg of marijuana and 10,749 kg of cocaine were added to these totals by the public security forces in other regions of Brazil, mainly in the Northern and Center-Western regions. A comparative analysis of data during a similar period indicates that the quantity seized by normal police activity far surpassed the amounts taken during *Operation Rio*; however, these actions included all regions of Brazil, except Rio de Janeiro.<sup>23</sup>

Although the outcome of *Operation Rio* seems to prompt a generalization that military actions are not recommended against drug trafficking, a deeper analysis of the drug issue in Brazil is necessary in order to identify the specific reasons why *Operation Rio* was ineffective.

## **THE DRUG ISSUE IN BRAZIL**

Even if *Operation Rio* had been perfect, the reduction of drug-related violence in Rio de Janeiro could not have been sustained in the medium and long term for various reasons. In general, there were four mistakes which were a result of a simplified approach to the drug problem and the establishment of limited aims. The first one was related to reducing the drug problem to its economic component, which is considered the engine of the drug traffic. However, any measure taken to reduce the problem that excludes consideration of the transnational dimension, domestic politics and socio-cultural questions will be inadequate.<sup>24</sup>

A second mistake was to assume that a reduction of violence in Rio could be achieved by concentrating military actions in the Rio de Janeiro *favelas*. The problem was not limited to these areas but also extended to neighboring states. In fact, the disorder in Rio de Janeiro, which was caused by urban violence, was and is so endemic in all the great Brazilian cities that law enforcement actions of a localized and ephemeral nature in Rio de Janeiro, or any other city, would not solve the wider problem.

A third mistake was to believe that the dissuasive capacity inherent in any natural deterrence of the Armed Forces would be a deterrent to drug trafficking under the naïve belief that a weaker and disorganized enemy could easily be intimidated. Following a similar trend of the current international terrorism and the guerrilla movements in the 1960s and 1970s, drug trafficking demonstrated itself to be a competent asymmetrical enemy, mismatched by the use of conventional forces.

A fourth mistake was related to a series of socio-cultural issues that generally impede the Armed Forces in drug trafficking. First, military forces are not able to solve a problem that is “socially” accepted by the same society. Second, despite the favorable polls in the beginning of *Operation Rio*, Brazilian society has an underlying prejudice and worry about any type of domestic employment of the Armed Forces due because of

the twenty-year dictatorship in Brazil. Third, professional soldiers train to combat enemies with heavy equipment and not to conduct police-type actions against their own population, their friends, parents or future subordinates. Fourth, the majority of enlisted personnel lived in or close to the *favelas*. The neighborhood, which included the drug dealers, usually knew most of the people living in their “territory”, and this included the soldiers. Needless to say, this situation jeopardized the family of those soldiers. Finally, according to some sociologists, *Operation Rio* followed the idea of a “hygienist” school of thought. The Government tried to reduce urban violence by “cleaning” the city of citizens who the politicians assumed were responsible for the high incidence of crimes in the city.

The ultimate failure was in assuming that operations of a military nature would be able to solve the complex socio-economic problem of drug trafficking in Brazil. Thus, the planning of the operation continued with a series of false assumptions.

The drug problem was treated as a simple economic issue in which the law of supply and demand is the main governing mechanism.<sup>25</sup> The planners focused their attention on the supply side, whose points of distribution for the most part were located in the Rio de Janeiro *favelas*, where the power of the State to assist the people and to provide security was considerably weak. David Jordan elucidated the failures that result from narrowing the scope of counter drug operations by focusing only on the producer-consumer relationship. This approach, common in the 1980s, usually does not consider the responsibility of large financial institutions and the government, whose direct or indirect support sustains the drug market.<sup>26</sup>

The economic factor is the overriding reason for the development of drug trafficking. A gram of pure commercialized cocaine, for example, has a price differential of about 40 times from the door of the laboratory to retail. The difference between the equivalent in cocaine leaves and one gram of pure cocaine sold in the streets of

developed countries is about 2,400 times the initial value. Undoubtedly even with manufacturing and distribution costs it is a profitable venture.<sup>27</sup>

The Government assumed that military operations in Rio de Janeiro would temporarily solve the drug problem. Because this term was considerably short, drug commerce soon resumed after *Operation Rio* ended. In spite of reducing drug commerce by expensive military operations, the drug market was kept active in the *favelas*. There was a reactivation of old paths, and drug commerce shifted to other urban centers, like São Paulo, for instance. Thus, drug dealers generated the so-called "water effect", the use of alternative paths for the drug when the main ways are blocked.<sup>28</sup>

The financial system, which is usually considered a victim of the economic power of drug trafficking, remained untouched during the operations in 1994 and 1995. The drugs in the *favelas* were just the extreme end of a chain that produced the "dirty" money, which was sent to international banks and other financial institutions in order to be laundered in tax paradises. Military actions inside *favelas* were only one temporary and narrow solution, and they were unable to break the profitable business that connected organized crime, corruption of the elites, and money laundering.

Additionally, the success of the economic globalization of the 1990s provoked a certain "lack of governmental control" over the stock market, making surveillance difficult for preventing money laundering on the part of the drug traffickers. As a result, there occurred an increase in the volume of illegal financial transactions and added flexibility to the traffickers who opened alternative distribution paths for their drugs. The cases involving the Banco Ambrosiano and the Bank of Credit and Commerce Internacional (BCCI) were only two examples of how famous banks have been corrupted as part of the illegal transactions, corruption and fraud that were difficult to police in such an environment. Similar problems also have been found in the Bank of Boston, when in

1985 it failed to report transactions with Swiss banks in the sum of about one million dollars.<sup>29</sup>

Corruption similar to the international banks also occurred in Brazil. The bankruptcy of the *National Bank* disclosed a part of its illegal businesses in the Cayman Islands, where at that time there were over 590 different banks moving assets exceeding 500 billion U.S. dollars.<sup>30</sup> During more than three decades, the named accounts CC-5, the Brazilian Commercial Circular Letter number 5, had allowed circulation of large sums of money without oversight by either the banks or Justice Department.<sup>31</sup> Only in April 1996, when the Brazilian Central Bank adopted rules for currency control, did it become mandatory to identify the parties in movements higher than ten thousand dollars. Obviously, a simple transaction beneath this value can be lost among the tens of thousands required tracing by the fiscal system, and would pass unobserved. Hence these countermeasures remain ineffective against illegal transfer.<sup>32</sup>

In 1998 another law was created to establish control over bank transactions. Law 9613 defines the crimes of "laundering" or occultation of properties, rights and values, tries to prevent the use of the financial system for a series of illicit acts foreseen in the Law, and creates the Council of Control of Financial Activities (COAF) to regulate the system of bank surveillance. However, from the promulgation of the law to its faithful fulfillment there it is a considerable gap. Civil rights, an integral part of any modern democratic regime, still impose certain limitations on tracking violations. The rights of banking and fiscal secrecy make it difficult to combat money laundering efficiently, because they impede the ability of the state in verifying suspicious financial transactions without previous legal authorization of the justice department.<sup>33</sup>

One impressive aspect of Brazil is the growth of its banking sector, which specialists have attributed to its connection with money laundering after the financial stabilization as a result of the Real Plan in 1994. According to data compiled by the

consulting company Austin Assis of São Paulo, the banking sector increased 15.31 percent, while some other sectors were experiencing a recession or were even bankrupt.<sup>34</sup>

The money laundering in Brazil is so blatant and extensive, that there are small cities in the interior of the country whose banking movement significantly exceeds the low purchasing power of the local population. For example, in the City Hall of Xapuri, a small city of the Acre state with only 11,000 inhabitants. Although the municipal tax collection did not exceed 33,000 U.S. dollars, the area possesses only an inferior cattle herd of less than 70,000 head, and almost 70 percent of its population lives below the poverty level, the Banco do Estado do Acre and the Banco da Amazônia registered the movement of 7 million U.S. dollars in March 1995.<sup>35</sup> In this same period, the small city of Cacoal in the Rondônia State with about 80,000 inhabitants registered a movement of 448,630 checks totaling 178 million U.S. dollars.<sup>36</sup> It is reasonable to assume that a similar phenomenon may occur in the other 449 cities of the remote Northern region of Brazil, a vast area that includes the states of Rondônia, Acre, Amazonia, Roraima, Pará, Amapá and Tocantins.<sup>37</sup>

In November 2000, the final report of the Legislative Committee of Inquiry (named *Narcotrafic CPI*) on the investigation into the extent of drug trafficking in Brazil identified important data related to money laundering.<sup>38</sup> It estimated, for instance, that one third of the profit obtained from the sale of drugs went to banks, brokers, lawyers and fund controllers, nearly 150 billion U.S. dollars. The *CPI* also confirmed the liaison between financial institutions in fiscal paradises, such as, Aruba, Switzerland, Uruguay, Singapore, and traffickers through the use of the SWIFT network (network of inter banking financial telecommunications at the world-wide level) or through the CHIPS system (Chambers of Inter-banking Payment Systems).<sup>39</sup>

In the internal investigation, the *CPI* verified the non-participation of federal agencies in contributing to the inquiries of the Committee. For example, the Secretariat of Federal Tax Collection (The Brazilian IRS) was tasked to analyze data that would require breaking of banking and fiscal secrecy of large "investors", a total of 855 specially privileged individuals and legal entities. The Final Report of the Committee included the following:

The Secretariat of Federal Tax Collection (the Brazilian IRS) did not participate in analysis of the documentation received by the *CPI*, being omitted almost entirely by limiting data sent and refusing to provide the specialists that could analyze it. This omission becomes grave if one remembers that, when the *CPI* was in the height of its popularity, the Brazilian President decided to call it and to place the agencies of the Executive Power at the disposal of the *CPI*, specially the Federal Secretariat. The promise was made - its fulfillment was not [translation by the author].<sup>40</sup>

According to the *CPI*, the involvement of the banks in money laundering is impressive. The following instances are just part of the irregularities noted by the *CPI*: bank accounts without holders, multiple taxpayer identification (*CPF*) for only one individual, delay or negligence in the processing of suspicious customer data even after judicial determination to start the specific procedure, and the opening of a bank account by third parties without legal power-of-attorney.

Cases similar to Xapuri and Cacoal, as described above, were also registered in the final report of the *CPI*. In a period of 43 working days in 1998, more than 46 million dollars were moved in accounts in the agency of Caixa Econômica Federal in Parnamirim - RN, belonging to 8 individuals of Ponta Porã and Campo Grande - MS, moving money from different and distant cities, such as São Paulo, Recife, Curitiba and Rio de Janeiro. In the Banco do Brasil of Parnamirim, there was also an equally suspicious movement of more than 41 million dollars in only two bank accounts.<sup>41</sup>

Recently, the case of the Brazilian drug lord Luís Fernando da Costa, called *Fernandinho Beira-Mar*, provided evidence about the involvement of prominent companies in the international financial system with drug trafficking. The justice department proved that he had laundered approximately 261 million U.S. dollars during a

period of seven years, using thirteen banks, eight insurance companies and twenty currency exchange houses. He opened banking accounts on behalf of his fifteen different identities and deposited money obtained through drug trafficking with the Chase Manhattan, First Union Bank, Bank of New York and Credit Suisse Bank. His banking accounts extended from the American continent to Lebanon and Pakistan.<sup>42</sup>

Although the majority of cases presented above refer to a period after *Operation Rio*, the *modus operandi* of drug traffickers using the international financial system is old. In fact, the increase of markets through globalization, intensified with the end of the Cold War, and facilitated the illegal transactions between banks and drug lords. Thus, it is reasonable to assume that money laundering had been occurring in Brazil prior 1994, when *Operation Rio* started. Such aspects are also important because they illustrate the deep involvement of “respectable” institutions with drug trafficking, strengthening the thesis that establishing limited means to an end drug trafficking, such as *Operation Rio*, cannot make any significant check in the vast and well-connected world of illegal drug commerce.

The involvement of Brazilian politicians, members of the House of Representatives, judges and many authorities with drug trafficking was proven after the conclusion of the *CPI*. After little more than one year of investigation in Brazil and the bordering countries, with particular focus on Colombia, Peru, Bolivia and Paraguay, the *CPI* produced 1,198 pages of analysis in its final report, concluding with the judicial indictment of 824 individuals and legal entities under accusations that varied from drug trafficking, money laundering and homicide to false testimony and rendering of services to drug trafficking.<sup>43</sup>

The inquiries of the *CPI* in the Acre state proved the connection between drug trafficking, politicians and state authorities through the case of Representative Hildebrando Pascoal, who commanded a group of civil and military policemen

responsible for distributing in Brazil drugs taken in Bolivia.<sup>44</sup> The accusations of drug trafficking, gang formation, illicit profiting and fiscal tax evasion extended to Ex-Governors of *Acre*, like Orleir Cameli.<sup>45</sup>

In the Alagoas state, the *CPI* proved the connection with the drug trafficking of the main sponsor of the presidential campaign, Paulo Cesar Farias, of Ex-President Fernando Collor de Melo, who renounced the position of President of the Republic in 1992 after the Congress had initiated the process of impeachment for serious corruption. Paulo Cesar Farias was assassinated under circumstances that led to the suspicion of archive burning. The *CPI* had obtained information from diverse sources that the medical legal expert Fortunato Badan Palhares had received 400 thousand U.S. dollars to forge the finding of the Paulo Cesar Farias' death as suicide. The link was established between Paulo Cesar Farias, Ex-Brazilian President, and a network of corrupt politicians, policemen, civil authorities and entrepreneurs supported by drug trafficking.<sup>46</sup>

In the Espirito Santo state, the *CPI* obtained evidence of the involvement of the law firm of Ex-Minister of Defense, Élcio Álvarez, with drug trafficking. The Ex-Minister also made a request to the Minister of the Brazilian Federal Supreme Court, Carlos Veloso that he grant a writ suspending the formal requirements taken by the civil police Director Francisco Badenes to break the fiscal, banking and telephonic secrecy of lawyers and state deputies suspected of being connected to organized crime in the state. There were suspicions that political crimes were committed by the Mayor of the Cariacica city, Dejair Camata.<sup>47</sup> One of the partners of the Ex-Minister of Defense in his law firm was the Appeals Court Judge of the Espirito Santo state, federal judge Geraldo Correia Lima, who was accused of participation in the murder of the social columnist Maria Nilce Magalhães on July 5, 1989, after she had threatened to divulge in her daily column the involvement of the authorities of Espirito Santo in organized crime.<sup>48</sup> Among other accusations, federal judge *Geraldo Correia Lima* granted an order of habeas corpus

to the Mayor *Dejair Camata*, without enough knowledge of his judicial records. *Dejair* was arrested in a flagrant illegal act of the unauthorized possession of weapons owned by the Armed Forces.<sup>49</sup>

Frequently new cases connecting drug-dealers with politicians and policemen appear in the press; however, the involvement of judges from the highest level of the judiciary was unknown until the conclusion of the *CPI*. Recently tape recordings made by the Federal Police identified illicit agreements between the Federal Representative Pinheiro Landim and the drug lord Leonardo Dias Mendonça.<sup>50</sup> More than 400 hours of recorded telephone conversation legally authorized during 3 years of inquiries, disclosed evidence that Landim functioned as the head broker of the drug dealers being prosecuted by the Justice Department. He was charged with corrupt judicial decisions that released drug dealers from prison. His speaker in the judiciary was the Appeals Court Judge, Eustáquio Nunes Silveira, of the Federal Regional Court (TRF) in Brasilia-DC. The report also stated that there were other judges involved, for instance, the Minister of the Superior Court of Justice, Vicente Leal.<sup>51</sup> This is the first time in a police investigation in Brazilian history that drug trafficking was connected with the highest level of judiciary.

On the other hand, cases connecting policemen and drug dealers unfortunately are becoming more frequent. The presence of policemen in gangs of drug-dealers in the *favelas* is common. They are “hired” to protect drug commerce or to wage wars for control among competing factions. The dealers pay up to 3,000 U.S. dollars to the policemen, whose salary is lower than 300 dollars a month.<sup>52</sup>

Similar connections exist inside the precarious and deficient Brazilian jail system. Although the Government has built maximum security penitentiaries, like Bangu I, Bangu II and Bangu III, the newly-built Prison Jorge Santana already is nicknamed “Penitentiary of Paper”. In six months 105 prisoners escaped from the prison by different methods. In October of 2002, a tunnel 8 meters long was found connecting the

penitentiary to the outside. Earlier in September, a number of prisoners tried to escape wearing police uniforms. In other instances, prisoners have escaped using women's clothes and large food-container for concealment. The repertoire of escapes has been varied, creative and frequent in the Brazilian penitentiaries.<sup>53</sup>

A curious comparison can be made between the seizures carried out during *Operation Rio* and the material found inside the penitentiary system of Rio. More specifically, the material was *inside the prisons under the responsibility of the state*. Although these discoveries correspond to distinct periods of operation, about 5 months for the Armed Forces and one year for the police, the following data demonstrates the difficulty in fighting drug trafficking when the traffickers are well equipped, whether inside or outside the prisons. In 2002, five hand grenades, three AR-15s, six pistols, three .38 cal guns, 8.8 pounds of C-4 explosive, three precision scales for weighing drugs, 1,212 marijuana packages, 592 cocaine packages, 211 cell phones, 182 cell phone chargers, a computer laptop, 20 pairs of shears, seven saws, and 21 knives, were taken from inmates in the Rio de Janeiro prisons.<sup>54</sup>

Finally, it was verified that the problem of drugs in Rio de Janeiro was more than a simple market of the drug dealer and the consumer. All the facts discussed above show that the drug problem had already reached the governmental level, branching through the Executive, Legislative and Judiciary powers, even though the issue does not seem to be widespread among them. Besides being “vertically” distributed among different levels inside the Brazilian society, drug trafficking has been extended “horizontally” to other Brazilian cities and neighboring countries.

Any success of *Operation Rio* has faded due to the narrow scope and scale of military actions and the spread of drug trafficking to other major cities and neighboring countries. There are two basic reasons: the lack of engagement of governments in acting

in a coordinated fashion and the lack of cooperation of the intelligence services. Both flaws put at risk any victory over drug trafficking at a regional level.

It is practically impossible to fight groups of drug dealers who act simultaneously in various countries without the effective cooperation of intelligence services of the countries involved. Treaties and agreements are not sufficient to improve the exchange of data and information. Barriers between the intelligence agencies of the countries affected by drug trafficking make it difficult to share information in order to assist in the combating drug trafficking. Another similar *CPI* carried out in 1991 highlighted this problem:

The United States initiated an ample training program of Latin American police forces and some of its military in order to impede drugs entering the United States, through the DEA. Instead of saving resources, DEA ended up monopolizing the actions of intelligence and repression in Latin America. The routes of the traffic to North American consumer market have been compressed, but the production remained untouched – which led to the natural and foreseeable creation of alternative markets. The development of this process reached non-drug-producing South American countries in a perverse way, without a form of internal policy capable of controlling the phenomenon within its borders; it increased the dependence of police apparatus on DEA's advice [translation by the author].<sup>55</sup>

Further evidence of this lack of effective coordination among countries was revealed during the John Michael White case in 2000. Overseeing a scheme of money-laundering operations through a connection with Colombia, Peru, Bolivia, Chile and Spain, John White was arrested and extradited to the United States in 1997. Free in the United States, John White returned to Brazil and was imprisoned again. After this second seizure, the *CPI* consulted the American Embassy in Brasilia, which affirmed the absence of a record of this American citizen on illicit activities.<sup>56</sup>

Another aspect that illustrates the lack of international cooperation is paradoxically the implementation of *Plan Colombia* by the United States. This package of measures to combat drug trafficking in South America provoked adverse reaction by the majority of the Colombia's neighbors, impeding effective international cooperation in fighting drug trafficking in the region. Brazil, Ecuador, Peru and Venezuela tend to stress the United States' excessive pursuit against drug trafficking abroad, while domestically it is not able

to control the escalation of drug consumption.<sup>57</sup> Such countries criticize the exclusive concern in fighting the supply-side of the problem to cut the offering to the American market instead of seeking joint measures that aim at solving this common problem, which destroys equally the society of all of these countries. Kissinger admits that the *Plan Colombia* was inappropriately limited to fighting the drug problem through use of the military, and furthermore, that the Plan established a unilateral U.S. anti-drug policy aimed exclusively at solving its own problem.<sup>58</sup>

Bruce Bagley also ably addressed the importance of a joint combat effort against drug trafficking:

The basic reason for Bush's [ President George H. W. Bush ] disappointing failure is that the drug trade in the Americas epitomizes the type of issue that simply cannot be resolved through unilateral or bilateral approaches alone. Indeed, rather than curtailing regional drug trafficking in the 1980s and early 1990s, U.S. unilateral, supply-side policies often exacerbated drug-related violence and instability and undermined multilateral cooperation on drug control issues.<sup>59</sup>

The government assumed that organized crime would be deterred by the presence of the Armed Forces during *Operation Rio*. However, two basic conditions must be considered in order to persuade an enemy to act in a way contrary to his intentions and to convince him that the cost-benefit of his action will be negative: first, the dissuasive agent must possess the *capability* to execute the threat, which constitutes the deterrence instrument; second, there must be *credibility* by the deterrent agent in executing the action against the dissuaded agent. In other words, the latter firmly believes in a successful action led by the former.<sup>60</sup> However, both conditions are usually absent in the use of Armed Forces in combat against drug trafficking. At least this generalization was true during *Operation Rio*.

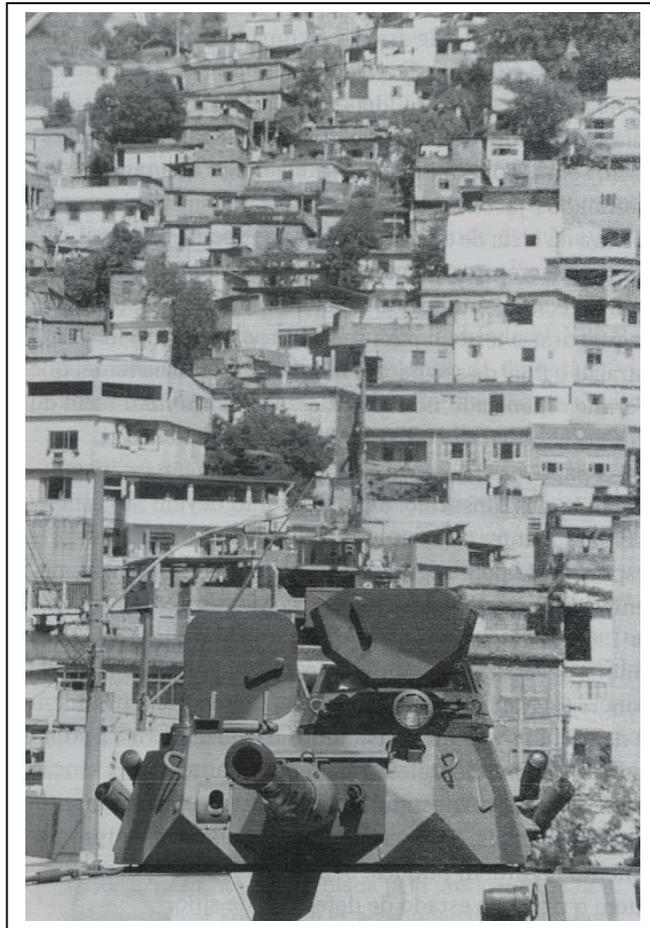
There are basically two reasons that explain why the Armed Forces did not possess the capability to impose a decisive victory in the *war on drugs* in *Operation Rio*.<sup>61</sup> First, military operations generally focus on just one component of the widespread spectrum of the drug trafficking system. This is formed by a chain of eight inter-linked

components that include (1) the growers of coca and marijuana, (2) clandestine laboratories that process the drug leaves, (3) the occasional drug consumer, (4) the drug addicted, (5) the dealer who commercializes the drug, (6) the gang that connects the drug producer to the drug trader, (7) the scheme of money laundering that involves several institutions of the international financial system and, finally, (8) the political component comprising members of the Executive, Legislative and Judiciary branches in the high levels of the Government, whose support is essential for the maintenance of both external and domestic commerce.<sup>62</sup> Thus, the effort made by the Armed Forces against drug trafficking reached only one reduced parcel of the "trafficking" component, which is far from being the center of gravity of the system. Based on these arguments, several segments of the government and civil society acknowledged later the limited approach of *Operation Rio*.

Second, the Armed Forces lacked adequate doctrine, training and equipment to fight the *war on drugs*. This situation was aggravated when a planner considers a military operation of a task force of 125,000 soldiers in more than 200 *favelas*, agglomerating more than 3 million people living in small houses scattered over the hills around the city. Nevertheless the occurrence of collateral damage was considerably reduced, considering the employment of these thousands of soldiers and policemen during five months in a city inhabited by almost 12 million people.<sup>63</sup> Old manuals of counter-guerrilla combat used by the Brazilian Army during the *Guerrilla of Araguaia* in the 1970s were not adaptable to the operational environment constituted by the *favelas*.<sup>64</sup> Common-sense and the experience of officers and members of the General Staff of the Task-Force, which included both military and public security personnel in the Eastern Military Command, were the main resources during the planning of *Operation Rio*. The skills of this group were able to overcome the lack of a specific doctrine for combating drug trafficking by the Armed Forces.

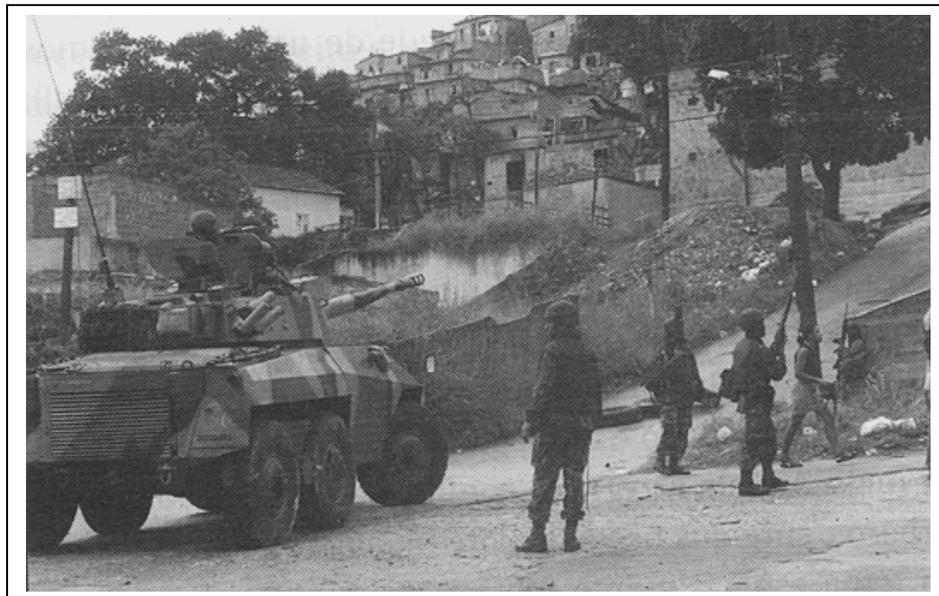
The annual training of the Marine Division and the Army Brigades was directed respectively toward amphibious operations and conventional ground operations in order to accomplish the primary constitutional goal of each, the national defense. Except on rare occasions, only specific military police Army battalions, Marine companies and Air Force infantry companies train for controlling riots. The majority of the Task Force lacked tactical and operational experience and training to carry out military-police operations in the densely urban areas of a metropolis like Rio de Janeiro.

The employment of a task force in an environment dominated by *favelas* characterized the concept of “excessive force”. As far as equipment is concerned, the Armed Forces lacked an inventory of non-lethal devices typical of police units. The military forces also lacked the necessary self-protection equipment to operate in urbanized terrain.<sup>65</sup> Although some weapons and equipment used by drug dealers in the *favelas* were equivalent to those of the regular forces, there was a lack of proportionality between the combat power of the Armed Forces and the enemy, mainly in the particular environment of a *favela*. If any brigade had engaged just part of its warfighting combat power during *Operation Rio*, the results would certainly have been catastrophic in terms of injuries and collateral damage. The fragility of the *favela*’s dwellings easily allowed the penetration of a 7.62 mm projectile through the “walls” of several contiguous houses. Moreover, in the event that it was necessary to use hand grenades, mortars and even the 90 mm cannon of the *Cascavel* light tank, often employed to block road accesses to the *favelas*, the damage would be equally disastrous to the population (see figures 6 and 7).



**Figure 6. A LAV *Cascavel* at *Dendê favela* (12/04/94).**

Source: Resende, "Operação Rio: Relatos de Uma Guerra Brasileira", p.17.



**Figure 7. 90mm cannon aiming to one *Dendê's* access (11/19/94).**

Source: Resende, "Operação Rio: Relatos de Uma Guerra Brasileira", p.103.

The application of adequate rules of engagement in military-police actions is not a simple task. Blumenson points out only some of these rules are applicable to the employment of military forces in Public Security.<sup>66</sup> First, it is necessary to establish strict cooperation between the armed forces and the police in order to co-ordinate operational procedures of the rules of engagement. Second, the use of minimum necessary force in the reestablishment of law and order demands a high level of experience and common sense. Third, lethal ammunition must only be used with the strict intention to save lives. For instance riot units usually use shotguns with rock salt and rifles with rubber bullets in the streets. Fourth, chemical agents should be used for the control of civil riots before using weaponry with special, non-lethal ammunition. Fifth, the use of real ammunition must aim to wound and not to kill. Sixth, armament must be carried in security, without setting bayonets. Seventh, searches and seizures must be carried out in strict fulfillment of judicial order. Eighth, the custody of suspects must be under the control of civil authorities, not military. Blumenson summarized the dilemma common in a democratic system of the use of military personnel in a domestic environment:

The maintenance of law and order is primarily the function of civil authority and ...law enforcement in a humane and democratic society must always use the minimum force necessary. Using military units to enforce civil law is distasteful and dangerous. But it is preferable to lawlessness and anarchy.<sup>67</sup>

The drug trafficking did not cease during *Operation Rio*. The main drug routes were temporarily transferred to São Paulo and Minas Gerais, while the local commerce was also temporarily reduced. In fact this development created a lack of “credibility” on the presence and action of the Armed Forces. The government had assumed that better weaponry, better operational readiness and better organization of the Task Force would have contributed to a successful deterrence in *Operation Rio*. However, for each seizure of drugs and weapons from the dealers, an equivalent volume was smuggled to Brazil through the intensification of “re-supply” through the Paraguayan border.<sup>68</sup>

The limited time and geographic frames of *Operation Rio* had forced the drug lords to seek alternatives in order to maintain their commerce, despite the minor material losses imposed by the operations. Moreover, limiting the armed forces to operating in distinct *favelas* left many other areas open and, like the decentralization of the gangs throughout Rio de Janeiro, afforded drug trafficking the opportunity for continuing activities elsewhere, thus compromising any deterrence factor. Additionally, advanced coverage in the media over the probable employment of the armed forces in the *favelas* gave adequate warning to the drug dealers to transfer their considerable amounts of drugs, smuggled arms, and remaining material to safe clandestine depots.

The asymmetrical nature of drug trafficking tends to diminish the credibility of fighting with conventionally trained military forces. This “irregular enemy” is mixed among the population, acts in reduced groups, is scattered in diverse sectors of the society and is supported by extensive economic groups. Moreover, in Brazil this asymmetry is even more pronounced when compared to neighboring countries, like Colombia, for instance. Different from the Cartels of Cali and Medellín, the Brazilian pattern is peripheral and decentralized. This decentralization makes it difficult to execute decisive operations by definition. It also makes it difficult to define the enemy’s chain of command. Organized crime in Brazil is usually dominated by factions of teenagers. Internal rivalry for power and the consistent losses of leadership in contact with the police makes the structure of “Command and Control” necessarily flexible in order to allow for rapid adjustment.<sup>69</sup>

The spread of drug trafficking through governmental sectors and the financial system also confers an asymmetrical aspect to the “enemy”, transferring its center of gravity from the Rio de Janeiro *favelas* to the high spheres of economic and political power. The government is structurally unable to police itself over the innumerable irregularities. The sophisticated infrastructure of the computing and communication

systems of modern banks simplifies considerable volumes of financial movement. Furthermore, the government is dependent on the data supplied by the financial system, whose commitment to truth can vary. This situation is aggravated by the slowness of the justice department in authorizing any breach of the banking, telephonic and fiscal secrecy of suspicious individuals and organizations.<sup>70</sup>

The proximity of Brazil to the cocaine and marijuana-supplier countries, like Colombia, Bolivia, Peru and Paraguay, makes it practically impossible to prevent the drugs from entering Brazil through a common border of 5,675 miles. This border includes enormous areas that are difficult to watch, such as equatorial forests, rivers and swamps, all capable of camouflaging small runways and dirt tracks.<sup>71</sup> The *CPI's* investigations found that 60 percent of cocaine and 80 percent of marijuana supplying the Brazilian market proceed from Paraguay, due to the connection among the gangs of Fernandinho Beira-Mar, who was protected by the Revolutionary Armed Forces of Colombia (*FARC*) before he was imprisoned in 2000, and Paraguayan general Lino Oviedo, whose fortune accumulated through the Cartel of Paraguay is estimated at one billion U.S. dollars.<sup>72</sup> This asymmetrical character of drug trafficking in Brazil, diversified geographically beyond borders, exemplifies the fruitlessness of military operations under the model of *Operation Rio*, which was restricted to a narrow part of the problem.

The distortion of ethical values in Western society has contributed to the growth of a trend that encourages drug consumption.<sup>73</sup> The naturalness with which the consumption of drugs has been treated by a globalized media dictates a negative influence on children, youth, family and society. Furthermore, several governmental manifestations and initiatives for drug legalization also have contributed to the deterioration of social values. Starting during the 1990s, a wide-spread and harmful social behavior was observed in Brazil. Basically, the wholesale acceptance of “social”

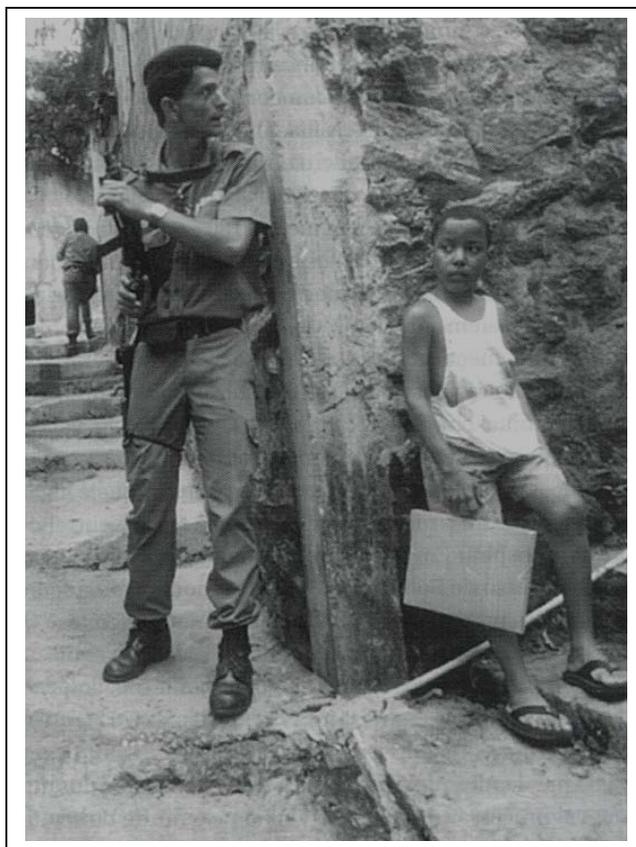
consumption of drugs increased as well as public rejection of serious counter-measures. This growth in sales and consumption of drugs on the streets, beaches and schools of Rio de Janeiro, from the Universities to the doors of primary schools is very evident.<sup>74</sup> In the streets, merchants from their tents freely sell smuggled and stolen goods as well as drugs with the consent of the police. On the beaches, any police repression of drug consumption is accompanied by hoots and protests from a population that mocks the police effort. In the schools and universities the drug consumption level is appalling. Professors have lost their authority in the classroom, and the state has proven unable to prevent the dealers from coercing directors who might denounce their illegal activities in the vicinity of the schools.<sup>75</sup> The Brazilian Institute of Public Opinion (*IBOPE*) in a survey carried out among the population of Rio de Janeiro in 2000 indicated that 59 percent of those interviewed admitted that policing is very bad and 72 percent did not trust on the police.<sup>76</sup> This is also part of the distortion of the ethical values of a society, which is unable to create its own self-policing mechanisms and discipline itself. The police problem is only a reflection of society, and both are guilty for their self-deterioration.

Synthetic drugs make the problem even more difficult from the perspective of the authorities. Synthetic drugs tend to assume a terrible role in the 21<sup>st</sup> century. The low cost, the easiness of production, and the difficulty of apprehension will naturally displace marijuana, poppy and cocaine plantations, as well as their refining laboratories. This conclusion reinforces the urgent necessity of making a serious and determined investment in drug prevention programs. Educating and preparing the youth to reject drugs will strengthen the society against the threat of drug trafficking.

The biased behavior with which urban violence has been treated by the Brazilian society and the media makes any action modeled on *Operation Rio* practically ineffective. Influenced by the military abuse of political rights and civil liberties committed during the 1960s and 1970s, a significant number of journalists and non-governmental

organizations (NGO), like the Grupo Tortura Nunca Mais (GTNM) and Human Rights Watch, focused on *Operation Rio* under the prism of a revival of the military dictatorship. Regardless of the failures of *Operation Rio* to address the problem of drug trafficking, the approach of the media demonstrated how the human rights issue has been distorted in Brazilian society. Obviously the concern of NGOs was pertinent, considering the policy of torture by the military government in the past. Nonetheless, many journalists and the NGOs do not sufficiently examine the disturbing evolution of urban violence in Brazil. For instance, the annual average of murders in Rio de Janeiro has been around six thousand people a year. Almost half of these crimes are directly related to drug trafficking; 46 percent of the 15,000 prisoners in Rio de Janeiro serve a drug-related prison sentence.<sup>77</sup> Although *Operation Rio* occurred ten years after the democratic transition to a civilian government, powerful segments of Brazilian society did not shift their attention to the real threat of drug trafficking at that occasion.

The military itself questions its role in domestic law enforcement. First, the pitfalls of such an operation had been discussed at all levels of the chain of command, particularly the secondary aspect of an armed force in police-type actions. Military doctrine, daily training, the type of equipment and weaponry were inconsistent with public security tasks. The outcome of the employment of the armed forces could be disastrous for the civil population. Second, the involvement of the armed forces in the maintenance of law and order is a political issue by nature, subject to unintended changes in the goals previously established by the operation, depending on the fluid interests of the political parties. Third, it is significantly difficult for professional soldiers to fight their own citizens, their own country when they have been trained to defend it (see figure 8).<sup>78</sup>



**Figure 8. State police in action during *Operation Rio*.**

Source: Resende, "Operação Rio: Relatos de Uma Guerra Brasileira", p.211.

As efficient as the Armed Forces employment in the Rio de Janeiro *favelas* could have been, it was the wrong instrument of national power for resolving a social calamity that affects thousands of young people in Rio de Janeiro. Due to the lack of education and opportunities in the job market, drug trafficking has become the biggest employer of youth in the state. According to data of the Brazilian Institute of Innovations in Social Health (*IBISS*), 12,527 children and young persons from 8 to 18 years-old work today in drug trafficking in 232 *favelas* of Rio. Among these youngsters, 5,773 are between 15 and 17. In this same age range only 1.1 percent of 287,837 adolescents will be employed in the regular work market (see figure 9).<sup>79</sup> Again, the military forces in Operation Rio could not solve this chain of problems related to drug trafficking.



**Figure 9. Youngster working for the “CV” (Red Command)(11/07/94).**  
Source: Resende, “Operação Rio: Relatos de Uma Guerra Brasileira”, p55..

Besides the fact that State and private initiatives have reduced the chances for a youngster to study and work with dignity, trafficking is a way to bring money and thus social status to the deprived young. These young people come to be respected for their wealth in the needy community and begin to acquire goods that would be impossible for an unemployed or under-employed person. Often such goods are simple brand-name shoes and clothes; however, these are sufficient to keep the young in drug trafficking.<sup>80</sup>

During *Operation Rio* a series of other socio-cultural issues impaired the performance of military and police forces. The number of soldiers who shared the same neighborhood with drug-dealers in the *favelas* was considerable. Fearing for the safety of their own family, some military personnel had opted for abandoning their houses moving to reside with relatives in safe areas. Besides being common to police personnel, at least temporarily the problem was extended to military personnel too. About 10 percent of the total staff of the state police in Rio de Janeiro currently live in *favelas* - 2,800 policemen approximately. Between 2000 and 2002, 97 off-duty policemen were assassinated in the *favelas*.<sup>81</sup> Although the state government has signed an agreement with the State

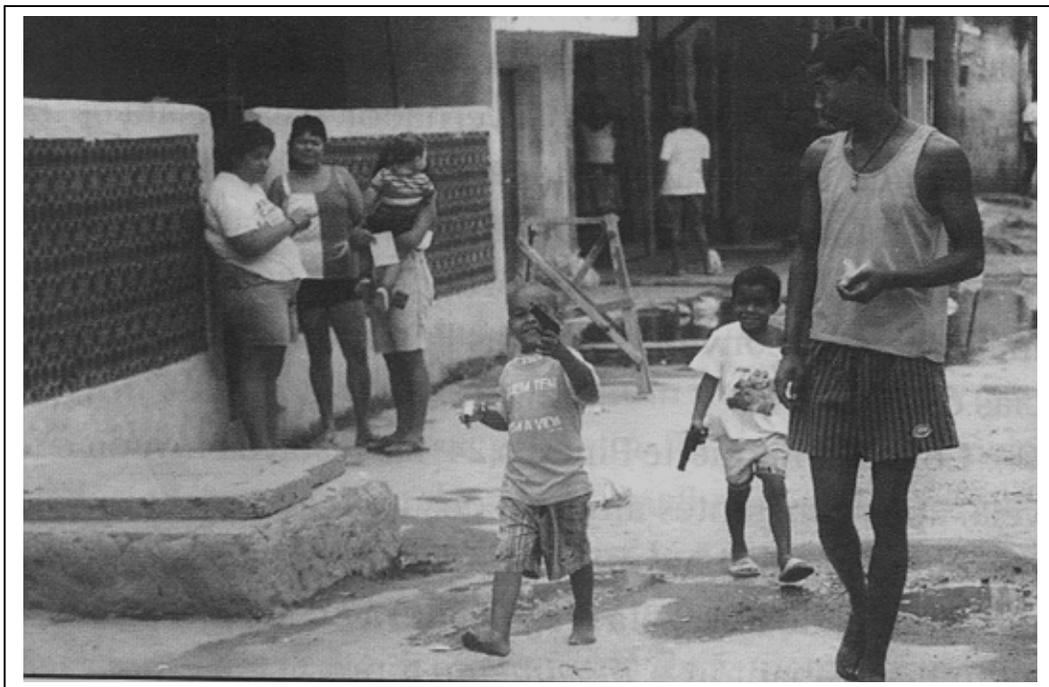
Secretariat of Habitation and the *Caixa Econômica Federal* that has been in force during the three last governments, about 17,000 policemen that had taken advantage of the “Safe Housing” program have complained that the annual interest rates are still high and have denounced real estate projects built in risky areas as not being supportive of the program.<sup>82</sup>

In addition, a majority of military personnel employed in the operations chose to carry a civil identity, which did not identify the owner as military. It was a common practice among criminals to check identities during collective assaults on urban buses in order to identify the presence of police amidst the passengers. The bandits used to kill policemen due to the simple identification of their profession. Such risk also extended to military personnel during *Operation Rio*.

Finally, the problem of drugs was addressed under a considerably restricted approach in assuming that a social class is responsible for the drug affliction in Rio de Janeiro. Military operations focused on the less favored areas of Rio de Janeiro and the inhabitants of the Rio de Janeiro *favelas*, where the majority is black and poor. Perhaps the real center of gravity of the drug trafficking system was not located in those lowly places but was supported by the more favored social classes. In some way, the government had embraced the sociological phenomenon known as "hygienist" thought, which proposes to "cleanse" society through actions directed at its poor classes (see figures 10 and 11).<sup>83</sup>



**Figure 10. Military operations focused on poor areas (11/23/94).**  
Source: Resende, “Operação Rio: Relatos de Uma Guerra Brasileira”, p.27.



**Figure 11. Children’s toys reflect their daily reality (11/03/94).**  
Source: Resende, “Operação Rio: Relatos de Uma Guerra Brasileira”, p.41.

## THE QUESTION OF CIVIL-MILITARY RELATIONS

The problems resulting from the tense civil-military relations during almost 21 years of military government also provoked undesirable memories of past military forces during *Operation Rio*. The population's perspective on restricting its freedom through military actions raised a considerable number of opponents who remembered the time of the military government. As legitimate as the action of the armed forces under the civil authority may be, military actions received heavy criticism on the part of journalists and politicians who in the past had opposed the military regime. During the 1960s and 1970s, "Internal Defense" was the key mission of the Armed Forces, and the reduction of political rights and civil liberties through its actions were the instruments of effective maintenance of law and order. In fact, the combat power used during the *Operation Rio* led to estimates that this would be the biggest urban operation of the Armed Forces since the *Coup d'Etat* of 1964. Despite the skepticism, the applause of the people in the streets and the high level of popularity of the armed forces during *Operation Rio* provided the support necessary to its execution.<sup>84</sup>

There are authors who blame the media for influencing by political, economic and military power to paint a violent picture of Rio in order to prompt favorable polls towards a military intervention. This view is false because the majority of statistics about urban violence have shown how deplorable the state of public security has been in Brazil over the last ten years. Cecília Coimbra, for instance, considered that the violence issue in 1994 was addressed by the media as "spectacular, sensationalist and theatrical."<sup>85</sup> According to her research, the media meticulously produced subjective reporting aggravating the situation in order to foster public support in favor of military actions. Nowadays, the amount of "sensationalist" news on violence is perhaps larger than that published during 1994. Nevertheless, there has not been the same outcry against the media led by the human rights NGOs during *Operation Rio*.

The NGOs that criticized the lack of freedom of speech during the military dictatorship said in 1994 that the free press acted on behalf of the government and of the armed forces. The Brazilian NGO *Grupo Tortura Nunca Mais*, which most criticized *Operation Rio*, has as one of its main objectives the "fight against all and any breach of human rights". However, the problem of human rights is considered only partially, because Brazilian society must do its part by collaborating with the government in the attempt to promote the right to live in peace. The high indices of urban violence then found in Rio in 1994 were also an important issue related to the defense of human rights.<sup>86</sup> Argemiro Procópio addresses this subject in a competent form:

Another important issue to be discussed in Brazil is about making the public opinion [and the NGOs] understand that those in the arduous battle against drug trafficking confront the organized crime *in the name of human rights* and not against them. *Human rights are not synonymous of complacency or weakness in the face of the crime. On the contrary, human rights uphold the right of being able to live in peace* [italics added][translation by the author].<sup>87</sup>

Statistical data on urban violence in Brazil is alarming by itself without needing the media to demonstrate that the policies implemented in the area of public security have been inefficacious. In a survey taken in 2000, the population of 20 Brazilian metropolises, including Rio, São Paulo and Porto Alegre, named the lack of security as the most important problem of the city. Brazil already had become the third largest market for armored cars in world, just behind Colombia and Mexico. The actual number of private security professional exceeds 1.3 million civilian guards, more than double the staff of the state police in Rio. In Brazil, more than 40,000 homicides occur per year, which is higher than in the United States, Canada, Italy, Japan, Australia, Portugal, England, Austria and Germany combined. In Rio de Janeiro alone, the rate of homicides is 69 deaths per 100,000 inhabitants, an index nine times higher than New York and 23 times higher than Paris. From 1995 to 1999, annual spending on security had increased 30 percent; the staff of the state police increased 10 percent; and the salary of the policemen went up 10 percent. The number of arrests jumped 50 percent from 1998 to 1999. On the

other hand, contrary to governmental estimates, the number of homicide cases grew 30.5 percent and the total number of thefts and robberies doubled. All these statistics are related to drug trafficking because almost 60 percent of all homicides are directly connected to the drug issue.<sup>88</sup> This data proves that the success of *Operation Rio*, as well as other governmental measures in the area of public security faded along the years (see figure 12).



**Figure 12. The day after a police action at Vigário Geral favela (11/06/94) .**  
Source: Resende, “Operação Rio: Relatos de Uma Guerra Brasileira”, p.41.

Currently the level of violence in the city of Rio de Janeiro should stimulate a more intense interest on the part of the human rights NGOs than in 1994. For example, the number of missing people in the city of Rio has increased every year since 1994, except for an insignificant decrease in 1998. There were 1,491 disappearances in 1994 and 1,440 in 1998. In 2001 the index was 1,918 missing people. In 1994 there were 37,737 violent crimes, which increased to 70,908 in 2002, in Rio de Janeiro alone.<sup>89</sup> The importance of human rights issues in a democratic society is fundamental. However it is debatable

whether the NGOs were effectively committed to the subject in 1994, or was it a simple case of avenging the actions of the Armed Forces during *Operation Rio*.

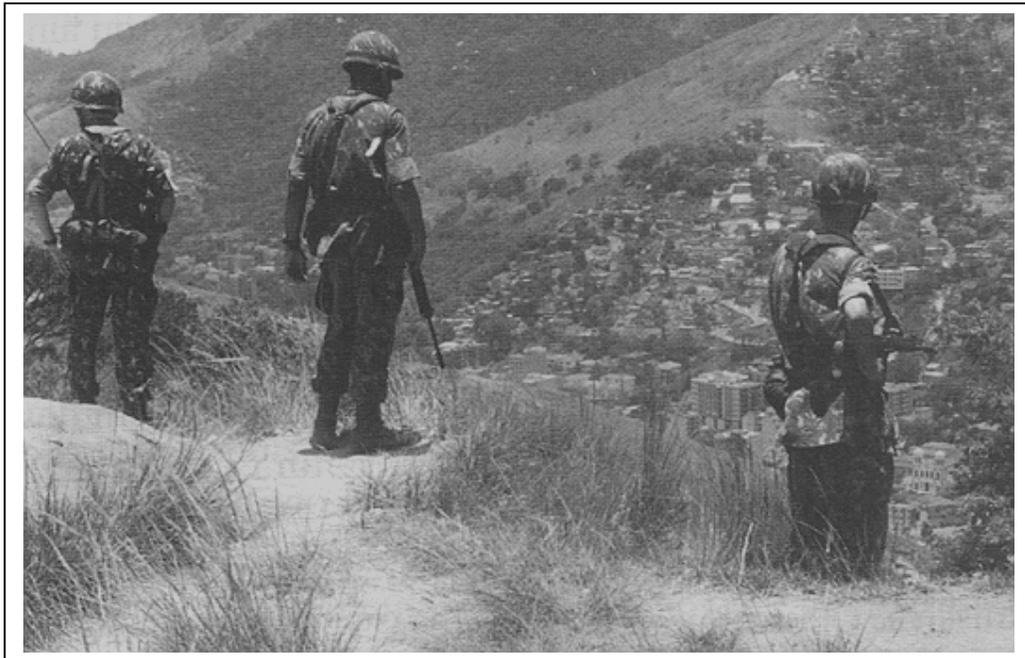
There are authors that criticize the inversion of ethical values in Brazil, stimulated by influential personalities who in the past were persecuted during the dictatorship. In fact, the media has promoted the image of outlaws, killers and guerrillas as heroes, because they opposed the Brazilian Armed Forces during the 1960s and 1970s. In recent years, there is evidence that illustrates this inversion of moral values. In 1988 three laborers died during a confrontation with the Army in the *Companhia Siderurgica Nacional(CSN)* during an attempt to destroy the blast furnaces of the steel mill. This struggle was prompted by the erection of a monument celebrating the laborers who died in front of the CSN. There is even a worse case than the latter. All indemnities and homage to the families of former-guerrillas of the Brazilian Communist Party, killed during the *Guerilla of Araguaia* in 1974, were excluded from being given to families of veterans of the Brazilian Expeditionary Force who fought in the Second World War.<sup>90</sup>

The gravity of the state of public “insecurity” in Rio de Janeiro in 1994 begged the attention of the Federal Government. Help would have to come from somewhere to try to control the chaos that enveloped the city. However, the misguided political decision of using the armed forces to resolve a complex and pervading problem was interpreted as one more attempt to control society under the molds of 1960s and 1970s.

The drug problem in Brazil was complex, ramified among diverse powers and globalized in a chain that embraces rich and poor countries. An effective attempt to reduce the urban violence in 1994 would have involved multiple elements of national power. Moreover, the fragility of civilian-military relations in Brazil in the last years inhibited the leverage of informational power and contributed negatively to the accomplishment of *Operation Rio*. Without exaggeration, even a “Napoleonic” effort by

military forces could not lower the incidents of violence resulting from drug trafficking in Rio in 1994 and 1995.

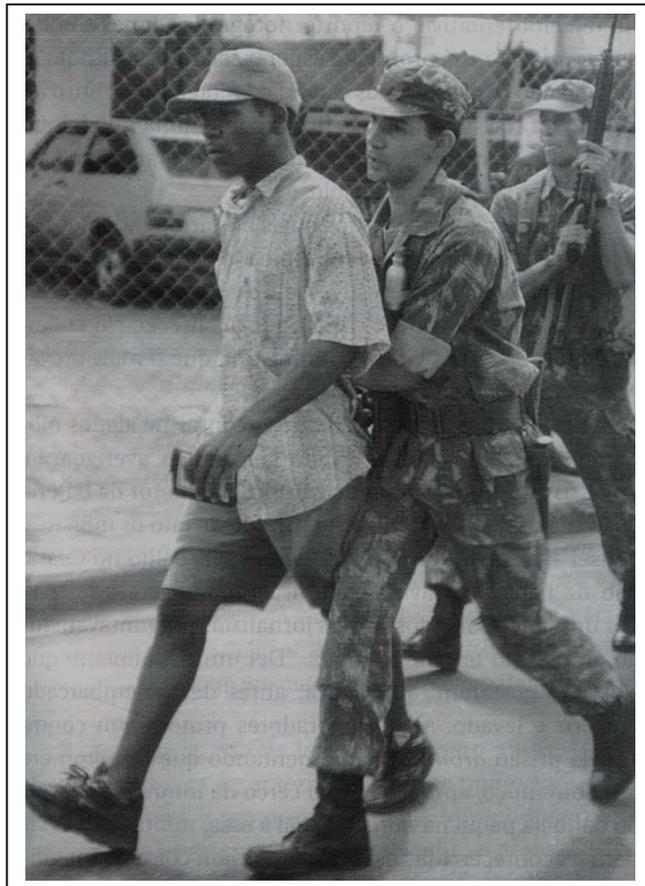
Besides all the negative questions about *Operation Rio*, another key point raised difficult discussions among lawyers, judges, media and society: the legitimacy of the employment of the Armed Forces in support of internal security (see figure 13).



**Figure 13. The Brazilian Airborne Brigade at *Borel favela* (12/05/94).**  
Source: Resende, “Operação Rio: Relatos de Uma Guerra Brasileira”, p.113.

## **THE LEGITIMACY OF *OPERATION RIO***

Even though *Operation Rio* had not been imposed solely by the federal government, as it was done by mutual acceptance of an agreement between the state government of Rio and the national government, the discussions about the legitimacy of a military intervention by the federal government in a state were useful in addressing several interesting aspects. First, the Armed Forces have historically been concerned with the internal defense issue. Second, there are coherent arguments against the constitutionality of *Operation Rio*. Finally, the lack of police authority for the military forces during *Operation Rio* forced operational constraints. Recently, the attribution of police authority by decree to the Armed Forces contributed to an undesirable trend to *militarize* the public security in Brazil (see figure 14).



**Figure 14. Police authority during *Operation Rio* (11/23/94).**  
Source: Resende, “*Operação Rio: Relatos de Uma Guerra Brasileira*”, p.37.

The concern with “internal defense” by the Armed Forces grew gradually after the end of the Second World War.<sup>91</sup> From 1930 to 1945, Getulio Vargas imposed a civilian dictatorship in Brazil, the period called *Estado Novo*. The government was characterized by “the central powers of the presidency”, “the weak and constantly shifting landscape of political parties” and “the consolidation of the patrimonial state in a national corporatist bureaucracy.”<sup>92</sup> Vargas’ legacy shaped the political environment to one of an ever-increasing military participation in national politics. During the Cold War, the political opposition in almost all of the Latin American countries had no other alternative but to seek the support of the former Soviet Union or its allies to guarantee its survival under predominately authoritarian governments. During the period of 1946 to 1964, the military had inserted itself into politics just as the Moderate Power of the Brazilian Monarchy in the nineteenth century had done.<sup>93</sup> There grew to be an informal system of double loyalty between the government and the military, in which the latter was responsible for the political stability of the civil governments. The mechanism was simple: political crises should be resolved through a military intervention of a short duration. After the crisis was under control, the power should return to the civilian hands.<sup>94</sup>

When the Military Coup of 1964 removed President Joao Goulart, the Armed Forces began to directly and authoritatively exert control over the legislature and judiciary. Through the establishment of Institutional Acts, the new government revoked the Constitution of 1946 and created another in 1967 with a bi-party and indirect system, restricted political rights and civil liberties, and the suspension of the habeas-corpus, among other dictatorial measures. The expressions “Internal Defense” and “Internal Security” assumed preponderance over the subjects of external security. The Cold War was in its most tense period and was the principal rationale for the conduct of Brazilian military governors. The Soviet and later Chinese doctrine of *wars of national liberation* sponsored students and training for diverse Latin-Americans militants in countries of the

Warsaw Pact. Therefore, the “internal defense” issue gained growing importance among several military generations, becoming one of the main military questions to be debated during the writing of the 1967 and the 1988 Constitution drafts.<sup>95</sup>

As an exception to the Federal Constitution of 1937, the military government legitimized itself in the domestic arena and assumed the portfolio of guaranteeing the constitutional powers of law and order. The Constitution of 1937 in its Article 161 refers to the Armed Forces exclusively as an instrument of defense of the State and makes no provision for any internal responsibilities.<sup>96</sup>

During the 1970s, President Ernesto Geisel initiated a slow and gradual return to democratic principles that reached its culmination in 1984 with the indirect elections of the Brazilian President. In 1978 Geisel rescinded the notorious Institutional Act 5 (AI-5) of 1968, a benchmark of the most dictatorial phase of the military government. However, “he made sure that he and his successors would retain wide-range institutional instruments for upholding law and order as defined in a Law of National Security.”<sup>97</sup>

After the indirect victory of President Tancredo Neves in 1984, several secret understandings between Neves, ex-President General Geisel and ex-President General João Figueiredo took place in order to guarantee the democratic transition. The military and the civilian elites committed themselves to “(1) upholding the 1979 amnesty protecting the military against prosecution; (2) supporting a constituent assembly comprised of the Congress, rather than independent individuals; (3) preserving some internal security functions for the military; and (4) maintaining the existence of a high degree of military autonomy in the development of sophisticated military technology.”<sup>98</sup> However, Neves died in March 1985 without ever taking office. Vice-President José Sarney assumed the Presidency and facilitated negotiations with the Armed Forces until shortly before the Presidential elections, because he was a military supporter.<sup>99</sup>

From the military perspective, the maintenance of the military prerogative of the *guarantee of law and order* in the National Constituent Assembly of 1988 was one of the conditional factors to the consolidation of the democratic transition. In addition to this privilege, the military were against the creation of the Ministry of Defense, which would combine the Ministers of the Navy, Army and Air Force, aside from the Joint Armed Forces Staff and Military House of the Brazilian Presidency. The Minister of the Defense would be created only in June of 1999, during the second mandate of President Fernando Henrique Cardoso, after 14 years of civilian government. The military thus managed to maintain its principle role in the new Constitution of 1988.

Other authors have argued that the maintenance of the prerogative of the *guarantee of law and order* was a question of the Armed Forces survival as a national institution. During the National Constituent Assembly, the political immaturity of parliamentarians provoked baseless and irresponsible debates in relation to the constitutional mission of the Armed Forces. For instance, there were proposals for total extinction of the Armed Forces as a result of the victory of the United States in the Cold War. Also, the deputies tried to approve social and health care as the primary roles of the Armed Forces. Those initiatives demonstrated the naïve insensitivity of the parliamentary body regarding the importance of military power in a country with the strategic dimensions of Brazil.<sup>100</sup>

Brazilian legislation was not clear in relation to the employment of the Brazilian Armed Forces in the domestic front during *Operation Rio*. The subject was described partially in the Federal Constitution of 1988, and generated heavy criticism about the unconstitutionality of the military intervention. Article 142 of the Federal Constitution established that:

The Armed Forces, composed by the Navy, the Army, and the Air Force, are permanent and regular national institutions, organized on the basis of hierarchy and discipline, under the supreme authority of the President of the Republic. They are intended to defend the Nation, *guarantee the constitutional branches, and, on the initiative of any of them, law and order* [italics added][translation by the author].<sup>101</sup>

The subject was ambiguous because it treated the *guarantee of law and order* as “secondary” to the Armed Forces, because Article 144 of the Federal Constitution relates that task as a primary role with public security forces.<sup>102</sup> Article 144 states that:

Public security, which is a duty of the State and the right and responsibility of all, is exercised to preserve public order and the invulnerability of persons and property, by means of the following bodies:

- I. federal police;
- II. federal highway police;
- III. federal railway police;
- IV. civil polices;
- IV. state polices and state fire brigades [translation by the author].<sup>103</sup>

Four years after *Operation Rio*, Backing Law 97 of 1999 established the general norms for the organization, preparation and execution of operations in a domestic environment by the Armed Forces. However, this law still stated that to guarantee law and order is a *subsidiary* task of the Armed Forces. The law conditioned the use of the military forces to the collapse of the capability to intervene in a situation by the public security forces. The Law establishes in its Article 15, 2nd paragraph, that:

The performance of the Armed Forces, in guaranteeing law and order, by the initiative of any constitutional power, will occur in accordance with lowered lines of direction in the act of the President of the Republic, after having *collapsed* the instruments destined to the preservation of public order and the safety of the people and the estate, related in Article 144 of the Federal Constitution [italics added][translation by the author].<sup>104</sup>

Additionally, Decree 3897 of August 24<sup>th</sup> 2001 established guidelines for the employment of the Armed Forces in guaranteeing law and order, addressing the controversial subject of the attribution of police power to the Armed Forces. This decree, in force, establishes that the Armed Forces in defined conditions will conduct certain authorized police-type actions; however, the legal attribution of these actions belongs to the public security forces. The decision to employ the Armed Forces in this situation is held by the Brazilian President to be used on the collapse of the constitutional instruments for the guarantee of law and order. The word *collapse* in accordance with the

Decree 3897 means the unavailability, non-existence or insufficiency of the State Police for the performance of its constitutional duties.

Decree 3897 also determines that military personnel, in the case of the previous paragraph, will act as if they were policemen, obeying the terms and limits imposed on any State Police by the legal system. Preceding publication of Decree 3897, the General Attorney provided a formal recommendation to the Brazilian President on the subject. He concluded that:

Since Armed Forces are responsible (temporarily and in emergency situations) for the preservation or reestablishment of the public order, they should perform the role of the State Police, because the military force has the duty to execute – as long as becomes necessary – the State Police duties, surely within the terms and limits that the Constitution imposes to State Police [translation by the author].<sup>105</sup>

The main limitations imposed on the State Police, in the fulfillment of its constitutional attributions, consist of Article 5 of the Federal Constitution, in particular the interpolated propositions II, III, XI and XVI. Respectively, they describe:

II. no one shall be obliged to do or not to do something except if provided by law;  
III. no one shall be submitted to torture or to inhuman or degrading treatment;  
XI. the home is the inviolable asylum of the individual, and no one may enter it without the dweller's consent, save in the case of "flagrante delicto" or disaster, or to give help, or, during the day, by judicial order;  
XVI. all persons may hold peaceful meetings, without weapons, in places open to the public, regardless of authorization, provided that they do not frustrate another meeting previously called for the same place, subject only to prior notice to the proper authority [translation by the author].<sup>106</sup>

The Brazilian President Fernando Henrique Cardoso on issuing Decree 3897 granting the police authority to the Armed Forces under certain conditions provided an unfortunate opportunity to the *militarization* of public security in Brazil.<sup>107</sup> Decree 3897 provoked controversy among several sectors of the society. First, there were arguments about the necessity to focus the Armed Forces on their primary constitutional role of national defense. Second, there are arguments against strengthening the Federal power to employ the Armed Forces to intervene in the states. Indeed, it was exactly for the purpose of preventing excessive power of the Federal Government that the Federal Constitution of 1988 established an end to the control of the State Police by the Army. Thus, the

Constitution made the State Police independent with its own General-Commander, who is directly subordinate to the State Governor. Third, Decree 3897 potentially will create an increasing gap in readiness and preparedness between the military and the various state police because of the institutionalization of *immediate aid* by the Armed Forces.

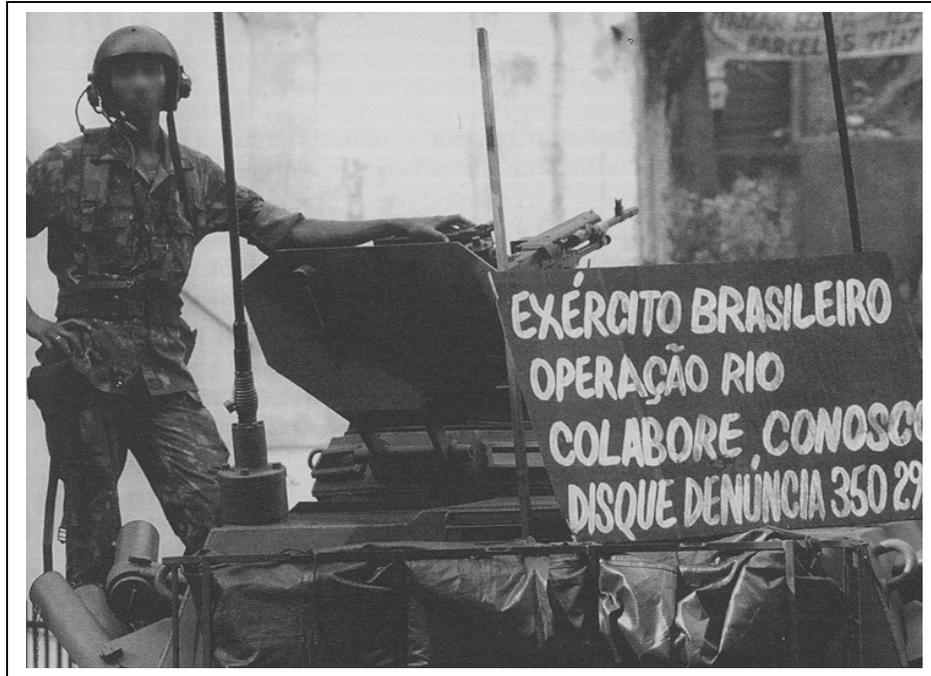
Regarding the Decree 3897, both military and civilian authorities acknowledged the malign effect of attributing police authority to the Armed Forces. Civilians, in general, see the Decree 3897 as authoritarianism and a return to a *modern* dictatorship. Militaries, in general, see the Decree 3897 as a *militarization* of public security, which overloads the Armed Forces with subsidiary tasks and bleeds resources to make up for the lack of preparation and indifference to the state police by the Federal Government.

Curiously, the attribution of police authority to the Armed Forces did not appear to facilitate the military actions in *Operation Rio* but rather occurred as a result of successive strikes by the state police during 2001.<sup>108</sup> In this case, police authority to the Armed Forces was fundamental to guaranteeing law and order because of the collapse of the public security apparatus to enforce the law. If Decree 3897 had been promulgated in 1994, the performance of the Armed Forces on the tactical level would have been considerably simplified. During *Operation Rio*, small units could only perform search and seizure procedures if accompanied by a policeman who would provide the legal authority for the military action. In practical terms, a military detachment could not arrest a citizen without the presence of a policeman who witnessed the arrest and would legalize the custody of the prisoners. Moreover, in accordance with the constitutional prerogative that foresees the inviolability of the home, a search warrant was necessary for the accomplishment of home inspections in the *favelas*. Such warrants were issued in reduced time, due to the establishment of a Liaison Office with the Court of Justice of the Rio de Janeiro state, which supplied its 12 judges with the necessary data to conclude the judicial order. Nevertheless, several warrants were considered abusive, because they

often included an observation about searches in specific houses and “in the neighboring houses if necessary to accomplish the determination of this warranty”.<sup>109</sup>

Even before *Operation Rio* there was an increasing trend in domestic employment of Armed Forces. During the period of 1992 to 1998, for instance, the Armed Forces were involved in 114 subsidiary operations. These included public security for the United Nations Conference *Eco-92* in Rio de Janeiro in 1992, various logistic and intelligence support to combat drug trafficking in other states, continuing distribution of water and food to the needy population, digging wells in the Northeastern region, and many other odds and ends.<sup>110</sup> In short, the armed forces were a handy manpower pool for the Government, rather than focusing on primary duties established on the national defense policy (see figure 15).<sup>111</sup>

Wendy Hunter adds that the fragility of governance in Brazil also contributed to an increase in the domestic employment of the Armed Forces during the last 17 years of the civilian-led federal government and 3 years of also civilian-led Ministry of Defense.<sup>112</sup> The proliferation of political parties none with any power, the lack of any concrete and coherent long-term national strategic objectives, and the constant shifting of candidates among parties prior to elections are some of the more obvious problems that interfere directly in governance. In this case, maintaining control of public security becomes one of the fundamental issues for the political survival of government. An environment of public disorder can jeopardize the life of the political parties in power.



**Figure 15. A special phone line to collect information among the population.**

Source: Coimbra, “Operação Rio: O Mito das Classes Perigosas”, p.135.

The attribution of police authority to the Armed Forces undermined Brazilian aspirations to increase its influence in the international arena in the medium and long term (see figures 16 and 17). Increasing the professionalism of the Armed Forces is directly guided by some objectives established in National Defense Policy: to contribute actively in the construction of an international order based on the state of law, to participate in the international decision-making processes of relevant issues, to improve and heighten the Brazilian negotiating capability on the international scene, to participate in international peacekeeping operations, and to protect the Brazilian Amazon.<sup>113</sup> These objectives can be better accomplished if the Armed Forces focus on their main constitutional role, the national defense. Also, the participation of military staff in international coalitions under the auspices of the United Nations would extend the operational capacity and provide experience to the Brazilian Armed Forces. However, the excessive use of the military in subsidiary operations is a detriment to its professionalism and will distance the Brazilian soldier from such international standards of efficiency.

Aside from the Peace Operations in Suez and the Dominican Republic, the last time that Brazilian forces participated in a war occurred in 1944 in Italy.

Brazil aspires to be a permanent member in the United Nations Security Council but apparently does not want to contend with the costs of such a political objective.<sup>114</sup> Perhaps the Armed Forces are the best instrument of national power to assist in this endeavor, as so described in the National Defense Policy. However, the obsolescence of its military equipment, the annual reduction of the defense budget, and the absence of Brazilian forces in UN Peace-Enforcement operations undermine Brazilian influence in the regional and global scene, a factor that is necessary to achieve Brazilian strategic objectives.



**Figure 16. Brazilian Army patrolling the streets during *Operation Rio* (11/13/94).**

Source: Resende, "Operação Rio: Relatos de Uma Guerra Brasileira", p.165.

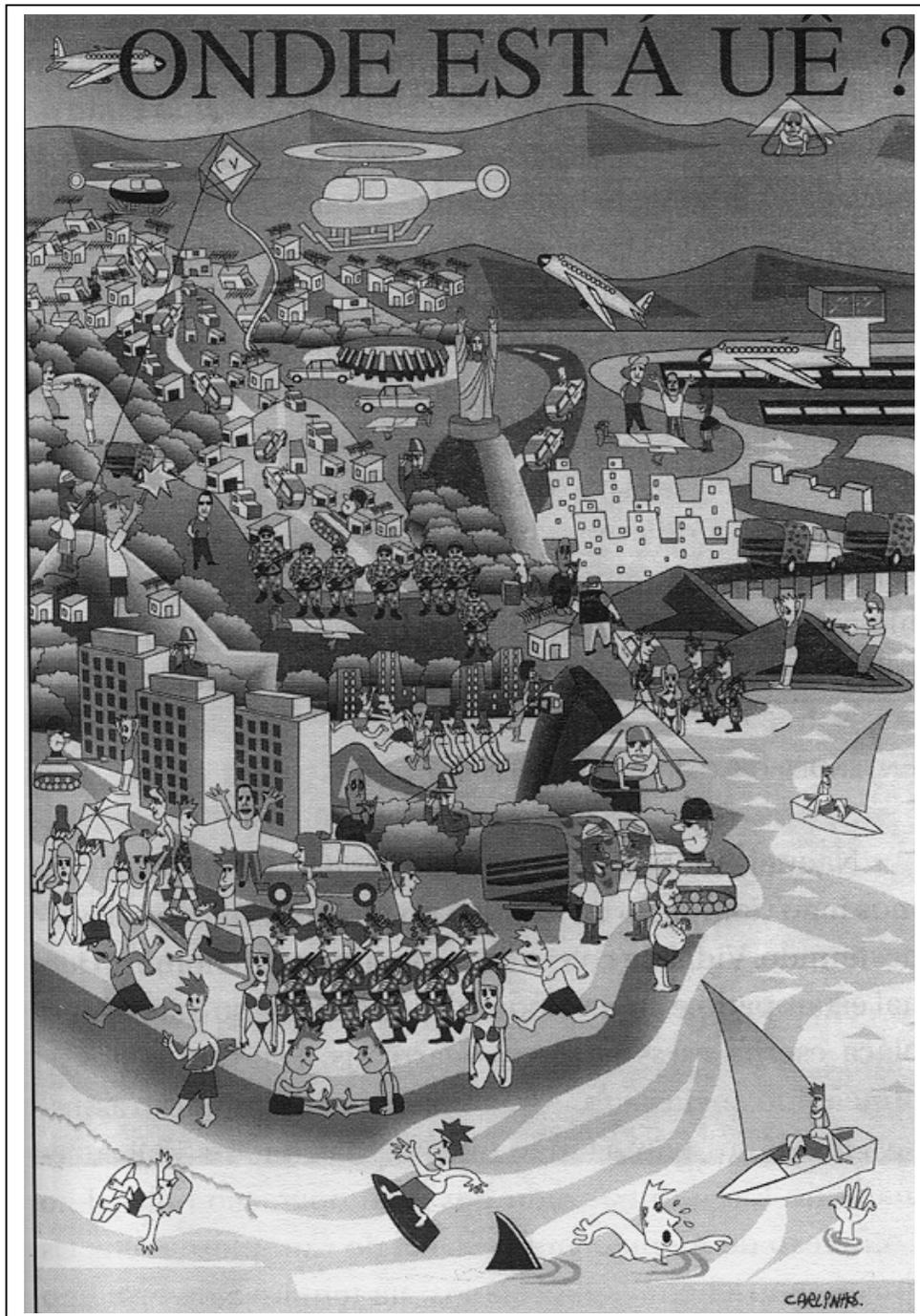


Figure 17. Newspaper cartoon about the searching for the drug dealer *Uê* (“Where is *Uê*?”).  
Source: Resende, “Operação Rio: Relatos de Uma Guerra Brasileira”, p.53.

## **FUTURE OPERATIONS**

*Operation Rio*, as a model of employment of the Armed Forces against drug trafficking, should not be repeated in the future, because it was not effective and reinforced the trend of the militarization of the public security in Brazil. *Operation Rio* showed how unsuitable it is to employ military forces to solve a complex problem that receives direct or indirect support from the high sphere of the political and economic powers and internationally.

Unlike the one-dimensional *Operation Rio*, the problem of drug trafficking must be simultaneously addressed by coherent policy in the areas of Public Security, Education, Health and Foreign Policy. The use of military forces to fight drug trafficking is ineffective, because it is limited in time and space and is focused on just one aspect in the full spectrum of the problem: the dealer. Preventive actions should address educational and health programs in the long-term, guaranteeing effective education and improvement of schools and hospitals are only some of the initiatives that involve politics. It only lacks implementation. Regarding foreign policy, as long as drug trafficking continues to be supported by powerful international financial institutions, whose main source of profit is money laundering carried through fiscal paradises, government counter measures will hardly be effective. The association between the elites of the Executive, Legislative and Judicial powers with the international financial system is perhaps the true center of gravity of the drug-trafficking system, against which military forces would be ineffective through the execution of an operation such as *Operation Rio*.

As far as the legitimacy of the domestic employment of the Armed Forces is concerned, Decree 3897 will likely address negative results in Brazil in the medium and long term. One may argue that this Decree was a response to a *factual reality*, a special circumstance generated by disorder in the country after the simultaneous strikes of the state police in 2000 and 2001. Without police authority, the Armed Forces would not be

able to restore law and order in this situation. However, a refinement on the legislation eliminated the last legal barrier to the employment of military forces in the streets, without the establishment of Emergency (*State of Defense*). In other words, Decree 3897 facilitated federal intervention in the states to guarantee law and order. In addition, the Decree as a legislative “trigger” associated with a historic political and economic instability in Brazil may stimulate three negative trends in a near future. First, it increases considerably the probability of implementing new agreements or operations similar to *Operation Rio* at the most minor evidence of public disorder. Second, the Armed Forces will have to effectively adjust to this new reality and a new role, creating specific doctrine, allocating time for training in the streets, redistributing funds for the purchase of adequate equipment to the police service and, perhaps, creating a branch of lawyers and media professionals as the situation requires. Third, the easy legalization of military action in the streets can aggravate the problems of inefficiency, generalized corruption, and low salaries in the state polices, because the federal and the state government will pay less attention to these problems if the Armed Forces efficiently execute the public security tasks.

The first trend took shape recently. During the two terms of the presidential elections in 2002, the Armed Forces employed 11,000 troops to provide public security just in Rio de Janeiro, not counting other troops in the remaining states.<sup>115</sup> In other words, without a concrete threat of disorder in Rio, the Armed Forces were recently employed in *reserve* of public security forces in two terms of presidential elections! The lack of any articles, news reports or even “letters to the editor” in the main periodicals and magazines of Rio during this period that questioned this type of operation demonstrates the Brazilian peoples acceptance of such actions, in the eyes of the government, of society and the Armed Forces. It created dangerous precedents.

The second trend of a new role for the Armed Forces seems embryonic considering the hierarchy and discipline in the barracks strengthened by the responsibility of professional soldiers and their readiness to respond the wishes of the Brazilian President, Supreme Commander of the Armed Forces, and the Minister of Defense. When ordered to assume a new role, military forces are able to prepare, organize and equip in a relative short term, despite the complexity of the task. The standard of excellence is an inherent characteristic of an Armed Force, which will augment President's confidence to assign "non-traditional" missions. Nonetheless, this second trend still remains latent due to the absence of specific doctrine, training and equipment to execute police authority domestically.

The third trend of widening the gap between military efficiency and police shortfalls is evident in the media every day. Negative aspects of the state police, such as corruption, drug trafficking, kidnapping, extortion, and decreasing popularity of Government have become common in the Brazilian press. On the other hand, military forces have succeeded in the execution of their national duties and subsidiary roles, evident in the 1990s and most recently during the strikes of state police throughout the country. In this case, the images of police strike and mutiny across the states exposed by the media weakened any residual support within Brazilian society to reverse the bad reputation of state police. In most of the states professional soldiers received lower income than the policemen they replaced in the streets. Soldier's professionalism reinforced the image of the Armed Forces while declined the reputation of the state police. Similar to the first trend, it also created precedents and can prompt other versions of *Operation Rio* and public security operations to guarantee the law and order.

## NOTES

<sup>1</sup> The public security forces include federal and state institutions. The former includes the Federal Police, the Federal Railway Police and the Federal Highway Police. The latter includes the Civil Police, the State Firemen Corps and the Military Police. Although the state police is called military police, there is not any organizational relationship between the Brazilian Armed Forces and state police. William Mendel translates *favelas* as “slums” or “ghettos”. *Favelas* range from small, simple homes with television, refrigerator and running water to primitive tin and cardboard shacks. Most people in the *favelas* are poor, but honest, working people. As expected, the overall poverty invites criminal activities. See William Mendel, “Operation Rio: Taking Back the Streets”, in *Military Review*, May-June 1997, 17.

<sup>2</sup> Bruce Bagley, “*Drug Trafficking in the Americas*”, (Miami: North South Center Press, 1996), ix.

<sup>3</sup> Article 136 of the Brazilian Constitution establishes that the decision on the announcement of the *State of Defense* (Emergency) falls to the President heard the Council of the Republic and Council of National Defense. President Itamar Franco did not order *State of Defense* for political reasons; Governor Nilo Batista would not accept Federal intervention in Rio de Janeiro because he would lose political authority over state issues. The problem was solved through the establishment of an Agreement, which in fact was a juridical maneuver in way to get Nilo Batista’s acceptance and to avoid restriction to civil liberties by announcement of the *State of Defense*.

<sup>4</sup> The Eastern Military Command is a Military Command of Area of the Brazilian Army, responsible for the planning, preparation and employment of Divisions, Brigades and other subordinated units. The Head-Quarter (HQ) is located in Rio de Janeiro. The Command is the Higher HQ of military organizations of Rio de Janeiro, Minas Gerais, Espírito Santo and São Paulo states.

<sup>5</sup> William Mendel, “Operation Rio: Taking Back the Streets”, in *Military Review*, May-June 1997, 12.

<sup>6</sup> The use of the expression *Operation Rio* will refers to the military operation as a whole. If it is necessary the specification of *Rio I* or *Rio II* will be addressed.

<sup>7</sup> Juliana Resende, “*Operação Rio: Relatos de uma Guerra Brasileira*” (São Paulo: Scritta, 1995), 219-223.

<sup>8</sup> Willian Mendel, 12.

<sup>9</sup> *Ibidem*.

<sup>10</sup> *Constituição da República Federativa do Brasil*, 6.

<sup>11</sup> William Mendel, 12.

<sup>12</sup> *Ibidem*, 13.

<sup>13</sup> *Ibidem*.

<sup>14</sup> Cecília Coimbra, “*Operação Rio: O Mito das Classes Perigosas*”, (Rio: Oficina do Autor, 2001), 160.

<sup>15</sup> Willian Mendel, 14.

<sup>16</sup> *Ibidem*.

<sup>17</sup> *Ibidem*.

<sup>18</sup> William Mendel, 15.

<sup>19</sup> Juliana Resende, 222.

<sup>20</sup> Willian Mendel, 11.

<sup>21</sup> Sun Tzu, “*A Arte da Guerra*” (Rio: Editora Record, 18th Edition, 1983), 26.

<sup>22</sup> Juliana Resende, 146-153.

<sup>23</sup> Argemiro Procópio, “*O Brasil no Mundo das Drogas*” (Petrópolis: Editora Vozes, 1999), 123-128.

<sup>24</sup> David Jordan, “*Drug Politics: Dirty Money and Democracies*” (Norman: University of Oklahoma Press, 1999), 224.

<sup>25</sup> *Ibidem*, 15.

<sup>26</sup> *Ibidem*.

<sup>27</sup> Carlos Lessa, “*A Crise Internacional e o Brasil Depois do Atentado*” (Rio: Editora Garamond Ltda, 2002), 134.

<sup>28</sup> Argemiro Procópio, 29.

<sup>29</sup> The case of the Banco Ambrosiano revealed several irregularities since the very beginning of its creation. Its founder, the Italian Michele Sindona, began business during the Allied invasion in Sicily in 1943, when the United States established connections with the Sicilian Mafia, through Lucky Luciano and Meyer Lansky, in exchange for necessary operational information to the planning and execution of the Operation AVALANCHE. Sindona accumulated his fortune through illegal commercial connections with the Sicilian Mafia, with the Italian-American Mafia, with the Vatican Bank, French Bank, Hambros Bank of London and the Continental Bank of Chicago. Until the decade of 1970 the Banco Ambrosiano consolidated businesses in fiscal paradises like Luxembourg, Liechtenstein, Bahamas and Nassau in order to accomplish money laundering operations. The bankruptcy began in 1972 after purchasing Franklin Bank’s. Accidentally the Italian police found a list of the secret Masonic lodge called Propaganda 2 (P2), of which Sindona was member. The list exposed illegal businesses with 3 members of the Italian Cabinet, 43 members of the Parliament, 30 Generals, 8 Admirals, the editor of the main Italian diary *Il Corriere della*

---

*Sera*, 58 academics, directors of intelligence agencies, 183 officers of the Armed Forces, among other 953 authorities. The case of BCCI is an example of drug dealers' connection with banks. The BCCI was founded in 1972 by the Pakistani Agha Hassan Abedi, whose purpose was to create a powerful Third-World bank, capable of competing with other international financial institutions. Among several illegal businesses, BCCI sponsored funds for the Afghan resistance in 1979 and was involved with selling weapons of mass destruction (WMD) to Iraq, kidnappings, briberies and murders. The volume of personal loans as donation or charity made the control of illegal businesses difficult. In 1987 the volume of donations was about 21 million dollars. See David Jordan, 106-112.

<sup>30</sup> Argemiro Procópio, 189.

<sup>31</sup> The CC-5 accounts were created in order to facilitate international money transactions of foreign citizens resident in Brazil. See Argemiro Procópio, 192-193.

<sup>32</sup> Argemiro Procópio, 194.

<sup>33</sup> In 1994 the Brazilian Federation of Banks (*FEBRABAN*) did not accomplish a Federal request from the Department of Treasury in order to allow government access to personal bank data of suspicious people. See Argemiro Procópio, 187.

<sup>34</sup> *Ibidem*, 188.

<sup>35</sup> This currency was converted from the original Brazilian money (*Real*). At that time, one dollar was equal to ninety cents of *real*. Argemiro Procópio, 196.

<sup>36</sup> *Ibidem*, 199.

<sup>37</sup> Instituto Brasileiro de Geografia e Estatística, “*Brazil em Números*”, (Rio de Janeiro: IBGE, 2001), 54.

<sup>38</sup> Câmara dos Deputados de Brasília, *Relatório da Comissão Parlamentar de Inquérito Destinada a Investigar o Avanço e a Impunidade do Narcotráfico*, <<http://www.camara.gov.br/Internet/comissao/index/cpi/relfimnarco.pdf>> accessed on 15 December 2002.

The Parliamentary Commission of Inquiry (*CPI*) accomplished diligence works in the whole national territory and neighboring countries from April 1999 to November 2000, when the Final Report was emitted.

<sup>39</sup> *Relatório da Comissão Parlamentar de Inquérito Destinada a Investigar o Avanço e a Impunidade do Narcotráfico*, 15.

<sup>40</sup> *Ibidem*, 19.

<sup>41</sup> The currency was converted from the original text. At that time, one dollar was equal to 1.2 *reais*. *Relatório da Comissão Parlamentar de Inquérito Destinada a Investigar o Avanço e a Impunidade do Narcotráfico*, 21.

<sup>42</sup> Carlos Lessa, 130-132.

<sup>43</sup> *Relatório da Comissão Parlamentar de Inquérito Destinada a Investigar o Avanço e a Impunidade do Narcotráfico*, 1135-1172.

<sup>44</sup> *Ibidem*, 171.

<sup>45</sup> *Ibidem*, 133, 186-187.

<sup>46</sup> *Ibidem*, 222-226.

<sup>47</sup> *Ibidem*, 403-405.

<sup>48</sup> *Ibidem*, 418-419.

<sup>49</sup> *Ibidem*, 419.

<sup>50</sup> Rodrigo Taves, “Traficante pede para ser julgado pelo STF”, *O Globo*, online edition, 7 December 2002, accessed 7 December 2002.

<sup>51</sup> Policarpo Junior, “Justiça na Mira”, *Veja*, 18 December 2002, 54-56.

<sup>52</sup> Vera Araújo, “Policiais a Serviço do Tráfico”, *O Globo*, online edition, 30 November 2002, accessed 30 November 2002.

<sup>53</sup> Múcio Bezerra, “Saiba o Porquê do Apelido ‘Presídio de Papel’”, *O Globo*, online edition, 2 November 2002, accessed 2 November 2002.

<sup>54</sup> Maria Alves, “Fuzis, Granadas e 211 Celulares Apreendidos Este Ano”, *O Globo*, online edition, 2 November 2002, accessed 2 November 2002.

<sup>55</sup> *Relatório da Comissão Parlamentar de Inquérito Destinada a Investigar o Avanço e a Impunidade do Narcotráfico*, 58.

<sup>56</sup> *Ibidem*, 57.

<sup>57</sup> Henry Kissinger, “*Does America Need a Foreign Policy?*” (New York: Simon and Shuster, 2002), 92.

<sup>58</sup> Kissinger, 93.

<sup>59</sup> Bruce Bagley, 67.

<sup>60</sup> Richard Holmes, 257.

<sup>61</sup> According to the Dictionary of Military Terms, *capability* means “the ability to execute a specific Course of Action”. Evidently the military apparatus is considerably superior and better organized than the one of the drug trafficking system. However, the asymmetrical nature of the “enemy” considerably hinders the combat by regular Armed Forces. The full spectrum of drug trafficking network forces the execution of multiple actions to prevent and combat those illegal activities. In this case this author assumes that the

---

Armed forces do not possess the capability to defeat alone the drug trafficking system. See U.S. Department of Defense, *Dictionary of Military Terms*, (Pennsylvania, Stackpole Books, 1999), 62. Despite the criticism about the inconsistency of associating counter drug operations to war, the expression *War on Drugs* was frequently used to relate the U.S. foreign policy towards Latin America during the President George Bush's administration in the early 1990's.

<sup>62</sup> Paulo Uchôa, Secretaria Nacional Anti Drogas, *Teoria do Leque*, < [http://www.senad.gov.br/paginas/Teoria%20do%20Leque%20-%20Português\\_arquivos/frame.htm](http://www.senad.gov.br/paginas/Teoria%20do%20Leque%20-%20Português_arquivos/frame.htm) > accessed on 20 December 2002. The *Teoria do Leque*'s thesis arguments for existing only six steps, from number (3) to (8). Steps (1) and (2) were added by this author to complement the original thesis.

<sup>63</sup> Juliana Resende, 106-124.

<sup>64</sup> Maria D'Araújo, "*Democracia e Forças Armadas no Cone Sul*" (Rio de Janeiro: Editora FGV, 2000), 299. During 1972 to 1974, about 70 leftist militants of Communist Party of Brazil (*PCdo B*) engaged on rural guerrilla movements in Pará state, establishing training camps in the small cities of *Xambioá*, *Marabá* and *São Felix of Araguaia*. After two unsuccessful operations in 1972 and 1973, the Brazilian Army destroyed the guerrilla camps and arrested remained militants in 1974, during the third military operation.

<sup>65</sup> William Mendel, 17.

<sup>66</sup> Martin Blumenson, "On The Function of the Military in Civil Disorder", in *The Military and American Society*, ed. Stephen Ambrose (New York: The Free Press, 1972), 256.

<sup>67</sup> Martin Blumenson, in *The Military and American Society*, 256.

<sup>68</sup> Argemiro Procópio, 31.

<sup>69</sup> *Ibidem*, 80.

<sup>70</sup> *Relatório da Comissão Parlamentar de Inquérito Destinada a Investigar o Avanço e a Impunidade do Narcotráfico*, 1048.

<sup>71</sup> Instituto Brasileiro de Geografia e Estatística, 51.

<sup>72</sup> *Relatório da Comissão Parlamentar de Inquérito Destinada a Investigar o Avanço e a Impunidade do Narcotráfico*, 1078-1081.

<sup>73</sup> David Jordan, 17.

<sup>74</sup> Argemiro Procópio, 166-168.

<sup>75</sup> Argemiro Procópio, 167. On April 7, 1998, the vice-director of the Escola Alcina Salles in Jacaré city, São Paulo, Sra Beatriz of Silva Santos, was murdered because she denounced drug trafficking inside her own school. This case received considerable repercussion in the national media.

<sup>76</sup> Instituto Brasileiro de Opinião Pública, "*Pesquisas Históricas-Violência Urbana JUN 2000*", < <http://www.ibope.com.br> > accessed on 27 December 2002.

<sup>77</sup> *Relatório da Comissão Parlamentar de Inquérito Destinada a Investigar o Avanço e a Impunidade do Narcotráfico*, 894.

<sup>78</sup> Stephen Ambrose, "The Armed Forces and Civil Disorder", in *The Military and American Society*, ed. Stephen Ambrose (New York: The Free Press, 1972), 242.

<sup>79</sup> Elenilce Bottari, "O Primeiro e Último Emprego", *O Globo*, online edition, 7 December 2002, accessed 7 December 2002.

<sup>80</sup> Elenilce Bottari, "*O Primeiro e Último Emprego*."

<sup>81</sup> Antonio Werneck, "O Inimigo Mora ao Lado", *O Globo*, online edition, 28 October 2002, accessed 28 October 2002.

<sup>82</sup> The "Safe Housing" program is a state project that attempts to reduce the number of policemen living around *favelas*. The program seeks to create incentive for policemen who want to live in less-risk areas by offering lower interest rates. See Antonio Werneck, "O Inimigo Mora ao Lado".

<sup>83</sup> Cecília Coimbra, 12-13.

<sup>84</sup> *Ibidem*, 161.

<sup>85</sup> *Ibidem*, 146.

<sup>86</sup> Joel Krieger, "*The Oxford Companion to Politics of the World*", (New York: Oxford University Press, 1993), 401.

<sup>87</sup> Argemiro Procópio, 52.

<sup>88</sup> Alexandre Secco, "Socorro! Um Assassinato A Cada 13 Minutos", in *Veja*, 7 June 2000.

<sup>89</sup> Antonio Werneck, "Violência Cresce Cada Vez Mais", *O Globo*, online edition, 27 December 2002, accessed 27 December 2002.

<sup>90</sup> João Caminha, "Voltarão os Militares à Política?", in *Revista Marítima Brasileira*, Jan-Mar 2002, 156.

<sup>91</sup> The expression *Internal Defense* was often used by Military Governments during 1964 to 1984, and it was related to an "internal communist threat" that was associated with all political parties, scholars or any people who manifested opposite ideas from government policies. In fact the military dictatorship was a reflection of the Cold War and also acted in accordance with the U.S. interests in South America. Strong and centralized military governments represented the best policy of containment in the region in order to avoid the creation of other Soviet sponsored countries, like Cuba.

- 
- <sup>92</sup> Joel Krieger, 84.
- <sup>93</sup> During the Brazilian Monarchy there were four powers: the Executive, Legislative, Judicial and the Moderator, which was actually a private attribution of the Emperor. As the only Moderator Power official, the Emperor's actions were not questionable by the cabinet or the Camera.
- <sup>94</sup> Maria D'Araújo, 98-99.
- <sup>95</sup> Maria D'Araújo, 98-100.
- <sup>96</sup> *Ibidem*, 103-104.
- <sup>97</sup> Wendy Hunter, "Eroding Military Influence in Brazil", (NC: University of North Carolina Press, 1997), 37.
- <sup>98</sup> *Ibidem*, 39.
- <sup>99</sup> Joel Krieger, 84.
- <sup>100</sup> Maria D'Araújo, 106-108.
- <sup>101</sup> *Constitution of Brazil 1988* (São Paulo, SP: Saraiva Editor, 1999), 82.
- <sup>102</sup> *Curso de Direito Constitucional Positivo* 19<sup>th</sup> ed. (Rio: Malheiros Editores, 2001), 750.
- <sup>103</sup> *Constitution of Brazil 1988*, 84. In Brazil, the Federal Police are destined to prevent and to repress drug trafficking, among other constitutional attributions. The state police, which is not part of the Armed Forces, is subordinated to each state Governor or District Capital Governor, whose main constitutional attribution is to guarantee law and order. The Civil Police, also respecting the same subordination as the state police do, is destined by the Constitution to accomplish judiciary police functions and count on penal infractions.
- <sup>104</sup> *Lei Complementar N° 97 de 1999*, URL:< [www.defesa.gov.br/degap/legal/LC97.htm](http://www.defesa.gov.br/degap/legal/LC97.htm) >. Accessed 5 October 2002.
- <sup>105</sup> Thereza Helena S. de Miranda Lima, *Parecer N° GM-025 da Advocacia-Geral da União*, URL:< [www.agu.gov.br](http://www.agu.gov.br) >. Accessed 6 October 2002.
- <sup>106</sup> *Constitution of Brazil 1988*, 5-6.
- <sup>107</sup> Decreto-Lei N° 2010 de 12 de Janeiro de 1983, URL:< [www.senado.gov.br/portal/](http://www.senado.gov.br/portal/) >, Accessed 6 October 2002. By definition, police authority is predominantly ostensible, that seeks to prevent, to discourage, to restraint or to repress events that violate law and order.
- <sup>108</sup> In 2001 most of the state police went on strike for better salaries. Thus, President Fernando Henrique Cardoso ordered the Armed Forces execute police-type operations in order to preserve law and order. In those states. In fact the police strike accelerated the issue of Decree 3897, which granted police authority to the Armed Forces in specific situations determined by the President.
- <sup>109</sup> Juliana Resende, 150.
- <sup>110</sup> "O Papel das Legiões", editorial, *Jornal do Brasil*, 5 August 2001, 12.
- <sup>111</sup> The Brazilian National Defense Policy establishes 20 directives in order to accomplish the national objectives. One particular directive determines "to maintain the participation of the Armed Forces in support activities for national integration purposes, civil defense and social and economic development, in harmony with their constitutional mission." See Presidência da República, "*Política de Defesa Nacional*", (Brasília: Imprensa Nacional, 1996), 10
- <sup>112</sup> Wendy Hunter, 141-146.
- <sup>113</sup> Presidência da República, "*Política de Defesa Nacional*", 9.
- <sup>114</sup> "O Papel das Legiões", editorial, *Jornal do Brasil*, 5 August 2001, 12.
- <sup>115</sup> Rogério Daflon, "Eleição no Rio terá Urutus do Exército nas Ruas", *O Globo*, online edition, 25 October 2002, accessed 25 October 2002.

---

## BIBLIOGRAPHY

- Alves, Maria. “Fuzis, Granadas e 211 Celulares Apreendidos Este Ano”. *O Globo*, online edition, 2 November 2002.
- Araújo, Vera. “Políciais a Serviço do Tráfico”. *O Globo*, online edition, 30 November 2002.
- Bagley, Bruce. *Drug Trafficking in the Americas*. Miami: North South Center Press, 1996.
- Bezerra, Múcio. “Saiba o Porquê do Apelido “Presídio de Papel””. *O Globo*, online edition, 2 November 2002.
- Bottari, Elenilce. “O Primeiro e Último Emprego”. *O Globo*, online edition, 7 December 2002.
- Câmara dos Deputados de Brasília. “*Relatório da Comissão Parlamentar de Inquérito Destinada a Investigar o Avanço e a Impunidade do Narcotráfico*”. URL: <<http://www.camara.gov.br/Internet/comissao/index/cpi/relfimnarco.pdf>>. Accessed 15 December 2002.
- Caminha, João. “Voltarão os Militares à Política?”. *Revista Marítima Brasileira*, Jan-Mar 2002, 156.
- Coimbra, Cecília. “*Operação Rio: O Mito das Classes Perigosas*”. Rio: Oficina do Autor, 2001.
- Coleção Saraiva de Legislação. *Constituição da República Federativa do Brasil*. 23rd rev. ed. São Paulo: Editora Saraiva, 1999.
- Curso de Direito Constitucional Positivo*. 19<sup>th</sup> ed. Rio: Malheiros Editores, 2001.
- D’Araújo, Maria. *Democracia e Forças Armadas no Cone Sul*. Rio de Janeiro: Editora Fundação Getúlio Vargas, 2000.
- Daflon, Rogério. “Eleição no Rio terá Urutus do Exército nas Ruas”. *O Globo*, online edition, 25 October 2002.

---

*Decreto-Lei Nº 2010 de 12 de Janeiro de 1983*, URL:< [www.senado.gov.br/portal/](http://www.senado.gov.br/portal/) >,

Accessed 6 October 2002.

Holmes, Richard. *The Oxford Companion to Military History*. New York: Oxford University Press, 2001.

Hunter, Wendy. “*Eroding Military Influence in Brazil*”. NC: University of North Carolina Press, 1997.

Instituto Brasileiro de Geografia e Estatística. “*Brasil em Números*”. Rio de Janeiro: IBGE, 2001.

Instituto Brasileiro de Opinião Pública, “*Pesquisas Históricas-Violência Urbana JUN 2000*”, < <http://www.ibope.com.br> > accessed on 27 December 2002.

Jordan, David. “*Drug Politics: Dirty Money and Democracies*”. Norman: University of Oklahoma Press, 1999.

Junior, Policarpo. “Justiça na Mira”. *Veja*, 18 December 2002, 54-56.

Kissinger, Henry. *Does America Need a Foreign Policy?*. New York: Simon and Shuster, 2002.

Krieger, Joel. *The Oxford Companion to Politics of the World*. New York: Oxford University Press, 1993.

*Lei Complementar Nº 97 de 1999*, URL:< [www.defesa.gov.br/degap/legal/LC97.htm](http://www.defesa.gov.br/degap/legal/LC97.htm) >.

Accessed 5 October 2002.

Lessa, Carlos. “*A Crise Internacional e o Brasil Depois do Atentado*”. Rio: Editora Garamond Ltda, 2002.

Lima, Thereza. *Parecer Nº GM-025 da Advocacia-Geral da União*. URL:< [www.agu.gov.br](http://www.agu.gov.br) >. Accessed 6 October 2002.

Mendel, William. “Operation Rio: Taking Back the Streets”. *Military Review*, May-June 1997, 17.

“O Papel das Legiões”. Editorial. *Jornal do Brasil*, 5 August 2001, 12.

- 
- Presidência da República. “*Política de Defesa Nacional*”. Brasília: Imprensa Nacional, 1996.
- Procópio, Argemiro. “*O Brasil no Mundo das Drogas*”. Petrópolis: Editora Vozes, 1999.
- Resende, Juliana. “*Operação Rio: Relatos de uma Guerra Brasileira*”. São Paulo: Scritta, 1995.
- Secco, Alexandre. “Socorro! Um Assassinato A Cada 13 Minutos”. *Veja*, online edition, 7 June 2000.
- Sun Tzu. “*A Arte da Guerra*”. 18th ed. Rio: Editora Record, 1983.
- Taves, Rodrigo. “Traficante pede para ser julgado pelo STF”. *O Globo*, online edition, 7 December 2002.
- The Military and American Society*. Ed. Stephen Ambrose, New York: The Free Press, 1972.
- U.S. Department of Defense. *Dictionary of Military Terms*. Pennsylvania, Stackpole Books, 1999.
- Uchôa, Paulo. Secretaria Nacional Anti Drogas, “*Teoria do Leque*”. URL: <  
[http://www.senad.gov.br/paginas/Teoria%20do%20Leque%20-%20Português\\_arquivos/frame.htm](http://www.senad.gov.br/paginas/Teoria%20do%20Leque%20-%20Português_arquivos/frame.htm) > Accessed 20 December 2002.
- Werneck, Antonio. “O Inimigo Mora ao Lado”. *O Globo*, online edition, 28 October 2002.
- \_\_\_\_\_. “Violência Cresce Cada Vez Mais”. *O Globo*, online edition, 27 December 2002.