

THE LATIN AMERICAN COLD WAR AND INTERNATIONAL LAW: A NEVER-ENDING HIATUS

A GUERRA FRIA LATINO-AMERICANA E O DIREITO INTERNACIONAL: UM HIATO SEM FIM

“We have not had a moment’s rest. A promethean president, entrenched in his burning palace, died fighting an entire army, alone; and two suspicious airplane accidents, yet to be explained, cut short the life of another great-hearted president and that of a democratic soldier who had revived the dignity of his people. There have been five wars and seventeen military coups; there emerged a diabolic dictator who is carrying out, in God’s name, the first Latin American ethnocide of our time.

(...)

I dare to think that it is this outsized reality, and not just its literary expression, that has deserved the attention of the Swedish Academy of Letters. A reality not of paper, but one that lives within us and determines each instant of our countless daily deaths, and that nourishes a source of insatiable creativity, full of sorrow and beauty, of which this roving and nostalgic Colombian is but one cipher more, singled out by fortune. Poets and beggars, musicians and prophets, warriors and scoundrels, all creatures of that unbridled reality, we have had to ask but little of imagination, for our crucial problem has been a lack of conventional means to render our lives believable. This, my friends, is the crux of our solitude.”

Gabriel García Márquez, Nobel Lecture, 8 December 1982¹

Awarded the Nobel Prize in Literature in 1982, the Colombian writer Gabriel García Márquez gave a Nobel Lecture before the Swedish Academy of Letters entitled ‘The Solitude of Latin America’. To the Swedish Academy, the motivation for the prize was ‘for his novels and short stories, in which the fantastic and the realistic are combined in a richly composed world of imagination, reflecting a continent’s life and conflicts.’²

As he highlighted in his speech, Latin America has not had a moment of rest. The words above are related to the Cold War period in the region, but ‘oppression, plundering and abandonment’³ have marked our history in a much longer and more profound way. Importantly, to García Márquez, Latin America could not be seen as ‘a pawn without a will of its own’⁴. Our history of violence and struggle should be seen as related to ‘age-old inequities and untold bitterness, and not a conspiracy plotted three thousand leagues from our home.’⁵ In this setting,

¹ Available at: <https://www.nobelprize.org/prizes/literature/1982/marquez/lecture/>, last access 21 January 2022.

² *Idem.*

³ *Idem.*

⁴ *Idem.*

⁵ *Idem.*

García Márquez's magical realism is one way to cope with and make sense of our long history (and present) of exploitation, brutality and subjection.

The fact that the Cold War period in our region was not cold, but marked by political instability, interventions, dictatorships, and violence, is a commonsensical observation for every Latin American that appraises the events of the second half of the twentieth century on our side of the world. In a different vein, in this introductory text to the book symposium on 'International Law and the Cold War',⁶ we aim to explore the issues of temporality and spatiality that have emerged from the reading and discussion of the book from various locations in Brazil: Brasília, Goiânia, Manaus, São Paulo, Belo Horizonte, Uberlândia.

This book symposium was assembled in the context of the meetings of the Study Group focused on critical approaches to international law, created in 2011 and coordinated by Professor George Galindo at the University of Brasília Faculty of Law. *International Law and the Cold War* was collectively discussed, and the book's contributions were interrogated in detail. As a starting point, the fact that Latin America is absent from the efforts of 'Reading and Unreading a Historiography of Hiatus', as the book's introduction declares to the reader, caught the group's attention. Still, our book symposium does not aim to "complete" the book's project. On the contrary, this absence prompted a substantive engagement with reassessing the roles and uses of international law in the Cold War period in our region. This engagement is deeply connected to our spatiality as Latin American readers of a book produced elsewhere to re-read the history of international law (more or less) between the 1940s and 1990s. Accordingly, the texts that follow constitute innovative reflections from the members of the Study Group about key international legal themes concerning the Latin American region: dispute settlement, collective security, development, and indigenous self-determination.

Rethinking the roles and uses of international law in our side of the world in the second half of the twentieth century prompted the reassessment of temporalities and chronologies that characterise the period. In other words, how can we think about time in a project that is deeply connected to a particular spatiality? In Latin America, fundamental power relations have neither started nor ended in the Cold War. This context brings to the surface the issue of multiple temporalities that enable a plurality of reassessments of international law. Therefore, this book

⁶ CRAVEN, Mattew; PAHUJA, Sundhya; SIMPSON, Gerry (Eds.). *International Law and the Cold War*. Cambridge: CUP, 2020.



symposium is not a mere call for forgotten histories to be included. It problematises temporality and chronology, aiming to open space for an embedded historical re-reading of international law with particular attention to the issues and specificities of the Latin American region.

In this introductory text to the book symposium, we will explore in more detail these issues of time when rethinking international law in the Latin American Cold War, presenting the idea of a ‘never-ending hiatus’, or ‘The Latin American Solitude’, as beautifully put by García Márquez. The argument goes as follows. The next section presents the main central idea of ‘International Law and the Cold War’, asserting the relevance of international law to ‘understand the Cold War in its own terms’ (p. 6), concurring with the editors’ position of the book. To illustrate this point, we then discuss a recent mapping of the current historiographical revision of the Cold War in Latin America, as this movement has not included international law in its endeavours. Finally, the text articulates the issues of time and the idea of a ‘never-ending hiatus’ in the Latin American Cold War.

3

I

The book challenges the widespread assumption that Cold War politics shadowed international law. The traditional international law historiography characterises the post-defeats of the Nazis in the 1940s and the Soviets in the 1990s as epiphanies of legal faith; moments when treaties, trials and institutions burgeoned and placed law at the centre of world ordering. In such a binary world, law became war’s antonym and antidote. ‘The greater the authority of international law, the rarer wars will become’, deemed a prominent Brazilian internationalist when welcoming the UN in 1946⁷. In November 1989, the General Assembly declared the 1990s ‘the United Nations Decade of International Law’,⁸ following the end of bipolar politics. To the canonical literature, the period between the 1940s and the 1990s was an interstice of legal inactivity, or as Craven, Pahuja and Simpson frame it, a ‘hiatus between two points of legal utopianism’ (p. 2).

⁷ ACCIOLY, Hildebrando. ‘A paz mundial e a Organização das Nações Unidas’, *Boletim da Sociedade Brasileira de Direito Internacional*, Jan-Jun, Ano 3, N. 5, 1947, p. 27.

⁸ UN General Assembly, ‘United Nations Decade of International Law: resolution / adopted by the General Assembly’ (A/RES/44/23), 60th plenary meeting, 17 November 1989.



Against the hiatus thesis, the authors of *International Law and the Cold War* affirm that the two ideas in the book's title have multiple relations - and they put into question their traditional meanings. They work with three different kinds of Cold War: as a 'period of history', as a 'description of the geopolitical/ideological confrontation between East and West', and as 'a particular mode of strategic thought and action'. Craven, Pahuja and Simpson assume the role of international law in 'authoring and organising global life, shaping identities, manufacturing interests, stabilising borders, controlling access to resources, privileging and distributing authority' (p. 23). By destabilising both ideas not only theoretically but also methodologically, the book broadens our understanding of them, and possibilities for research emerge. The book is rich in diversity: traditional formal legal sources such as treaties, custom, judicial decisions and others are placed together with more colourful ones such as personal diaries, Australian pamphlets regarding the Vietnam War, movies such as *Lumumba: La mort du prophète* (1990) and *On the Beach* (1959), and Cold War novels, including John Le Carré's books, Sembene Ousmane's *The Last of the Empire*, Peter Abrahams' *A Wreath for Udomo*, and others. The editors called for 'broadening the archives' so that one could enlarge our perception of the Cold War and the legal imaginations associated with it. Their approach adds novel and critical readings that show how international law both produced and was a product of the Cold War.

The book is structured around three main themes. The first questions the linear timeline associated with the Cold War, as if specific dates could summarise the complexities of different experiences around the globe. Understanding it less through fixed dates and more as an array of ideas and practises of power relations, the authors argue that periodisation hinges on one's point of view - which is particularly revealing when one is in Latin America. Secondly, many texts dispute the belief that the period between the 1940s and the 1990s was legally unproductive. The authors show how the geopolitical confrontation generated new dynamics in international institutions and legal creativity. They remind the reader that some initiatives and re-imagination of the international were produced not despite the Cold War but as a result of it. Finally, the third theme gathers texts that parochialise the axis of the West versus the East. The use of 'Cold War language' was employed especially by the USA, and its usage to encapsulate all imagination and practises was rather impoverishing. Against such reductionism, the authors enlarge the relation between international law and the Cold War and include other places and



stories. Together, the texts argue for a ‘Cold War international law’, or the ‘many complex ways in which international law gave the Cold War juridical form’ (p. 23).

The result is twofold. On one hand, the book places international lawyers at the historiography table debating the Cold War. There is a promising literature dedicated to re-read Cold War history, but international law has been largely ignored. Maybe such historiography assumes a persistent assumption that divides law and politics and locates Cold War dynamics solely on the latter. With a critical inflection, the book refutes international law’s possible exclusion from this historiographical effort and affirms the international lawyers’ contribution to extend our understanding of the Cold War. On the other hand, the book turns the international law table which neglected the Cold War. Instead of hagiographies that note international law amongst legal utopias, the book leads international lawyers into times and spaces infrequently visited and poses questions about its remnants today, improving our understanding of past and present international law.

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II

The recent exchanges between the Chilean historian Marcelo Casals and his US fellow Gilbert M. Joseph, published in 2019 and 2020 in *Cold War History*, perfectly illustrate the current state of affairs concerning the renewal of studies about this historical period in our region. In March 2019, Joseph, a history professor at Yale, published a piece mapping ‘the burgeoning literature on Latin America’s distinctive variant of the Cold War since about 2000’.⁹ Accordingly, the article explored various recent publications related to the collaboration between specialists in Latin America and foreign relations scholars. Joseph pointed to two critical trends in the renewed studies about the Latin American Cold War: the need to put it in a broader historical context (precisely the issue of temporality) and its multivalent cultural dimension. Joseph’s piece assessed the many studies that have been published in the last 20 years or so, which makes it clear to the reader that these new reflections put forward the

⁹ JOSEPH, Gilbert M. Border crossings and the remaking of Latin American Cold War Studies, *Cold War History*, 19:1, p. 141-170, DOI: 10.1080/14682745.2019.1557824, 2019.

particularities of the Latin American experiences between the end of World War II and the early 1990s.¹⁰

Marcelo Casals persuasively challenged Joseph's mapping of that recent historiography, shedding light on the substantive limitations related to the dominance of English in the bibliography cited by his Yale colleague. According to Casals, 'of the 264 references, 242 (91.7%) are studies published in English, and only 22 (8.3%) are Spanish publications. There are no references to works in Portuguese.'¹¹ We could also remember the lack of reference to works published in French. Be that as it may, Casals productively explored the issue of language. Instead of advocating for a kind of 'linguistic quotas'¹², he aimed to shed light on the stakes of the lack of intellectual exchanges between English-speaking Latin Americanists and scholars who live in the region and publish in Spanish and Portuguese. Among these issues, Casals asserted that scholarship produced in Spanish and Portuguese explores layers of complexity that disturb Joseph's historiographical consensus about the Latin American Cold War.¹³ We will get back to these substantive problems later. Still, one salient aspect of this alleged new historiographical consensus about the Cold War in our region deserves to be mentioned. It concerns the absence of international law in this wave of renewed studies about the period, the same problem the editors of *International Law and the Cold War* have identified and explored in the book.

According to Joseph, beyond the traditional themes that have populated the conventional studies of the Cold War in the region, such as military juntas, diplomats, leftist guerrillas, and CIA-backed coups, 'the Latin American Cold War was waged by technocrats and experts – an array of scientists and engineers, doctors and health workers, agronomists and architects, scholars and economists.'¹⁴ Joseph characterised the recent work of scholars about

¹⁰ HARMER, Tanya. 'The Cold War in Latin America'. The Routledge Handbook on the Cold War, ed. Artemy Kalinovsky and Craig Daigle. Routledge: London and New York, 2014, p. 133.

¹¹ CASALS, Marcelo. Which borders have not yet been crossed? A supplement to Gilbert Joseph's historiographical balance of the Latin American Cold War. *Cold War History*, 20:3, p. 367-372, 368 DOI: 10.1080/14682745.2020.1762311, 2020.

¹² Idem.

¹³ Idem.

¹⁴ JOSEPH, Gilbert M. Border crossings and the remaking of Latin American Cold War Studies, *Cold War History*, 19:1, p. 143, DOI: 10.1080/14682745.2019.1557824, 2019.



these webs of expertise as the ‘new cultural history of Cold War Latin America’¹⁵. According to the author, cultural history would constitute one of the trends in recent studies about the Latin American Cold War.

More specifically, this intellectual border crossing has ‘effectively remade the historiography of the Latin American Cold War’, putting together ‘a unique discursive community that brings historians of science and technology, environmental historians, and students of the Cold War into conversation with one another’.¹⁶ In his review of this ‘talk across fields and disciplines’,¹⁷ Joseph mentioned social and cultural history, anthropology, political science, cultural studies, diplomatic historians and international relations scholars of the Cold War. The closest he got to international law was one *en passant* mention of the principle of non-intervention when citing the Mexican commitment to this legal principle and Third Worldism.¹⁸

Here we can see the absence of international law in two relevant ways. The first has to do with which experts were considered appropriate to be included in the new historiography about the Latin American Cold War. So far, international lawyers were not included in the web of experts considered by historians when reassessing the Cold War history, despite the central role the discipline plays in establishing the contours of the international order, including the Cold War order.¹⁹ The second relates to the scholars and fields that are adequately positioned to explore and assess the Cold War web of expertise. Once more, international law and international lawyers do not take part in the new efforts of making sense of the multivalent cultural dimension of the Latin American Cold War to use Joseph’s framing of the new historiographical trend.

¹⁵ Idem.

¹⁶ Idem.

¹⁷ Idem.

¹⁸ JOSEPH, Gilbert M. Border crossings and the remaking of Latin American Cold War Studies, *Cold War History*, 19:1, p. 152, DOI: 10.1080/14682745.2019.1557824, 2019. For an exploration of the Mexican stance towards the legal principle of non-intervention, see Fabia Fernandes Carvalho Veçoso, ‘Mexican Post-Revolutionary Foreign Policy and the Spanish Civil War: Legal Struggles over Intervention at the League of Nations’. In: Anne Orford et al (Eds.). *Revolutions in International Law. The Legacy of 1917*, Cambridge: Cambridge University Press, 2021, 242-267.

¹⁹ As put by David Kennedy, “Law is the global knowledge practice I know best and it is certainly a visible example of the contemporary role of expertise, both as a tool in global struggle and as a promise of a reformed world. There are two further reasons to focus on law. The rise of what might be called ‘technocracy’ or ‘managerialism’ or ‘rule by experts’ in global affairs has been accompanied by the legalization of ever more questions that might once have been debated and settled in other terms.” KENNEDY, David. *A World of Struggle. How power, law and expertise shape global political economy*. Princeton University Press, 2016, p. 4.



Interestingly, when we move away from what Casals has called the English-speaking Latin Americanists, it is possible to find productive connections between the fields of history and international law. In the context of the Latin American platform *Macrohistoria y Mundo Actual*, the Uruguayan historian Aldo Marchesi and Eugenia Palieraki, a Greek historian focused on Latin American studies, recently discussed the study of the Cold War in the region from the perspective of global history.²⁰

While exploring the methodological issues related to the study of the Cold War in Latin America and the specificities of the Latin American historiography about the period, Aldo Marchesi asserted the many themes that integrate the field in our region beyond the traditional studies on the US diplomatic history: country studies focused on political history, social, economic and cultural history, and present time history. As a general overview, to Marchesi, historians from the South of the American continent would produce historiography focused on national borders. In contrast, historians from the US would focus on the question of empire, somehow reducing the historical processes of the Latin American Cold War. As a recent question to be explored by those interested in the period in our region, Marchesi mentioned the need to integrate economic, cultural and social dimensions into the political historiography that has been produced in Latin America.

In this setting, while asserting that political history must include economic actors, Marchesi mentioned the centrality of international organisations in studies of the Latin American Cold War. Accordingly, these organisations could not be reduced to technical actors, and the analysis of multinationals must be included in this new avenue for research. Such openness to international law and international institutions is not found in Joseph's mapping of the Latin American Cold War historiography.

One may wonder about the reach of the language issue, as pointed out by Casals. Suppose the historiography of the Latin American Cold War published in Spanish and Portuguese would be more open to exploring the uses and roles of international law in the period. In that case, we can add another particularity of the epistemic community that is currently producing knowledge in English under the banner of global history. That is the lack

²⁰ *Guerra Fría en América Latina desde una mirada global*. Ciclo de Conferencias Macrohistoria y el Mundo Actual. 29 May 2021. Available at: <https://www.youtube.com/watch?v=VCMW-u744N4>, last access 21 January 2022.

of engagement with international law as a field of expertise and the absence of international lawyers as equal participants in the current cross-disciplinary debate about the period on our side of the world.

Accordingly, positionality makes a difference, and Casals presents substantive illustrations of the specificities of the historiography produced in Spanish and Portuguese. First, as already highlighted by Aldo Marchesi, ‘Latin American historiographical production has tended to compartmentalise its objects of study on the national scale.’²¹

Second, transnational approaches have been populating recent studies produced in the South of the American continent despite this traditional focus on country studies. The example used by Casals has to do with research exploring Latin American political actors both from the Left and the Right. In this setting, it is worth noting ‘the process of circulation, reception, and adaptation of socialist and communist ideas since the mid-nineteenth century and for much of the twentieth century.’²² The studies about anticommunism are robust, too, even if not as popular as studies about the Left. In both cases, ‘it is possible to identify the different articulations between global ideologies and local conflicts that shaped the activities of said actors.’²³

A third issue that becomes visible with these studies on the Left and the Right, according to Casals, has to do with the critical question of the ‘hegemonic hemispheric narrative’.²⁴ To the Chilean historian, the centrality of the United States-Latin America polarity reduces productive spaces for a more nuanced analysis of the Latin American Cold War as if it could be fully explained as a function of the US foreign policy. Maybe it is precisely the decentering of the US in the context of the Latin American scholarship that allows for more room for international law and international lawyers to join the conversation. Importantly, ideas closer to local political experiences have a more significant influence in this literature than the exclusive Cold War framework. As accurately stated by Casals:

the constitution and development of Latin American political actors before and during the Cold War cannot be reduced to their interactions with the United States because

²¹ Marcelo Casals. Which borders have not yet been crossed? A supplement to Gilbert Joseph’s historiographical balance of the Latin American Cold War. *Cold War History*, 20:3, p. 368, 368 DOI: 10.1080/14682745.2020.1762311, 2020.

²² Idem, p. 369.

²³ Idem.

²⁴ Idem, p. 369-370.



their arc of mutual references and identifications extends to a significant part of the West and beyond.²⁵

In this setting, we agree with Casals when he asserts that ‘frank intellectual dialogue, beyond linguistic barriers and on an equal level, is crucial.’²⁶ Along with the editors of *“International Law and the Cold War”*, we also contend that this intellectual dialogue would benefit substantively from the encounter between historians and international lawyers interested in making sense of the plurality of uses of international law as a way to understand the international order of the Cold War in our side of the world. The following section will go a step further in exploring the issue of temporality.

III

Borrowing from historians of the Latin American Cold War but also aiming to explore the issues of temporality concerning the particularities of the field of international law in Latin America, in this section of the text, we interrogate the appropriateness of maintaining and reproducing a univocal Cold War chronology while assessing the uses and roles of international law in our side of the world. This effort dialogues with the reflections assembled in *International Law and the Cold War*, as we concur that there are issues with ‘the assumptions of periodicity and place relied upon and advanced by this historiography [of hiatus] and interrogate the “polar” configurations and univocal claims of a singular Cold War.’ (p. 4).

Accordingly, we somehow share the editors’ claim about disrupting the historiography of hiatus. Still, our focus lies on the particularities of the Latin American Cold War and the roles of international law in shaping the regional order. International law has had a performative significance in Latin America – a significance that did not have its origins in 1945, however. There are various configurations of hiatus to be explored. In our view, the case of Latin America is better understood as a “never-ending hiatus”, as our history is marked by a constant thread of oppression, violence, exploitation, and intervention.

The move to provincialise the traditional Cold War rivalries, ‘an internecine battle between two Eurocentric universalisms’, and the efforts of ‘re-describing an extra-European

²⁵ Idem, p. 370.

²⁶ Idem, p. 371



Cold War International Law’ (p. 4) are also connected to what we aim to achieve while engaging with *International Law and the Cold War*. Nevertheless, considering the many critical studies that have been produced in the field of international law recently, we argue that there is a need to offer a more substantive account of the so-called extra-European Cold War International Law. What did it look like in specific places of the world? In our region, how exactly can we think about the uses of international law in this much stretched and elongated temporal context of subjugation and struggle?

As we have already mentioned, fundamental power relations in Latin America did not start with the Cold War, nor are they exclusively contained within this period. Despite the limitations of the exclusive focus on the US foreign policy to understand the Cold War (as put by Casals, “the hegemonic hemispheric narrative”), the complex relations between Latin American countries and the United States have a longer history. Moreover, as explored by Vanni Pettinà, the hegemonic role of the US has varied in the region, with its influence experienced in different ways in South America, Mexico and the Caribbean. More specifically, international law has shaped how both US and Latin American countries interact – the ways in which the US has justified interventions in the region and how Latin American countries have resisted (or not) these interferences.

The regional historiography in international law about these issues is growing, and the works by Arnulf Becker Lorca²⁷ and Juan Pablo Scarfi²⁸ have explored questions of regional collective security. Importantly, Liliana Obregón²⁹ has also assessed the international legal sensibilities of our creole elites – the distinctive Latin American understandings of civilisation and the ideas about the role of the law in the region.³⁰

Patrícia Ramos Barros and Roberto Dalledone Machado Filho discuss the classical theme of collective security concerning the uses of international law in Latin America. They

²⁷ LORCA, Arnulf Becker. *Mestizo International Law A Global Intellectual History 1842–1933*. Cambridge: Cambridge University Press, 2014.

²⁸ SCARFI, Juan Pablo. *The Hidden History of International Law in the Americas*. Oxford: Oxford University Press, 2017.

²⁹ OBREGÓN, Liliana. Completing civilization: Creole consciousness and international law and nineteenth-century Latin America. In: ORFORD, Anne (Ed.). *International Law and its others*. Cambridge: Cambridge University Press, 2006, p. 247-264.

³⁰ For the Brazilian history of international law, a two-volume book has been recently published under the coordination of George Galindo. The texts were debated and produced in the context of the meetings of the Study Group focused on critical approaches to international law. See George Galindo (Ed.). *Direito Internacional no Brasil. Pensamento e Tradição*. Rio de Janeiro: Lumen Juris, 2021.



focus on the history of the jurisdictional conflict between regional and universal organisations and the not necessarily convergent regional and international forms of ordering. International law in the form of regional agreements played an essential role in justifying US interventions in Latin America, as Barros and Machado Filho illustrate with the strategic uses of the OAS to that end. At the same time, the efforts to escape the scrutiny of the universal international order shows the dangers of a selective engagement with the universal. The issue of intervention is not an exclusivity of the Cold War period but has marked the Latin American continent since our independence in the early nineteenth century. First with European attempts of recolonisation and then with the growing hegemonic role of the US from the twentieth century onwards.

Another classic theme for international law in Latin America is dispute settlement. Detaching from the US-Latin American polarity as a necessary axis of analysis of the Cold War, the Latin American engagement with peaceful means of dispute settlement is not a particularity of the period. On the contrary, it has been affirmed since the mid-nineteenth century as a fundamental feature of a “civilised region”, even more peaceful than Europe itself. Guilherme Del Negro Barroso Freitas, Lucas Carlos Lima, and Rodolfo Veloso Caetano Soares explore international dispute resolution in the Latin American Cold War to show that other ideas of international justice were circulating at the time in the region, despite the historiography of hiatus and the post-Cold War discourse of the renaissance of international justice and the proliferation of international institutions. Their article is a productive exploration of how to make sense of the Latin American long-term engagement with projects of international adjudication.

Development is the topic of another contribution in this book symposium, a theme of enormous importance in the region and beyond. Fabrício da Silva Henriques, Gabriella Coelho Santos, and Lucas Daniel Chaves de Freitas explore the Cold War period as a dispute for the Global South, a context marked by rival projects for the future. They address development as an argumentative pattern in international law and aim to assess how such a pattern was articulated in the Global South by the North. Here the authors explore Latin American issues considering the pluralities inside the Third World.

Going deeper into issues of internal colonialism in Latin America, such a mark of our creole legal consciousness, to use Obregón’s idea, Natália Medina Araújo, Tatiana Cardoso Squeff, and Bianca Guimarães Silva approach the acute tensions between the Amerindian



cosmovision and the Eurocentric notion of self-determination. Here the limitations of the analyses of the Cold War through the lens of “the hegemonic hemispheric narrative” become undeniable. And importantly, according to García Márquez’s citation at the beginning of this piece, it is not possible to consider Latin America a mere proxy in the context of the traditional Cold War rivalries – we have not been “a pawn without a will of its own”. Projects of modernisation and development have been carried out in the region with agency and complexity, not as a mere imposition from the outside.

Exploring in some detail the contributions of the book symposium allows us to give substance and concreteness to the Latin American Cold War as a “never-ending hiatus”, as a region that has experienced blueprint projects that took shape with the help of international law in terms of resistance and transformation, but also as a way to keep the deep structures of inequality that are so entrenched in our side of the world. In this setting, it is important to open space for a plurality of temporalities when assessing the role of international law in our region. Following Pettinà:

la reflexión sobre el problema de la definición de la Guerra Fría en América Latina implica pensar de forma paralela y consustancial su cronología. En otras palabras, se trata de interrogarse acerca de qué procesos definieron lo que llamamos 'Guerra Fría en América Latina' y cuál es el arco cronológico en el que estas dinámicas se desarrollaron³¹.

In the case of this book symposium, interrogating the Cold War concerning the uses of international law in the region encompasses making sense of processes and dynamics that are relevant to the Latin American context. Our substantive engagement with collective security, dispute settlement, development and Indigenous self-determination aims to present a situated engagement with *International Law and the Cold War*.

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Guest Editors

³¹ *Idem*.