DEMOCRATIZATION UNDER ASSAULT: CRIMINAL VIOLENCE IN POST-TRANSITION CENTRAL AMERICA

By

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CHAPTER I

INTRODUCTION: CRIMINAL VIOLENCE IN POST-TRANSITION SOCIETIES

Why are citizens in some new democracies more likely to be murdered more than in others? Around two-thirds of deaths associated with armed violence in the world occur outside war zones every year and are attributed to common crime (Geneva Declaration Secretariat 2008). A significant share of this violence takes place in Central America, Brazil, the Caribbean, Central Africa, and Eastern Europe. Perhaps coincidentally, but this thesis will argue that the link is not by chance, these are also regions that have undergone political transitions over the past twenty years and where the prospects for long-term democratic consolidation are still very uncertain in many of them.

Hence, in many of these countries fragile democracy coexists with high levels of violent crime and generalized public insecurity. On the other hand, not all countries around the world that have experienced political transitions have ended up with high levels of violent crime. In the former Communist bloc, for instance, Poland and Slovakia stand out as peaceful countries, whereas neighboring Belarus, Ukraine, and Russia face high levels of criminal violence. In Central America, where most of the region has reached world-class levels of violence, Nicaragua stands as an exceptional case, with low levels of violence far closer to that of the longstanding Costa Rican democracy than to the other post-transition countries. Costa Rica, however, has been the most stable democracy in Latin America for decades, and its success in keeping contemporary

criminal violence at bay seems to be explained by its longstanding and deeply entrenched history of political stability.

This research project aims to answer the question as to why some new democracies develop astronomically high levels of criminal violence, whereas in others violence is far more limited. This inquiry is related to a more general question: does democratization—or democracy for that matter— itself provoke violence? Most of the academic literature that has tried to answer this question has focused on political violence, and pursued answers from the international relations perspective (Collier 2009; Collier and Hoeffler 2004; Fearon and Laitin 2003; Hegre et al. 2001; Licklider 2000). However, with the exception of the African countries, where political and ethnic violence is rampant; in the rest of the transitional world violence seems to be criminally motivated. Countries such as Brazil, Mexico, Russia, and South Africa, which have all succeeded in establishing at least the minimal Schumpeterian criteria of electoral competitiveness, are being riven by common and criminal violence, not by political violence. To be sure, some of the murders occurring in Russia, Mexico, and South Africa, are politically motivated; but they are not expressions of civil wars or large-scale political conflicts. The bulk of the violence in these countries is to be found in criminal activities perpetrated by criminals, drug-traffickers, and common citizens.

Thus, rather than studying civil war or political conflict in this dissertation, I address the issue of the possible link between the process of democratization and criminal violence. In the literature, only the recent monographic edition of the ANNALS of the American Academy of Political and Social Science (Karstedt and Lafree 2006; LaFree and Tseloni 2006) and some scattered contributions (Collier and Hoeffler 2004; Lin

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2007), have directly tackled this issue. They all found evidence that over the long term democracy reduces crime; but they also have found evidence that recently launched democracies may, in fact, suffer from increased levels of violent crime. These findings, although inconclusive, make our questions about the democratization/crime link even more pressing.

The wave of democratization that has flowed over the world in the last three decades raised significant expectations that these new regimes not only would end the violence associated with authoritarian repression, but also that they would develop accountable institutions, establish the rule of law, and would establish the conditions for the prevalence of non-violent mechanisms of conflict resolution and governance (Koonings and Kruijt 2004a). The failure of some new regimes to deliver peaceful societies that abide by the law greatly weakened those expectations. Yet, despite this grim reality, it is hardly the case that all post-transition countries have become human abattoirs. One region of the world is particularly illustrative: Central America. A general overview of the violence rates in this region shows that Nicaragua, which in the early 1990s underwent a democratic transition through an extremely violent revolution and subsequent civil war, has far lower homicide rates in the post-transition than their northern neighboring countries: Mexico, Guatemala, El Salvador, and Honduras, which experienced very different and in some cases far less violent paths of democratization (UNODC 2007).

Such facts contradict the generalized view that all post-transition Latin American countries, for example, have descended into social disarray and high levels of criminal violence (Koonings and Kruijt 1998; Rotker 2002).The truth is that criminal violence has

not necessarily been characteristic of all democratizing societies. Hence, it is important to know why. What mechanisms remain behind the differences between one country and another? Central America offers an ideal set of cases to study, as in this small strip of land that connects the two Americas it is possible to find some of the most violent places in the world and also some of the most peaceful sites in the Americas.

Therefore, in order to answer the question about the relationship between democratization and crime, and also to explore the mechanisms through which some countries end up with higher levels of violence than others, I have conducted a two-fold research project linking transitions to democracy and violent crime. On the one hand, I conducted a cross-country longitudinal analysis on the determinants of violence in Latin America using indicators of political regime as independent variables. Using a dataset on Latin American countries I developed from the World Health Organization (WHO) Mortality Database, which collects data on homicides per country around the world since 1950, I attempted to determine if new democratic regimes have lower levels of homicidal violence than transitional regimes or authoritarian regimes. Hence, I fitted a multi-level statistical model that treats years as level-1 cases and countries as level-2 cases, or clusters. Specifically I developed a random-coefficient growth model that allowed me to control the impact of the changes in the political regime of each country across time on the levels of violence.

Such approach addresses the general question about the relationship between democratization and crime; but this analysis does not respond to the inquiry about the mechanisms that operate behind the differences in the levels of violence from one country to another. In order to approach the central question as to why some new

democracies have more violence than others, I also conducted a qualitatively-oriented research design focused on the Central American countries. In particular, I compared the northern Central American countries (Guatemala, El Salvador, and Honduras), which face high levels of violence, with Nicaragua. Drawing on the similarities of the Central American countries, that is, their similar political history, their culture, and economic characteristics, I followed a "most similar systems design" (Przeworski and Teune 1970) that singles out the particular mode of transition that Nicaragua had in comparison with its northern neighbors as the main explanatory variable of the different levels of violence experienced in these countries. Although I took into consideration the four post-transition Central American countries, I focused more on the comparison between El Salvador and Nicaragua as the former is considered the most violent country in the Western Hemisphere while the latter is one of the less violent countries in Latin America (UNODC 2007). Table 1.1 summarizes the variables at play in the comparison.

Table 1.1. Most Similar Systems Design: Explaining Post-Transition Violence in Central America

	Spanish Colonization	History of Authoritarian Regime	Civil War	Economic Under development	Transition that **Does Not** Constrain Former Violence Specialists	Levels of violence
Guatemala	√	√	√	√	√	High
El Salvador	√	√	√	√	√	High
Honduras	√	√		√	√	High
Nicaragua	√	√	√	√		Medium

The table shows that I view transitions as the critical variable in the explanations of post-transition violence in Central America. In contrast, shared factors such as culture

(Spanish colonization), authoritarian past, civil war, and economic underdevelopment do not account for the differences in the levels of violence in Central America. Thus, I conducted a comparative historical analysis on Central America (Mahoney and Rueschemeyer 2003): I compared the historical trajectories of these countries paying special attention to the transition period.

The fundamental argument that emerges from this analysis is that criminal violence in post-transition societies is a function of the mode in which political transitions were carried out. Specifically, I believe that where the transitions were able to wipe out the fundamental traits of authoritarian domination of the old regime, that is, the utilization of violent specialists as informal collaborators of the state, the likelihood of high levels of post-transition violence is lower than in countries where transitions did not separate violence specialists acting informally on behalf of the state. In other words, I argue that criminal violence in the post-transition setting is the result of the way in which security institutions were reconstructed during the period of regime change regarding the violent actors of the past. This approach entails examining not only whether a reform of the security apparatus took place. More importantly, it entails exploring the role played by what Charles Tilly (2003) calls the "political entrepreneurs" and the "specialists in violence" during such reforms, and whether the latter continued acting as informal collaborators of the state in the management of security and the use of violence. Therefore, I view the state, its formal and informal institutions, as the key determinants of the level and nature of post-transition violence. In stating that, I am not saying that the state and its collaborators are the major perpetrators of criminal violence; rather I am highlighting the importance of the state and its institutions in the emergence and

reproduction of criminal violence. Following a rich tradition in political sociology (Centeno 2002; Evans et al. 1985; Mann 1984; Tilly 1985; Tilly 1990), I am bringing the state back in the analysis of criminal violence.

By doing this, I am also assuming a path dependent perspective (Mahoney 2001). That is, I believe that criminal violence is the result of a critical juncture —or series of critical events— (Collier and Collier 2002) that determined the sociopolitical path leading to my dependent variable, namely post-transition criminal violence. As I have pointed out, this critical juncture is the political transition.

In developing the qualitative side of my project, I have relieved completely on documental research. I have reviewed the work of historians, sociologists, anthropologists, and political scientists that have studied the political history in Central America. I have also used reports, public records, and government files that provide information about the activities of state institutions or individuals acting on behalf of the state. In that sense, I reviewed some of the CIA declassified files used by the Salvadoran Truth Commission, which are stored at the library of the University of Central America in San Salvador. The historical archives of the *Instituto de Historia de Nicaragua* at the University of Central America in Managua were also extremely helpful to understand how authoritarian security institutions operated in the past. Reports from human rights organizations and research reports from local universities were also heavily used. I collected all this information in a series of visits I did to Nicaragua and El Salvador between May 2009 and January 2010. Finally, I also reviewed some of the files on El Salvador and Nicaragua that are available from the National Security Archives at George Washington University. As it turns out, I collected much more information on the

fascinating Central American transitions than the information I have been able to use here, but which I intend to use in subsequent projects.

This manuscript, which summarizes the main findings of my research project, is divided into five chapters plus a conclusion. Those five chapters form two different but complementary parts. The first part tackles the general issue of the relationship between democratization and criminal violence. It consists of Chapter II and Chapter III. Chapter II, "To Understand Post-Transition Violence in Latin America," presents a critical review of the literature of criminal violence. It is critical because it aims to show how the traditional theoretical perspectives on violence stemming from criminology fall short in providing working explanations on the relationships between political regime and criminal violence; they also fall short in the very notion of comparative inquiry: they are not helpful in explaining why societies that share the same social, cultural, and political traits yield such different levels of violence. Then, in Chapter III (An Empirical Examination of Regimes, Transitions, and Violence in Latin America) I present one of the main empirical sections of this research project. The chapter details the method and results of the cross-national longitudinal empirical analysis. Hence, this chapter provides a first approach to the comparative study of violence and democratization, as it shows the political and social variables under which violence increases in Latin America.

The second part of this manuscript moves to the specific case of Central America and focuses on the historical comparison between Nicaragua and the rest of post-transition countries. In Chapter IV, entitled "Violence in Central America: From Political Violence to Common Violence," I present the main characteristics of contemporary criminal violence in El Salvador and Nicaragua. I also address the literature that tries to

explain violence in Central America and I show why this literature misses the fundamental differences between these two countries. Then, in Chapter V (The Roots of Violence in Central America), I conduct the major comparative historical analysis that supports my argument. This is the key chapter of the whole project, and therefore it is the longest and the most complex to deal with. In it, I present the fundamental theory behind my own comparison; then, I review what I consider the critical historical roots of violence in the region, namely the existence of structures of civilian collaboration with the authoritarian state; next I review the transitions in Central America and show how they failed to erase those structures in El Salvador, Guatemala, and Honduras; but succeeded in Nicaragua. Finally in the chapter entitled "State Violence in the Post-Transition," I present some support for my argument by reviewing and proposing a typology of the manifestations of contemporary state violence in Latin America.

In the conclusions, I attempt a summary of the main findings of the research project and I present a model to understand the causes of post-transition criminal violence in Latin America. I show that the main findings of this research are helpful to build a theory about post-transition violence that can be applied to other countries and regions of the world as well.

CHAPTER II

TO UNDERSTAND POST-TRANSITION VIOLENCE IN LATIN AMERICA

How do we explain post-transition violence in Latin America, particularly in the Central American countries? What do we need to know in order to understand why this sub region of the world has reached extraordinarily high levels of violence when compared to other regions, even to those riven by war and internal conflict? There is a long tradition of studying violence in the social sciences and the literature on violence is a large and fascinating corpus of theories and debates that go back to Aristotle. But I do not want to pursue an historical review of the literature on crime and violence here. Rather, what I want to do is to review the theories, explanations and literatures relevant to our endeavor, namely, why some post-transition countries face more violence than others. In doing this, and having Latin America in mind, I will critically review the major theories developed from criminology with my intention being expect to show the limitations of these perspectives to our understanding of contemporary violence in the region. Violence, however, encompasses several meanings and it might seem that by starting with the criminology field, I am conflating violence into crime.

In some sense, I am. But this apparent fusion does not stem from a theoretical confusion or a claim that all violence in Latin America and other parts of the world is criminal in nature. In fact, an important share of the violence that affects countries not at war nowadays is not criminal; as political and social forms of violence remain an important source of population victimization. Yet, by blending violence with crime in

this early stage of my exposition, I am briefly joining the generalized sense found in the contemporary literature (Ayres 1998; Fajnzylber et al. 2001; Fruhling et al. 2003; Londoño et al. 2000; Morrison et al. 2003) that crime and common violence have become established as the predominant forms of violence in Latin America. This has happened after most of the region has undergone political transitions, and electoral democracy has established itself as the predominant political regime in the Americas. Thus, most of the literature addressing the problem of violence in the region so far has attempted to use the analytical tools provided by criminal justice research projects to enlighten the apparent rise of violence during the democratic era. The recent Central American Human Development report, published by the UNDP, is an example of this effort.

Important contributors to the debate on post-transition violence notwithstanding, these approaches have proven insufficient to explain why some countries have reached nearly genocidal levels in the democratic era while others have managed to keep crime and violence at bay. Even as some regions and municipalities in countries such as Colombia, Brazil, and El Salvador experience hyper-levels of murder, exceeding more than 150 deaths per 100,000 inhabitants (Cubides et al. 1998; Molina Vaquerano 2007), compared to murder rates of 1 per 100,000 in Norway, for example, other countries and provinces experience levels of violence resembling those of Western Europe and Canada (PNUD 2009). The explanations, however, fall short in explaining not only the huge outbreak of violence in some countries, but also the gap within regions and/or countries that maintain the same societal and economic characteristics.

Following this review of the relevant literature in criminology, I will turn to contributions from political science and will show the importance of taking into account

other sets of variables in addition to those usually considered from other social sciences. These variables refer to the role of the modern state in managing security, order, and violence. This task entails an analysis of the power relationships in which the state is embedded, the regime's effectiveness in monopolizing the means of violence, and the limits established in its exercise of legitimate force.

In other words, the main idea here is that it is impossible to understand the strikingly different levels of violence that are vexing Latin America, as well as other regions of the world, without looking at the state, its role and its contribution in the reproduction of common violence. Charles Tilly has said that "with collective violence we enter the terrain of contentious politics" (2003: 26) Although contentious politics is not precisely the subject of this research project, such perspective sheds light on the nature of the violence we are about to study here. Some analysts will be reluctant to see contemporary violence in Latin America characterized as collective, given the share of individually motivated acts, the murders committed in private settings, and the vast array of felonies perpetrated by single actors. But as Chapter IV will show, in the case of Central America, much of the violence and crime taking place in those societies is carried out by actors who deploy violent activities in coordination with other actors and institutions. The criminal who is singled out by the criminal justice systems is often the last link in a long chain of violent entrepreneurs who sustain relationships based on violence. The large toll of killings, assaults, and rapes affecting some of the post-transitional countries nowadays can only be explained if we analytically disentangle the complex relationships between the state and those violent actors.

A Review from Criminology

The individual-centered approach

A first cut of theories from the criminology field can be made by separating those that focus on the individual and those that study society, its structures and social processes. Within the individual realm, perhaps one of the most successful theoretical strings is anchored in what is known by criminologists as the "classical school." These theories assert the preeminence of rationality in individuals whose nature is intrinsically hedonistic: criminals and violent individuals would choose violence because of the benefits that violent acts would bring to them. In other words, they choose criminal actions because of the benefits. Starting with the contributions of Cesare Beccaria and Jeremy Bentham in the eighteenth century, the theories stipulate that people would pursue behaviors that bring rewards and avoid those that bring negative consequences to them. In that sense, they underscore the role of systems of punishment in the deterrence of crime and have had an enormous impact on the organization of the modern notion of criminal justice systems. In fact, the theories of deterrence stipulate that in order to decrease delinquency and violence it is necessary to increase the severity of the punishment for the crimes committed (Vito et al. 2007). Such a viewpoint has dominated much of the legislation on crime either in the developed or developing countries, especially following the 1980s (Blumstein and Wallman 2006). In Latin America, although the academic community studying this issue has produced little empirical evidence, governments have rushed to implement tougher crime legislation in order to counter the increase of violence during the post-transition period. Such hardening has

yielded the now famous "zero tolerance" or "mano dura" approaches across the region (Arana 2005; Cruz 2010; Davis 2007). These plans have entailed severe laws and programs against crime, which included an increase in sentences as well as the criminalization of some behaviors (Ungar 2009).

Yet, one of the most popular offsprings of this line of thinking is what is called the rational choice theory. This model suggests that people would rationally choose whether to engage in crime, and the circumstances under which they would do it (Clarke 1992). In the contemporary era, the insight into criminal activity as a rational action which comes about after an analysis the specific costs and benefits of engaging in illegal activities comes from the work of economist Gary Becker. Becker, writing about the "optimal" policies to combat illegal behavior, argued that effective policies of combating crime are those that increase the costs of committing a crime by rising the probabilities of apprehension and punishment of the criminals, while at the same time reducing the opportunities to commit the crime, the latter being related to surveillance. Thus, "optimal policies to combat illegal behavior are part of an optimal allocation of resources" concerning surveillance and punishment (Becker 1968: 209).

This perspective has illuminated some of the most ambitious empirical research projects in the region of Latin America, which happened to be associated with multilateral finance agencies such as the World Bank and the Inter-American Development Bank (Fajnzylber et al. 1998; Gaviria 2000). For example, studying the determinants of crime in Latin America and the world, economists Fajnzylber, Lederman, and Loayza (2000) found that deterrence factors, such as police presence and the death penalty have a significantly negative relationship with homicide rates in some countries

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of the world. In general, given its usefulness for policy implications beyond the zero tolerance approach, these perspectives of deterrence theory and rational choice have also influenced an important part of the discussion about the role of the criminal justice institutions in Latin America. In these contributions, a key argument is that violence in Latin America is the product of weak, inefficient, and corrupt institutions of law enforcement and justice in the region (Londoño et al. 2000). Such faulty institutions prevent Latin American societies from enforcing the law, so criminals find big returns and face very low costs in engaging in criminal activities associated with drug-trafficking, organized crime, and smuggling networks across the region.

Rational choice theory and its policy implications have contributed to our understanding of some of the situational variables that lie behind violence in post-transition Latin American countries and, despite the actual limited number of empirical studies considering these type of variables, they have helped to turn our attention to the importance of law enforcement in the prevention of crime. However, in addition to the common criticisms that have been made toward this theory, which neglects the fact that not all people behave "rationally" all the time (Shelden et al. 2001) , the theory falls short in explaining some of the most distinctive expressions of violence in the region. That is, the presence and development of youth gangs and drug-trafficking organizations. Indeed, any analysis of this phenomenon would suggest that gangs and criminal mobs have just burst into countries such as Colombia, Mexico, and those of Central America because of the high returns of drug-related activities. It would seem that profits and rewards generated by drug trafficking, hit-men raids, and human smuggling far outweigh any costs generated by the (low) probability of apprehension and incarceration in these

countries. Nevertheless, that is just part of the story. In the consideration of the costs of

illegal activities related to the association to criminal organizations, we also must

consider the intrinsic costs of building a criminal organization. Costs of illegal activities

in organized crime settings also entail the probability of being killed or abused within the

same criminal organization. As many studies on gangs and criminal organizations have

shown, a gang or criminal organization increases the probability of becoming a victim of

violence (Klein and Maxson 2006; Spergel 1990). Internal predation and inter-group

conflicts represent higher costs for criminal involvement (Skarbek 2008). In the case of

Central American gangs or Mexican drug cartels, these are not just remote possibilities,

but very clear prospects. Mobsters join gangs and cartels knowing that they will most

likely become victims of death, torture, or prison.[1] So, why do they join those groups in

the first place? Being gang members, they face even higher costs for their behavior than

not being a member of a criminal organization.

Classical school theories do not provide satisfactory answers to these questions.

Although some recent inputs have pointed out the importance of some other factors that

go beyond pure rationality such as social contexts, information, and group processes

(Arsovska and Kostakos 2008), none of them seem to explain why so many young males

in the Americas join criminal organizations where the only certainty is imprisonment,

abuse, or death. In addition, as some authors working on Central American street gangs

have pointed out, the integration of some youngsters to this kind of group seems to be

motivated not only by their search for some social values —such as respect and power—,

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[1] A Salvadoran gang member once told me that he knew that his life in the gang will end in either
"encierro, entierro o destierro" (locked-up, burial, or banishment)

but also by the apparent absence of other life alternatives (Cruz and Portillo Peña 1998; Rodgers 2006b; Smutt and Miranda 1998).

Other individual-centered theories of crime seem less suitable for explaining the high levels of collective violence affecting some Latin American countries. One line of these postulates focuses in the biological variables that determine violent behavior and crime. Nineteenth century Cesare Lombroso's idea that some individuals are biologically predisposed to be criminals is perhaps the most well-known claim from this outdated school of thought. Although no modern scholar would accept this assertion as a serious thesis to explain collective violence in Latin America, contemporary medical research has shown that some violent behavior in specific individuals is related to neurological and hormonal disorders, as well as genetic irregularities, such as the XYY chromosomal abnormality (Jacobs 1965). Yet, very few view this field with the potential to contribute to the treatment of crime (Powledge 1996), and most of the scholarship focuses on the interaction of these factors with the environment (Fishbein 2001). Nevertheless, it is interesting to see that in some countries of Latin America, some opinion leaders, pundits, and even institutions still wield the argument of the biological predisposition to violence in order to explain crime, especially associated with race. Not long ago, the Salvadoran National Civilian Police published on its website that hereditary traits from indigenous citizens could partly explain the "propensity" of Salvadorans to violence (Cruz 2003a).[2] Such arguments reproduce an early twentieth-century liberal-creole view that indigenous people and certain races were violent and "backward" (Graham 2004; Urías Horcasitas 2000). However, in another sense, Latin American elites have also recurrently used the

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[2] The page was quickly removed from the website after raising a dust-up within government and international agencies working in El Salvador, for suggesting that "violence was inherent to indigenous blood."

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argument of a race-related propensity toward violent behavior with the purpose of generating political identities of resistance and courage. These arguments certainly do not help to shed light on crime in the region, but their formulation and utilization by political actors have been important for the configuration of ideologies that justify power relationships and violence.

The last strand of theories based on the individual briefly considered here are those that revolve around the behavioral school of psychology. Put simply, the fundamental idea of this school of thought is that crime and violence stem from learning processes: people "learn" to be violent and to carry out criminal behaviors. Personal experiences and direct observation drive the learning processes of violent behavior. In the first case, people are rewarded for acting aggressively or punished for not doing so; in the second case, people learn from observing others' behavior and the consequences, rewards, and costs that such acts bring to them (Bandura 1977). Hence, for instance, young people would become gang members and criminals by following the same type of behavior performed by their peers and role models. The rise of television and mass media has played a moderate but important role in the exposure to violent behavior and the learning of violence (see: Anderson and Bushman 2002)

This school of thought, which is also known as the social learning theory despite its individual scope (Shelden et al. 2001), has indeed influenced the scholarship on violence and crime in Latin America. The major arguments in this line of reasoning are the following. First, violence has reproduced in the region because of immediate household environments, characterized by dysfunctional families, domestic violence and child abuse; these environments have fashioned violent patterns of behavior in family

members (Buvinic 2000; Larraín 2002). Second, in addition to problematic families,

many youngsters and teenagers are being "socialized" in urban violent environments

where gangs, drug-traffickers and organized crime operatives are taken as role models by

the youth (Moser and Holland 1997; Moser and Winton 2002). And third, in some

countries, civil wars and internal political conflicts have trained vast generations of

citizens in the use and practice of violence (CRIES 1999).

Policy oriented-scholarship funded by international agencies in the region has

carried out many studies that point to the importance of violence learning at the

household level. All this research claims that children and teenagers who have been

victims of child abuse and neglect in their own family environments have higher

probabilities of becoming domestic abusers, joining street gangs or committing criminal

acts in the future (Arriagada and Godoy 2000; Larraín 2002; Salas Bahamón 2005).

Furthermore, nearly all research conducted on gangs in the region has pointed out that

gang members come from poor families where domestic violence is frequent and

widespread (Asociación Cristiana de Jóvenes de Honduras and Save the Children-UK

2002; Santacruz and Concha-Eastman 2001). Although some of these contributions tend

to underscore the normative aspects of domestic violence and the structural determinants

of violence, such as rampant poverty and unemployment, the underlying argument is that

some young people end up engaging in criminal activity because of the abusive

environment in which they were raised. Similarly, some of these studies, especially those

focused on street gangs, extend the process of violence learning to the streets. Gang

members become the models of young wannabes, who adopt the styles and behaviors of

mobsters (Jutersonke et al. 2009; Rocha 2006). An empirical study conducted by

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Alejandro Gaviria in Colombia, for instance, found that "the interaction of career criminals and local crooks speeds up the diffusion of criminal know-how and criminal technology" (Gaviria 2000: 3).

The legacies of civil wars and internal conflicts in Central America and Colombia have also been included under the perspective of social learning theory. According to this interpretation, internal wars led societies and governments to train thousands of men in the technologies and skills of violence (Cruz 1997). In a study sponsored by the World Bank, Cruz, Trigueros, and Gonzalez found that more than thirty percent of inmates serving sentences in Salvadoran jails in1999 directly participated in the civil war, either as soldiers or as guerrilla combatants (Cruz et al. 2000). Despite other factors behind the evolution of former combatants into criminal careers, such as the paucity of employment opportunities and reintegration programs or the psychological traumas of the war, the social learning perspective underscores the behavioral skills of aggression gained during the long periods of warfare that have characterized Colombia and Central America.

In sum, the research on crime and violence in Latin America using theories underscoring individual traits has informed our understanding of violence in the region. However, since these theories focus on the individual, they have limited potential of explaining processes of collective aggression that seem to be behind the skyrocketing levels of violence in the region. The classical school of rational choice, for example, has been more instrumental in providing insights into the importance of institutional efficacy than in the explanation as to why some people in Latin America choose a criminal career in the first place. Biologically based theories have practically no relevance in the scholarship of Latin American violence, but an historical review of their utilization in

some Latin American countries provides an interesting window to understand how it has been employed to support ideologies of domination and exclusion. Finally, in the research on violence, behavioral approaches have stressed the processes of learning in the reproduction of crime. Although these theories are, nowadays, less "individually" oriented as every learning process involves social interaction, I have chosen to include them among the individual-level theories in order to leave space to discuss other approaches in the socially-oriented group of theories.

Society as the key variable

Among the theories focused on society, there are three major schools of thought making inroads in the literature on Latin American violence and crime: the social structural school, the social process theories, and the critical or social conflict school. The fundamental line of reasoning of the social structural line of theories is that the society structure determines crime, so economic and social factors are the key variables in the explanation of violent behavior. In its simplest form, this school claims that poverty produces crime (Siegel 2006), but since poverty long has been a world-wide phenomenon time and extreme violence has been a special feature in the cases I am studying, we need to refine this theory a bite Different theories within this model explain the relationship in different ways. Social disorganization theory, for instance, claims that poverty affects the ecology of neighborhoods and communities, affecting the key social institutions and eroding the formal and informal mechanisms of social control (Shelden et al. 2001). Poor communities are deprived of efficient schools, social service agencies, adequate housing, employment opportunities, and effective policing. As a result, people attempt to leave

those neighborhoods as soon as possible, weakening interpersonal bonds, thwarting any collective effort to tackle community problems, and generating subcultures of violence (Shaw and McKay 1972).

This theoretical approach has informed a significant amount of scholarship of crime and violence in Latin America, as it has influenced many of the policy-oriented research programs run by international cooperation agencies in the region. Regional reports by the United Nations, USAID, the World Bank, and the Inter-American Development Bank have all tapped the effects of economic factors in the growth of crime within the region (Ayres 1998; Londoño et al. 2000; PNUD 2009; USAID 2006). But in many inquiries, poverty remains an unsatisfactory factor. Rather than poverty per se, studies conducted by Fajnzylber and colleagues (1998), and Bourguignon (1999) have showed that inequality is more important in the explanation of violence in the region. In addition to that research and working from a variety of disciplinary perspectives, different authors (Dammert 2005; Gaviria and Pagés 1999; Rodgers 2008; Smutt and Miranda 1998) point out the importance of urbanization processes in social disorganization in communities; the underlying argument of these papers is that rapid and unplanned urbanization worsens the problems of poverty and inequality. The recent surge in literature about social capital and violence in the region can also be understood as part of the social disorganization theoretical stream. Communities affected by high levels of violence are those where interpersonal distrust, low levels of citizen participation, and lack of mediation mechanisms between people and institutions are widespread (ERIC 2004a; Lederman et al. 2002; Moser and Holland 1997). The idea that social disorganization and the absence of social capital lead to crime has been used to support

projects to reduce violence in different Latin American cities. According to Moser, Winton, and Moser (2005), projects financed by the Inter-American Development Bank in the last decade or so totaled nearly 100 million dollars, most of which (52 percent) went to community action programs to prevent youth violence. The collection of policies to transform neighborhood ecologies and social capital in Bogotá, Colombia is, perhaps, one of the most well-known large scale city efforts to curb violence using an approach that taps into social disorganization theory. These policies, which were implemented by three different but consecutive city governments, entailed, among other things, a sweeping renovation of the public spaces in the neighborhoods affected by violence, the upgrading of the city school system, and a massive boost to programs of civic participation in public security and coexistence ("convivencia") issues (Mockus and Acero Velásquez no date). After these community-centered programs, Bogotá went from having a homicide rate of 80 murders per 100,000 thousand inhabitants in 1993, to a rate of 23/100,000 in the early 2000s. However, causal attribution is not really possible since no controlled analysis was done. For example, we do not know if violence would have been reduced without these programs because of other factors, such as a get-tough policy of the national government.

The second theoretical line within the structural school of criminology stems directly from the ideas of Durkheim. Working on an explanation to suicide, Durkheim coined the notion of "anomie," namely a condition in which social norms and values weaken and are unable to control behavior. This term was later adopted by Robert Merton, who used it to explain crime, giving way to what is called "strain theory." According to Merton, crime emerges from the contradiction between cultural norms,

which stress economic success, and social structures (Merton 1968). While social institutions and structures are responsible for granting access to legitimate means of life goals, they do not provide such means to underclass populations, neither do they to larger population groups in periods of drastic social change. People may see themselves excluded from opportunities and, as a result, may follow violent and criminal strategies and behaviors in order to reach those goals. In other words, the lack of opportunities leads people to experience strain and frustration, who respond with social deviance, crime and violence. Merton's postulate has yielded many theoretical interpretations that emphasize social class, community inequalities, and individual processes; but his basic idea of disparities between the social goals and the means to reach them has indeed inspired noteworthy scholarship on violence in Latin America.

For instance, the influential UNDP Human Development Report on Central America for the years 2009-2010, which focuses on the challenges posed by public insecurity and violence in contemporary Central America, was developed from the assumption that crime in the region is the result of "desajustes sociales." That is, people fail to adjust to their social environment, causing anomie, which in turn results in the corrosion of social solidarity and cohesion (PNUD 2009: 45-48). According to the report, those imbalances ("desajustes") are essentially produced by globalization, in its economic, political, and cultural forms, as well as by internal imbalances engendered by economic exclusion, urbanization, migration, and political conflicts.

The UNDP report is not alone in its interpretation of contemporary Central American violence. The argument that crime in Latin America is the result of normative imbalances with social structures shaped by economic liberalization and globalization has

gained some momentum in the literature on violence in the region. In its core argument, this treatment of strain theory postulates that the current wave of criminal violence in Latin America can be explained by the impact of economic reforms implemented following the Washington consensus in the 1980s. Such reforms aggravated the problems of exclusion and marginalization that were already endemic in the region by dismantling the incipient networks of social welfare and weakening the regulatory and redistributive faculties of the Latin American state (Arias and Goldstein 2010a; Buvinic et al. 2002; Koonings and Kruijt 2004b; Méndez 1999). In some cases, alternative cultural systems provided by the growing networks of transnational crime have stepped in to fill out the normative vacuum created by the accelerated transformations of economic reforms (Savenije and van der Borgh 2006). But economic liberalization has also presupposed the introduction of cultural values that support the new globalized economic order (Fournier 2000).

Globalization, in this sense, has also had an important role, not only because global markets and transnational economic actors are the key players in the new economic order; but more importantly, because, globalization has also expanded a system of norms and values that stress wealth, success, and power through individual achievement (Benson et al. 2008). According to this view, globalization has contributed to the rise of crime throughout the region through two mechanisms that create the "perfect strain storm." First, it exacerbates the structural problems of poverty and marginalization; and second, it spreads cultural norms that praise effortless wealth, greed, and consumerism. Faced with the impossibility of achieving these forms of success in an increasingly marginalizing environment, many people in developing countries opt for

delinquent lives and join gangs and even the transnational networks of crime. This line of arguments about violence is developed from research projects that hinge on ethnographic work and anthropological analysis (Benson et al. 2008; Rodgers 2009). It is also very popular among sociological and political essays where it is framed along other arguments on the upsurge of violence. The difficulty with this theory, of course, is that not all countries that have undergone structural adjustment policies have also undergone increases in violence.

Social structure theories are not the only ones making inroads into the literature on criminal violence in the Americas. A significant amount of scholarship taps the problem of violence from the perspective of social process. In addition to focusing on social structure, this line of research explores the interplay between person and society in the generation of crime (Alda and Béliz 2007). The fundamental argument here is that in order to understand violence it is important to study the interactions people have with their peers, institutions, and processes through their life (Buvinic et al. 2002) . Hence, a key variable is socialization, that is, the process of cultural learning that guides personal behavior. So, violence and crime stems from the way institutions such as family, school, religion, and state institutions shape people's behavior throughout their lives.

Perhaps the best-known and cultivated line of inquiry within this theoretical stream is the social learning theory. This theory and the psychological school of behaviorism— depicted above— have many overlapping areas; therefore, I will not expand further on its arguments and its utilization in the literature on violence in Latin America. However, it is important to note that for the social learning theorists, it is critical to understand the mechanisms through which people learn "bad" or incorrect

behaviors and norms. The contributions, for instance, of Smutt and Miranda (1998), Demoscopia (2007), and the "Maras y pandillas en Centroamérica" research project (ERIC et al. 2001; ERIC 2004b) —all of them focusing on gangs in the Central American region— stress the importance of gang socialization in the reproduction of the so-called "maras" in the region.

However, there is another line of inquiry concerning socialization that tends to interpret crime as the outcome of incomplete or failed socialization processes. In this sense, people would turn to criminal life because social institutions failed to produce the appropriate values and norms to prevent criminal behavior. This approach has not really had much traction in the academic community working on violence in Latin America. Nevertheless, in an analogous line of thought, a handful of scholars studying democratic citizenship and the rule of law have raised the question as to whether social institutions which emerged from the political transitions in the last two decades are suitable to instill or reproduce the essential norms, values, and patterns of behavior that will render law-abiding citizens (Caldeira 2001; Caldeira and Holston 1999; O'Donnell 1999). Many of these works concentrate on the way institutions, especially those in the criminal justice system, should be strengthened in order to make them fully democratic. However, the assumptions behind those contributions are that it is not possible to have a society that abides by the rule of law, while its institutions continue to deny rights to the underprivileged (Pinheiro 2003; 2007) while at the same time it educates them in the non-observance of law.

In addition to the scholarship that focuses on the social learning process, there is a corpus of literature studying violence in Latin America from a dynamic perspective

which integrates much of what different schools of thought have postulated so far. It assumes that violence is the result of continuous interaction of the individual with different levels of social environments starting with the family and ending with economic structures. Actually, this perspective does not originate from the criminology tradition, but from the epidemiology discipline in public health. Its key promoters are the group of epidemiologists working at the World Health Organization (WHO) (Krug et al. 2002), who published the World Report on Violence and Health in the early 2000s. One of the main contributions of this health-centered framework, also called the "ecological model" by its subscribers, is that it sees the variables associated with violence as risks factors, rather than single determinants (Concha-Eastman 2005; Guerrero 2002). Hence, it incorporates a multitude of factors in the understanding of violence and classifies them according to its immediate impact on the occurrence of violence. It also assumes that the higher the number of factors lurking, the higher the likelihood that violence and crime will emerge. This is an additive but simple model.

Structural variables such as inequality and poverty are important risk factors in the emergence of violence, but they may not lead to violence if other mediating and situational factors are not present. Poverty does not yield violence in the straightforward way that situational factors, such as weapons availability and alcohol consumption, lead to violent behavior. In the always-pressing world of violence prevention, dealing with arms and alcohol may be more effective in the short term than dealing with the economic order. This dynamic highlights the essential policy-oriented character of the approach, as it has influenced a great deal of scholarship in Latin America (Rau 2007). Research projects carried out from this perspective, which also have received a significant support

from multilateral agencies in the region, (especially from the Pan-American Health Organization and the Inter-American Development Bank) have been instrumental in mapping the violence and crime phenomenon in the region. According to this approach, the presence and interplay of very diverse factors can explain the uneven frequency of violence in Latin America (Briceño-León et al. 2008). Hence, countries such as Colombia, Mexico and Honduras, would have higher rates of violence than Chile and Uruguay because the former have a higher concentration of risk factors than do the latter.

We cannot conclude this section about social oriented theories on crime and violence without revisiting the literature that emphasizes the effect of inequality and exclusion per se in the dynamics of violence. This approach, known as conflict or critical theory within sociology, suggests that the gap between the power and abundance of the rich and the disenfranchisement of the poor is the origin of violent crime, as the latter is an expression of reprisal of the dispossessed over the unjust conditions that are imposed on them (Holston 2009). In that sense, for some authors working on violence in Latin America, rather than expression of strain and disconnect between values as strain theories would argue, criminal violence would be an expression of resistance from oppressed and marginalized populations (Benson et al. 2008; Hagedorn 2008; Rodgers 2009; Sassen 2007). For these theorists, the disparities created by market liberalization and globalization are important also in explaining crime. The key dynamic, however, is not whether the values propagated by capitalism match the opportunities available to the poor as in strain theories; rather, the key social dynamic is the struggle of the poor and marginalized to dismantle systems of oppression and marginalization using violence.

Scholars of this school of thought perceive the law and the criminal justice systems as tools of oppression, and violence a form of contestation.

As has been shown, all these theories fixed on social structures and processes serve an important role in the development of scholarship on violence and crime in Latin America. However, thus far much of the literature has intended to survey the situation of violence in the post-authoritarian era rather than test specific hypotheses and theoretical interpretations about the causes or outcomes of violence. Consequently, it is possible to find different theoretical interpretations incorporated in the same research without a clear engagement by the author in a single theory or framework. Even in those studies that rest on a strong methodological imprint and a clear preference for a singular theoretical interpretation, such as the papers by Fajzylber and others, for example (Fajnzylber et al. 2000; Fajnzylber et al. 2002b), the authors end up accommodating other variables in their models that do not necessarily fit the explanation. Likewise, many pieces are essays that advance insightful interpretations by borrowing from different traditions, so interpretations that fit into the rational choice approach are combined with strain theory or even critical criminology. In short, much of the theoretical basis of research has been eclectic, even when it professes to adhere to a single perspective.

This corpus of research has an additional and, in my view, more important limitation. It generally ignores the role of some political variables, such as regime type, the state, or political institutions, in the reworking of criminal violence in Latin America. Most of the contributions we have reviewed so far view the problem of violence as residing in society where family, school, poverty, urbanization, and other characteristics are the key explanatory variables of violence. That is why criminology frameworks have

appeared to be so important thus far. However, a closer and more critical look at the

violence in the region also suggests the presence of the state and its institutions in the

overall set of relationships that yield collective violence. Critical or conflict approach

literature has included the issue of the state in the treatment of violence, but the central

argument always ends up focusing on the society, and on the strategies that draw on

violence to contest state neglect of citizen rights.

In addition, a booming and interesting scholarship has been looking at the role of

institutions in the upsurge of violence in the region in the last decade and some seminal

papers have been written regarding the apparent disjuncture between crime and

democracy (Holston and Caldeira 1998). Nevertheless, most of the works concentrate on

the performance of criminal justice institutions and whether they are efficient or

transparent enough in dealing with violence (Bailey and Dammert 2006; Duce and Pérez

Perdomo 2003; Fruhling 1998). This is so because in the discussion about violence in

Latin America, the predominant underlying idea is that once countries democratized or

consolidated their democracies the fundamental source of violence can no longer be the

state or the regime (Diamond 1997; Diamond 2008; Linz and Stepan 1996)[3], but the

society and its dynamics. Of course, several authors are open to accepting the

participation of state institutions in the maelstrom of democratic-era violence. But since

in most of these countries, the power of the military—the fundamental source of state

violence and human rights abuses— was sharply curtailed, there seemed to be no reason

to believe that the state would be a direct cause of criminal violence, unless the military

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[3] Note the frustration of Larry Diamond in 2008, acknowledging that democratic transitions did not stop
what he calls predatory states (Diamond 2008).

and the fearsome militarized police forces managed to resurrect some political power

(Call 2003; Millet and Pérez 2005; Rial 1996).

Family, community, weapons availability, social capital, culture, urbanization, poverty, social exclusion, and inequality became the important variables in explaining the new wave of violence. Even those studies which incorporated timely discussions about the rule of law and democratic citizenship tended to view violence as the result of the incapacity of the emerging (semi) democratic state to grant rights to the entire population (Méndez 1999; O'Donnell 1999) or its incapacity to cover national territories. Violence, then, would be the result of the "brown" areas of the state, where the latter was unable to control all the territorial segments of the national state and therefore incapable of regulating the social conflicts that endanger civil liberties and human rights.

Therefore, in order to understand why criminal violence in general has reached world-class levels in some Latin American countries precisely when democracy is the only game in town, we have to look again at the state; that is the consideration of the role of the regime in the upsurge of violence and the development of violent actors. In this dissertation, I argue that the state remains a significant source of violence—criminal, common, social, and, of course, political. However, before we do that, we must first advance our literature exploration to the relationship between violence and democracy.

Violence and Democracy

I begin this part by discussing the link between democracy and criminal violence. The empirical scholarship linking democracy and violent crime has usually focused on the

overall effects of well-consolidated democratic institutions on levels of crime (Lin 2007) and whether democracy increases crime or not. According to LaFree and Tseloni (2006) the literature concerning the link between democracy and crime in contemporary societies has revolved around three major perspectives: civilization, conflict, and modernization.

Drawing from Max Weber, the civilization perspective claims that crime would decrease as states establish institutions for the legitimate use of force and develop complex mechanisms of non-violent social representation (Elias 1982; Mares 2009). In a series of independent empirical research projects examining historic crime rates predominantly in Western countries, Ted Robert Gurr and Manuel Eisner found that murder rates have been decreasing since the thirteenth century and especially during the nineteenth century (Eisner 2001; Gurr 1981; Gurr et al. 1977). Gurr interprets this decline as a manifestation of cultural change in Western society, especially the "growing sensitization to violence and the development of increased internal and external controls on aggressive behavior," (Gurr 1981: 295), that is institutions, norms, and values. The short deviations from this pattern are, according to the author, the result of periods of warfare, strains produced by the industrialization processes, and changes in the demographic structure. In a similar vein but using a larger pool of data on Western Europe,[4] Eisner (2003) concluded that the civilizing process, the influence of the Protestant Reformation, and the strengthening of state powers have been key to the decline of violence.

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[4] Gurr used only twenty data points in his original analysis while Eisner used more than three hundred (Monkkonen 2006).

The modernization perspective builds on the idea that democracy would reduce crime, but suggests that instead of a linear declining trend, crime would experience an inverted-U tendency. That is, it will increase in the early stages of modernization as the new order weakens the old normative structures, but once economic transformations fundamentally driven by industrialization are consolidated, violence will diminish (LaFree and Drass 2002). If we applied this logic to the process of democratization, criminal rates would grow during the transition period as result of the strains of rapid political transformation, but then they would decrease with democratic consolidation (LaFree and Tseloni 2006). In the modernization approach, the fundamental idea is that only consolidated democracies produce low levels of common violence. However, in practice, few studies have explored the relationship between democracy and violent crime. Most of the modernization scholarship that links violence to democracy, democratization, or regime type focuses on political violence, civil conflicts, or ethnic wars (Collier 2009; Fein 1995; Hegre et al. 2001). They show that as a society moves from an authoritarian to a democratic regime—or the other way around (Hegre et al. 2001)—, politically motivated violence and civil wars intensify. Many of the indicators used to measure political violence, such as number of murders, can also be employed to measure crime; hence, it is very hard to separate criminal violence from political violence during periods of social unrest and institutional confusion that characterize regime change. In fact, some of the few studies that have empirically examined the effect of democracy on criminal violence have reached the same conclusion: crime grows during transitional periods and declines as democracy takes hold (LaFree and Drass 2002).

Finally, the conflict perspective, which I have already reviewed above, argues that market economies, which have accompanied democracy, increase the levels of crime by generating economic inequality, unemployment, and poverty to a large scale and by weakening the institutions of social welfare (Neuman and Berger 1988), especially in the post-communist countries (Karstedt 2003). Therefore, contrary to the other approaches, which see a positive effect of democracy, the conflict—or critical— perspective suggests that liberal democracy has an adverse effect in the control of crime as a result of economic liberalization. The effects of economic problems and rising inequality would explain the upsurge of violence in Western societies during the second half of the twentieth century, and especially in the developing world during the third wave of democratization. However, as with modernization, very little empirical research has been conducted examining the link between the economic effects of democracy and violent crime. To be sure, many studies point out the effects of inequality and economic factors on crime, and if we assume that democracy exacerbates problems of inequality, we certainly can establish a link between democracy and rising levels of crime. But important scholarship tells us quite the contrary, that democracy reduces inequality and advances economic growth (Gerring et al. 2005; Muller 1988; Sirowy and Inkeles 1990). Therefore, the association between democracy and violence is frequently drawn from the fact that Latin American and post-communist emerging democracies are now facing new levels of social violence without further empirical testing.

The emerging scholarship on Latin America has in some ways subscribed to either the conflict theory or modernization theory. For example, Mendez, O'Donnell, and Pinheiro (1999) see the structural reforms that accompanied the transitions to democracy

in Latin America as partially responsible for the increasing levels of insecurity and the (un)rule of law in the region. Many others authors view the problems of crime as a direct result of the Washington Consensus and the market transformations that have impacted the entire region in recent years (see, for example, Benson et al. 2008). However, these authors usually draw their conclusions based on the study of single cases, while failing to explain why other countries that have introduced such reforms in even harsher ways, such as Chile in Latin America, have managed to keep insecurity and crime under control while others have not. Modernization theorists, on the other hand, predict that the wave of crime produced by the transitions will recede once the democratic institutions have become consolidated (LaFree and Tseloni 2006). The problem with this view for the scholarship currently concerned about crime in post-transitional societies is: when can institutions be deemed to be fully consolidated in order to yield security and order? Further, why do countries that experienced transitions two or three decades ago still have a growing problem of criminal violence? Take the highly dissimilar cases of Brazil, El Salvador, and Mexico, in which authoritative classifications have labeled them as democracies, some having achieved this designation for longer than twenty-five years (Mainwaring and Hagopian 2005; Smith 2005); yet, these countries are experiencing extremely high levels of criminal violence, precisely when they have also experienced some of their longest periods of stable democracy.

Are these cases an indicator that democracy has not taken hold? If so, what can we expect for the countries that lay in the grey areas of incomplete democratization? The modernization perspective may be right regarding the industrialized democracies of the more prosperous West, but may fall short in explaining the differences in the current

upsurge of crime in some countries of the Third Wave thus far. As Holston (2009) states, the new forms of democratization, different from those experienced by the industrial West, demand new ways to understand why social disorder, violence, and crime erupts in these societies. This dissertation project aims to do that.

The wave of democratization that started in the 1970s and the end of several civil wars around the globe in the 1990s shifted scholars' attention toward the criminal violence that occurs in post-authoritarian settings. Because not all countries seem to descend into crime in the same way, more mid-range theories are necessary to address the different paths to crime. State weakness, political culture, poverty, the legacies of internal conflicts, and the nature and scale of humanitarian foreign aid are the most common explanations of criminal violence in current democratizing societies (Mac Ginty 2006). Yet, these factors fail to explain why some countries that share similar characteristics within particular regions experience sharply different outcomes in terms of public security and crime. The cases of Nicaragua in Central America, Tanzania in Southern Africa, and Slovenia in Post-Communist Europe, are examples of this puzzle. I argue that the processes that take place during the transition are an important black box that has not been examined as deserved. For example, some research projects have placed a great explanatory burden on the processes of building new security apparatuses (Call 2003; Marenin 1996; Stanley 1993), while many authors have pointed to wars (Cuadra Lira and Saldomando 1998; Torres Rivas 1998; UNODC 2007; Zinecker 2007). These perspectives, however, are rarely compared across different countries, which hampers their explanatory power.

Tilly (2003) and Koonings and Kruijt (2004) have attempted to develop explanations that are more centered on political actors. For Tilly, violence depends on the relationships established by violent specialists and political entrepreneurs. Violence specialists are those "specialists in deployment of violent means, such as soldiers, police, thugs, and gang leaders" (Tilly 2003: 30); political entrepreneurs, on the other hand, organize, link, divide, and represent constituencies. The interaction of these types of actors shape the social process that facilitate or constrain the appearance of criminal violence, and this interaction is particularly important during periods of institutional transformation. For Koonings and Kruijt, contemporary violence in Latin America is the result of the permanence of outlawed armed actors under democracy (1998; 2004a). Because the outcomes of transitions depend on the relationships established by political actors —meaning taking into account violent actors—, I will follow these perspectives in order to answer my research question. I argue that the nature of those relationships between political actors explains the likelihood of high levels of criminal violence during the post-transitional period.

Violent Actors within the Democratic State?

In order to understand violence in Latin America we must first recognize who are the key actors perpetrating that violence. The current scholarship on criminal violence tends to focus on the actors who lurk at the margins of the state or who inhabit civil society. Gangs, drug-traffickers, human smugglers, and potential terrorists seem to be the preferred studied actors in the current scenario of violence (Jutersonke et al. 2009; Manwaring 2006; Sullivan 1997). However, as some authors have been calling attention

to the phenomenon at least since the transitions took place in Latin America, in the dynamics of post-transitional violence state agents and institutions are among the major perpetrators of violence (Davis 2009; Koonings 2001). The best-known works on this matter are those concentrating on abuses perpetrated by the Brazilian police in the democratic era (Brinks 2006; Cano 2001; Chevigny 1996; Hinton 2006). These works point to police agents as perpetrators of murders, tortures, and abuses against civilians and persons identified as suspects of crime. Some authors have interpreted this pattern of abuse to the legacies of militarized law-enforcement and the culture of authoritarianism in which these institutions were developed (Chevigny 2003); in fact, the institution responsible for patrolling the streets of Rio de Janeiro and Sao Paulo are the military police and although they are under civilian command, their procedures and culture are essentially those of the military. Other scholars see the problem of police abuse in Brazil, as well as in other Latin American countries, as a result of shortcomings in standards of professionalization and institutionalization of law-enforcement organizations (Bailey and Dammert 2006; Fruhling 2003). Police and state agents engage in abuse and violence because of deficiencies in the process of reforming the criminal justice system (Call 2003; Call 2009; Neild 2002). These limitations close the prospects of "police management models that are more democratic and more respectful of the rights of individuals" (Fruhling 2003: 40) while open opportunities for corruption and the continuation of military approaches to the problems of insecurity and order.

In asking herself why issues of police abuse and corruption seem so resilient in democratic consolidating Brazil, Mercedes Hinton (2009) argues that the problem of violence within state institutions cannot be confined to rogue police agents or individuals

using police institutions as cover-ups. Rather, the problem with post-transitional state-linked violence has to do with political relationships based on corruption and patronage, which permeate institutions and the mechanisms of policy production. Police abuse, then, emerges as a result of traditional patterns of politics, where power relations generate impunity and prevent democratic mechanisms of accountability from taking hold. In a seminal paper about social networks in Rio de Janeiro's favelas, Enrique Desmond Arias unveils the complex political dynamics that allow police officers, criminals, community leaders, and politicians to form bonds that reproduce criminal violence. More importantly, Arias says that "violence in Rio stems from a particular articulation of state, social and criminal relations, which actively deploy state power in the service of criminal interests" (323). In other words, criminal violence is a product of social relationships and political arrangements where the state is a relevant player (Davis 2010; Koonings and Kruijt 2004a). The participation of the state as an entity, and not only as single individuals or institutions, in the prevalence of criminal violence, is best illustrated by the argument of Arias and Goldstein (2010a), when they argue that, even after democratic transitions, violence emerges from the way state power is used, through its structures and activities, to support existing social relationships. I would add—or stress— that such relationships go far beyond the institutional and formal character of the state and include the informal and illegal areas and activities in which the states is embedded through clientelism, patronage, and corruption politics.

In other words, the participation of the state in the construction and prevalence of violence revolves not only around formal institutions, such as the police, courts, and military, but also hinges on informal actors, extra legal violent entrepreneurs, who are not

part of state structures, but who act on their behalf or manage to project state power in order to benefit certain groups. Literature on this topic in the post-transition era is still scarce, but Diane Davis and Adriana Beltran, the latter working at the Washington Office on Latin America, have made significant contributions along this line. Davis (2009), for instance, argues that informal armed actors "have been known to act clandestinely *on behalf of* state—or in conjunction with the state's own armed actors, sometimes as formal or informal contract employees— as much as against the regime in power" (222). For Davis, this trend of "privatization" of the management of violence in the democratic era is a legacy of the warfare that authoritarian states in the past wielded against their unruly citizens. Along the same lines, looking at Guatemala, El Salvador, Colombia, and Peru, Peacock and Beltran (2003) argue that organized crime is embedded in the same state institutions. Against what has become a common mantra in many analyses on the rise of organized crime in Latin America, Beltran argues that these networks did not penetrate the state from the outside; rather, they were already in place when the transitions advanced the political reforms concerning law-enforcement and criminal institutions.

This is a key observation because it suggests not only that some sectors of the state may actually be direct criminal actors themselves, but more importantly because it implies that political transitions that reformed security apparatuses did not effectively remove the pre-existing criminal rings from within state institutions. Similarly, Davis' proposition that the privatization of state policing functions stems from the actions developed by past repressive states, suggest that there is continuity, a direct line, so to speak, between the former authoritarian regimes and democratic states that emerged from them. In other words, rather than focus on the growth of transnational criminal networks

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or the emerging social determinants of crime, these arguments shift our attention to the critical junctures (Collier and Collier 2002) of political transition and underline the importance of the creation of the (democratic) political regime on the development of organized crime and violence.

Furthermore, the consideration of informal armed actors, violent entrepreneurs, and private armed organizations tapped into the actual democratic state forces us to reconsider the premise that informal armed groups develop primarily with the purpose of undermining or overthrowing a regime or to contest political authorities (Davis 2009). Most of the scholarship examining informal armed groups views them as challengers of state order and power; hence the research agendas have focused on the reasons for their emergence or prevalence after transitions, democratizations or, simply, state formations (Boix 2008; Collier 2009). Yet, these explanations fit in the current state of affairs of contemporary Sub-Saharan Africa, where civil war and ethnic conflict ravage the region, but they are not as useful to explain the seemingly apolitical violence that affects Latin America and some post-communist countries such as Russia (Volkov 2002).

As this dissertation will show, informal violent entrepreneurs play an important role in the management of security, order, and violence in the post-transitional state. They are, in some ways, the legacies of the authoritarian state, but have been reshaped to function under conditions dictated by contemporary electoral democracies. In this sense, informal armed groups can also function as collaborators of a democratically elected government. Indeed, they can turn against and challenge it, but the literature has extensively studied this path and I do not wish to pursue it here. Rather, I want explore the ways in which such groups have managed to become important players in the current

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post-transition state, from which they reproduce criminal violence. Therefore, the underlying argument here is that a great deal of explanation of post-transitional violence and crime affecting Latin American countries can be found in the collaborative relationships between informal violent entrepreneurs, formal institutions, and the state.

Such a statement opens the discussion to a myriad of topics regarding not only the quality of democracy in contemporary post-transitional countries, but also the process of state (re)formation in post-transitional countries. Since Max Weber (1994), we have assumed that the monopoly over the legitimate use of violence has always been a crucial characteristic of the modern state. Some authors argue that in reality states never had the opportunity to enjoy such monopoly, not even in the industrialized western states (Bayley and Shearing 1996), and the prospects to do it are now bleaker with the liberalization of security and the privatization of public protection (Newburn 2001). The surge of state-related violent actors in the post-transition era posits the question as to whether the issue of democratization is also a problem of state-formation, and the violence that follows the transition is a gauge of a faulty state or, rather, of a failed democracy. To be sure, from a normative point of view, the existence of irregular armed groups lurking behind state institutions seems to be an indicator of state failure. As some authors put it, informal institutions often emerge in the vacuum created by weak formal institutions (Van Cott 2006), or they surface as a result of transition processes gone wrong. But these views, which are widespread in the literature, reduce the existence of informal actors acting on behalf of the state and the violence that stems from them to a mere malfunction of state institutions or an anomaly of the democratic transition process.

Although I agree that widespread violence can be deemed a failure from our poliarchic ideal and that in some cases criminal violence may reflect the "brown" areas of state reach, I do not think that assuming a normative-driven examination of post-transition Central America will help us unveil the mechanisms that reproduce crime in one place but seem to prevent in another. After all, some Latin American countries, such as Nicaragua and Ecuador, which are relatively peaceful in comparison to El Salvador and Colombia, are not more democratic than the latter. As I expect to show in the following chapters, especially those that tackle the issue from a comparative historical analysis, the problem of post-transition criminal violence not only resides in societal variables that have been extensively explored by criminology and the social sciences, it also resides in the manner in which political relationships between the state, its agents and civil society were configured during regime transformation. It has to do with the way the state set out to manage security and violence. That is the fundamental crux of our research venture.

CHAPTER III

AN EMPIRICAL EXAMINATION OF REGIMES, TRANSITIONS, AND VIOLENCE IN LATIN AMERICA

We know very little about the empirical relationship between democracy and violent crime in Latin America. All of the scholarship examining the impact of democracy, or democratization for that matter, on violent crime has been carried out using ethnographic methods or qualitatively oriented approaches. I do not want to walk away from those traditions, as the scientific inference stemming from qualitative research is very helpful to illuminate the mechanisms through which the potential relationship between democracy and violence takes place. I will use some of those inferences in my quantitative analysis. But before I do that, I have to frame my exploration of the impact of transition in a general picture of the relationship between democracy and crime. In other words, in order to understand why some post-transition countries have more violent crime than others do, we have to explore whether democracy (or regime type more generally) has any impact on violent crime, and whether the emergence of political transitions in Latin America in the last three decades has been associated with reduced, increased or stable levels of everyday (i.e., non war-related) violence.

As I discussed in the previous chapter, this relationship has hardly been explored world-wide using multivariate analyses, not to mention Latin America. In this region, the extant empirical literature linking democracy and violence has focused rather on the opposite direction of the relationship, namely, the impact of violence on democracy, especially on values and norms that support democracy (Azpuru and Seligson 2000;

Cruz 2008; Pérez 2003; Seligson and Booth 2010). Other works have also pondered the impact of crime on the rule of law and for human rights observance, two basic traits of democracy (Call 2000; Fruhling 2003; Koonings 2001; Méndez 1999; Rodgers 2006a). Hence, in this chapter I attempt to disentangle the hitherto fuzzy impact of democracy on crime in Latin America using a quantitative approach. Considering the theoretical discussion developed in the previous chapter, I will depart from the perspectives that anticipate a reduction in the levels of criminal violence with the establishment of democracy. In other words, my priors are that I expect that democracy will have a negative impact on violence and crime in Latin America; therefore post-transition countries should have less violence than during or before the transition.

In the following pages, I describe the data used to conduct this cross-country longitudinal analysis. I then present some basic results describing the trends of homicidal violence in the region and about democracy, measured by the Polity IV project (Marshall and Jaggers 2007). After that, I fit a random coefficient model that accounts for the effects of both country-specific variables and time-variant variables. I conclude the chapter discussing the results of the impact of regime change on violence, the relevance of country-specific variables, and the role of the state in the prevalence of homicidal violence in post-transition Latin America.

The Dependent Variable: Homicide Rates

The key dependent variable is violence. In this analysis, I will use country level homicide rates per year, based on data from the World Health Organization, as an indicator of crime. While there are many ways to measure violence, the availability of reliable data restricts the possibility of using other measures. Furthermore, the scholarship on crime and violence concurs that since homicides are one of the most heinous of all crimes, these tend to be more frequently reported and better registered in the institutional statistics, allowing for comparisons that, ceteris paribus, are more reliable. In addition, homicide indicators are less vulnerable to definitional variations when comparing data from different countries (Geneva Declaration Secretariat 2008). In contrast to other felonies such as rape, robbery, or assault, which are frequently exposed to legal tweaks and cultural interpretations, murder is usually defined in the same way across countries.

Admittedly, the national statistics of homicides are not free from problems that affect their reliability. Institutional limitations, political agendas, unsettled criteria of classification[5] and simple human error can affect the quality of the data, especially when large datasets on homicides are gathered (International Council on Human Rights Policy 2003; UNODC 2007). This problem of data quality is something that has to be kept in mind when dealing with any data that has gone through several stages of aggregation, since the errors can be cumulative and also likely contain random noise that would attenuate any "true" associations that are in the data. However, this is the most comprehensive recollection of data on homicidal violence available to researchers. It provides an extremely helpful pool of comparable information that no other dataset does.

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[5] Some countries separate "homicidios dolosos" from "asesinatos," some others classify deaths as result of traffic accidents as homicides, and even some others include abortions as "homicides."

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I collected annual time-series data on homicides mainly from the World Health

Organization (WHO) Mortality Database, which gathers information about the causes of

death in all the countries of the world from 1950 to 2005 (World Health Organization

2010). I selected data corresponding only to Latin American and some Caribbean

countries for which systematic information was available regarding the independent

variables.[6] The figures on homicide are data reported by the health offices or ministries of

health and human services of the states members of the United Nations system; hence,

most of this information comes from health institutions and not from law-enforcement

agencies. In addition to the aforementioned factors that might limit their reliability, the

most important thing to bear in mind regarding these data from WHO is that the numbers

are derived from stitching together information supplied by countries and coded using

four different versions of the International Classification of Diseases (e.g. ICD, 7, 8,

9,10). Therefore, it is possible that some changes in the reported homicide numbers will

be an artifact of countries shifting from one edition of the coding system to another

(which occurred at different times for different countries).[7]

Nevertheless, I do not expect these shifting of classification codes will be

detrimental to my analysis, because I tested whether code classification had any

systematic impact on the reports about homicidal violence and the results returned no

statistically significant relationship.

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[6] Countries included in the sample are: Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican
Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru,
Uruguay, and Venezuela.
[7] Personal communication with Robert Alexander Butchart, who is the prevention of violence coordinator
of the Department of Injuries and Violence Prevention at the World Health Organization in Geneva,
Switzerland, May 7, 2009.

Furthermore, the WHO dataset has also gaps: some countries lack information on several years, and data about Bolivia is completely absent from the catalog. Given that Central America is key to the present analysis of post-transitional violence, I decided to use other sources to fill the gaps in the Central American figures, especially from the 1990s (see Table 1). These alternative sources were the national police statistics, the UNDP reports on violence, and the forensic institutes (Molina Vaquerano 2007; Policía Nacional de Nicaragua 2008). Nicaragua and Honduras had considerable gaps of WHO information. In the case of Honduras I used all the information available from national sources (the police and the local UNDP) starting from 1994 (Programa de las Naciones Unidas para el Desarollo 2007). In the case of Nicaragua, which has the larger uninterrupted series of police data in the region, the supplementary data starts from 1980, the year of the Revolution.

The WHO dataset and the additional sources of data provided only the raw number of homicides per country-year. In order to make this information comparable across countries, I estimated the homicide rates (per 100,000 populations) per country-year using the CELADE/ECLAC population projections database for the Latin American countries from 1950 to 2025. These homicide rates are the dependent variable in my study (ECLAC/CELADE 2000).

The length of the series and the countries that were included in the analysis were determined by the availability of the data provided by the World Health Organization Database and the other sources mentioned. I did not impute values for the missing data on homicides (the dependent variable).[8] Hence, the analysis is being carried out only for the years and the countries on which we have actual homicide data. These limitations

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[8] Although I did impute values for some independent variables. See below.

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notwithstanding, 658 country-year data points were collected for this analysis; this is a substantial number considering the endemic lack of systematic information in the region. Nineteen Latin America and Caribbean countries are included in the sample, with a mean of thirty-four years available per country. Table 1 presents the sample of countries and years assembled. It shows the total number of years per country, including the number of years with sources other than the WHO dataset. It also displays the first and the last year for each country in the sample (although this does not mean that data are available for all the years in between those points). More importantly, the table shows the statistics of homicide rates for each country.

The table provides a first and quite interesting overview about violence in the region for the last five decades. It shows, first, that the incidence of violence is very different across the region, with some countries exhibiting very low levels of violence over the past fifty years (Argentina, Chile, Costa Rica, Peru, and Uruguay), while other neighboring countries displaying extremely high rates of violence (Colombia, El Salvador, Guatemala, and Honduras). In geographical terms, it is interesting to note that Costa Rica and Panama, two of the less violent countries in the region are surrounded by nations with severe problems of insecurity. This is something recent studies have already shown (Cruz 2008; PNUD 2009; UNODC 2007). Hence, even if we think of Latin America as a very violent region, there are important differences from one country to another or from one sub-region to another.

Table 3.1. Descriptive Statistics for Homicide Rates in Latin America

Country	Years				Homicide rates per 100,000 population			
	Total	Non-WHO	First	Last	Mean	SD	Min	Max
Argentina	32		1966	2003	5.35	1.30	3.49	9.08
Brazil	25		1977	2002	17.97	6.06	7.66	28.39
Chile	49		1955	2003	3.48	1.28	1.72	6.51
Colombia	42		1953	2004	40.52	20.78	13.13	82.49
Costa Rica	46	2	1961	2006	4.53	1.23	2.39	7.73
Cuba	24		1964	2003	5.36	1.47	3.59	8.23
Dominican Republic	36		1965	2001	5.27	1.30	2.90	8.61
Ecuador	42		1961	2004	10.01	3.39	5.08	17.05
El Salvador	47	5	1950	2008	36.57	8.12	23.62	56.18
Guatemala	35	12	1963	2006	26.21	20.20	1.60	115.5
Haiti	6		1980	2003	0.94	0.98	0.02	1.95
Honduras	18	15	1976	2008	37.38	17.88	1.19	56.89
Mexico	50		1955	2004	18.48	6.51	1.41	33.97
Nicaragua	42	29	1961	2008	15.71	5.49	9.38	30.16
Panama	44		1955	2004	3.23	2.92	1.75	12.37
Paraguay	9		1994	2003	11.08	1.07	9.75	12.22
Peru	25		1966	2000	2.55	1.21	1.04	6.49
Uruguay	42		1955	2001	4.07	1.01	1.98	5.23
Venezuela	44		1955	2002	10.74	5.46	4.13	29.84
All countries	658	63	1950	2008	14.26	14.94	0.02	115.0

Yet, a second revealing feature of Table 3.1 is that the distribution in the levels of violence per country does not seem to be the result on a recent regional trend, but a regular country-specific distribution across time. In other words, some countries seem to have a history of high levels of violence long before the so-called crime wave burst on the region in the 1990s, while other places have remained with relatively low levels of violence since the 1960s. For instance, the lowest homicide rate in El Salvador since 1950 was 23.6, which occurred in 1968; this rate is higher than the average homicide rate for most of the countries in the region. Likewise, since 1953, Colombia has never had a homicide rate lower than 13.1. In contrast, there are countries in which homicide rates

have never gone above the symbolic threshold of 10 homicides per 100,000 population.[9]

Costa Rica, Chile, Cuba, Dominican Republic, Peru, and Uruguay have never surpassed those levels of violence, not even when neighboring countries reached appalling rates. While on the one hand Argentina and Chile seem to be more resilient and avoid severe outbreaks of violence, despite their dictatorships and their histories of social unrest, on the other hand Brazil and Guatemala seem to be more prone to high levels of violence throughout their recent history. These figures point to an internal constancy or stability per country in violence and suggest that historical patterns and "cultures" may be an essential factor in the explanations of current levels of violence.

Despite this stability of violence patterns Table 3.1 also shows that some countries have had significant variations in their levels of violence. Guatemala is a good example of such variation. If we are to believe the figures provided by the WHO database, this country has had extreme variation in its levels of violence. It has had one of the lowest rates of homicide in the sample, in 1974 and 1977 (1.60 and 1.72);[10] but also, it has had the highest murder rate in the hemisphere for a single country: 115.60 in 1981, in the middle of the full military campaign against the guerrillas and indigenous communities (Schirmer 1998). Other examples of important internal variations are Colombia and Honduras.

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[9] Following a public health approach, Luis Ratinoff, a researcher from the Inter-American Development Bank, claims that a homicide rate above 10/100,000 can be considered a severe epidemic. Eleven Latin American countries in our sample have surpassed such threshold at least once in the last fifty years
[10] Guatemala suffered devastating natural catastrophes in 1974 (hurricane) and 1976 (earthquake). These events may have contributed to reduce interpersonal violence; but also they may have undermined the record systems, thus leaving many deaths unreported..
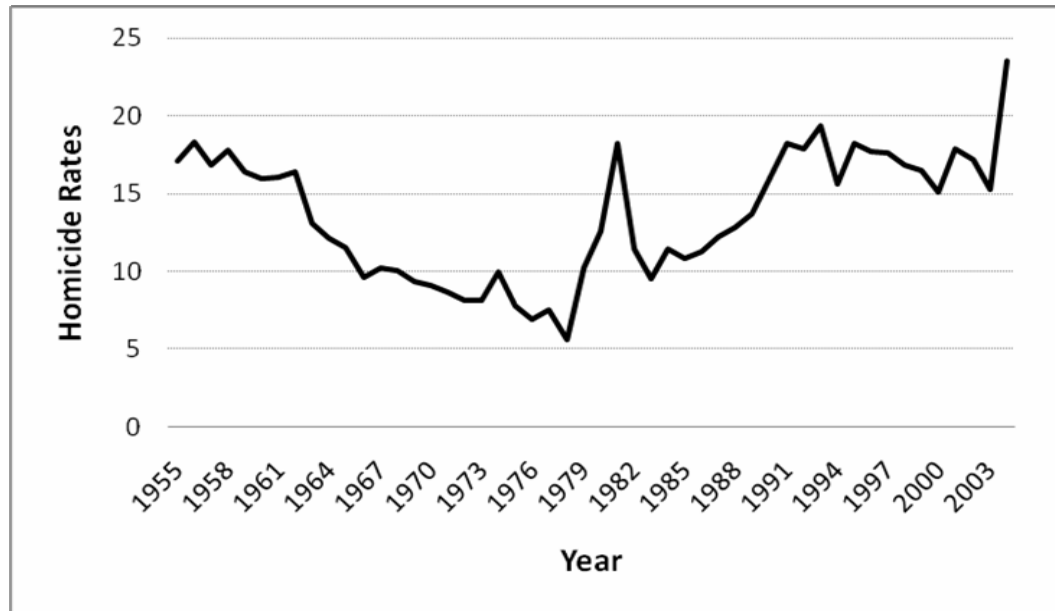
Figure 3.1. Average Homicide Rates per Country, Latin America and the Caribbean, 1955-2008
Source: WHO Mortality Database.

In order to have a clearer picture of the homicide rate trends in the region, Figures 3.1 and 3.2 present average homicide rates from 1955 to 2008 for the countries included in our analysis. Figure 3.1 shows the average for all the countries and years included in our sample. It shows that in general, violence, measured by homicide rates, was rampant in the late 1950s, in part driven by the Colombian "violencia;" then, it gradually declined throughout the 1960s and most of the 1970s, reaching a low point by 1978. Murders abruptly skyrocketed from 1979 to 1981, a possible effect of the intensity of the Central American civil wars; and then declined again for a short period. The figure shows that the current wave of violence is part of a general trend that started in the mid 1980s, leveling off during the 1990s, but experiencing another sharp uptick after 2000. These trends calls into question the notion that Latin American countries were peaceful societies before the neo-liberal transformations experienced during the 1980s and the 1990s. To be sure,

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murders have been growing since the 1980s, and the 1990s were a period of relatively stability on the high end; but several countries faced serious problems of violence before the 1970s. Colombia is perhaps the most notorious case, but data indicate that rates were also especially high in El Salvador, Guatemala, Mexico, Nicaragua, and Venezuela, during those years.

Although this picture is important to put the whole region into perspective, it also might be a little bit misleading. Not all countries experienced the same evolution in the murder rates. Some countries, in fact, have had little significant variation across time, and some others have followed the general trend of the region but with important yanks. These variations hint at the nature of the violence affecting those countries. For instance, countries such as Guatemala and El Salvador seem to be driving much of the trend in Central America, whereas Colombia does it in the Andean region. In the Latin American region as a whole, two sub-regions seem to be pushing the overall rates: Central America and the Andean countries. Central America seems to be responsible of the high levels of violence before the 1970s and the peaks experienced during the 1980s; whereas the Andean countries have contributed to the sustained increase between the 1980s and the 1990s.

With the purpose of viewing those differences more clearly, Figure 3.2 shows the homicide rate trends separating the region in three distinctive sub-regions. Mexico, Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica comprise the Central American region; whereas Colombia, Venezuela, Ecuador, and Peru are pooled together as the Andean region. The Southern Cone encompasses Argentina, Chile, and Uruguay.

In order to draw attention to these regions, Brazil and the Caribbean countries in the sample are not included within any of these groups.

Figure 3.2 reveals very distinct trends for each sub-region. In Central America and Mexico, homicide rates were high during the 1960s; they decreased during the 1970s to reach a bottom level, and then rocketed upward in the early 1980s with the civil wars in Guatemala, El Salvador, and Nicaragua. By the end of the decade, Central American countries managed to lower their murder rates before the political transitions took place; but rates started an upward trend again during the 1990s, during the first post-transition years; leveled off in the early 2000s, and topped the 35/100,000 mark by 2008. By 2010 (not shown here; see next chapter), the Central American average for homicide rates has surpassed the levels reached during the heights of the civil wars. In contrast, the Andean region trends have followed a different path. As in Central America, violence was high during the 1960s, but then it declined substantially during the early 1970s, nearly reaching the Southern Cone levels; by the second half of the 1970s, rates started an irregular trend, probably driven by the lack of data for Colombia. The late 1980s brought a clear upward trend in the consolidated data: the 1989 Venezuelan "Caracazo" and the development of the cartel-wars in Colombia rocketed homicide rates to new heights. Violence receded as the 2000s approached, a trend most likely influenced by the decline of Colombian homicide rates.
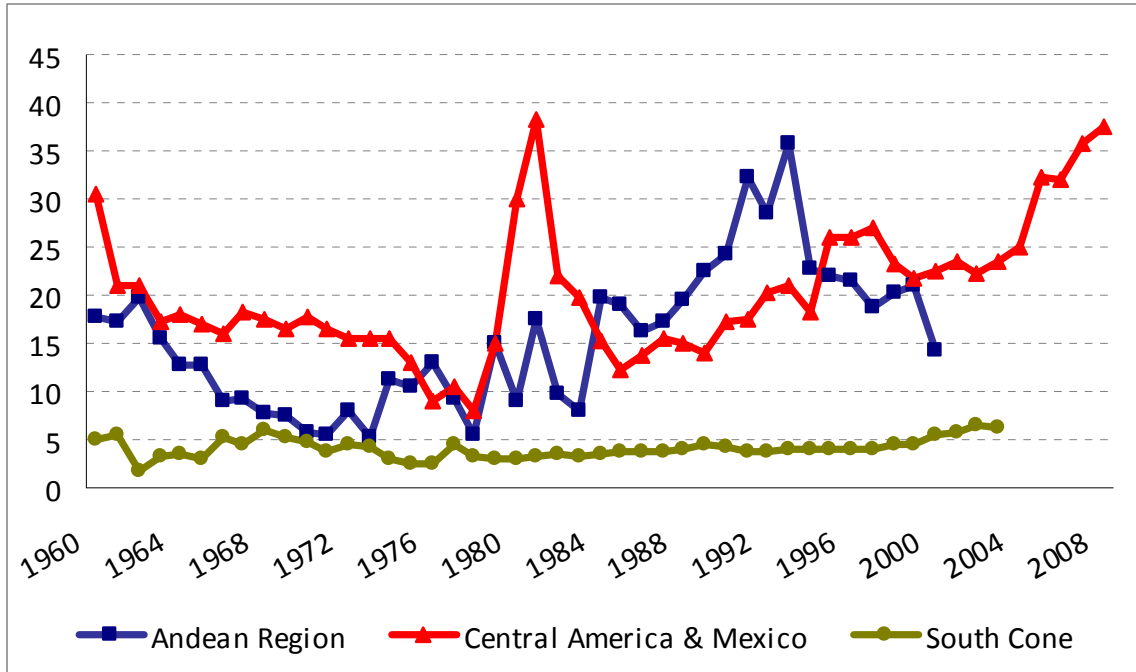
Figure 3.2. Average Homicide Rates per Country in Three Different Latin American
Regions, 1960-2008
Source: WHO Mortality Database

In the Southern Cone, homicide rates have displayed a very different behavior

across time from that elsewhere in Latin America. The most striking feature of the

southern countries is that violence never surpassed seven murders per one hundred

thousand inhabitants per year. This is a level particularly low in comparison with other

Latin American sub-regions, and about the same as it is in the U.S. in the first decade of

the 21st century. Furthermore, although political instability produced by the dictatorships

ruling in that region seem to have boosted the rates in Argentina in the late 1960s and

1970s, in Chile in the early 1970s, and in Uruguay during the 1970s, violence never

reached the levels of Colombia and northern Central America.[11] In sum, by looking at the

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[11] It is important to acknowledge that during the dictatorships, state institutions were the main perpetrators
of lethal violence against the populations (McSherry 2005). Hence, it is possible that state figures from

data on homicides we now have a picture of the trends of homicidal violence in Latin America. We know that not all regions have had the same trends of violence and that, in general, they have followed distinctive patterns across time.

Democracy as an independent variable

Following the model of LaFree and Tseloni (LaFree and Tseloni 2006), I use the Polity 2 variable drawn from the Polity IV data set as my principal indicator of democracy. Polity 2 is a computed score obtained by subtracting the AUTOC score from the DEMOC score in the same database (Marshall and Jaggers 2009). The DEMOC score stands for "Institutionalized democracy," and Marshall and Jaggers built this variable taking into account three factors: the existence of public mechanisms through which people can express their political and policy preferences; the presence of effective institutionalized constraints on the power of the executive; and guarantees of civil liberties to all citizens (2009: 13). The AUTOC score, on the other hand, measures the opposite: institutionalized autocracy. It taps regimes that restrict political participation, that choose their executive in a "regularized process of selection within the political elite" (Marshall and Jaggers, 2009: 14), and that face very little constraint to their exercise of power.

The combined Polity 2, then, ranges from -10 (strongly autocratic) to 10 (strongly democratic). Transitions or cases of "interregnum" are coded as 0, and several transition years in between two different types of regimes are prorated across the duration of the transition period. For example, a country X with a Polity 2 score of -5 (somewhat

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those years are particularly unreliable. These caveats notwithstanding, it is also important to bear in mind that even in the worst repression periods, the extent of violence practiced by the Argentinean and Chilean dictatorships never reached the levels of the Guatemalan and Salvadoran authoritarian regimes (see Stanley 1996).

autocratic) that goes through a transition and emerges four years later with a Polity 2

score of +3, is prorated as to move progressively each year from -5 to + 3. Although

some authors consider that Polity 2's measure of the level of democracy during periods of

interregnum and transitions are "problematic" and produce democracy scores that lack

face validity (Plumper and Neumayer 2010) a check on the Polity 2 scores for some

countries and years did not reveal any gross mismatch between the literature and the

scores (Mainwaring et al. 2007; Smith 2005).
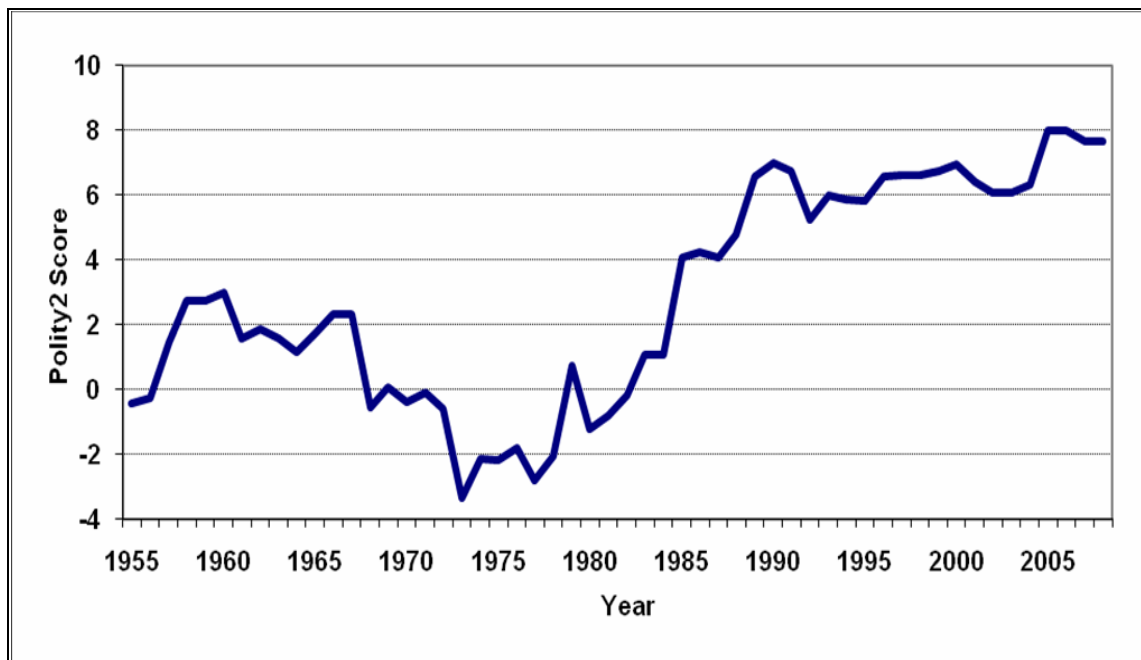
Figure 3.3. Mean Democracy Scores from Polity 2, Latin America and the Caribbean,
          1955-2008
  Source: Polity IV Database

According to the authors of the Polity IV dataset, the Polity 2 scores can be used

to classify political regimes into three types: democracies, when scores range from 10 to

6; autocracies, when scores go from -10 to -6; and what Marshall and Jaggers call

"anocracies," when scores range from -5 to 5. Periods of interregnum and transitions fall

into anocracies. A first look to our data indicates that 20 percent of our sample can be classified as "autocracies;" 25 percent fall into the category of "anocracies;" and 55 percent, more than half of the country-years of our sample, can be considered as democracies. Figure 3.3 shows the average Polity 2 scores for the whole sample from 1955 to 2008. As can be seen, according to the former classification, Latin American regimes were predominantly "anocracies" or autocracies before the 1990s. Democracy is established across the region after 1990. By 1996, only Cuba, Haiti and Peru remained as non-democratic.

Control Variables

In addition to the Polity 2 index, I also used the measure of regime durability from the Polity IV database. This variable, called DURABLE in both the Polity IV database as well as in the dataset created for this analysis, stands for "the number of years since the most recent regime change (define by a three-point change in the Polity 2 score over a period of three years or less) or the end of transition period defined by the lack of stable political institutions" (Marshall and Jaggers 2009: 16). Hence, this measure refers to the number of years passed from <u>any</u> regime change, not necessarily a transition to democracy. For instance, the value of the variable DURABLE for Chile in 1973 is 0 and for 1983 10, but for 1993 is 4 because in this case is counting from the last Chilean regime change in 1989. This variable may help to tap the possible effect of regime stability across time on the prevalence of homicide rates.

In order to have a more straightforward variable tapping the stability of a democratic regime from a single defining transition, I constructed a variable called

"Years from transition" (TRANYEAR) to represent the number of years since the democratic transition took place. First, based on a review of the literature I fixed the year when there is some reasonable consensus that the third wave transition took place and put it in a variable called DEMCOH (for Democratic Cohort). For example, the year for Argentina is 1983; for Dominican Republic is 1978; for Mexico 2000; for Paraguay 1990. In Costa Rica, which experienced a democratic transition long before the third wave and the span of the data, the value of the variable was 1951. In the case of Cuba, which has not experienced a transition to democracy at all, the value of DEMCOH was the last year of the series of data for that country, in this case 2004. Then, I subtracted every year-point to DEMCOH, generating the number of years from the settled democratic transition. Hence, for instance, the value of TRANYEAR for El Salvador in 2000 is 8 (El Salvador "transitioned" in 1992), whereas for Uruguay in 2000 is 15 (Uruguay's year of transition is 1985). For the year-points before the transition "event", the values of the TRANYEAR variable take a negative sign, representing the number of years *before* the democratic transition. For example, the value of the TRANYEAR variable for El Salvador in 1960 is -32, and for Uruguay in the same year is -25. In sum, this variable will allow us to see the relationship between the longevity of electoral democracy and homicide rates across time.

Cross-country empirical research on crime has shown the importance of economic variables, especially inequality (Bourguignon 1999; Fajnzylber et al. 2002a; Glaeser et al. 2009); wealth, measured as GDP per capita (Fox and Hoelscher 2010; Nadanovsky and Cunha-Cruz 2009; Stamatel 2009); and, in some cases, economic growth (Lederman et al. 2002; Mares 2009). Perhaps the most utilized economic variable and the one that has

returned more significant results across different empirical designs is income inequality.

Nearly every empirical study of income inequality and violence in Latin America has

shown a positive relationship between these two variables. For example, a one-point

increase in the Gini coefficient of a country is associated with nearly a one-point increase

in homicide rates (quoted in Buvinic and Morrison 2000) (see also the series of

publications by Fajnzylber, Lederman, and Loayza: Fajnzylber et al. 2002a; Fajnzylber et

al. 1998; Fajnzylber et al. 2000; Fajnzylber et al. 2002b). I attempted to include a

measure of income inequality by using Gini indexes for each country-year. Data come

from the World Income Inequality Database V2.0c (WIID), available from the United

Nations World Institute for Development Economics Research.[12] However, it was not

possible to obtain systematic data for all country-year points, especially before 1990s.

The WIDD, which marshals an impressive pool of data, has important gaps in the series,

and even some records refer only to major cities or urban population. When possible, I

have incorporated only the national data following a similar method of recollection

(household socioeconomic surveys or census). This lack of data on income inequality

may affect the cross-country analysis as it would substantively reduce the number of

cases included in the regressions. Furthermore, it may return misleading results if the

absence of data introduces a systematic error in the computation. Hence, I use this

variable in a limited way in the analysis.

　　　　Gross National Product has also been one of the most commonly used economic

variables in the empirical research of macro-determinants of criminal violence (LaFree

and Drass 2002; LaFree and Tseloni 2006). Findings usually indicate that country wealth

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[12] Data were obtained from: http://www.wider.unu.edu/research/Database/en_GB/database/. Accessed
December 2009.

is negatively associated with criminal violence; countries with high GDP tend to have lower rates of crime. Drawing from Angus Maddison's World Statistics on Population and GDP, I included data on Per Capita GDP for the Latin American countries and years included in the sample.[13] In addition, after checking the data provided by the Madisson's dataset, I also included data on Gross National Income Per Capita (Atlas Method at current US$) from the World Bank Socio Economic indicators datasets.[14] GNI data series were available starting in 1964; so, in order to fill the gaps for previous years, I used Amelia II, a software routine that performs multiple imputations for missing data in time series cross-sectional datasets, developed by Honaker, King, and Blackwell (2010).[15]

Different researchers have also found an interesting relationship between economic growth and violence. For instance, Fox and Hoelscher (2010) and Fajnzylber and colleagues (2000) have found that rapid economic growth has a positive impact on violence rates, supporting modernization theory that says that abrupt changes tend to produce more crime. However, in a different result, Collier and Hoeffler (2004) found that homicide rates are higher when growth rates are slower. I incorporated data on economic growth measured as the annual percentage growth rate of GDP at market prices based on constant 2000 U.S. dollars. These data were drawn from the World Bank world development indicators and range from 1961 to 2008.[16] Descriptive statistics for the independent and control variables are shown in Table 3.2.

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[13] Data obtained from: http://www.ggdc.net/maddison/. Accessed December 2009.

[14] Madisson's GDP per capita projections do not match recent data on the economy performance in Latin America provided by ECLAC or the World Bank.

[15] I used Amelia II only to impute values for some independent variables, not for the dependent variable.

[16] Data were obtained from: http://data.worldbank.org/indicator. Accessed December 2009.

Table 3.2. Descriptive Statistics for the Independent and Control Variables

Variable	Percentage	Mean	S.D.	Min	Max
Polity 2		2.82	6.37	-9	10
Durable		14.84	17.57	0	87
Years from transition		-.45	20.15	-45	55
Log of GDP per capita		8.26	0.53	6.56	9.32
Log of GNI per capita		6.93	1.19	.20	9.00
% grow rate of GDP		3.59	4.35	-13.37	18.22
Gini index		51.15	6.14	28.3	63.9
Population Density		51.25	60.99	6.79	343.06
% Urban Population		60.97	16.34	20.5	91.44
% Population 15-24 years		19.03	1.76	13.32	22.61
Political Terror Scale		3.16	1.17	1	5
Internal Armed Conflict	11.1				
Central America & Mexico	36.2				
Andean Countries	24.6				
Caribbean Countries	16.8				
Southern Cone Countries	22.49				

Demographic variables have also proven to be significant factors in the

explanations on the prevalence of homicide rates, although the findings around them are

not always consistent across the literature. As we have seen in the previous chapter,

urbanization is deemed to play a significant role in the levels of criminal violence: as

urbanization rates increase, so does the levels of criminal violence measured as murder

rates (Fajnzylber et al. 2002a; Gaviria and Pagés 1999; Nadanovsky and Cunha-Cruz

2009). The percentage of population living in urban areas was included as an indicator of

urbanization. Once more, data come from the World Bank socioeconomic indicators,

starting from year 1960 in each country. Other topic frequently associated to crime rates

is age structure. Cross-country research on crime has shown that young population are

more likely to be involved in violence than any other age group (Collier and Hoeffler

2004; LaFree and Tseloni 2006; Neumayer 2003). As a well-known 2000 Inter-American

Development Bank Report pointed out, the existence of large cohorts of young

population increases the probabilities of violence in the Latin American region (BID

2000). In Central America, people between 15 and 34 years old tend to be more

victimized and participate more frequently in criminal activities than any other age group

(Zamora and Espinoza 2006). However, other empirical projects have not found a

significant relationship with crime and young population (Cole and Marroquín Gramajo

2009; Fajnzylber et al. 2002b). In order to control for the impact of age structure, a

variable tapping the proportion of young population over the general population was

included in the dataset for this analysis. I estimated the proportion of population between

15 and 24 years old for each country-year point, using the population projections from

the ECLAC/CELADE Demographic Bulletin (2000).

Finally, population density was also considered for this analysis. Despite its

appeal, there is little empirical tradition studying the relationship between population

density and violence (Neuman and Berger 1988). In Latin America, the common

assumption is that rapid growth of urban population has worsened the problems of

density in the cities, especially among the poor and underprivileged; these problems, in

turn, contribute to the prevalence of crime and violence (Briceño-León 2007). Population

density was estimated by dividing each year country's total population by country size (in

kilometers). So, for example, 1980 Argentina had a population density of 10.15

inhabitants per km^2, while 2001 Haiti had a population density of 306.7 populations per

km^2.

Some country-specific variables were also added to the database. First, given the

importance of internal political conflict for the development of the technologies and

behaviors of violence in some countries (Torres Rivas 1998), I created a dummy variable tapping civil war or internal conflict for the countries that underwent intense political conflict. Many Latin American countries have suffered political violence in the last four decades, but I codify as civil war or internal conflict just those cases in which there was some systematic exercise of violence from at least two well-defined rival parties that affected a significant portion of the national territory. Guatemala, El Salvador, Nicaragua, Colombia, and Peru fit these criteria. Zapatista uprising in Mexico and the activities of small guerrilla groups in Chile, Honduras, Mexico, and Uruguay, among others, during the 1970s and 1980s do not.

Many studies, especially those focused on internal ethnic wars (Cederman 2008; Collier and Hoeffler 2004; Fox and Hoelscher 2010), point out to the importance of ethnic diversity in the prevalence of violence. Behind this, there is the assumption that cultural differences matter. However, Fearon and Laitin (2003) have claimed that ethnic or religious diversity do not seem to impact political violence in the post-Cold War era; and the role of these variables seems to be less important in Latin America than in other places, given its relatively homogeneity in comparison with Africa or Southern Asia. Nevertheless, in order to grasp any cultural impact on the prevalence of violence in Latin America, I created regional dummies that underscore the similarities between some countries within the region while accentuate the differences across regions. Four dummies were created: Central America and Mexico (includes all the Spanish speaking countries of the isthmus except for Panama); the Caribbean (Cuba, Haiti, Dominican Republic, and Panama); the Andean region (Colombia, Ecuador, Peru, and Venezuela); and the Southern Cone (Argentina, Brazil, Chile, Paraguay, and Uruguay).

Finally, I also added a variable that taps political violence. This measure comes from the Political Terror Scale developed by Mark Gibney and colleagues (Gibney et al. 2006). The information used in this scale comes from the country reports of Amnesty International and the U.S. State Department Country Reports on Human Rights Practices. Researchers review the reports released each year and, based on the information, they grade each country with a score based on the political violence and state terror that the population experience during the previous year. The scale follows a 5-level index originally developed by Freedom House. Level 5 in the scale represents the highest level of violence and terror exerted by the government or the country leaders against the population; whereas level 1, the lowest in the scale, are granted to countries under a secure rule of law, in which people are not imprisoned for their views, torture is rare or exceptional, and "political murders are extremely rare."[17] I decided to plug this variable into the analysis to pick the possible effects of state violence on the overall prevalence of homicide rates. The relationship between common crime and political violence has scarcely been studied in the literature. As pointed out in the previous chapter, these topics have remained as separate fields of scholarship: one studied by criminology, the other by political science. The recent work of Collier and Hoeffler (2004) is an exception to this rule. They found that crime and civil war have the same set of economic determinants; but they also found that democracy and the proportion of young population are more important as causes of homicides than they are as causes of civil war. In addition, they found that civil war has an effect on homicide rates, but they could not conclude that crime increased the likelihood of civil war. In this project, I test whether political violence wielded by the state is a significant factor in the overall rates of murder. My

[17] See: http://www.politicalterrorscale.org/about.php. Accessed February 2010.

expectation is that political violence, measured by PTS is a key factor in the overall rates of murder, even during democratic periods.

Method and Model

In order to test whether democracy, regime types, political transitions, and state violence have an impact on the levels of criminal violence in Latin America, I utilized a hierarchical model approach using the Stata program (Rabe-Hesketh and Skrondal 2008). Under this model, longitudinal data can be treated as two-level data with occasions nested in subjects, so subjects become the clusters. In this particular case, I am assuming that occasions are the years and they are treated as level-1 units; while the subjects are the countries, and they are treated as level-2 units or clusters. There are as many level-1 units as years in the sample: 658; whereas there are 19 level-2 units, namely, 19 Latin American countries.

The use of this model in this case is an extrapolation of its utilization in psychology and education, where they are instrumental to study the psychological growth and development of people in cohorts (Goldstein 2003; Raundenbush 1995). This type of approach allows incorporating the effects of individual change over time, while controlling subject-specific effects. In other words, I am assuming that homicide rates in Latin America are the result of variables that vary within each country across time, such as urbanization or wealth; but they are also the result of variables that are largely fixed, such as culture or geographic position. The first group of variables is considered time-varying covariates; while the second are time-invariant covariates. Polity 2 scores, years from transition, Gini index, Gross National Income per capita, rate of GDP growth,

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urbanization, population density, proportion of young population, the Political Terror Scale, and the condition of civil war operate as level-1 covariates in this analysis, as they all vary from year to year. Countries and regional dummies (Central America, the Andean region, the Caribbean, and the Southern Cone) as considered as level-2 covariates. That is, they do not vary across time.

Other advantage of this type of approach over, let us say ANOVA, is that simple multivariate models do not perform well when there are unbalanced data, namely, subject specific occasions, and missing points in the data. Hierarchical models allow us to control variables in this type of longitudinal data.

According to the literature reviewed above, I expect that homicide rates will decline as democracy steps in, and as it "consolidates" across time. The first element is captured by the Polity 2 variable; the second factor, the consolidation, is treated as a function of time since the transition took place. This is tapped by the variable "Years from transition." In order to test this hypothesis, I will fit a random-coefficient model. This model assumes that the random intercept and the level-1 residuals of the covariates are both normally distributed with zero means, independent of one another, with random intercept independent across countries and residuals independent across countries and points in time (Rabe-Hesketh and Skrondal 2008). In other words, I am assuming that homicide rates are independent from country to country, and that they vary not only as a result of time-varying covariates within each country, but also as a result of country specific conditions. In addition, I am also assuming that the homicide rates decline (or increase) at different pace depending on the country (For instance, post-transition violence in Guatemala would decrease at different rate than in Uruguay during a similar

period of time). That is, I am including random coefficients for the variable "Years from transition" to allow the effect of this variable to vary between countries.

The general model can be specified as follows:

$$y_{ij} = \beta_1 + \beta_2 x_{2ij} + \beta_3 TY_{ij} + \beta_4 x_{4ij} + \dots + \beta_{14} x_{14ij} + \zeta_{1j} + \zeta_{2j} TY_{ij} + \epsilon_{ij}$$

where:

y = Log of homicide rates

i = year

j = country

x_2 = Polity 2

TY= Years from transition

x_4 = Log of GNI per capita

x_5 = % Growth rate of GDP

…

ζ_1 = Random intercept

$\zeta_{2j} TY_{ij}$ = Random coefficient for "Years from transition"

ϵ_{ij} = Residuals

Table 3.3 shows the results of three different models, with the last of the three being the most relevant. Model 1 incorporates all the control variables previously considered. It shows that democracy, as measured by Polity 2 has a positive significant effect on homicide rate. So does the percentage of urban population and the dummy for Central American countries. The rest of the variables showed no statistical significance at all. However, the model is estimated based only on 262 level-1 cases, with a mean of 14

years per cluster (country). This is so because the Gini index has many missing data values, reducing the overall pool of data for the analysis from 658 to 262. Besides, the coefficient for the Gini index is very low (-.0019), suggesting no statistical significance regarding the log of homicide rates. Hence, I decided to exclude the income inequality index from the equation in order to conduct the random-coefficient analysis with most of the data in the sample.[18]

Table 3.3. Estimates for Log of Homicide Rates in Latin America (Random-Coefficient Model)

Variable	(1) Coeff.	(1) St. Error	(2) Coeff.	(2) St. Error	(3) Coeff.	(3) St. Error
Polity 2	.0114*	.0058	.0244**	.0040	.0275**	.0042
Polity 2^2					-.0024*	.0009
Years from transition	-.0006	.0076	.0044	.0090	.0056	.0090
Years from transition^2					.0004**	.0001
Log of GNI per capita	-.1406	.0743	-.1402*	.0559	-.1355*	.0547
% Growth of GDP	-.0025	.0042	-.0058	.0034	-.0062	.0033
Gini Index	-.0019	.0061				
Urbanization	.0391**	.0106	.0235*	.0085	.02229*	.0081
Population Density	.0005	.0024	.0033	.0022	.0019	.0021
% Population 15-24 years	-.0098	.0183	-.0121	.0142	.0211	.0169
Political Terror Scale	.0127	.0255	.0569**	.0170	.0632**	.0168
Internal Armed Conflict	-.1830	.1327	-.0992	.0663	-.0841	.0700
Central America & Mexico	2.379**	.5682	1.294*	.4856	1.299*	.4467
Andean Countries	.9589	.5679	.5752	.4734	.6657	.4345
Caribbean Countries	.6229	.6878	.2054	.5229	.2795	.4773
Constant	-.1851	1.115	.8363	.7943	.3799	.7595
SD (Years from transition)	.0133	.0031	.0297	.0056	.0308	.0057
SD (Constant)	.8105	.1597	.6605	.1117	.6190	.1048
Corr (Tran.,cons)	.6623	.2185	.4594	.2195	.5208	.1910
SD (residual)	.2641	.0124	.3257	.0098	.3208	.0096
Wald test (df)	56.76**	(13)	85.54**	(12)	109.77**	(14)
N level-1	262		592		592	
N level-2	18		19		19	
Log likelihood	-75.12		-249.63		-239.89	

** p≤ .001; * p≤ .05

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[18] Actually, some missing data from other variables reduced the overall sample of level-1 cases to 582, but all countries (19) were included in the sample. Each country has an average number of cases (years) of 31.

The estimations under Model 2 in Table 3.3 are, then, the results of this new model. As can be seen, the coefficient of Polity 2 remains significant and positive. Other things being equal, each additional point in the Polity 2 scale is associated with a 2 percent increase in the homicide rates [exp(0.0244)-1= .02]. The log of Gross National Income per capita proved to be negatively associated with homicide rates: as a country turns wealthier, the incidence of violence decreases. The rate of growth of GDP also returned a negative relationship, but the coefficient is not statistically significant at the p<0.05 threshold. We also see that urbanization and political terror are significantly associated with the increase of homicide rates in Latin America. The dummy for the region of Central America and Mexico turned out to be statistically significant as well, corroborating what we have seen in Figure 3.2, namely, that Central America stands out as particularly violent region across time, even within Latin America: given the other covariates, homicide rates in the Central American region, including Mexico, are nearly three times higher than in the rest of Latin America [exp(1.294)-1= 2.64].

Looking at the random part of the model, we can see that the between-countries standard deviation is 0.6605; whereas the within countries standard deviation is 0.3257, indicating that homicide rates vary more between countries than they do within countries.

However, the previous model, particularly the finding that democracy is linearly associated to violence rates and the fact that time associated with transitions does not seem to be related to murder rates, raises more questions than answers. Cases such as Costa Rica, Uruguay, and Chile would not fit in the scheme that democracy increases murder rates. Hence, would it be possible that democracy and democratization (years after transition) have a curvilinear affect on violence? Previous work (Fein 1995; LaFree

and Tseloni 2006) have precisely suggested that the relationship between democracy, transition period, and violence is parabolic.

In order to test this, I fitted a growth-curve model in which quadratic terms were introduced for the variables Polity 2 and Years from transitions.[19] Results are shown in Table 3.3 under Model 3. The estimated coefficients of Polity 2 and Polity 2^2 are both significantly different from zero at the $p<0.01$ level; but whereas the first is positive, the second is negative. Holding the other variables constant, we can visualize the relationship between regime type, measured by Polity 2 and homicide rates in Figure 3.4. The graph shows the predicted values for the log of homicide rates according to the Polity 2 scores. It indicates that murder rates would increase as a country moves from autocracy to anocracy (Marshall and Jaggers 2009), but they would stabilize and even start to decrease as they reach the democratic zone.

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[19] In fact, Model 2 was also a growth model because I have introduced a random slope for the variable Years of transition. In Model 3, I am only adding the quadratic terms, allowing for curvilinear functions.
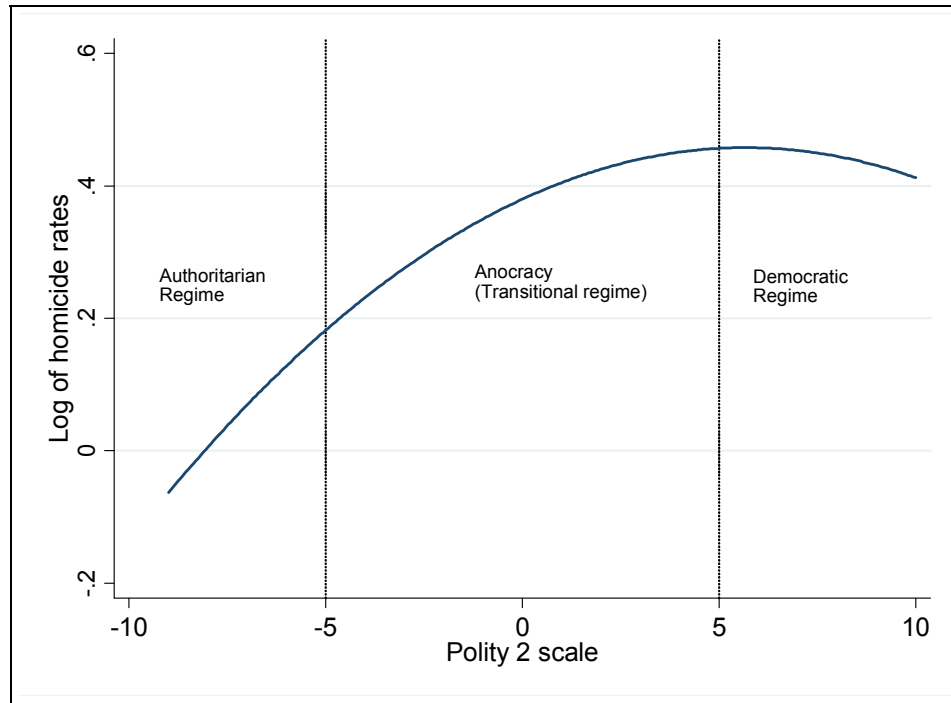
Figure 3.4. Predicted Values for Log of Homicide Rates by Polity 2 Scores

Likewise, the introduction of the quadratic term of Years from transition (TRANYEAR) provides us with an interesting outlook of the relationship between homicide rates and time (when related to political transitions). The estimated coefficient of TRANYEAR remains positive and statistically non-significant, but, holding the other covariates constant, the added term is also positive and statistically significant at the $p<.001$. Both variables produce an U-shaped trend (see Figure 3.5) that indicates that as countries move toward a transitional period or event, homicide rates tend to decline; but then as years pass, the level of murders increases. A discussion of these results is provided below.
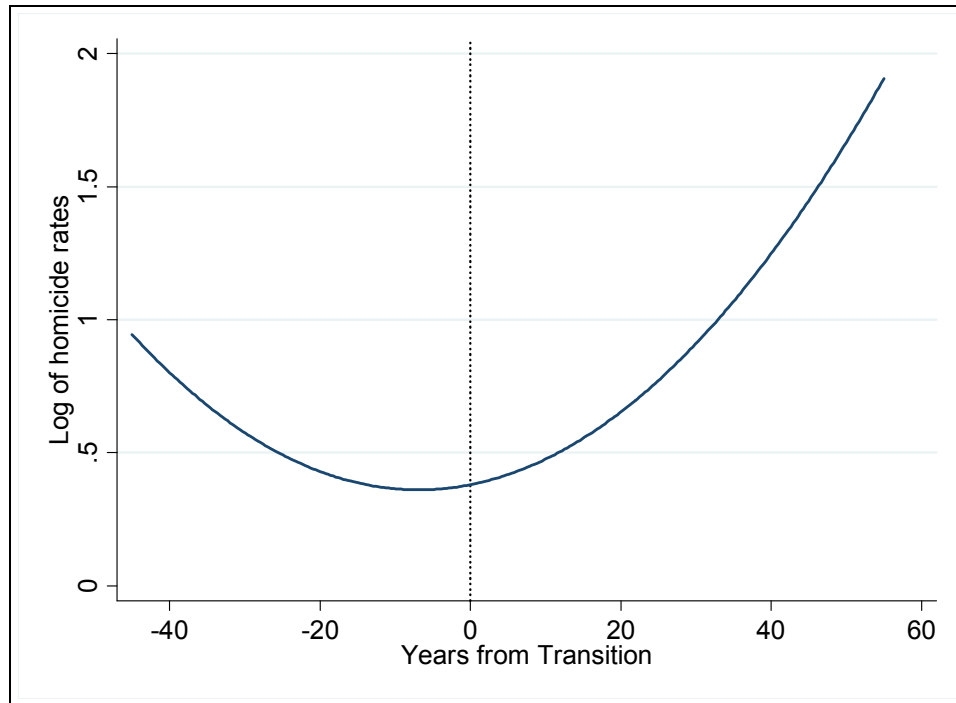
Figure 3.5. Predicted Values for Log of Homicide Rates by Years from
Transitions

Meanwhile, it is important to note that other control variables turned out to be statistically significant with effects in the expected direction. Wealth, measured here as the log of Gross National Income per capita, reduces the prevalence of murder rates; while urbanization increases them. From the three regional variables shown in the model (the Southern Cone was used as a reference, so it is not displayed), only the region of Central America and Mexico emerged with higher homicide rates than the rest. These results are most likely driven by the influence of Guatemalan, Honduran, and Salvadoran data within the region, and suggest the significance of these countries in the overall picture of violence in Latin America.

One control variable that is also important for the present analysis is that encapsulated in the Political Terror Scale (PTS). Coefficients of this variable indicate

that, *ceteris paribus,* a one-point increase in PTS leads to a six percent increase in the log of homicide rates. This result suggests that the state is also significantly engaged in the prevalence of murder rates. However, as specified, the model is also open to the problem of endogeneity: instead of measuring the impact of PTS on homicide rates, we may be tapping the effect of the overall climate of violence on the scoring of the terror scale instead. Although the creators of PTS base their scoring on human rights reports, which usually focus on state violence and not on crime statistics (Gibney et al. 2006), it may well be that such reports are influenced by the waves of crime that end up producing abusive state responses. Hence, the relationship between state terror and murder rates would be originally determined by crime rather than by violence produced by the state.

Thus, in order to dig a little bit deeper into this issue I also fit a small model only with those country-year cases that can be considered as democracies (Polity 2 equal or higher than 6), after their political transition (Years from transition equal or higher than 1). I am assuming that a post-transition democratic regime would be less prone to abuses responding to common violence than authoritarian regimes or "anocracies," diminishing the possibility that crime would impact subsequent PTS scores. So, any relationship between PTS and murder rates would be most likely produced by systematic abuses conducted by the state, than by occasional responses to crime waves. The model incorporates all the covariates that came up significant in our general model 3 (see Table 3.3), but since I only want to test the importance of PTS under democratic rule and not the complex effects between countries and time, I fitted a fixed-effects model. This will allow me to estimate the effect of PTS and the other time-varying covariates included in

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the model while controlling by the countries in the sample. The estimations can be seen

in Table 3.4.

Table 3.4. Determinants of Homicide Rates in Post-Transition
Countries (Fixed-Effects Model)

Variables	Coefficient	Standard Error
Political Terror Scale	.0740**	.0147
Polity 2	-1.619**	.2471
Polity 2^2	.105**	.0164
Years from transition	.0276**	.0065
Years from transition^2	.0001	.0001
Log of GNI per capita	-.1214**	.0455
Urbanization	.0001	.0102
Constant	8.615**	1.0971
sigma_u	.9797692	
sigma_e	.19231427	
Rho	.96290142	
R-squared within countries	0.616	
Level-1 N/Level 2 N	308/17	

** $p \leq .001$; * $p \leq .05$

With a total of 308 country-years, the model shown in Table 3.4 indicates that all

variables with the exception of urbanization are statistically significant. The PTS

coefficient even is even higher than in the general model suggesting the importance of

this factor even during democratic regimes, and reducing our concerns of endogeneity.

Actually, this model does not prevent the possibility of a relationship running in the

opposite direction, but it makes that possibility less likely to happen. The coefficients for

Polity 2 resulted both significant but they exchanged signs compared to the general

model. This is so because now we are only considering those cases above the democratic

threshold, suggesting a more pronounced inverted-U curve and a reduction of homicide

rates as democracy takes hold. In the case of the variable "Years from transitions", only

the linear coefficient resulted statistically significant indicating a linear association between time and murder rates after transitions take place. Finally, the log of GNI per capita also remained negatively associated to the log of homicide rates, underscoring the importance of country wealth in the prevalence of violence. Regional dummies were dropped from the model because they are country specific variables and cannot be estimated in a fixed-effects model.

Discussion and Conclusions

Three important topics for our research agenda emerge from this cross-national longitudinal analysis. First, there is a complex interplay between regime type, political transitions and time in the prevalence of common violence. Second, conditions specific to countries are important in the overall levels of homicidal violence. And third, state violence, measured through the PTS scores, seems to be an important determinant of murder rates in Latin America, even under democratic regimes.

Following the civilization and modernization perspectives, I expected that an empirical test of the relationship between regime type and violence rates would return a negative association, meaning that as a country moves across an imaginary continuum from autocracy to democracy, common violence would decline in the overall picture. Results have proven me partially wrong. Even if we buy the modernization argument that democracy ends up reducing violence after a peak during the transition stage, the results indicate that with democratic consolidation (Polity 2 equal to 10), violence does not diminish to the same levels held when political transitions started in Latin America. However, this is not to say that democracy boosts violence as Paul Collier argues,

especially among low-income countries (Collier 2009). Rather, after the cross-national longitudinal analyses, we can conclude that anocracies —namely those regimes that are no longer autocracies but neither are democratic— constitute the critical regime under which violence notably increases. When fairly democratic rule steps in, violence has already escalated to outstanding levels. Thus, since no regime emerges from a vacuum, "new democracies" have to struggle with the legacies of transitional regimes, for better or for worse. One of them is high crime. If democracy takes hold, then, it may contribute to reduce homicidal violence; but if not, and the regime remains in the institutional limbo, yielding what has been called hybrid regimes (Karl 1995; O'Donnell et al. 1986), violence most likely will keep escalating. Here, it is important to bring to bear some of the findings of Fajnzylber and colleagues (2002b), who detected that previous homicide rates are also a critical predictor of future murder rates. In other words, violence tends to be self-perpetuating: once it reaches some new level, it generates its own inertia and becomes very difficult to reduce in the short term.[20] Therefore, high rates of violence can be a legacy of authoritarian regimes, but they can also be a legacy of transitional regimes or hybrid regimes.[21] This conclusion has important implications for our research.

These findings, that transitional regimes tend to produce more criminal violence than autocracies and, to some extent, than democracies, coincide with the findings of LaFree and Tseloni (2006) and other authors in the realm of political violence. However, the relationship between regime type and violence pose a seeming problem when contrasted with our other findings that show homicide rates tending to decline as the

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[20] A seminal work about the inertial and contagious reproduction of violence is the one published by Loftin (1986).
[21] I will come back to the issue of authoritarian legacies in Chapter V. Meanwhile see the contributions of Hagopian (1993), and Hite and Cesarini (2004).

transitional event approaches and then to increase after the transition takes place. This contradiction becomes all but apparent when comparing figures 3.4 and 3.5: while logs of homicide rates increase under anocracies or transitional regimes in Figure 3.4, they appear to go down when approaching the transitional event in Figure 3.5. The explanation lies in the nature of the variables. Although they seem to refer to the same phenomenon, Polity 2 and Years from transition (TRANYEAR) refer to different phenomena. The first variable underlines the regime characteristics, and its continuum does not allude to a time frame but only to the traits of the regime. In contrast, as explained above in this chapter, years from transition refers to a time frame that uses the third-wave transition events as reference points for each country to contextualize the evolution of violence in the last fifty years; the variable says nothing about the nature of the regime.

The problem is that regime types and time frames have usually been confounded in the literature, and in the last thirty years we have been inclined to see democratic regimes as a function of time. As Thomas Carothers (2002) says, the literature on transitions has tended to see democratization unfolding in a set sequence of stages that progress from dictatorial to democratic regimes. Hence, we have to separate regime type and time frame in the analysis of the impact of political regimes. Results in this chapter have shown that regime type and time frame around transitions do not produce the same trends. Time has not made some Latin American regimes more democratic, but perhaps more hybrid or "anocratic" (Diamond 2008; O'Donnell 2010). High levels of violence, then, would not be the result of consolidated democracy, but the outcome of hybrid regimes that have institutionalized faulty institutions after the transitions (Aguero 1998;

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O'Donnell 1994). Rather than demonstrate that democracy has brought violence to Latin America, these results suggest that the institutionalization of hybrid regimes after the transitions have contributed to the raise of criminal violence.

Nevertheless, according to the results of this chapter, regime type and transition processes do not account for all the explanations on post-transition violence in Latin America. A great deal of variance in the homicide levels is produced by the countries' particular conditions. From the results presented here, we know that wealth, urbanization, and type of regime, among other factors, are significant in the prevalence of homicidal violence, but the results also suggest that being a Central American country makes a substantial difference in the development of high rates of violence, in the same way that being in the Southern Cone is related to comparative low levels of violence. Do these differences refer to cultural traits? I introduced regional dummies as proxies of cultural characteristics that may reflect geographically-based idiosyncrasies. However, such regions may also reflect different patterns of political development, as there are more historic similarities between neighboring countries than distant countries. Guatemala, El Salvador, and Nicaragua, for instance, share more similarities in culture and social and political development than Argentina and Chile; while Colombia, Ecuador, and Venezuela share between each other more cultural and sociopolitical traits than with Mexico. The results of this chapter highlight those regional similarities suggesting the importance of regional and country traits.

The results also suggest that Central America and the Andean region have historically had problems with common violence, a problem that has set some countries apart from the rest of the region at least since the 1960s. Nevertheless, the results

presented in this chapter do not tell us exactly what the discriminating characteristics of the regions and countries are. We can presume that those differences refer to culture, but such approach would limit the explanations as to why some differences in the levels of violence persist within any given region: think in the differences between Colombia and Ecuador, for example; not to mention the differences between northern Central America (Guatemala, El Salvador, and Honduras) and southern Central America (Nicaragua, Costa Rica, and Panama). In both cases, countries that share similar culture yield very different historical levels of violence. The responses, hence, have to be found elsewhere, not in the cultural traits, but in their political processes.

A window to that is, nonetheless, provided in this chapter. The third important conclusion we can draw from the data presented above is that political violence is still associated with post-transition violence in Latin America. Results showed that high scores in the Political Terror Scale are associated with high murder rates, even under democratic regimes. From such finding, we can conclude that the state is still a relevant player in the reproduction of homicidal violence in the post-transition era. Even if we interpret the results in the opposite causal direction that has been assumed here (which is, homicide rates influencing the human rights reports and, therefore, the PTS scores), the link between political violence and common violence suggest that we cannot rule out state institutions from the contemporary cast of violence perpetrators. In that sense, the legacies that hybrid, transitional regimes or anocracies had left in many countries do not only refer to inertial effects of contagious violence, they also refer to the continuity of institutions and actors that reproduce violence from the state. In reality, some of them are direct descendants of dictatorships and authoritarian regimes, who managed to survive

the transformations imposed by the pacts and/or transitional electoral processes, but some others are the actual result of the very transitional regime, as with those police institutions and internal intelligence services that were created during the transitions.

As many authors have been pointing out lately, post-transitional police and military institutions have not been absent from the reports of human rights abuses and political violence, even under nearly fully democratic regimes (Brazil, Argentina, El Salvador) (Bailey 2008; Brinks 2008; Hinton 2006; Ungar 2008). On the contrary, they keep being a significant source of social violence in the crackdowns against crime, and in the involvement of corruption and organized crime. The results of this chapter suggest that the contribution of state institutions on the overall phenomenon of violence is as significant enough as to be singled out in the cross-national empirical analysis. This factor seems, then more important than economic growth, young population, and population density, in the explanations of contemporary violence. Therefore, we have to explore how this contribution takes place in the following chapters.

In this chapter, we have approached the inquiry about criminal violence and democracy using a quantitative cross-national longitudinal model. The findings point to the importance of regime type in the prevalence of violence, but the relationship between democracy and violence is not straightforward. Data suggest that violence increases as the countries transit from authoritarianism to hybrid regimes, but it does not increase once they reach a full-fledge democratic regime. The problem is that reducing the levels of violence once they reach democracy could be very hard, and countries may tend to remain stuck in the high levels of violence they suffered in the previous regime. A key player in this seems to be the state, and we are to discover why in the next chapters.

CHAPTER IV

VIOLENCE IN CENTRAL AMERICA: FROM POLITICAL VIOLENCE TO COMMON VIOLENCE

Violence still reigns over Central America. According to the United Nations Office on Drugs and Crime (2007), Central American nations, particularly El Salvador, Guatemala, and Honduras "may have recently surpassed the traditional world leaders in the number of murders committed per 100,000 members of the population" (53). Yet, this violence is different from the one that reigned not long ago, in the midst of civil wars and political instability. The major thrust of this new wave of violence does not seem to be political but criminal; economic profits, interpersonal relations, and collective dynamics have replaced the struggle for power and political vindication that drove the bloodshed in the past.

The transitions from authoritarian rule that took place in the early 1990s seem to have yielded a wave of criminal violence that has been flooding the Central American countries since the mid 1990s (PNUD 2009). From the results in Chapter III, we know that common violence in Central America did not emerge along with civil wars or internal conflicts. Violence—whether criminal or political— has been endemic to the region for many decades, even when the authoritarian regimes were firmly established. More than thirteen years after the last transition, this crime wave has produced the paradox of regimes that are allegedly democratic but live under a de-facto state of siege produced by violent crime. Guatemala and Honduras, for instance, had more than five thousand homicides each during 2009 (Infolatam 2010; Pineda 2010). These figures

surpass the 4,645 murders in Iraq during the same year; El Salvador had nearly as many murders as that war-torn country (Valencia 2010).[22]

In this chapter, I review the situation of violence in Central America, paying particular attention to the manifestations of violence in El Salvador and Nicaragua. Then, I briefly discuss the arguments that have been used to explain the differences in the levels of violence in these two post-transition countries. The purpose of this chapter is to prepare the reader for the discussion about the relationship between the transition processes and post-transitional criminal violence. I expect to show the differences in the manifestations of violence in these two countries, especially those regarding their magnitude, and how traditional explanations have failed to grasp the critical factors behind such differences.

Violence in the Isthmus: The Two Central Americas

As we have seen in the previous chapter, violence in Latin America varies substantially across and within countries. With the end of authoritarian regimes and civil wars, Latin American countries not only "discovered" new forms of violence; they also "discovered" that such new expressions of violence and public insecurity could reach endemic levels in many regions and cities. For years, Colombia was considered the most violent country of the region with homicide rates above 80 deaths per 100,000 inhabitants, whereas Chile and Uruguay had remained with rates of less than 5 deaths per 100,000 populations (Morrison et al. 2003). The end of political violence in Central America unveiled previously unimaginable levels of warless violence. A study funded by the Inter-

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[22] Iraq has a total population of nearly 29 million inhabitants whereas Guatemala has 13 million, Honduras 7 millions and El Salvador 6 millions. See: http://www.iraqbodycount.org/database/.

American Development Bank in the mid 1990s found out that El Salvador has had

murder rates over one-hundred per one-hundred thousand inhabitants in first years after

the peace accords (Cruz and González 1997). Another publication of the Bank reported

that in the first years of peace, Guatemala experienced rates of nearly 150 homicides per

100,000 inhabitants (Buvinic et al. 1999). Although later studies showed that Salvadoran

and Guatemalan figures have been overestimated due to problems of official statistics

(CIEN 2002; Cruz et al. 2000), those same studies confirmed that political peace have not

eradicated high levels of violence. Furthermore, most of the literature have argued that

violence has jeopardized the prospects of economic development and well-being of the

population in Latin America (Buvinic et al. 1999; Londoño et al. 2000).

However, recent reports tend to portray the current levels of crime and social

violence as a new phenomenon in the region (Chinchilla 2003), and they have mistakenly

assumed that criminal violence was not a major problem before the political transitions.

The data presented in Chapter III has shattered those assumptions. In fact, additional data

from the Pan American Health Organization- PAHO (1982) show that most Central

American countries had high numbers of murders in the 1960s and 1970s. By the mid

1970s, when the Latin America average homicide rate was approximately 9 per 100,000

inhabitants, Guatemala, El Salvador, and Nicaragua had rates between 25 and 30, higher

than any other Latin America country, including Colombia. In those years, however,

internal political conflict had already begun in Guatemala, and pre-war violence had

started to build up in El Salvador and Nicaragua. PAHO statistics are based on the same

data from the World Health Organization.

In order to check the reliability of these sources I conducted a search among primary sources in El Salvador and Nicaragua for any year prior to the 1970s. In El Salvador, a Ministry of Health yearbook from 1959 reported that 903 murders have been perpetrated in the national territory during that year. This means 163 more homicides than those reported in the WHO database for that year (740). In Nicaragua, a Bulletin from the General Direction of Census and Statistics reported that there were 463 homicides committed during 1962; this figure represents 111 more cases than reported by the WHO data. Such data suggest that even cross-national data might be underestimating the magnitude of violence in the past and that any notion of idyllic crimeless societies in the past is completely erroneous.

That history notwithstanding, the violence that is currently afflicting Central America is the most complex and prominent this region has faced in its periods of peace. The United Nations Office on Drugs and Crime (2007) identifies eight areas where the problem of violence is especially serious: drug trafficking, homicide, youth gangs, domestic violence, firearms trafficking, kidnapping, money laundering, and corruption. Table 4.1 shows some indicators of violence as of 2009: homicide rates, percentage of people who have been victim of armed robbery, gang membership per 100,000 inhabitants, fire arms in civilian hands, number of kilograms of cocaine seized by local authorities, percentage of people who have witnessed drug-sales in the neighborhood; percentage of people victimized by corruption, and a percentage of households with family member victims of kidnapping. As evident, the northern triangle of Central America —Guatemala, Honduras, and El Salvador— shows figures in key indicators of violence that exceed those of Nicaragua and Costa Rica. The differences are especially

striking with respect to homicide rates, number of gang members, and the rate of fire

arms in civilian hands—these are indicators of critical expressions of violence.

The differences between the north and the south of Central America have been

documented by different organizations (UNODC 2007; USAID 2006) and, as a result, the

UNDP Human Development Report for Central America 2009-2010 has separated

Central America into two sub-regions according to crime levels: one of high criminality,

which includes El Salvador, Guatemala, and Honduras;[23] and the other of low criminality

includes Costa Rica, Nicaragua, and Panama (2009: 85-86). The former does not mean

that Nicaragua and Costa Rica are crimeless. Rather, it means that crime occurs at a much

lower rate in these countries than El Salvador, Guatemala, and Honduras. Research has

shown that public insecurity is also a matter of concern in these countries (Cuadra 2002;

PNUD 2005; Serbín and Ferreyra 2000).

Table 4.1. Indicators of Violence in Central America, 2006-2009

Indicators	Guatemala	El Salvador	Honduras	Nicaragua	Costa Rica
Homicide rates (per 100,000 pop) (2009)	63	71	58	13	11
Victims of armed robbery (%) (2008)	11.5	10.7	5.8	5.7	5.4
Burglary (%) (2008)	6.0	6.0	3.8	9.2	8.3
Gang membership (per 100,000 pop) (2006)	111	153	500	81	62
Fire arms (per 1,000 pop) (2006)	81.5	75.8	116.2	45.8	56.6
Total cocaine seizures (kg) (2001-2006)	26,095	7,006	13,577	26,411	42,844
People selling drugs in neighborhood (%)	11.1	9.8	11.6	18.5	30.7
People victimized by corruption (%)	19.6	14.8	13.8	16.6	17.5
Household victims of kidnappings (%)	1.9	0.8	0.2	0.7	0.2

Source: PNUD (2009); UNODC (2007), and Americas Barometer database 2008.

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[23] UNDP also includes Belize in this group, but I have not considered this country given its distinctive
history and political development within the region.

In fact, Table 4.1 also shows that Central American countries are not far apart when in comes to other indicators of violence. Burglary, for example, is even a little bit higher in Nicaragua and Costa Rica than in the northern triangle; corruption victimization (bribery) of the population is slightly more frequent in Costa Rica than it is in El Salvador. Furthermore, according to the 2008 World Drug Report (quoted in PNUD 2009), Costa Rican and Nicaraguan governments have seized more cocaine from 2001 to 2006 than in northern Central America. Of course, this could be an indicator of institutional effectiveness rather than an indicator of drug trafficking activities, but the 2008 Americas Barometer survey, which collected the perceptions of drug trafficking activities at the community level, showed similar results: Costa Rica and Nicaragua exhibited higher percentages of drug-sale activities at the communities than Guatemala, El Salvador, and Honduras.

In other words, crime also affects Nicaragua and Costa Rica, but the prevalence of the most heinous crime (homicide) and the presence of some of the most important players of criminal violence (street gangs) are definitely more prominent in Guatemala, El Salvador, and Honduras than in the rest of the region. This is an important gap, especially if we consider murders as the principal indicator of violence. Studying the structure of crime in El Salvador through "location quotients of crime," Carcach (2008) found that in most Salvadoran territory, homicide dominates the prevalence of crime in the country. The former does not mean that there are more murders than any other type of crime but that homicidal violence tends to have a disproportionately high rate in relation to the area and other type of felonies committed in the surrounding areas. Checking the

overall data of violence, it is clear that homicide dominates the prevalence of crime in northern Central America.
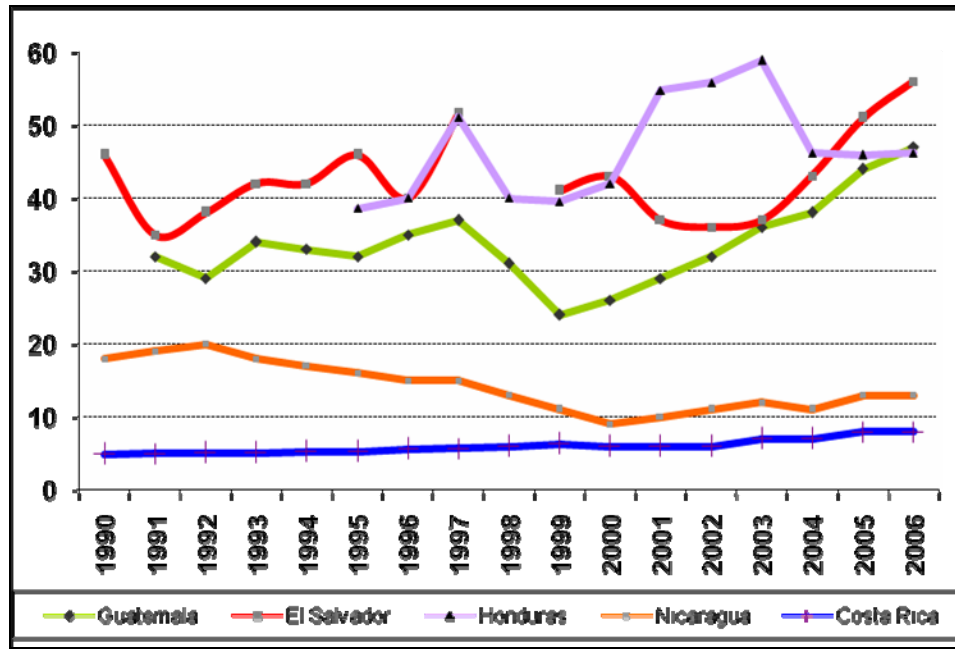
Figure 4.1. Homicide Rates from 1990 to 2006 in Postwar Central America
(per 100,000 pop.)
Sources: Chinchilla (2003); PNUD (2005); PNUD (2009); Raudales (2006); UNODC (2007).

More importantly, the gap can be traced back to the early 1990s, in the wake of political transitions, but it has increased in the last decade. Figure 4.1 shows the trends for homicide rates from 1990 to 2006. Homicide rates increased noticeably in all countries, but in the northern triangle, they reached skyrocketing levels. Nicaragua and Costa Rica tell a much different story. Although Nicaraguan rates were relatively high at the outset of the transition, by 2000 they have managed to bring them down significantly as to come closer to Costa Rica. Nicaragua's relatively lower violence is traceable at least from the

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early 1990s but, as we will see below, it goes well back to the 1980s.[24] Costa Rica, which

is the only one in the region with a stable democratic regime since the 1950s, has shown a

clearly lower and more stable trend in the homicide rates (similar to those seen in the

Southern Cone), although homicidal violence has slightly increased in the last decade.

All in all, the post-transition period and the particular decline in Nicaragua seem

to have contributed to the widening of the gap between the two sub-regions in Central

America, suggesting distinctive social and political mechanisms behind the crime trends

(Moser and Winton 2002). The following sections concentrate on the manifestations of

violence in El Salvador and Nicaragua, our two case studies. It shows their larger trends

of homicidal violence, their relationships with the armed conflicts, and main

characteristics of contemporary violence.

Salvadoran and Nicaraguan Histories of Violence

The best way to have a perspective on the dynamics of violence in these two countries is

to observe their particular trends of violence from 1950 to 2008. Figure 4.2 provides us

with that opportunity. Based on the database used in the previous chapter, it shows the

national average homicide rates for El Salvador from 1950 to 2008 and for Nicaragua

from 1961 (the first year available) to 2008.[25] Two points become clear looking at the

figure. First, with the exception of a brief period between 1968 and 1970, since the 1960s

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[24] Some authors have expressed serious caveats about the reliability of Nicaraguan data, as violence may be much higher than usually reported due to underreporting and political interference (Godnick et al. 2002; Rodgers 2009). However, the same warnings apply to Guatemala, El Salvador, and Honduras where problems with data are endemic and governments have tried to curb image-damaging statistics (see Estado de la Región 2008). Furthermore, in its recent report about violence in the region, the UNDP considered Nicaraguan record system "more reliable" than in the rest of the region (PNUD 2009: 79).

[25] The dotted lines in each of the country trends indicate years for which no reliable data is available. These are 1966 and from 1971 to 1974 in Nicaragua; and from 1976 to 1980 and from 1984 to 1989 in El Salvador.

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El Salvador has always had higher levels of homicidal violence than Nicaragua. Second, the gap between the two countries widened in two historical periods: during the early 1980's and more generally after 1992, and particularly during the first half of the 2000s.
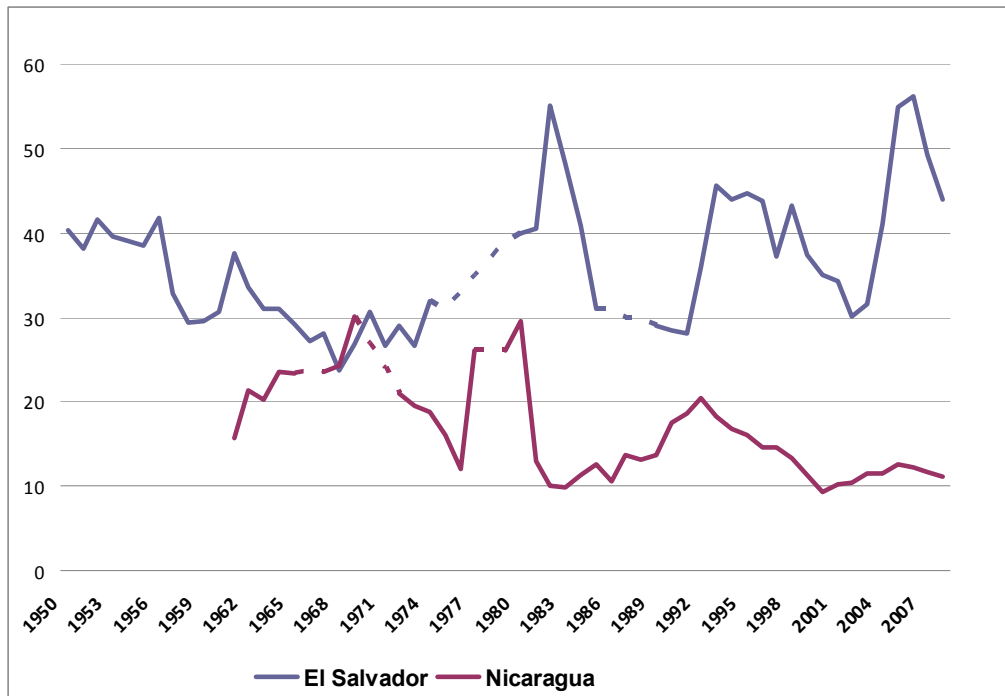
Figure 4.2. Homicide Rates in El Salvador and Nicaragua, 1950-2008
(per 100,000 pop.)

The gap between Salvadoran and Nicaraguan murder rates implies that the differences between these two neighboring countries do not rise with the start of the transitional period (which is considered by some as starting in 1980), but they have already existed for some time. Nevertheless, this does not mean that Nicaragua was a peaceful and crimeless country before the revolution or even during the Sandinista period. By any measure, Nicaraguan rates were repeatedly over 20/100,000 before 1983, and a definite declining trend did not take place until after 1993. Put in other words, prior

to the transition period, Nicaragua had a serious problem with violence, but El Salvador had it even worse.

The two periods when the differences between El Salvador and Nicaragua became wider were moments marked by political events. The first one took place during the early 1980s: the escalation of civil war in El Salvador and the pacification of the Sandinista regime after the deposition of Anastasio Somoza. The second occurred during the first half of the 1990s with the outset of post-war period in El Salvador and the pacification of the countryside in Nicaragua after the 1990 elections. The widening of the gap in the early 2000s, a result of a skyrocketing trend in El Salvador, seems to be related to the enactment of the "Mano Dura" plans in that country. As I will show in Chapter VI, mano dura policies unleashed many informal operators of violence that, in the all-out war against gangs, ended up escalating violence.[26]

In the next sections I describe the nature of post-transition violence in both El Salvador and Nicaragua and underline the differences not only in terms of its magnitude, but also in terms of its complexities.

El Salvador: From Delayed Revenges to Gang Rule

During the 1980s, it is fair to say that most of the violence that took place in the Salvadoran territory was war-related. According to some estimates done by Seligson and McElhinny (1996) based on a review of different sources, civil war may have produced between 37 thousand and 65 thousand civilian deaths from 1980 to 1991. If we take some of the information on which those projections are based (Baloyra 1983; Booth and Walker 1989) and translate them into murder rates, we easily reach rates that surpass 400

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[26] I discuss this in-depth in Chapter VI.

homicides per 100,000 inhabitants in some years. It is not the purpose of this research to

explore the nature of the violence during the war years or even the reliability of the data

during that confusing period. Yet, from what we have seen so far (figures 4.1 and 4.2), it

is clear that when the ceasefire was enforced by the peace accords, violence, measured as

homicide rates, continued at a high rate.

According to sources available, in 1991, one year before the end of the armed

conflict, the homicide rate was 29 per 100,000, but by 1993 the figures reached a rate

above 45 deaths per 100,000 inhabitants. Aside from the discussion about the reliability

of these figures, all the information available bears out the idea of a sharp increment of

homicidal violence. Interestingly, despite some killings of guerrilla leaders in 1993 and

1994, political violence seemed to be largely eradicated from Salvadoran dynamics, at

least in comparison with previous years (Lauria-Santiago 2005). Common crime then

became apparent for much of the population. Offenses processed by the General

Attorney's Office augmented from 20,812 in 1994 to 40,410 in 1998; by year 2000, more

than 31,000 of the prosecutions led by authorities were due to violent crime (homicides,

assaults, injuries and threats). In public streets, these were the type of crimes that people

complained about. The majority of Central Americans became aware of the increases in

crime through the media and personal daily experiences with assaults, robberies and

threats (Ladutke 2004).

A series of surveys conducted by the University Institute of Public Opinion at the

University of Central America throughout the 1990s found that in 1993, 35 percent of the

urban population were victims of crime during the four months preceding the survey

(Cruz 2003a; IUDOP 1993). Furthermore, public opinion surveys detected a rising

concern among the population for problems of security: in 1991, only one percent of

Salvadorans mentioned the problem of insecurity and criminality, by 1994, forty percent

of Salvadorans were pointing to problems of insecurity and violence (Londoño and

Guerrero 2000). Despite this eruption of common crime and the seeming vanishing of

political violence, one of the main features of post-transition violence was the

development of dynamics of what has been called "delayed revenges." A study

conducted by the World Bank in late 1990s found that there were two different kinds of

crime and violence in Salvadoran society. One type of crime can be defined as

economically motivated violence which tended to be concentrated in the urban areas of

the country, mostly in San Salvador. The other type of crime can be summarized as

physical violence against individuals. This type of crime was mainly focused in rural

areas and gained notoriety after a series of family slaughters (Béjar 1998; Cruz et al.

2000).

According to human rights activists interviewed by Cruz (2003a) during the

1990s, the first years of the post-war period saw an increment of violent events and

murders that had no apparent motivation: they did not seem to be economically

motivated. People were murdered in rural areas without apparent signs of robbery and the

conditions of some murders resembled those committed by death squads (Proceso 1996);

some other murders were simply committed by unknown perpetrators. In fact, some of

these murders prompted concerns that political violence was still on-going and motivated

the creation of the Joint Group for the Investigation of Illegal Armed Groups with

Political Motivation in El Salvador (Spence 2004; United Nations 1994). For instance,

investigations conducted by the Central American University Institute of Human Rights

concluded that 49 percent of the more than 700 murder cases investigated by the Institute in 1997 were committed under unknown circumstances, whereas 35 percent were committed under common crime and economically motivated situations (IDHUCA 1997). A deeper examination of some cases showed that while some cases seemed to have been perpetrated by death squads with some sort of political motivation, others were committed by private citizens in order to settle grievances produced during the war (Béjar 1998). According to Benjamin Cuellar, director of IDHUCA, those murders were the result of vengeful private individuals who contracted the services of hitmen, former squad members, former guerrilla members, police, or soldiers to kill former personal enemies or people who were blamed for killings of family members or for having been working as informers for the military, the police or the former guerrilla. Ideology or political agendas, then, did not motivate all of those murders, but retribution and the pursuit of settling old scores.[27] Béjar (1998) argued that such expressions of violence reflect the incapacity of the transitional state institutions to grant order and enforce the law.

Thus, violence during the first years of post-transition was not only about common crime, but also about what Moser and Winton (2002) call "social violence", namely, "the commission of violent acts motivated by a desire, conscious or unconscious, for social gain or to obtain or maintain social power" (9). After 1998, both "social violence" and "delinquency" receded and started a decline that took the country to the lower level of violence that has experienced in the last two decades. In those years, however, the burst of organized crime became apparent with youth gangs and drug cartels

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[27] See also Bourgois (2001). Based on ethnographic work, Bourgois has documented how some of these dynamics have taken place among former guerrilla members.

entering the stage of the dynamics of violence (Santacruz and Concha-Eastman 2001; Smutt and Miranda 1998).

Youth gangs emerged as a mild security problem before the end of the civil war in El Salvador (Argueta et al. 1992). The influx of returned migrants and deportees after the end of the war and, especially, after the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) in the United States in 1996, transformed the dynamics of the gangs, yielding what has come to be known as the "maras" (Cruz 2007a). *Maras* is a vast network of groups of young people associated with the identity franchises of two gangs that had their origins in the city of Los Angeles in the United States: the Mara Salvatrucha Thirteen (MS-13) and the Eighteenth Street gang (*Barrio 18*). Such identity franchises were copied by local Salvadoran gangs through contact facilitated by migration and deportation (Cruz and Portillo Peña 1998; Smutt and Miranda 1998). These gangs now make up two separate transnational networks that have undergone a clear process of formalization and institutionalization throughout the last few years that, in some places more than in others, have enabled them to become organized crime webs (Cruz 2006a; USAID 2006).

Despite the obvious problems of data reliability, all accounts agree that street gangs are responsible for a substantial share of the criminal violence in Central America, especially in El Salvador (Comisión de Jefes y Jefas de Policía de Centroamérica y el Caribe 2003; UNODC 2007; USAID 2006). According to the Institute of Forensic Medicine (*Instituto de Medicina Legal*) (Molina Vaquerano 2009), probably the most reliable source of information about homicides in El Salvador, during the late 1990s around 4 percent of murders were committed by gangs; in 2005 more than 13 percent of

the nearly 3,800 homicides committed in El Salvador were carried out by street gangs (Aguilar and Miranda 2006). But the most distinctive feature of contemporary *maras* is their formation of protection racket rings whose leaders operate from prisons. According to the director of the Salvadoran National Civilian Police, 70 percent of the extortions committed in El Salvador are carried out by *maras* (Iraheta 2009). Gangs extort money from local convenience stores, transport unions, and informal vendors at the streets. A survey conducted by Demoscopia (2007) in a sample of poor neighborhoods in El Salvador revealed that around 20 percent of owners of small business pay "protection taxes" to *maras*; in addition, 34 percent of residents of poor communities have to pay taxes to gangs. Furthermore, according to former gang members interviewed in the same study, a single Salvadoran gang member weekly collects around US$ 1,250 from "extortions and protection taxes" (Demoscopia 2007: 57). Youth gangs, then, are one of the main actors of post-transition violence in El Salvador, but not the only one. However, this "contribution" of *maras* in the maelstrom of violence was not always the same and it did not develop to its current levels until after the enactment of the Mano Dura plans in 2003.

Starting on July 2003, the Salvadoran government implemented a series of policies known as *Mano Dura* and *Súper Mano Dura*. Those programs were a copy of similar ones carried out in Guatemala and Honduras in 2001 and 2002 respectively. Nevertheless, Salvadoran policies were characterized by their overreaching thrust: they entailed the reform of the laws in order to ban the grouping of young people, the imprisonment of any suspicious-looking youngster, the creation of specialized anti-gang commando units, and the implementation of massive police crackdowns on gangs (Cruz

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and Carranza 2006; Hume 2007). These policies had an appalling and unexpected impact on public security. In a two year span, more than 30 thousand gang members were arrested turning prisons into the new nodes of ganglife (Aguilar 2006; Aguilar and Miranda 2006), while homicide rates increased by 50 percent, going from 40 murders per 100,000 thousand inhabitants in 2003 to 62/100,000 in 2005.[28]

As of the late 2000s, violence in El Salvador has increased. The most recent report on homicidal violence for 2009 indicates that murder rates have reached the "milestone" of 71 homicides per 100,000 (Valencia 2010). However, the structure of murders according to circumstances or apparent motivation has also experienced some changes. Such transformations suggest interesting dynamics behind the prevalence of homicidal violence in the Salvadoran post-transition. Data from the Salvadoran Forensic Institute, which is in charge of documenting all the causes of violent deaths in the country, reported that the proportion of homicides with unknown causes diminished between 2002 and 2003, and then skyrocketed during the 2000s, especially after the Mano Dura plans in 2003 (Molina Vaquerano 2009: 69). Table 4.2 presents the share of homicides per year according to the circumstances surrounding the event. In 1999, 60 percent of homicides were committed under unidentified circumstances; 29 percents were perpetrated under common crime (robberies, burglaries, kidnappings, etc.), and just 3 percent by gangs. By 2002, government institutions have managed to identify most of murder circumstances: 55.5 percent of the 2346 murders perpetrated during that year were attributed to common crime and only 4.3 percent were committed by gangs (gang brawls, drive-by shootings, assaults, etc.); 6.7 percent were perpetrated under interpersonal violence circumstances

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[28] For a detailed account of the impact of the *mano dura* plans in El Salvador, see Cruz and Carranza (2006) and Cruz (2010).

(domestic violence, bar brawls, personal revenges, etc.). However, as we saw with the data coming from IDHUCA during the 1990s, an important share of the murders still had unknown circumstances.

The author of the forensic report defines "unknown motives" (*móvil desconocido)* as those murders in which the corpses are "found in ravines, waste lands, open fields, canyons, river banks, roads, streets, some days after the death, and in which nobody saw or heard anything" (Molina Vaquerano 2009: 72). This category became again predominant by 2005, when nearly 60 percent of murders had no information about the circumstances of the crime. By 2008, 67 percent of the murders had unknown circumstances, as opposed to 16 percent committed under common crime circumstances. In addition, data also show that participation of gangs on the overall homicidal wave increased significantly, especially from 2004 onwards, although they never got to be responsible of all the murders.

In other words, homicidal violence in the post-transition period does not seem to have been dominated by economically motivated violence as is usually assumed. Without denying the importance of common crime and economic violence, data suggest that an important share of the murders occurred under social violence and also under what seems to be politically motivated violence.

Table 4.2. Percentage of Murders in El Salvador According to Circumstances, 1999-2008*

Circumstances	1999	2001	2002	2003	2004	2005	2006	2007	2008
Common crime	29.3	29.7	55.5	57.4	33.6	23.2	18.2	16.4	16.2
Unknown	59.5	52.6	33.3	28.5	48.4	58.9	66.9	68.2	67.6
Gangs	3.4	7.5	4.3	8.0	9.8	13.4	12.0	10.9	12.3
Interpersonal violence	7.5	9.9	6.7	5.9	7.7	4.0	2.7	4.0	3.3
Police abuse	0.3	0.3	0.2	0.2	0.5	0.3	0.2	0.5	0.6
Number of murders	2544	2374	2346	2388	2933	3812	3928	3497	3179

* No data available for 2000.
Source: Molina Vaquerano (2009)

Finally, an examination of the territorial incidence of murders provides some important insight into the dynamics of violence. The forensic institute statistics show that around 55 percent of homicides are committed in 15 out of the 262 municipalities of the country (Molina Vaquerano 2006; 2007; 2009). Hence, violence is highly concentrated in some areas, especially around the main urban and economic centers: San Salvador, Santa Ana, San Miguel, and the trade corridors across the country and around border points. More interestingly, in a comparative historical examination of the distribution of homicidal violence in El Salvador since 1965, Carcach (2008) found that the geographical distribution of violence in 1995, three years after the transition, was not significantly different from that recorded in 1965 and 1975 when political violence and war were not yet on sight. Furthermore, he found that the geographical increment of violence during the post-war years did not irradiate from the municipalities affected by war toward new points of violence, but from pre-war "clusters" of violence toward new centers of economic activity. Yet, the old spots of violence, especially those around the coffee-growing zones of the country (departments of Santa Ana, Sonsonate, and La

Libertad), which drove the national economy before the war, remained with high levels of violence.

Studying the determinants of contemporary violence, Cardenal Izquierdo (2008) reached a similar conclusion. The author found no positive association between those zones directly affected by the civil war and the departments affected by post-transition homicidal violence; in addition, measuring the impact of war-exposition on 1999 homicide rates, her findings show that those departments affected by war had lower violence rates in 1999 than departments where the war was not intense. These findings question the arguments that blame civil war as the main cause of post-transition violence.

As we have seen in the cross-country analysis in the previous chapter, wars do not seem to be predictors of post-transitional violence. This does not mean that they are not somewhat related, but data seem to be very consistent indicating that, first, violence already existed in El Salvador before the war; and second, it conserved some of the same geographical characteristics that prevailed before the armed conflict. To be sure, homicidal violence has expanded during the post-transition, now it is more intense and more spread-out than in the past. But contemporary violence also has novel actors: the *maras*. To some extent, they have transformed the dynamics of violence and contributed to its overall incidence. However, the available information on homicides also suggests a lingering trait of the "traditional" violence: the predominance of social (and political?) motivations behind the crimes. It is astonishing that as of 2008, 60 percent of homicides remain with similar characteristics of those perpetrated by death squads and political groups in the past. Although these figures may also reflect the endemic shortcomings of data recollection in El Salvador, they also suggest that the nature of post-transition

violence largely surpass the typical indicators of economically motivated crime. The inquiry, then, about the factors behind the Salvadoran epidemic of violence should go further than individual motivations and traditional criminological explanations; they have to incorporate the sociopolitical process behind the phenomenon.

Nicaragua: From "Organic" Violence to Crime

Nicaragua also has a large history dealing with violence (Rodgers 2006c). However, the levels of violence in the last five decades have been lower than those displayed by the Salvadoran nation. Though devastating, the civil war in the late 1970s and the Contra war throughout the 1980s did not produce the same amount of deaths as in El Salvador (Seligson and McElhinny 1996), and the overall violence has been somewhat lower in Nicaraguan than in El Salvador. The differences become even more apparent especially after the mid 2000s, when homicide rates in El Salvador skyrocketed and Nicaragua managed to keep homicides relatively low. With the exception of a brief period during the first years of the Sandinista Revolution, by 2008 Nicaragua was experiencing the lowest levels of homicidal violence in the last five decades.

The reduction of violence has not been a smooth process. Actually, a review of the overall indicators of violence (not only homicides) indicates that the amount of violent crime has been increasing unrelentingly, since the 1990 elections. Table 4.3 shows the total number of felonies perpetrated in Nicaragua from 1990 to 2006. Felonies in Nicaragua have gone from 27 thousand in 1990 to 67 thousand in 2000 to more than 100 thousand in 2006. The growth has been especially serious regarding crime against people or physical integrity against others. Crimes against physical integrity (murders,

assaults, rapes, injuries, etc.) have increased nearly seven times from 1990 to 2006;

conversely, crimes against properties (robberies, burglaries, thefts, frauds, etc.) have

increased three times more. In other words, general violence has gone up in post-

transition Nicaragua too and this has impacted public opinion as it has impacted

everywhere in the region (IEEPP no date). Despite the comparatively low levels of

violence in relation to the rest of the region, Cuadra reported that after the end of the

internal war, "citizens' insecurity, now related to the situations of public security,

gradually became in the primary issue on the national agenda" (2002: 189).

Table 4.3. Criminal Violence in Post-Transition Nicaragua 1990-2006

	1990	1992	1994	1996	1998	2000	2002	2004	2006
Felonies against people	7,340	12,072	15,500	19,821	25,804	26,548	33,519	43,888	48,973
Felonies against property	19,961	22,645	29,231	32,201	37,047	40,599	47,057	49,579	56,553

Source: Policía Nacional de Nicaragua (2003; 2008).

Yet, murders in Nicaragua have not risen to the same relation, and even, as we

saw in the graphs above, they have decreased significantly since 1995, putting this

country closer to stable Costa Rica than to El Salvador. Although Nicaragua exhibits an

upsurge of homicides in the following two or three years after the war, changes in the

trends have not been as sharp as in the case of the other countries. In fact, as previously

stated, Nicaragua experienced lower levels of violent crime in comparison with its

northern neighbors. The increment of homicides between 1991 and 1993, after the

political transition, seems to be part of a trend that started during the last years of the

Sandinista regime. This increase was quickly offset by a sustained decline until the end of

the decade.

The drop in homicide numbers throughout the 1990s coincide with the tendencies shown by a characteristic type of Nicaraguan violence, namely violence generated by former combatants of the Contra war. As indicated by local researchers, Nicaraguan violence has two distinct dimensions (Cuadra Lira and Saldomando 1998), but in this case the division is between common crime that resemble economically motivated delinquency and is also concentrated in the cities, and violence that "is related to specific conditions linked with the instability generated from the war, and to conditions of social and political fragility that remained afterwards" (Saldomando 1999: 134). In fact, 18 percent of the 732 murders that took place in 1991 occurred under the activities of these armed groups. In other words, the actors of the second type of violence are those who played a role in the local political dynamics of the armed conflict, and so their use of violence was linked to social demands. Following a Marxian framework, Nicaraguan scholars have called the first kind of violence "inorganic violence", and the second, "organic violence" (Cuadra Lira and Saldomando 1998).
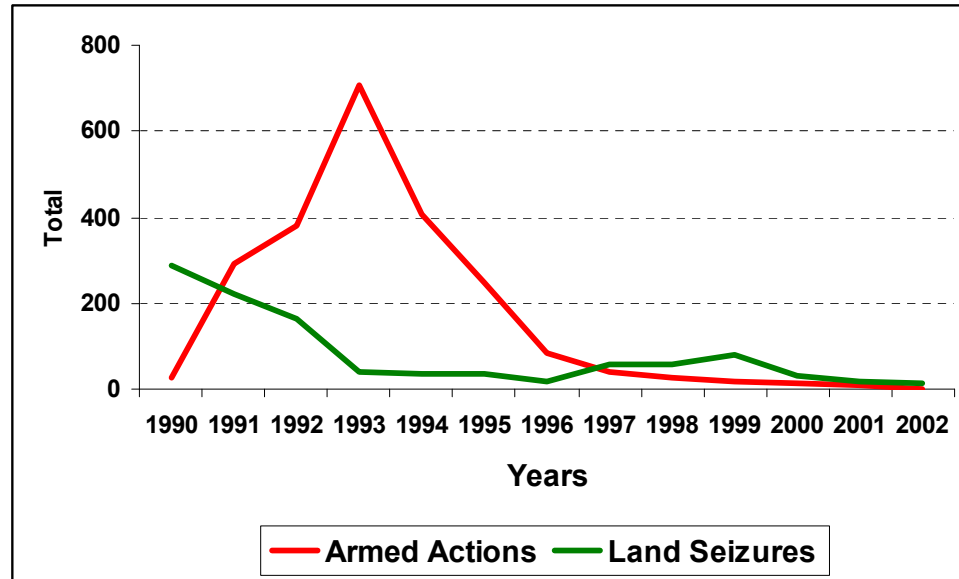
Figure 4.3. "Organic Violence" in Nicaragua: Armed Actions and Land
Seizures, 1990-2002
Source: Policía Nacional de Nicaragua (2003)

Organic violence consisted of actions carried out by former combatants of the

war. Cuadra (2002) has argued that organic violence was the major source of public

insecurity in the early years of political transition. In 1988, the Sandinista government

and the Contra groups signed a series of agreements that reduced hostilities and

established a schedule to demobilize a portion of the Contra combatants and the Army.

The defeat of the Sandinistas in the 1990 elections represented a turning point that

accelerated the reduction of the Army and the demobilization of Contra combatants

(Cajina 1996). However, as some reinsertion programs failed to carry out all the promises

and as drastic economic reforms abruptly cutback former Sandinista programs, some

former combatants rearmed and formed bands and guerrilla-like groups who engaged in a

new wave of armed actions (Walker 2000). These groups were called "Recompas"

(former Sandinista soldiers), "Recontras" (former Contra fighters), and "Revueltos"

(former Sandinistas and Contras acting together). As Figure 4.3 shows, the number of

armed actions carried out by different bands of demobilized combatants or para-political

groups was 291 in 1991, and it reached its peak by 1993 with 709 actions, declining in

the following years. Incidents of social instability, such as land seizures, exhibited a drop

in number from 1991 to 1995, then rose again in 1996 —probably associated with the

elections that took place that year— to drop again in subsequent years. The former means

that while common crime has been steadily increasing along the post-transition period,

politically related violence dropped and has remained low after 2002.[29]

     This type of post-transition violence was a direct legacy of the political process

experienced by Nicaragua, but in contrast to the "delayed revenges" and the activities of

informal armed groups during the first years of the post-transition in El Salvador, the

violence conducted by the Nicaraguan groups was more publicly organized. The violent

claims of Recompas and Recontras were openly made. As in El Salvador, they also had

old grievances to settle, many motivated by personal experiences; but in contrast to El

Salvador, they were framed in a public struggle for justice and economic compensation.

In any case, that characteristic made them easier to identify and engage, as the

Nicaraguan police and the Army strongly did throughout the 1990s (Policía Nacional de

Nicaragua 2003; Spalding 1999). The substantial reduction of "organic violence" in 1996

seems to have been, then, a direct result of this engagement. Hence, part of the reduction

in the homicidal violence in Nicaragua may be related to the neutralization of this kind of

groups, especially in a context in which overall criminal violence was expanding.

     According to the 2009 Statistical Dossier of Delinquent Activity, provided by the

Nicaraguan police, in 2008, 38 percent of homicides were committed under

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[29] However, episodes of political violence have erupted from time to time, especially around electoral processes. As this chapter was being written, a three-day wave of violent protests took place in Managua (see Pantoja 2010).

circumstances of interpersonal violence (interpersonal quarrels, domestic violence, personal revenges, crimes of passion, etc.), 18 percent of murders involved alcohol effects and/or bar brawls; 15 percent occurred during robberies or economically motivated events, and 4 percent of murders were committed by youth gangs. In 24 percent of the cases of 2008, police reported no information about the circumstances of the death, in other words, the circumstances were unknown. In 2009, this proportion grew to 41 percent, but the police explain that this figure might change given that as of 2010 they are still working on the investigations of some cases (Policía Nacional de Nicaragua 2010). For past years, Nicaraguan police offer a figure of the number of murders that have been cleared up ("esclarecidos"), namely, they know the motives behind the crime. However, with the exception of years 2008 and 2009 that we just reviewed, they do not provide public information about the specific circumstances under which homicides were committed—neither do any other Nicaraguan institution. According to police records, in 1991 23 percent of the homicides were not cleared-up; in 1995 this percentage was 21 and by 2000 it dropped to 18 percent. In 2005, nonetheless, the percentage of homicides with unknown circumstances grew to 36 percent and has remained relatively high for the rest of the decade (Policía Nacional de Nicaragua 2003; 2008). These shortcomings in recent figures notwithstanding, the general picture that emerges from the Nicaraguan data is that local institutions have a better grip on the conditions surrounding crime and violence, and that homicidal violence tends to be more closely checked in Nicaraguan than in any other post-transition country in the region. In fact, the UNDP has pointed out that the quality of criminal statistics are superior in Nicaragua than in any other country in Central America (PNUD 2009).

The information provided by such statistics suggests that most of the homicidal violence taking place in Nicaragua is concentrated in two types of areas: the metropolitan areas of Managua, Granada, and León, which form a corridor along the Pacific Coast and where most of the population is concentrated; and the cities and towns along the lengthy Caribbean Coast, especially in the cities of Puerto Cabezas in the *Región Autonóma del Atlántico Norte* (RAAN), Bluefields in the *Región Autonóma del Atlántico Sur* (RAAS), and Corn Island, a small island in the Caribbean Sea. Although most of the raw numbers of homicidal violence concentrate in the metropolitan areas along the Pacific Coast given its high population density, the highest crime rates take place in the Caribbean Coast and in some small departments that are sandwiched between the metro areas and the regions of the Atlantic coast (Zelaya Central and Chontales) (Policía Nacional de Nicaragua 2008). These areas, characterized by low population density, large extensions of virgin tropical forests, and economic underdevelopment, have been increasingly used by transnational organized crime and Colombian drug-trafficking cartels since the mid 1990s as transient points for re-shipment and rendezvous in the flow of drugs headed for Mexico and the United States (Dudley 2010; Orozco Betancourt 2007b).

In fact, official statistics account for an increment in the amount of drugs seized by Nicaraguan authorities since the 1990s. Seizures of cocaine, for instance, went from 535 kilograms in 1990 to nearly 5 thousand kilograms in 1998 to 13 thousand kilograms in 2007. Heroine seizures went from 0 in 1990 to 53 kilograms in 2001 to 180 kilograms in 2007 (Policía Nacional de Nicaragua 2008). Although these figures may reflect the effectiveness of Nicaraguan authorities in fighting drug-trafficking, they also hint at the magnitude of the penetration of organized crime in Nicaragua. High levels of violence in

the areas of the Caribbean Coast, then, would be caused, in part, by organized crime. The arrival of the Mexican Sinaloan drug cartel in the mid 2000s and the use of the Pacific rim areas (departments of Managua and Carazo) as new entry points for drug-traffic in Central America, contributed to violence in the metropolitan areas as well (Orozco Betancourt 2007a). Authorities, however, seem to have been more successful in containing drug-related violence in the metro areas than in the Atlantic Coast (Orozco Betancourt 2007a).

Youth gangs also participate in the reproduction of violence in the metropolitan areas. Nicaraguan gangs do not have the relevance that *maras* have in northern Central America when it comes to the reproduction of violence and the development of protection rackets, neither are they connected to transnational gang networks (USAID 2006). These groups are also more scattered and dispersed than *maras* in the north, but according to some authors (Rocha and Rodgers 2008), in recent years they have become an important actor in the expansion of local-community drug markets in Managua and some important Nicaraguan cities. In an ethnographic research conducted in impoverished communities and slums in Managua, Rodgers (2006b) found that in a six-year span, youth gangs transformed from corner street groups of pickpockets and street bullies to alleyway drug dealers. Drug-trafficking became the main activity of these groups; they served as local distributors of drug stocks utilized to pay locals for collaborating with the Colombian and Mexican cartels (Rocha 2007; UNODC 2007). In contrast to northern *maras,* whose criminal activities are more diversified and their protection rackets more widespread, Nicaraguan gangs profit almost exclusively from local drug-trafficking (Rocha 2007). According to Rodgers (2003), drugs have increased

the occurrence of violence among gang members and the availability of heavy weaponry in the communities where they dwell.

An interesting feature of Nicaraguan gangs is that they have been used as shock groups by the FSLN party. Rocha Gómez (2009; 2007) argues that within the Nicaraguan police there is a strong network of supporters of the *Frente Sandinista*; this network has driven some of the community-oriented policies toward youth gangs in Nicaragua; it also has brought gangs and law-enforcement officials closer in the community and has created spaces of working relationships that go beyond local violence prevention. These rapprochements have been used by the FSLN in periods of social unrest and instability to mount pressure on the government, the ruling party, and opposing elites. Clandestinely organized by the FSLN, gangs perform as agitators and lead violent actions during strikes and street protests (Rocha Gómez 2009; Rocha 2007).

In sum, Nicaragua has also been affected by important levels of violence during the post-transition. Although general figures on common crime and organized drug-related crime have been unrelentingly on the rise in the last two decades, Nicaragua remains an outlier and atypical case in terms of the relatively low evolution of post-transitional violence. In contrast to El Salvador, the rest of northern Central America and many other post-transition countries, Nicaraguans have managed to reduce the incidence of homicidal violence and to avoid the development of super violent groups in their territory. At some point, the government even launched a marketing campaign, naming Nicaragua as the "safest country in Central America" (Policía Nacional de Nicaragua 2008). This may just be a publicity stunt; but any comparison with the northern neighbors

`in the region proves that Nicaraguan citizens are in general safer than the average Salvadoran or Guatemalan.

The common explanations

What explains these varying levels of homicide violence in Central America, particularly between El Salvador and Nicaragua? The extant literature points to diverse factors behind the post-transition crime surge in Central America. Structural factors such as poverty and inequality have consistently been recognized as key variables behind crime (Acevedo 2009; Chinchilla 2003; Moser and Winton 2002; PNUD 2009; UNODC 2007).   These factors would have been exacerbated by the effects of economic globalization and the implementation of neoliberal reforms across the region during the 1990s (Benson et al. 2008; PNUD 2009), which have produced social disruptive processes of unemployment and migration (Rocha 2006; Zinecker 2007), dynamics of translocation and segregation of urban spaces (Baires 2003; Lungo and Martel 2003; Rodgers 2009) and the increasing utilization of private security groups (Ungar 2007). Other set of factors commonly cited are the legacies of civil conflicts. These range from the demobilization of thousands of combatants (Chinchilla 2003; Cruz 1997; Cuadra 2002), to the proliferation of arms in the post-conflict (Godnick et al. 2002; Moser and Winton 2002), to the continuation of a sort culture of violence (Cruz 1997; Godoy 2006). The rise of criminal economies around the transnational drug-business, state weakness, and predominantly young population have also been pointed as driving factors behind Central American violence (PNUD 2009; UNODC 2007).

All these factors indeed play important roles as the different research agendas have shown, but they fall short in explaining the complexities behind the differences between Nicaragua and the northern Central American countries. Let us examine the economic indicators first. Nicaragua is considered one of the poorest and most unequal countries in the region (Programa Estado de la Región 2008). For example, the Gross National Product per capita for Nicaragua in 2007 was the lowest in the region with the exception of Honduras. In contrast, El Salvador and Guatemala are much wealthier than Nicaragua and they have remained in similar situation throughout the last two decades (see Table 4.4). Similarly data show that income inequality in Nicaragua is as high as it is in Guatemala, and it is significantly higher than in El Salvador. In the region, only Honduras is more unequal than Nicaragua. Finally, although economic growth (measured as percentage increase of GDP) in El Salvador has been the lower in the region in the period from 1990 to 2006, data show that Guatemala and Honduras have experienced slightly more economic growth than Nicaragua.

This quick outlook of economic data in Table 4.4 yields a blatant conclusion: widespread poverty and inequality have not made Nicaragua more violent than its northern neighbors. To the contrary, El Salvador, which in general displays better economic indicators, is the most violent country in the region. The argument pointing to economic factors as key variables in the explanation of violence would only apply to Costa Rica when compared to the region; but this country is, by itself, an outlier in the region, and its singular combination of democratic stability and economic performance put it in another set of conditions that prevent it from direct comparison.

As mentioned above, the legacies of civil wars and internal conflicts are one of the most common explanations to post-transition violence in Central America (Brentlinger and Hernán 2007). Yet, a simple comparison between Honduras and Nicaragua shatters this argument. After all, Honduras, which faced much less internal conflict and insurgency, has higher levels of violence than Nicaragua, which suffered a decade of internal war. Even if we consider the number of demobilized former combatants during the wars—one of the most preferred line of explanations in the war-legacies argument—, the evidence does not tally: Nicaragua, as shown in Table 4.4 had the highest number of demobilized formal combatants after the war. This does not deny that some former combatants engaged in criminal activities after the war, but the bulk of demobilization did not translate automatically in levels of crime. The only important difference between Nicaragua and the other two countries that underwent internal war (Guatemala and El Salvador) is the demobilization of paramilitaries. But this is so because Nicaragua did not have paramilitaries or informal armed groups acting on behalf of the state. The participation of paramilitaries, in turn, may be a better line of explanation and we are nearly poised now to follow it in the next two chapters.

Table 4.4. Proposed Causes of Violence

	Guatemala	El Salvador	Honduras	Nicaragua	Costa Rica
Indicators of economic performance					
GDP per capita (2007)	4,568	5,255	3,430	3,674	10,180
Gini Index	54.5	52.2	55.3	54.5	48.5
Average Growth (1990-2006)	3.75	2.94	3.70	3.16	5.31
Indicators of war-legacies					
Demobilized soldiers (n)	14,000	24,500	n/a	72,720	n/a
Guerrillas/Contras (n)	500	12,362	n/a	19,000	n/a
Paramilitaries (n)	279,421	30,000	n/a	0	n/a
Total (n)	293,921	66,862	n/a	91,726	n/a
Indicators of institutional infrastructure					
Police officials per 100,000 pop.	152	300	118	155	277
Judges per 100,000 pop.	6	10	9	6	17
Public attorneys per 100,000 pop.	1	4	3	2	6
Average percentage of public spending on national budget (2006-2007)	9.9	14.3	8.0	8.1	7.7
Average police officer monthly payment (in US$)	470	470	280	150	584

Sources: PNUD (2009); World Bank socioeconomic indicators; WIID (2008); Gonzalez (2009)

But before we do that, let us check the indicators concerning institutional law-enforcement infrastructure, as institutional infrastructure is also considered a key variable in states' capacity in tackling crime (Duce and Pérez Perdomo 2003; Morrison et al. 2003; UNODC 2007). If we had to judge the effectiveness of law enforcement institutions in handling crime just from the infrastructure indicators shown in Table 4.4 (police officers, judges, and public attorneys per 100,000 inhabitants, and the share of national budget devoted to public security institutions in 2007), we would easily reach the conclusion that El Salvador is the safest country in the region, even safer than Costa Rica. In addition, El Salvador has been positively singled out for its institutional process in the law-enforcement area (Call 2000), and the United Nations has repeatedly praised the

Salvadoran police reform as one of the most successful in the world (Bayley 2006). Yet, as I have been pointing out throughout this work, El Salvador is perhaps the most violent country in the Western Hemisphere, and its apparent success in reforming the security apparatus and putting out much more resources to fight crime have not returned positive results by any standard. It is possible, nevertheless, that such indicators are a result of the national effort to combat violence: El Salvador would have more policemen, judicial operators, and resources precisely because the magnitude of the problem is bigger there than anywhere else. But if that were the case, we should be finding elevated indicators of law-enforcement institutions in Guatemala and Honduras as well. That is not the case. Rather, these indicators suggest violence is not associated with the availability of resources. The answers, then, have to be looked for anywhere else.

In sum, none of these factors—not even the drug-trafficking enclaves that operate along Nicaragua's Atlantic coast (UNODC 2007)— have made Nicaragua as violent as the north. To be sure, there are specific processes that may enhance some variables in one country and not in the other, but none of the previously quoted factors seem to render a satisfactory explanation about the gap between Nicaragua and the rest.

One theory that has gained momentum and specifically taps into the differences between Nicaragua and the northern triangle puts the blame onto the development of the *maras*. According to this argument, *maras* are largely responsible for the skyrocketing levels of violence in northern Central America (Arana 2005; Boraz and Bruneau 2006) and their activities may explain the noticeable differences between these countries and Nicaragua, where *maras* have been unable to gain a foothold. The United Nations Office on Drugs and Crime (2007) estimated seventy thousand gang members roaming the

streets of Guatemala, El Salvador, and Honduras. These groups, made up of two large gang networks have gained notoriety as the most powerful youth gangs not only in El Salvador, but also in the region. As such, they have probably become the single most important actors of criminal violence in the northern sub-region of Central America (Jutersonke et al. 2009), as their role in the reproduction of crime is as important in Guatemala and Honduras as it is in El Salvador. Hence, any comparison between northern *maras* and Nicaraguan *pandillas* yields a blatant difference not only in terms of the number of youth associated with them, but also the violence wielded by these groups (UNODC 2007). Different authors (Cruz 2009; Rocha and Rodgers 2008; USAID 2006) have ascribed these divergences in gang development to the distinct flows of returned migration and deportation in Central America. U.S.-type gangs, like MS-13 and *Dieciocho*, have flourished in El Salvador, Guatemala, and Honduras, this argument goes, because of the deportation and voluntary return of migrant youth from the United States back to their home countries, where they have played a role in forming new cliques and spreading Southern California gang culture. Conversely, in Nicaragua, gangs have not been affected by youth deportation from the U.S. because most of their poor migrant communities have settled in Costa Rica and, to a lesser degree, Southern Florida, where they have joined street gangs to a much lesser extent (Rocha 2007).

Although returned migration certainly plays a part in the development of gangs in northern Central America as opposed to Nicaragua, it is misleading to blame the growth of *maras* and the prevalence of violence in the northern triangle for the most part to migration. If we accept the argument of migration as it is usually raised, we could not explain why, after years of cyclical migration and deportation of Mexicans from the

United States, *maras,* and particularly the Eighteenth Street Gang—which was formed by Mexican immigrants long ago—, have not gained a foothold in Mexico as they did in Central America. As Cruz et al. (Forthcoming) have argued, it is important to consider the domestic conditions that made Guatemala, El Salvador, and Honduras, fertile lands for powerful gangs, but not Mexico or Nicaragua.

Likewise, the problem with ascribing the mounting levels of criminal violence to the activities of youth gangs is that it obscures the institutional features that determine not only the intensification of violence but also the development of youth gangs. To be sure, gangs reproduce violence. But, as we have seen above, the rise of MS-13 is not the main factor behind the escalation of violence in some countries, as the same conditions that enabled gang growth have also facilitated the spread of criminal violence. As I see it, in the public security crisis in northern Central America we have to bring back another variable. We have to bring back the state. Along with it, we have to pay attention to the relationships between state institutions and society, not only in terms of security policies, but more importantly in terms of direct reproduction of violence.

Rather than poverty, internal war, lack of resources, and *maras*, the fundamental underlying difference between northern Central American countries and Nicaragua is the manner in which these states have articulated the administration of what Robert Holden calls public violence (Holden 2004). Skyrocketing violence and super gangs are both the consequence of such articulation. They are not only entrenched in the institutional capacities and policies carried out by the security institutions, but also in the utilization of informal violent entrepreneurs and armed civilian collaborators to deal with social violence and unrest; they are the result of the specific mode of transition experienced by

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each country. In the northern tier of countries and in El Salvador in particular, the parallel security agents— and the elites that supported them — substantially survived the transitions and they have continued operating long after the transitions were over. Nicaragua is a distinctive case because the complex interplay of conditions set by its historical process, beginning with the 1979 Revolution, led to a different path of institution-building in the security apparatus, one that insulated it, to a certain extent, from criminal organizations and enabled it to construct a different type of relationship with the population. The remaining chapters tackle how that process took place.

CHAPTER V

THE ROOTS OF VIOLENCE IN CENTRAL AMERICA

How can we explain the differences in the levels of violence between northern Central America and Nicaragua, especially between the critical cases of El Salvador and Nicaragua? By all accounts, if we rely on poverty alone, Nicaragua should be more violent than any other country in Latin America, as it is one of poorest, if not *the* poorest and most unequal countries in the Western Hemisphere. Only Haiti in the Caribbean suffers from greater poverty. If we pursue the war-demobilization-cultural theses, Nicaragua should be at least as violent as Guatemala and El Salvador, since all three countries underwent extremely violent and protracted insurgencies, with the Guatemalan case lasting the longest. If we blame the lack of resources of the security institutions and the state in general, Nicaragua would be in the hands of vigilante groups and private organizations of security in order to fill the vacuum created by the smallest security budget in the region (UNODC 2007). As we saw in the previous chapter, not even the low pay of police agents in Nicaragua has made them as ineffectual as those found in northern Central America. Still, if we subscribe to the currently popular approach of blaming crime on the penetration of drug cartels in Central America, we should be just as concerned about a potential Nicaraguan collapse as we are with El Salvador and Guatemala(see, for instance, Smyth 2005). But judging by the evidence from a variety of sources, the lesser problems Nicaragua has had with transnational cartels have not

yielded the extreme levels of violence we are seeing in northern Central America and Mexico.

Of course, all the aforementioned claims do not mean to imply that those factors play no role in the level of violence in the region. But even taking all these factors together and attempting to build an explanation that accounts for the interplay of all those variables, there is still something missing from the picture. To be sure, economic backwardness has not made the challenges of security easier for Nicaragua; neither have political polarization, war legacies, and an entrenched practice of corruption at the highest incumbent levels. But even taking all those things in consideration and comparing them with El Salvador and the rest of transitional Central America, we still face the question as to why Nicaragua is different.

The answers are situated in a, thus far, infrequently explored field of inquiry, that is, the role of the state in the management of violence. I refer to the means by which state institutions relate to societal actors in order to control, administer, or allow violence. It does not refer, in contrast, to an examination of the formal traits and legal frameworks of state institutions. Neither does it mean an analysis of public security policies. Rather, it entails an exploration of the relationships between the state and its institutions, the society, and what Charles Tilly (2003) calls the "violence specialists." This exploration, nonetheless, views institutional design and public policies as a reflection of those relationships: they can provide a useful window to understand how violence is generated and perpetuated in transitional societies, such as El Salvador, Guatemala, and Honduras. But this analysis attempts to go beyond those manifestations that operate at shallow levels, as it assumes that the root cause of high levels of collective violence and rampant

crime are not in the specific institutional design, but in the political relationships built from the state.

In other words, what I argue and demonstrate in the two remaining chapters is that we have to "bring the state back in" (to use popular terminology) to our consideration of etiology of post-transition violence. Thus, I view current violence affecting Central America not only as a new form of contestation from society, especially after neo-liberal reforms, as it has been widely argued elsewhere (Auyero 2000; Davis 2006b; Godoy 2006; Hagedorn 2008; Holston 2009; Rodgers 2009); but, more importantly, as a new variety of informal control and domination. By this, I do not mean the perpetuation of the authoritarian model of suppression of the liberal project of freedoms, but the utilization of the state by some elites and social groups to illegally extract resources and benefit themselves from by exploiting state institutions. At the institutional level, the control exerted by these groups is useful to grant impunity for past human rights violations and atrocities; but at the local and community levels, the control of state institutions to promote, create, and perpetuate violence is instrumental to the protracted continuation of the patronage politics and clientelistic relationships by which power is still exerted in most of Latin America.

Drawing on recent works by Arias (Arias 2006; Arias and Goldstein 2010b), Davis (Davis 2009; Davis 2010), Koonings and Kruijt (Koonings 2001; Koonings and Kruijt 2004a; Kruijt 2001), and Pearce (2010), who elaborate on the relationships between state institutions and informal armed actors from different perspectives, I argue that in Central America political transitions are important to the understanding of the surge of post-transition violence not only because they had the potential to transform the

security apparatuses into democratic institutions, and not only because they removed the militaries from power. Most critically, in my estimation, political transitions are critical to the understanding of contemporary violence in Central America because they had the potential to alter the social relationships that generated violence from the state; and because they had the potential to dismantle the old structures of authoritarian state partnerships that reproduced collective violence in the society.

Behind this assertion, there is the assumption that in addition to the military, the police, and the internal intelligence services, state-related violence was also produced by informal actors and a variety of murky civilian collaborators acting in lose coordination with the state. In Central America, the historical participation of these extra-state agents has been critical to state running and regime survival (Holden 1996). Transitions represented an opportunity to transform authoritarian institutions and build democratic rule of law. Due to a variety of factors I elaborate upon below, transitions succeeded in transforming those relationships, at least in part, in Nicaragua, but they did not do so in El Salvador, nor in the other two countries of the northern triangle.

As the old, deeply authoritarian, regimes were drawing to a close in the 1980s and 1990s, state informal collaborators—violence specialists— were pushed to search for new forms of survival. They in fact survived almost intact—although sometimes with new superficial forms— while they continued contributing to violence in northern Central America. In sharp contract, they were eliminated or drastically constrained in Nicaragua. The differences in theses paths rested upon the conditions present in and the decisions taken by the political actors during the regime transitions from dictatorship to democracy. Historical paths (Mahoney 2001), critical junctures (Collier and Collier

1990), modes of transitions (Karl 1990), and resources that political actors brought to the bargaining table (Haggard and Kaufman 1997) determined how those transitions transformed the relationships between state institutions, violence specialists, and society.

I pursue the exploration of that process by conducting a comparative historical analysis. Following Mahoney and Rueschemeyer (2003), I have chosen this methodological approach because it puts a critical emphasis on the processes over time and, as the reader can deduce from previous chapters, many of my questions stem from the transformations countries have experienced over the last three decades. I am also aiming to offer a systematic comparison between two countries (El Salvador and Nicaragua), that while sharing similar stories of authoritarianism, political violence, underdevelopment, and culture, have diverged in terms of the levels of post-transition violence. And finally, I have chosen this approach because it provides the opportunity to engage in a proposition of causal inference; in other words, I can conclude by singling out a factor or a set of factors that explain the phenomenon.

I therefore systematically review the relevant history of regime change in Central American countries, especially El Salvador and Nicaragua. I contextualize the historical similarities between these countries, but more importantly, their differences, which stem from a specific point of time: the moment of political transition. Hence, I view the resolution of the transition period as the critical factor that explains the development of post-transition violence in Central America. This transition period thus shapes and transforms the relationships between the state, the violence operators, and the society. It also provides a roadmap for those engaged in other such transitions in places like Africa,

where futures may well be determined by decisions yet to be taken during the moment of transition.

In this chapter, I begin by laying out some additional theoretical considerations that are helpful to identify the main variables at play and to understand the critical events. Then, I concentrate on the historical traits of the pre-transition authoritarian regimes, specifically its relationship to the use of force and violence used in dealing with social control of their populations. After that, I describe the third-wave political transitions in the region. I do this by emphasizing El Salvador and Nicaragua, my main two cases of comparison, but I also briefly refer to Guatemala and Honduras in order to provide more evidence.

Some Theoretical Considerations

Seven points are fundamental to understanding the importance of the transitions in shaping the conditions for the surge of violence in post-transition Central America. First of all, it is important to remember that the state is the main player in the management of violence, whether legitimate or illegitimate, because it controls the fundamental and most important means of coercion within a territory (Tilly 2003). This notion comes directly from Max Weber (1994), who defined the state as the entity that can claim the monopoly of the legitimate use of physical force within a given territory, but also from Charles Tilly (2003) who, building from Weber, asserts that violence depends upon the way governments define legitimate force and order. However, three additional points have to be brought to bear on this matter. Firstly, following Michael Mann (1984), I view the state as an actor, with its own corpus of interests, autonomous from civil society, and also

from elites. Secondly, in the contemporary era, the state does not hold monopoly of the means of coercion, as nowadays it is not the only one that wields legitimate means of coercion, at least in many transition countries around the world. Transformations in social and economic realms have pushed states to surrender some of their claims of exclusivity over the means of force, in favor of private security organizations and armed groups (Bayley and Shearing 1996; Singer 2004). Finally, in this new environment, the participation of the state in the management of coercion and violence does not necessarily mean that its formal institutions participate in the utilization of force against the threats to order and enemies. It means, rather, that the state has the capacity to regulate and designate who, in addition to its own institutions, enforces order and administers violence.

Second, following the previous ideas, the importance of the state in the management of means of coercion and violence rests not only in its formal institutions, the military and the criminal justice system, but also in informal institutions and actors (Helmke and Levitsky 2006) that revolve around the state. As Guillermo O'Donnell (1999; 2004) argues, in some occasions, these shadowy institutions or actors turn more important in defining the relationships with other groups of the society than the mere law-enforcement institution. An example of this would be the system of informal norms that drive extrajudicial police violence in Brazil and Argentina (Brinks 2006); or the existence of illegal spheres of law-enforcement that Ranum (2010) detected in her work with gangs in Guatemala. The key point to understanding violence in post-transition Central America is not whether the army, the formal institution of the military, has bent to the rule of law and to the democratic procedures of accessing to power, but whether the informal

institutions they created around them, with the collaboration of civilian politicians, economic elites, and grassroots organizations, have disappeared or have accepted playing by the formal rules of the game.

Third, moving onto the issue of transitions to democracy, building democracy entails not only the construction of institutions aimed to ensure transparent electoral processes, thus fulfilling the minimalist Schumpeterian requisite, it also entails the construction of institutions aimed to promote the rule of law and to protect citizens' basic rights (O'Donnell 1999). As Diamond (2008: 46) states: "The most urgent imperative [to effective democracy] is to restructure and empower the institutions and accountability and bolster the rule of law." The former also entails the disappearance or—at least— the weakening of institutions that systematically operate in the margins of law or in the illegal channels of power. As Koonings (2001) has put it, the biggest challenge for a democratic government trying to escape its authoritarian past lies not only in the subordination of security forces to civilian rule, but also entails the public monopoly of legal force in order to secure public order, rule of law, and citizenship rights on the basis of accountable norms and procedures.

Fourth, security and justice institutions (the criminal justice system) are fundamental in the development of democratic governance (Karstedt and LaFree 2006) as they are responsible for granting security and the observance of the law. This is particularly important in societies that are emerging from authoritarian regimes. As Marenin says (1996), political transitions typically imply some degree of social disorder and political unrest, and the institutions capable of managing such turmoil are fundamental to underpin democratic transformations. Such capacities call for a delicate

balance in the performance of the new institutions of security: they have to be sufficiently coercive to prevent a spiral of violence and disorder that threaten governance, but at the same time they must exhibit self-constraint and attention to human rights to avoid back-sliding toward authoritarianism. Along these lines, it is interesting to bring to consideration the findings in Chapter III, which suggest that countries "stuck" in the hybrid "stage" face more homicidal violence than authoritarian regimes and full-fledged democracies (see also: Davenport and Armstrong II 2004; Fein 1995; LaFree and Tseloni 2006). Those findings suggest that security institutions in some countries have failed to resist the lures of authoritarianism. Going back to security institutions, it is important to underscore the critical role of law-enforcement institutions in managing the implications of regime change; they are called on to control the very disorder that can threaten the transition itself (Marenin 1996).

Fifth, as several authors note for the modes of democratic transitions (Karl 1990; Karl and Schmitter 1991; O'Donnell and Schmitter 1986), the formal arrangements are negotiated by elites, necessarily shaped by elite interests. Those agreements are made by those who wield power —formal or real. They are conditioned not only by organized interests and resources that bring to the table (Haggard and Kaufman 1997), but also by the context of interactions that are produced by the transition itself and how they shape new notions of citizenship and stateness (Yashar 1999). In this phase, those interactions will shape how the intended pacts are carried out, and what their effects will be on the security apparatuses. Popular mobilization and external influence take part in those interactions as well, reinforcing or eroding previous institutional patterns (Stepan 1988).

Sixth, following Charles Tilly (2003) in assessing the politics of violence, we know that regime interactions entail violence specialists. So, the institutional pacts made during the transition and immediately thereafter are conditioned by agents who hold power derived from their capacity for violence, namely, army, police, paramilitaries, and guerrillas (Davis 2009), from their links to networks of interest mediation and masses, and from their relationships with external states. Some of these agents survive the transitions to constitute legal players in the new institutional arena, while others do not. However, some others maneuver and use their connections to colonize shadowy areas within institutions and state bureaucracy whereby they keep operating (Cruz 2007b). The survival of authoritarian violent entrepreneurs with connections to the new regime means that the informal actors and illegal institutions associated with the state keep operating even under democratic rule. These actors, private and informal agents that in some cases may drift into criminal operations using state institutions as a cover-up, and then mutate into vigilante groups, death squads, partisan gangs and mobs (Davis 2009; Schlichte 2009). The participation of these actors, which do not fully abide by the rules, are also part of what Guillermo O'Donnell (2004) calls the "brown areas" of rule. The importance of the relationship between the state and informal armed groups goes beyond the clandestine utilization of these groups in state-approved activities. It stems from the fact that, as Schlichte (2009: 247) argues, "a decisive element in the process of formation [of armed groups] is produced by states themselves," as violence expertise, training, access to weapons, and strategic military thinking is provided within state institutions.

Finally, the acting connection between violence specialists, informal armed groups and state institutions builds from alliances established by state elites, party

leaderships, local "caciques," and local political operators (Pearce 2010). They form

complex structures of patronage and clientelism that run from centers of national power

to communities and local centers of patronage. Local bosses grant national elites and

political leaders access to political support during times of election and social unrest; in

exchange national leaders and security institutions controlled by the latter surrender some

of their monopoly over the means of coercion and put them at cacique's disposal not only

to enforce the subordination of local clients (Fox 1994), but also to pursue private

interests and profits (Holden 2004).

All these points are useful to interpret the information below and to explain

Nicaraguan "exceptionalism" in terms of transitional violence. I start the account about

regime change in Central America by outlining one of the fundamental characteristics of

past authoritarian regimes in the region: their utilization of civilian collaboration in the

task of social and political domination.

The Real Roots of Violence: Civilian Authoritarian Collaboration

My account of the historical determinants of post-transition violence draws on the work

of historians Patricia Alvarenga (1996; 1998) and Robert Holden (2004; 1996), and

political scientist William Stanley (Stanley 1996a). They all point to the critical role that

civilian collaboration with military and security apparatuses had in the repression of

popular discontent and, thus, the preservation and protection of authoritarian regimes in

countryside Central American countries.

The collaboration project between civilians and authoritarian repressive regimes

stems from the very formation of the Central American liberal states in the late nineteenth

century and early twentieth century. It emerges as a mechanism to extend the reach of the states to areas and spheres where, despite their institutional consolidation, they had little control and institutional presence.

Before the liberal economic reforms that swept and transformed the political structure of the region starting in 1870, Central American countries where characterized by caudillo politics and internal wars: caudillos spent most of their time warring each other over control of the meager extant state infrastructure (Holden 2004; Lynch 1992). As elites embraced liberal-economy ideology and transformed land-ownership and socioeconomic relationships in order to build agro-exporting economies, the need of a strong centralized state to protect economic activity and facilitate the integration to the world economy became apparent. In a stark difference from the mode of state formation in Europe proposed by Charles Tilly, which emerged as protection rackets and war-making machines that, nevertheless, had to bargain with their own citizens in order to tax them and access to resources (Tilly 1985; 1990); the Latin American states, especially the Central American ones, emerged to integrate these peripheral societies to the world economy (Mann 2002), producing the paradox of creating coercive institutions more apt to control internal population in order to force them into certain modes of economic activities, than to waging war against other states and extracting resources from the population (Centeno 2002). The consolidation of Central American states, then, took place to address the needs of economic elites to control peasant population and access low-wage labor and land, fundamental to the machinery of agro-export production (Cardoso and Pérez-Brignoli 1977; Holden 1996).

However, as Central American states developed centralized military and police institutions (first in Guatemala and El Salvador, and later in Nicaragua and Honduras; see Holden 2004), they also kept some of the particular traits of caudillo politics at play. First, local landowners and caciques retained some of their groups of armed men and armies to protect their own interests and to enforce peasants to collaborate in their economic or political projects. These local caudillos were the ones that bargained with the centralized coercive institutions of the state, not the citizens (Holden 1996). Second, citizens were integrated to state's instances of power as members of those patronage networks attached to local landowners, local political bosses, and local military commanders. Their own access to the state was mediated by those local bosses. Citizens—or clients— did not always integrate into those networks with the purpose of forming armed groups, but to access resources coming from the state and elites; however, they collaborated in peer vigilance and enforcement operations as patrons and bosses asked them to do so in order to pay back favors.

Land owners and political bosses became the representatives of the state in the countryside and much of national territories where law-enforcement institutions were absent. In the new era of centralized state, they became the brokers of power relationships that flowed from the center to the periphery (Holden 2004). However, these collaborators also reproduced those patronage relationships with their own groups of collaborators, extending the chain of clientelism all the way to the lower social echelons. Even in isolated areas, they became members of an informal structure of domination that resorted to violence when needed to keep order and ensure compliance with the authoritarian rule.

These structures of patronage were the base for later development of large networks of violent state collaborators that reached their most sophisticated expressions in the Civilian Auto-Defense Patrols ("Patrullas de Autodefensa Civiles"-PACs) in Guatemala (Schirmer 1998), and the civilian defenses or "patrullas cantonales" controlled by the fearful semi-clandestine intelligence bureau called "Organizacion Democrática Nacionalista (ORDEN) in El Salvador during the 1970s and 1980s (Lauria-Santiago 2005).

Alvarenga (1996; 1998) has masterfully described how this collaboration with the state was an essential project of domination that reached all the spheres of social life in El Salvador during the first decades of the twentieth century and how it yielded social violence in the countryside. In her seminal book on culture of violence in El Salvador, Alvarenga (1996) shows how unrestricted networks of civilians collaborators used violence not only to enforce compliance with authoritarian rules and punish political dissent, but also to carry out private ventures under state indulgence. Furthermore, in her research, she found that under those circumstances of informal repression, people's resistance did not consisted in organized collective responses against the state or institutions such as the police, the *Guardia Nacional* or the military. Rather, civilian responses against state-sponsored violence were aimed at the informal state collaborators. They were private and diffused violent actions disguised under crimes of passion, common violence, or street brawls. Habitually, they targeted the most vulnerable elements in the collaborator networks, namely, other peasants, their peers. Attacks against leaders, local elites, and members of formal institutions were less frequent because they generated devastating reactions from the state and its operators, but they

also took place from time to time in private contexts, escalating the reactions and the systems of informal espionage and public retaliation from state brokers.

As a result, violence was a common currency in Salvadoran social relationships. The institutionalization of civilian collaboration with state's repressive organizations and networks generated relationships based on social distrust and political cynicism, and spread impunity at different societal levels (Sieder 2001). Violence also surpassed the restricted area of contentious politics insofar as dynamics of personal retribution and retaliation became the most common cause of violence. Similar phenomena occurred in Guatemala and Nicaragua. In the latter, the first four decades in the twentieth century were characterized by frequent clashes between different factions of Liberals and Conservatives led by regional caciques and gang leaders that nowadays would be called warlords (Schroeder 1996). They mobilized local peasants in order to terrorize and exterminate their enemies and the enemies of their political patrons. Sandino was himself a local liberal leader who, in the wake of U.S. marines invasion in the 1920s, reframed his narrative of internal conflict as a war of resistance against the invader (Holden 2004; Schroeder 1996).

The American intervention, the creation of the *Guardia Nacional* as a single militarized constabulary force and the consolidation of Anastasio Somoza García as its director and Nicaraguan dictator in the 1930s deactivated most of the organized bands and armed groups working for political regional caudillos, but the collaboration of the latter with the project of domination, this time embodied in the single Somoza dictatorship, remained active and turned the *Guardia Nacional* into the center of patronage and clientelist politics across the country (Walter 1993). Local commanders of

the Guardia became the privileged elites who acted as the local Mafiosi by engaging in criminal economy activities such as gambling, prostitution, and smuggling (Grossman 2005).

State consolidation under Somoza and the *Guardia Nacional* in the case of Nicaragua and under institutionalized military rule in the case of El Salvador did not wipe out the dynamics of civilian informal collaboration. This was also reinforced by the alliances built by state operators and economics elites at different levels, from the top to the bottom of social relationships. At the top, economic elites let the military (in El Salvador) and the Somoza dynasty (in Nicaragua) to rule the country in exchange for protecting their interests and crashing any political attempt that challenged economic order. Even in Nicaragua, where the Somoza clan rapaciously took over the main economic niches, the elites let the dictatorship to rule as long as the former could be part of the pie (Walter 1993).[30] But state's security forces also took advantage of those arrangements by using their own networks of informal collaborators to generate violence and instability in order to extort elites and landowners. This is part of what William Stanley has brilliantly called the "protection racket state" in the case of El Salvador (Stanley 1996a). At the bottom, in the remote towns of the countryside, it also meant that elites could use formal state operators to advance their private agendas and create enclaves of illegal activities under state protection.

Violence, then, remained as an active tool wielded not only by state institutions but also by their collaborators and challengers in the civil society. This fact explains why

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[30] Things started to change for Nicaraguan economic elites when Anastasio Somoza Debayle, the last member of the dynasty, took advantage of the devastation produced by the 1972 earthquake to concentrate all the financial aid poured into the country's reconstruction, and increased his control over the most productive economic niches.

the minimally-conceived transformation of the security apparatuses in the northern tier of Central America during the transitions did not lead to an automatic reduction of violence. To be sure, police, military forces, and security institutions were responsible of an important share of violence in authoritarian Central America. But in contrast to Southern Cone dictatorships, especially in Chile, where state institutions remained almost the solely responsible of repression against the population; in Central America, the "responsibility" of torturing, killing, and terrorizing the population was also born by civilians and informal agents.

When the war exploded in El Salvador in 1980, the Salvadoran state had at its disposal 40 thousand paramilitaries and civilian collaborators, while formal members of the armed forces and security institutions added up to only 36 thousand troops, (Lauria-Santiago 2005). In Guatemala, during the height of the war against indigenous communities in the early 1980s, the Guatemalan military had at its disposal nearly half a million of PACs (Schirmer 1998).

In sum, state's use of informal collaborators to manage violence is a practice long embedded in Central American relationships. As Robert Holden (1996: 459) asserts, pre-transition security institutions achieved an extraordinary autonomy in the use of violence "by a correspondingly high level of tolerance for and collaboration with the state's agents of repression, among non-military agents of the state and within civil society itself." In other words, it is impossible to understand Central American state violence in the past without recognizing that violence was wielded not only by formal institutions, but also by informal groups acting in collaboration with the state (Alvarenga 1998). As I will show

below, transitions did not eradicate this important feature in El Salvador, and illegal groups and rogue agents linked to the state add up to the dynamics of violence.

Regime Change in Central America: The Three-Fold Foundational Transitions

The most striking feature of Central America's recent history is the widespread internal wars and peace processes that Guatemala, El Salvador, and Nicaragua experienced. In contrast to most of Latin America, which did not experience civil wars, the whole Central American isthmus was marked by these wars. Honduras did not have open warfare, but the conflicts in the neighboring countries influenced its transition from authoritarian rule.

For most of their history, Guatemala, El Salvador, Honduras, and Nicaragua were ruled by authoritarian regimes. In the 1970s, economic crises and social unrest led to the outbreak of armed conflicts between leftist guerrillas and military governments in Guatemala, Nicaragua, and El Salvador. The victory of the Sandinista Revolution in Nicaragua, however, was followed by a counter-revolutionary war (Booth and Walker 1999). Liberal democracy came not only with the celebration of relatively free and fair elections but, most importantly, with the end of armed conflicts and military rule in the 1990s.

There has been a great deal of discussion on when the transitions started and ended in the region. Although this is an important debate, chronology is not my main interest. Rather, I would propose to frame the transitions around three defining types of events: a) authoritarian breakdowns through military coups, popular uprisings or elections; b) electoral processes following the breakdowns; and c) institutional reforms or peace accords aimed to transform the security apparatuses. These types of events

facilitate comparison. Even more, they help us to underline the importance of two dimensions of democratic transitions: elections and rule of law. These dimensions do not always coincide and their separation may have critical consequences for democratization in creating what some have called "democratization backwards:" democracies that have introduced free elections before establishing the basic institutions of rule of law and civil society (Rose and Shin 2001). Such phenomenon is at the root of the paradox of hybrid regimes: electoral regimes that, nonetheless, perform very poorly in granting basic freedoms and rights (Diamond 2002; Karl 1995; Zakaria 1997).

The processes that led to regime change in Central America started when military coups, popular uprisings or international pressures led directly to the first electoral processes attempted under new rules of fairness and freedom. In fact, all were actually conducted within significant political constraints (civil war and military oversight) (Karl 1995). Eventually, elections led to alternation in power. However, the reforms aimed to guarantee the full observance of human rights and the rule of law did not come about until the 1990s, as a result of political pacts prompted by different conditions. Table 5.1 shows the road to liberal democracy in each Central American country, highlighting the sequence of events in each country. It also shows the complexities of regime change in the region, since what started as military coups or elections took around thirteen years on average to develop into reforms that would formally transform the security apparatuses. That is why some authors have seen the Central American regime changes as comprised of three different and parallel transitions (Torres Rivas 2001): from war to peace, from military to civilian rule, and from authoritarianism to democracy.

Table 5.1 The Road to Liberal Democracy in Central America

	Preceding regime *	Starting point	First election held in:	Ending point
Guatemala	Military authoritarianism	Military coup (1983)	1984	Peace Accords Regime Reforms (1996)
El Salvador	Military authoritarianism	Military coup (1979)	1982	Peace Accords Regime Reforms (1992)
Honduras	Military authoritarianism	Elections (1980)	1980	Reforms in public security (1995-1999)
Nicaragua	Traditional dictatorship	Revolution (1979)	1984	De-*Sandinista*-isation of the Army and Police as result of the 1990 elections outcome

* With the exception of Honduras, the characterization of the preceding regime is from Mahoney (2001)

From War to Peace

The most obvious feature of Central American political transitions is the transit from internal wars to political peace. In the case of Guatemala and El Salvador, peace was intrinsically linked with processes of reforms included in the formal treaty; whereas in Nicaragua the 1988 treaty of Sapoá established the conditions which led to the 1990 watershed elections (Torres Rivas 2001).

War in El Salvador broke out after several years of increasing political turmoil and state repression. A coup d'etat led by young officers in the Army in October of 1979 triggered a definite escalation of political violence that successive civilian-military *juntas* were unable to stop. The assassination of Archbishop Oscar Romero and of several leaders of the moderate-left masses organizations in 1980, the Sandinista triumph in Nicaragua in 1979, and the consolidation of the five armed guerrillas that have been clandestinely operating in the country since the early 1970s in one unified organization known as the FMLN (*Frente Farabundo Martí para la Liberación Nacional*) led to the

formal start of military operations with the launch of the "Ofensiva Final" in January

1981 (Montgomery 1995). Since then and for more than ten years, FMLN guerrillas and

the U.S. backed Salvadoran government fought a civil war that claimed more than 70

thousand of lives. In the period in-between, six different electoral processes took place:

four parliamentary and municipal elections in 1982, 1985, 1988, and 1991; and two

presidential elections in 1984 and 1989. With the exception of the parliamentary election

of 1991, no left-wing party or FMLN-associated political organization participated in the

elections during that period (Baloyra-Herp 1995). These electoral processes were

presented by the Salvadoran and U.S. governments as evidence that democracy has

installed in El Salvador, but they failed to put an end to civil war and human rights

abuses, especially from governmental forces.

Hence, the resolution of the war in El Salvador in 1992 is best described as a

military and political stalemate. Despite a solid support from the United States, the

Salvadoran government was unable to defeat the FMLN guerrilla forces. The

international context and pressure generated conditions which led to the 1992

Chapultepec Accords.[31] Given the virtual stalemate, the Salvadoran peace accords were

the most ambitious in terms of reforming the state and setting conditions for a democratic

regime (Karl 1995). Its core objectives were to end the armed conflict through political

means, promote the democratization of the country, guarantee unrestricted respect for

human rights, and reunify Salvadoran society (Cruz 2003b).

The Nicaraguan conflict is actually comprised of two different wars. The first

war, an insurrection from 1978 to 1979, was prompted by the escalation of repression by

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[31] This refers to the fall of the Communist bloc and the assassination of six Jesuit priests at the UCA
campus in 1989 by the army. The crime generated an insurmountable pressure towards the Salvadoran
government to negotiate peace (see Whitfield 1995).

the regime in 1977 and the assassination of Pedro Joaquin Chamorro (the editor and owner of the national newspaper *La Prensa*) in 1978, and led to the overthrow of Anastasio Somoza Debayle by the FSLN (*Frente Sandinista para la Liberación Nacional*) in July 1979. It was basically a popular uprising in which different sectors of Nicaraguan society (the FSLN, business elites, and unions) built a coalition led by FSLN forces—a guerrilla formed in the 1960s— that challenged the *Guardia Nacional* on the streets and engaged in urban warfare to topple the regime (Booth 1985). The extreme violence with which the Somoza regime responded to popular actions (bombing cities and conducting military operations against civilian population), fueled the rebellion and took the death toll up to 50 thousand lives according to some authors (Booth and Walker 1999).

The second Nicaraguan conflict was the product of a counterrevolutionary effort driven mostly by U.S. financial and strategic support. After the overthrow of Somoza, the United States helped to organize the National Resistance (*la Resistencia Nacional*), a force integrated by former members of the *Guardia Nacional*, Misquitos (indigenous population from the Atlantic Coast), peasants, and even former Sandinista fighters who had been affected by early Sandinista policies in the rural areas (Payne 2000). The United States also organized an effort to isolate Nicaragua diplomatically and to sabotage its economy by mining its harbors and blowing up its oil tanks (Booth and Walker 1999). In the early 1980s, Honduran and Costa Rican territories were used by the Contras to launch attacks on Nicaraguan borders; by 1983, full operations were conducted within Nicaragua territory. In 1984, the Sandinistas held elections in part as a result of U.S. military

pressure; these elections were generally considered the first free and fair elections in Nicaraguan history by some authors (Anderson 1995).

Despite the strong support of the U.S. and that at some point the *Contra* resistance totaled more than 15 thousand of men, the military threat presented by the Contras was never significant. However, the Contra campaign took an important toll in civilians' lives and economic infrastructure, leading the Sandinistas to start negotiations with the Contras in order to devote more resources to economic reconstruction than to war (Spalding 1999). Internal conflicts in the Contra directorate, low support from civilians across the country, and increasingly international isolation (boosted by the end of U.S. military support in 1988) led the Contras to a very weak position by the late 1980s. Although the Sandinistas had practically won the war by the end of 1988, Contras managed to keep military operations until general elections took place in 1990. The opposition won the 1990 elections and a long process of pacification started.

In Guatemala, the end of the war came by the mid-1990s as a result of a series of peace accords between the government and the URNG (*Unidad Revolucionaria Nacional Guatemalteca*) guerrilla forces. However, since the military had virtually defeated the guerrillas by the mid 1980s through a military campaign directed against rural and indigenous communities (Schirmer 1998), the outcome was a peace treaty that did not dramatically diminish the real power exercised by the Guatemalan military and political elites associated to them.

By 1996, political peace was the common feature in Central America. However, wars shaped the conditions under which political elites negotiated the transitions and impinged upon the quality and the depth of the peace agreements. During the conflicts,

state security apparatuses, the military and police, were substantially reinforced. Repressive institutions gained an unprecedented political leverage given their role in protecting the regime. Even in warless Honduras, the U.S. utilization of Honduras as a platform to project military assistance in the region led to an enormous increase in the influence of the Honduran military. Paradoxically, all this was taking place at a time in which electoral processes were promoted as signals of democratization. Consequently, the end of the wars was intrinsically tied to the need to confront expanded military leverage.

From Military to Civilian Rule

Whether caused by the internal wars or by the authoritarian character of the Central American regimes, the military played a core role in the rule of these countries. The initial withdraw of the military from executive offices in the early 1980s did not reduce their political power; rather, by the end of the decade Central American armed forces were wealthier, more powerful, and more autonomous than even before. Therefore, political transitions aimed to expel the military from power by removing them from the internal security apparatuses. Even in Nicaragua, the military that emerged from the revolution was as powerful or more than the former Guardia Nacional. As Lentner (1993) has argued, to the extent that the regime failed to draw any distinction between the party, which also functioned as the country's army, and the state, the Nicaraguan government was a military one.

Given that Nicaragua experienced two different internal conflicts and that the transformation of the political system entailed the removal of two different regimes (the

Somoza regime and the Sandinista regime), the process of demilitarization of Nicaraguan society can be best explained as comprised of two different stages. The first one took place with the overthrow of Somoza and the destruction of his security apparatus embodied in the *Guardia Nacional*. Rather than demilitarization, this process can be best described as a replacement of the security apparatus. Sandinistas wiped out all the institutions of the old regime and started a process of construction of new institutions that entailed the creation of the *Ejército Popular Sandinista,* the *Policía Sandinista* and the bureaus of intelligence at the Ministry of Interior (Bautista Lara 2006; Booth 1985; Cajina 1996). One important characteristic of these new organizations was that they were part of the Sandinista partisan apparatus. Military and police officers in these institutions were former guerrilla combatants and active members of the FSLN party. In that sense, and as the first director of the *Policia Sandinista* admitted, they were partisan institutions (Vivas Lugo 2009).[32] The direct political control of the security institutions under Sandinista rule put these organizations in the same category of the *Guardia Nacional*, given its direct relationship with incumbent power; but, in contrast to the old regime, they responded to a sort of politburo (the nine commanders of the FSLN) rather to a single man. This meant that many of the decisions taken had to be negotiated at different levels of the government apparatus, including the *Comandancia;* those processes were entwined in a project of social transformation of Nicaraguan society. In addition, revolutionary security institutions were born under the "youthful high spirits" that characterized the Sandinista combatants and cadres during the firs years of the revolution.

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[32] The publications of the Sandinista government during the first years of the revolution are very illustrative in this sense. For example, an article interviewing one Sandinista police chief is entitled "La Policía Sandinista **no** es una fuerza neutral o apolítica" (The Sandinista Police is not a neutral or apolitical force). See: Patria Libre. 1981. *Entrevista con el Subcomandante Sabino Aguilar,* No. 12, pp. 31-33.

A review of the government press between 1980 and 1985 illustrates the extent to which these attitudes permeated the founding years of the Sandinista institutions. For example, the title of an interview with the director of the police, Rene Vivas, published in *Patria Libre* in May 1980, is "*La Policia Sandinista cumple con la Revolucion*"; another article depicting the process of technical professionalization in the police is entitled *"De Guerrilleros a Policias Sandinistas"*(Morrell 1982). The transcription of the speech of the Vice-Minister of Interior during the celebration of the fifth anniversary of the Policia Sandinista, rephrases a Cuban revolutionary song ("Cuba va") that was popular among Latin American students during the 1970s: "Dispuestos a matar y a morir para poder vivir."[33] All these articles praised values of patriotism, heroism, and commitment to the construction of the new Nicaraguan society.

In contrast, the few publications of the Somoza regime that I had access to from the 1940s,[34] depict a very different spirit in their articles. In the periodic publication called "Revista de Policia," articles usually instruct citizens how to behave and why the use of force was necessary. An excerpt of one illustrative article entitled "Se necesita energía en la autoridad" says this in figurative terms:

> "…It is necessary, most of the times, to carry the cracking whip in the hand to teach usual lazy people to walk promptly and to teach those slovenly people to obey …"[35]

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[33] Carrión, Luis. 1984. "Dispuestos a matar y a morir para poder vivir." *Al Reviente,* Septiembre-Octubre 1984, pp. 1-12.

[34] I am indebted to the staff of the Instituto de Historia de Nicaragua at the Universidad Centroamericana in Managua for helping me to find these publications.

[35] "Urge las mas de las veces, andar con el látigo restellante en la mano para enseñar a caminar presto a los flojos habituales y para enseñar a obedecer con prontitud a los dejados…". Revista de Policía, Volume IV, Issue 44, August 1942, pp. 6-7.

The portrait of dictator Anastasio Somoza Garcia is shown in several issues of Revista de Policia. In the edition of May 1943, for instance, the portrait appears with the following legend: "Con motivo del 27 de mayo, Revista de Policía adorna sus páginas con su foto (President Somoza's), como muestra de cariño, respeto y **lealtad**."[36]

This brief review of historic press shows the conspicuous differences between the Somoza security apparatus and the Sandinista that replaced it. While one seemed to be part of a clear domination project, the other seemed to be more entrenched in a project of social transformation. Although partisan, the new Sandinista policing apparatus was also essentially civilian and with strong links with the community (Bautista Lara 2006). However, by the late 1980s, as the Sandinista regime was swamped in economic problems and the Contra war was claiming much of the political effort, information started to filtrate that some police and military were engaging in criminal activities, and that the police and the army were committing more human rights abuses.

The second stage in the process of demilitarization of Nicaraguan society took place with the exit of Sandinistas from the government. It consisted of the reduction of the *Ejército Popular Sandinista* (EPS) and the de-partisanization of both, the *Policía Sandinista* and the EPS (Bautista Lara 2006; Cajina 1996; Orozco 2009). These transformations did not come because of agreements between Contras and Sandinistas, but from negotiations between newly elected President Violeta Chamorro and the Sandinistas after the electoral defeat of the latter in 1990. In addition, the internal security system was dismantled by closing the bureaus of intelligence in the Ministry of Interior and disbanding the *Milicias Populares Sandinistas.* Although the Sandinistas developed a kind of civilian defense network in the *Milicias Populares*, they never had the violent or

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[36] Bold are mine.

repressive character as did their counterparts in the northern countries, and "systematic abuse of human rights was never a feature of the Nicaraguan military after 1979" (Booth and Walker 1999; Dunkerley and Sieder 1996: 70). More importantly, instead of transforming in armed irregular groups, most of these urban groups transformed in grassroots organizations working closely with the FSLN party (Spalding 1999).

In Guatemala and El Salvador, where the military directly controlled the state before the 1980s, wars gave the armed forces autonomy and political power over the civilians through the exclusive control over the internal security apparatus. This was expressed at two levels. First, by direct control of coercive apparatus, the police and the intelligence bureaus; and second, by reinforcing networks of clientelistic collaborators among the civilian population, which helped not only as counter-intelligence sources but also as agents of sustained violence. In El Salvador, the networks known as "patrullas cantonales" and civilian defenses were the direct heirs of the networks of civilian collaborators dating back to the early twentieth century, and who, just before the outbreak of the war, were managed and coordinated by ORDEN (Holden 1996; Stanley 1996a). At the outbreak of the civil war these networks had 40 thousand members; by the late 1980s, they had recruited up to 300 thousand, mostly in the countryside (Stanley 1996a). In Guatemala, the creation of Autodefense Civilian Patrols (PACs) in 1982 had an enormous influence both on the course of the war and on social community dynamics. When the war ended in the mid 1990s, they had nearly one million members. The PACs engaged around twenty percent of the adult Guatemalan population in tasks of dirty warfare and repression (Torres Rivas 2001). Peace accords removed the military from the

security realm in both countries, forcing them to relinquish the internal security institutions and to formally dissolve civilian partisans' networks (Sieder 2001).

Honduras is also an illustrative case of transition to civilian rule. Prompted by internal and external pressures for democratization in the late 1970s, the Honduran military relinquished the presidency and allowed elections in 1980. However, they retained formal control of the internal security apparatus and they also unleashed their own autonomous repressive operations (Kincaid and Gamarra 1996). Although military repression did not reach levels seen in neighboring countries, the military was responsible for several abuses. Peace agreements in El Salvador and Nicaragua prompted various political actors, including the U.S., to shift gears and push for reforms in the security arena. By 1992, then-Honduran president Rafael Callejas appointed the Ad-Hoc Commission for Institutional Reform to examine the role of the *Dirección Nacional de Investigaciones (DNI)*. The DNI was the investigative arm of the security apparatus, responsible for more than one hundred deaths and disappearances during the 1980s. The report of the Ad-Hoc commission started a long and rocky process of purges and reforms that ended in 1998, when a constitutional reform subordinated the armed forces to the direct control of the president. By 1999, Honduran civilians formally controlled not only elected offices but also the new security institutions (Meza 2004).

From Authoritarian to Democratic Regimes

Regional scholars have engaged in lively debates about the type and quality of these four new Central American democracies (Barnes 1998; Karl 1995; Sieder 2001), but one point does not seem to be contested: none of them had experienced consolidated democracy in

the past. Third-wave transitions in Guatemala, Honduras, El Salvador, and Nicaragua led to the first serious sustained attempt to build democracy (Sieder 2001). In this sense they are what Torres-Rivas (2001) has called "foundational democracies." These political transitions required the replacement of the permanent military-oligarchic and dictatorial regimes with the new electoral democracies that emerged during the civil wars. The very newness presented an additional challenge. New institutions had to be created, requiring not only legal frameworks and bureaucratic procedures but also social structures and political agents that make them work. Lacking a collective democratic memory, the new rules had to be built upon authoritarian notions and institutions.

The Salvadoran transition is generally viewed as one of the most successful from an institutional perspective. The military were removed from politics; security institutions were reformed and put under civilian command; and rules for open, fair and competitive elections were crafted (Call 2003). In the public security area, the most important point was the dismantling of the former security institutions: the *Policía Nacional,* the *Guardia Nacional*, the *Policía de Hacienda, and* the *Policía Municipal;* and the creation of a new police called *Policía Nacional Civil* under the command of civilians. The military were restricted to tasks of defense of national sovereignty, and a new military doctrine was developed (Spence 2004). According to the text of the peace accords, 60 percent of the new police had to be comprised of civilians with no previous militancy in the FMLN or the Army; 20 percent could come from the ranks of the Army or any former security institution; while the rest 20 percent could come from the ranks of the FMLN. Police candidates had to go through a series of tests to check their aptitude to be police officers, while officers coming from former security institutions and the

guerrillas had to undergo an investigation to check they had not committed human rights abuses during the war (Costa 1999). Although most of the provisions of the peace accords were fulfilled and United Nations declared the accords have been satisfactorily completed by 1997, some institutional shortcomings cast doubt on the overall success of the transition (Call 2003; Neild 2002).

Nicaragua is a particular case. The most important institutional transformations took place after the triumph of the Revolution and during the first years of the Sandinista government. For Philip Williams (1994), the overthrow of Somoza and the victory of the Sandinistas set the conditions for an opening in the political regime and a sort of democratic exercise from the bottom-up. The Contra-war and the overlapping between the FSLN party and state institutions put limits to such "popular democracy." The outcome of the 1990 elections did not bring the creation of new institutions, but it generated substantial reforms as to shape them in a more traditional "liberal democracy." The view that Sandinista revolution laid the foundations for liberal democracy is shared by Anderson and Dodd (2005), who argue that the revolution prepared Nicaraguan citizens for democracy as it developed their "capacity for civil engagement."

Finally, Guatemala has usually been seen as the least promising case. Here the military, despite the "civilianization" of the security apparatus, continued to wield significant power, which it used to supervise the civilian settlement and to shape political dynamics at the local level within the indigenous and rural communities (Schirmer 1998; Sieder 2001). However, as of this writing, the Honduran transition is, no doubt, the less successful. In fact, it is the only one that has undergone a coup after the third wave of transitions. Even without internal war, the military has held considerable power and

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control over decision-making institutions, despite civilian control (Meza 2004). That power was at full display during the overthrow of President Manuel Zelaya in late June 2009.

So, going back to our field of inquiry, how can we explain the varying levels of violence which are resurgent in Central America? In addition to socially focused factors such as the legacies from war, economic adjustments, or gang behavior, I argue that we should also focus on the political processes that gave way to institutions and groups that continued reproducing violence from the state. We especially should focus on the dynamics that allowed former violent entrepreneurs and political brokers from the old regimes to survive the transitions, become illegal armed groups linked to state power, and meddled in the new institutions so as to retain some leverage over the security agenda. Those dynamics are presented in the next section, paying particular attention to El Salvador and Nicaragua, my two principal cases.

The Aftermath: the twisted processes

The high levels of violence faced by the northern Central American countries reveal that something went awry in the transitions' aftermath. Despite the new internal security institutions, Guatemala, El Salvador, and Honduras have serious problems of common and organized violence. Conversely, Nicaragua, even with its increasing security problems, has emerged as the least violent postwar country. Why is this so?

I argue that, in northern Central America, the roles played by different actors regarding the political pacts created conditions that allowed the old-regime power-brokers to limit the scope and implementation of the reforms. Particularly important, the

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new security institutions were weakened and, in some cases, were rapidly "re-corrupted" because some of the surviving violent entrepreneurs remained in place, some others transitioned into criminal actors, and some more continued being part of illegal armed groups operating with the active or tacit consent of the incumbent political class. Therefore, state institutions remained an important source of criminal violence in northern Central American countries. In contrast, Nicaragua's transition, involving first a popular revolution and then a liberalization of the political regime, transformed institutions in such a way that reduced the involvement of state or para-state agents, and cut the use of civilian collaborators in the reproduction of extralegal violence. First, the revolution cut off all the former repressive agents of the Somoza regime, and transformed them in state pariahs. Then, the Sandinistas fought them as enemies of the state. Second, when the time came for the Sandinistas to go, the active involvement of the U.S. in pressing for removal of Sandinista holdovers and a more active engagement from civilian organizations constrained the Sandinista power-brokers. Those with the prospects of becoming criminal entrepreneurs, using state institutions as launching pads, were more effectively removed and controlled than in the north.

The reversals in northern Central America

Four factors characterized the failure to successfully reform the security apparatus in Guatemala, El Salvador, and Honduras. First, in all countries, the formal withdrawal of the military from public security still allowed some personnel, now disguised as civilians, to remain in those institutions and to employ authoritarian practices. Second, paramilitary groups, vigilante-type squads, and civilian self-defense militias were not

completely dismantled; in some cases they were even revived. Armed groups continued to operate covertly, reviving past criminal operations or inventing new ones as a way to subsist in the post-war ideological void. More importantly, these groups continued to have links with state institutions, sometimes even at the highest levels of the government (Beltrán 2007). Related to that, new institutions were created burdened with the past human rights violations of former military leaders and rank and file security personnel who evaded accountability. Amnesty laws and procedures protected former violators of human rights (Sieder 2001), and some of these same perpetrators mutated into criminal entrepreneurs who used state institutions to obtain impunity. Finally, many of the institutional transformations were by-products of complex political bargains. In this sense they avoided vertical accountability to the public and prevented horizontal accountability within state institutions. The following discussion provides schematic accounts of how these events materialized particularly in El Salvador, but also in Guatemala and Honduras.

The Reversals in El Salvador

I depict the reversals in El Salvador in two areas: problems of institutionalization of the new police, and the survival of the illegal groups acting in connection with state structures.

The problems of institutionalization of the police. The most significant attempts to disrupt the reform came at the very beginning of the creation of the National Civilian Police (PNC). As observers of the Salvadoran police reform have reported (Costa 1999; Spence 2004; Stanley 1993), the government opposed disbanding the former police

structures and favored keeping the military in public security tasks, using the argument of insecurity as justification. One of the first government countermeasures was to postpone the gradual demobilization of the old police. Rather than demobilization, the government attempted to incorporate the *Guardia Nacional* (National Guard) and the *Policia de Hacienda* (Treasure Police) into other units of the Army, although they would keep their uniforms, weapons and facilities (Costa 1999; Morales 2006). This maneuver produced the first crisis of the implementation of the Accords: in response, the guerrillas refused to demobilize the initial 20 percent of their forces as scheduled in the accords. This led to the first re-scheduling of the Peace Accord by the United Nations.[37] Even though the government later on started disbanding the National Guard and the Treasury Police, President Cristiani decided to transfer a large number of personnel from these structures to the National Police, which was also supposed to be dismantled. More than 3 thousand National Guard soldiers and Treasury Police officers were transferred to the National Police just two months after the implementation of the Peace Accords; in addition, a short time later, the government transferred personnel from Army elite battalions to the National Police.[38]

But the efforts to resist the transition to new policing institutions did not end there. When the formation of the new system seemed inevitable, the strategy shifted to incorporating members from the old system into the new police force. Between 1993 and 1994, there were several attempts to integrate former officers of the National Police into the PNC. Several members of the old police were sent to the Academy even though they

[37] Costa (1999) stresses the role of the United Nations in the implementation of the Peace Accord. He emphasizes their oversight over the parties and facilitation of negotiations.
[38] The National Police was finally terminated in December 1994, but only after a bank assault perpetrated by the chief of its Criminal Investigations Unit. The armed robbery was broadcast by national media and showed uniformed officers perpetrating the crime.

did not meet all the standards to join the new institution. Costa (1999) argues that this was possible because the government was keen to control the new system and because the former guerrilla leadership were careless in their oversight once their own combatants were integrated into the new civilian police.

Also, the government attempted to place trusted holdovers from the old regime in key posts to control the new structures. Hence, independent civilians were excluded from those posts to make way for military officers. By the end of 1992, it was "discovered" that eleven out of the eighteen executive-level police candidates presented by the government came from the Army and the other former public security institutions and not from the National Police, as had been originally agreed (Costa 1999). However, it was too late to rectify the errors because the candidates were already receiving training in Puerto Rico and Spain. Some of those candidates would later become police chiefs, would reach the highest levels of the institution, and would be accused of involvement in organized crime by 2009.

According to Costa (1999) the most obvious attempt to shape the new institutions and the major challenge to the overall reform was posed by the integration of the Commision to Investigate Criminal Acts (Comisión Investigadora de Hechos Delictivos – CIHD) and the Executive Anti-Narcotics Unit (Unidad Ejecutiva Antinarcóticos –UEA) into the PNC, and the appointment of a former military officer to the key post of deputy director for operations in the PNC. The inclusion of these untouched units presented a double challenge. First, their numbers exceeded the agreed 20-percent limit on former government forces in the new police. Second, these units were involved in the cover up of important cases of violations of human rights during the war, and they would be in a

position to exert significant influence over the new institution. Further, the selection of a new sub-director coming from the Army threatened to re-militarize the civilian police. In fact, not long after his appointment, concerns arose that he was reproducing a "military style of organization and conduct at the PNC" (Stanley 1993: 15) and that he was refusing to accept supervision and help from the United Nations Mission in El Salvador, called ONUSAL, and its police division (Costa 1999).

In the end, pressures led to the resignation of the officers involved and to a long and awkward process of dismantling these units within the PNC, although some of its members remained in different units within the institution. Information revealed later showed that many of the personnel of these units were involved in organized crime, were responsible for assassinations of former guerrilla leaders, and were incapable—or unwilling— to confront organized crime. But the infiltration of elements of the old structures also took place at top executive levels. The president's principal advisors for public security issues were military. In addition, in 1994, the Viceminister of Public Security of the President Calderon Sol administration included former members of the CIHD and UEA units as his advisors and as parallel structures with the police; formally, they were not members of the police, because they had not graduated from the new Academy, nor did they report to the Director of the police, but rather to the Minister. The minister, however, considered these units to be part of the police (Stanley 1996b). Some of these integrated units were dedicated exclusively to investigate kidnappings, and they operated both autonomously from the PNC and with the financial support of a group of businessmen. Despite complaints by the United Nations and by civil society organizations about the existence of these units, the ministry refused to dissolve them.

In 1996, Stanley (1996b) concluded that the endeavour of top officials to defend the irregular security units were damaging the development of the new police and were removing the mechanisms of accountability for the new security apparatus.

All those problems weakened the capacity of the police to constitute an effective and professional organization to confront the problem of crime. The political pressures and the resistance by representatives of the old order to the establishment of the new, more democratic order depleted the police's capacity to confront the problems of violence and crime that were growing within Salvadoran society. Different students of El Salvador's police reform agree that, even though the crime wave after the Peace Accords was severe, the attempts to obstruct the deployment of the police, to infiltrate its structures with holdovers from the old system and to subordinate it to political interests weakened its capacity to fulfill its duties (Aguilar Villamariona and Amaya Cobar 1998; Morales 2006; Spence 2004; Stanley 1996b). Confronting these, the PNC could not become the body that society needed during a period of such change and disorder.

Despite the presence of a strong opposition party and the active role of the UN, some of these tactics succeeded because the guerrilla leadership engaged in negotiations with the government in order to get some concessions in the electoral arena.[39] In the end, although the military formally relinquished control of the internal security apparatus, no senior military official mentioned in the Truth Commission Report on major war crimes was subjected to court proceedings.[40] The report, which pointed out that eighty-five percent of the violations of human rights during the war were attributable to the army and

[39] Author's interview with Salvadoran PNC commissioner Jaime Vigil, February 2003; see also Costa (1999).
[40] The only exception was the Colonel Guillermo Benavides, convicted for the murder of six Jesuits and two collaborators in 1989. He and other convicted official were later pardoned under amnesty law.

government forces, named several top officials as responsible for such abuses. In response, the government passed a broad amnesty that prevented the prosecution of military officers. This level of impunity extended to all ranks of the army and civilian collaborators, some of whom passed to the new police, as I just described. The failure of the transition to lay the foundations to a transparent and accountable security apparatus did not end there; it also manifested in the outright survival of illegal armed groups.

The Illegal Armed Groups. In the early postwar years, several high-profile killings, including those of former guerrilla leaders, prompted the creation of an independent commission[41], called the "Grupo Conjunto para la Investigación de Bandas Armadas Ilegales con Motivaciones Políticas en El Salvador" (Joint Group for the Investigation of Illegal Armed Groups with Political Motivation in El Salvador, hereafter Joint Group) (Naciones Unidas 2000). The commission found evidence that some death squads remained operational; it also found that such groups had switched to criminal activities, preserving close links to state structures, including the new civilian police (1994).

A confidential document, summarizing the depiction of activities of death squads in the archives used to elaborate the report of the Truth Commission and prepared as a working document for the Joint Group, provides names of several former death-squad members and sponsors who have held top government posts after the political transition. Furthermore, the document also reveals the names of American high-ranking officials who acted as clandestine sponsors for the Salvadoran death squads.[42]

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[41] This commission was different from the Truth Commission, appointed to investigate human rights abuses during the war. It was also different from the "Ad-Hoc Commission", appointed to identify and remove the military accused of human rights violations during the war (Naciones Unidas 2000).
[42] I obtained the document from a former collaborator of the team in charge of writing the Truth Commission Report. Although the authenticity of the sources in which it is based could not be established, given its confidential nature, the document is true to the conclusions presented in the Truth Commission Report (Comisión de la Verdad 1993).

Although the report of the Joint Group does not provides names of those involved in the armed groups, it depicts their connections with government officials, and local power networks.[43] It shows that in addition to the problems of removal of old violence specialists at the top levels of the government, in rural areas and small towns, informal armed groups, formerly linked to paramilitaries, continued to protect traditional power structures.

In order to illustrate these mechanisms I transcribe the text of the report concerning three of the several cases investigated by the Joint Group. The following three excerpts are accurate transcriptions from the English version obtained from the National Security Archive:

(1) **Situation Detected in the Department of Morazán:** The investigation uncovered reasonable evidence about the existence in this eastern town of an armed structure, whose principle motives and objectives are of a political and economic nature. […] The leader of the group is the ex-Justice of the Peace of the town, who during the armed conflict belonged to the Civil Defense of the area as second-in-command with the rank of first sergeant. The Joint Group received individual testimonies from citizens who were witnesses to the participation of the ex-Justice of the Peace in actions of the Civil Defense which consisted in the summary executions of various people in the town during the war. A large number of members of the group under investigation also belonged to the Civil Defense. The activities of this structure have been supported by one of the most influential families of the town from an economic and political point of view. One of its members is known as the "cacique" ("chief") of the area. The Joint Group received various testimonies that mentioned the influence of this family over the now ex-Justice of the Peace and the political power of the town. The Group also obtained testimonies and documentation regarding the relationship of the ex-Judge of the Peace with

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[43] The full text of the report of the Joint Group has not been made public by United Nations or the Salvadoran government. However, I found a translated English copy of the full text among the files of the National Security Archive at George Washington University. That copy comes from the CIA files on El Salvador.

members of the Armed Forces. Of particular significance is his petition for the deployment of the Armed Forces in the town, recently made in writing under the pretext of fighting delinquency, and his critical position regarding the deployment of the Civilian National Police in the zone. Testimonies were also made available to the Joint Group about weapons deliveries made to the former Justice of the Peace and his group of members by the Armed Forces, both during and after the war. […] The results of the investigations show that among the objectives and actions of the armed group are: Acts of intimidation and manipulation during the recent electoral process. There are individual testimonies about the alleged buying of votes and pressure on the residents of the hamlets to force their intention to vote. […] Results of the investigation allow the Joint Group to affirm that there is reasonable evidence of the existence in this area of the Department of Morazán of a group or structure that has military weapons, whose actions are politically motivated and carries out criminal activities in order to achieve its goals. This structure controls the local political power, openly manipulates the judicial authority-at the time of the investigation totally integrated into the structure- and interferes in the deployment of the National Civil Police (Joint Group 1994: 45-46).

(2) **Situation Detected in the Department of Usulután**: Several communities in one area of the Department of Usulután denounced to the Joint Group the existence in this zone of a group of persons, linked to the ruling party, who conduct acts of threats and general intimidation against part of the population, warning that it will take direct action to block the economic and social projects sponsored by other political forces. […] The Joint Group carried out an in-depth investigation into the situation in this area. The investigation process resulted in reasonable evidence regarding the existence in this zone of a clandestine structure whose objective is the maintenance of political and economic interests, resorting to violent methods in the form of threats, intimidation and coercion. […] Candidates for mayor and deputy [congressman] of the town and department participate in the structure. They direct a group of ex-members of the Armed Forces who publicly exhibit war weapons and act as their personal bodyguards. The ex-members of the military carry out tasks of surveillance of persons considered objectives of the structure. A substitute judge and member of the local election

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board is linked to the structure as is the justice of peace. The connection with representatives

of the judicial authority provides the cover of impunity necessary for the group to carry out its

activities. Regarding intellectual participation and logistical support for this clandestine

group, there are indications that an ex-mayor of the town is directly related to the political

leadership of the structure. […] The ex-mayor of the town and the other two individuals

mentioned are said to be linked to the past activities of the "death squads." There is some

evidence to confirm the suspicion that these individuals carry out illegal intelligence tasks for

the Armed Forces. […] In terms of economic support for the organization, the investigations

involve important landowners of the area whose properties are also used for the secret

meetings referred to above. […] These persons are involved in diverse criminal activities for

which they continue to be impune due to the intervention of local political leaders and judicial

authorities linked to the group. Among the criminal acts perpetrated are homicides, threats

and coercion against the local population, public exhibition of war weapons and crimes

against property; the victims are private individuals as well as local development projects.[…]

(Joint Group 1994: 47-48)

(3) **Structure Detected in the Department of San Miguel:** The Joint Group received

information about the presumed existence in the department of San Miguel of illegal

organization acting under the name "Maximiliano Hernandez Martinez Organization." […]

Information was also obtained about the existence of a series of documents found in the area

inside a sealed envelope which read "MAXIMILIANO HERNANDEZ MARTINEZ

ORGANIZATION – PEOPLE UNITED AGAINST CRIME MOVEMENT." The envelope

contained leaflets with the same words noted above, although with different typesetting, and a

photocopy of a letter on letterhead paper signed by a state functionary giving support to the

"People United Against Crime Movement" and the individual who represented the

organization. […] The Joint Group interviewed diverse sources in the zone, both private

individuals as well as persons linked to official institutions and political and social

organizations who said they knew about the existence of these organizations ("Maximiliano

Hernandez Martinez Organization" and "People United Against Crime Movement") as well as

their objectives, methods and possible involvement in criminal activities. These sources sustain that both organizations constitute in reality a single structure. The investigations have permitted the identification of various individuals in the area, among then (sic) members of the economically-powerful sector, professionals, and members of the Armed Forces, who are related to the structure under investigation. This group holds clandestine meetings in which local political leaders and judicial authorities participate. […] Apparently, the objectives of this structure are directed, in principle, to tasks of social cleansing.[…] (Joint Group 1994: 50-51)

The report presents several other cases with similar characteristics. In many of them, these groups not only carried out criminal activities in connection with state authorities, but also they were part of electoral machineries of the ruling party during electoral processes. No one in these groups was ever captured or prosecuted as a result of the report of the commission. To start with, due to an agreement of the government with the FMLN and the United Nations, the report was never published entirely and the depictions of cases in which it was based (such as the ones I just presented above) were never released to the public. This was so because the government was run by the same political party responsible for operating the death-squads in the early 1980s and, also because the national elites managed to resist international pressure from the United Nations. In addition, little pressure was mounted by civil society, which largely remained disengaged from party politics after the war (Wood 2005).

In sum, the peace accords in El Salvador and the political transformations it intended were not adequately fulfilled, especially in the creation of the new police and the eradication of armed groups operating with state consent. In the first case, the police was systematically weakened from the start as it was "contaminated" by elements of the

old regime. The internal structures of accountability were also weakened from the very top levels of the government in order to preserve former violators of human rights. Although United Nations and the FMLN pushed the government to follow the pacts, these were frequently overlooked as the FMLN ended up agreeing to amendments to the original agreements as a way to obtain some prerogatives in the electoral arena. Under such circumstances United Nations had little power of enforcement. In the case of illegal structures, although the Peace Accords established the demobilization of civilian defenses and "patrullas cantonales," they never received the same public attention as the Army or the former police because they were not formal structures of the state. The government and the Army disbanded them in the wake of the war; but they continued informally operating in areas where party leaders and government officials had no oversight. Illegal armed groups kept operating under the protection of local bosses and businessmen, who provided economic and political support at the local level. In many cases, they were integrated to government party structures, and they were used to influence voters and to control social organization.

The Reversals in Guatemala and Honduras

Arguing the need to prevent a postwar criminal uprising, the political leadership decided that the new Guatemalan civilian police should be composed by nearly 60 percent of the old militarized National Police (Spence 2004). Those individuals merely changed from military to civilian police uniforms, transferring their old tactics, doctrine and institutional culture to the new institution. The flaws of Guatemala's security reforms involved not only the police. According to the report "Guatemala: Never Again," after

the peace accords, the perpetrators of human rights abuses continued to strike fear into the populations affected by past abuses as they remained in the communities and held power positions within the government (ODHAG 1998).

Some individuals formed informal networks known as "hidden powers" (Peacock and Beltrán 2003: 5), who are or were part of state structures, and "use their positions and contacts in the public and private sectors both to enrich themselves from illegal activities and to protect themselves from prosecution for the crimes they commit." In the case of Guatemala, Peacock and Beltrán have identified three types of groups. Current and retired military officers, who wield significant power over some state structures and whose leadership has been accused of involvement in organized crime during the post-transition era, comprise one. Two separate well-known rings in Guatemala that fit this description are *La Cofradía* and *El Sindicato* (Hernández-Pico 2002). The second type of group occupied the highest executive office: the Presidential General Staff (*Estado Mayor Presidencial*-EMP). This was an intelligence unit that provided protection and logistical support to the president while at the same time served as a clandestine center to launch criminal operations, like the assassination of Bishop Gerardi (Peacock and Beltrán 2003). The EMP was formally disbanded on November 2003, but many of its members were kept in government offices, where they had the capacity to resume operations. Finally, the other group of individuals who survived the transition and have continued to wield a significant amount of local power are the Civil-Defense Patrols (*Patrullas de Autodefensa Civil*-PAC). Although these paramilitary groups were formally dismantled, they continued to operate on their own to terrorize portions of the population, in some cases with the approval of regional military commanders (Godoy 2006). Such groups

have been involved in lynchings and public executions. The use of mobs as a way to punish criminals goes back to the internal military conflict. This strategy entailed the infiltration of native informers to control community life and to encourage people to punish those individuals seen as dangerous. Despite the end of the war, the use of informers seems to have continued in the rural indigenous areas, cheering on communities to "apply the people's rule" against alleged criminals (Godoy 2006).

The impunity of some military officers, however, was best reflected in an amnesty law protecting military and guerrillas alike from prosecution for war crimes. Although some military officers were eventually tried for some crimes, the Guatemalan government managed to appoint some officers with suspicious past to key posts in the police, the Public Ministry, and the *Estado Mayor Presidencial* (EMP).

All this was possible, in part, because no effective political opposition existed in Guatemala. With some exceptions, neither the URNG nor the United Nations, or the Guatemalan civil society could counter the maneuvering of military and its allies to block effective institutional transformations. Furthermore, in the electoral arena, the transition found an alienated and distrustful electorate. The only political force that had built a significant link to segments of the population was, paradoxically, a sector of the military through the PAC's and the FRG (*Frente Republicano Guatemalteco*). This precluded the possibility of grassroots pressure to promote implementation of security reforms.

In Honduras, despite the absence of internal military conflict, the institutional consolidation of the security apparatus was not less problematic. By the mid 1980s, the military were not only responsible for human rights abuses, they also were involved in the growing drug-trafficking rings on the Atlantic Coast (Rosenberg 1988; Ruhl 2000).

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Reforms in the security apparatus came as a result of internal and external pressures: internally, through business associations, human rights organizations, student groups, and the Catholic Church; externally through the U.S., which no longer feared the leftist expansion in the region. The report of the Ad-hoc Commission, published in March 1993 (Kincaid and Gamarra 1996), prompted reforms that sought the creation of new policing institutions and the prosecution of military officers involved in human rights abuses and criminal activities. In spite of this, the members of the new institutions came fundamentally from the ranks of the old ones; personnel from the old military-controlled police were merely transferred to a newly-named institution (Meza 2004). In addition, some indicted military officers avoided prosecution by hiding in military bases, using the army to shield them from civilian authorities. Paramilitary groups linked to the military targeted some civilian leaders, and even then-president Reina. He was not able to fully subordinate the military but his successor, Carlos Flores-Facussé succeeded in doing so in 1998 only with strong backing from the U.S. embassy and after granting amnesty to military prosecuted for human rights abuses in the 1980s (Ruhl 2000).

During the reform period in 1994, the Honduran government announced the creation of civilian "community watch" groups, aimed to prevent crime and assist the police. Some of these groups rapidly evolved into vigilante-type groups, some employing heavy weapons and police communication equipment. Facing a general outcry, these groups were officially dismantled, but some Honduran human rights organizations feared that they were not completely disbanded (Kincaid and Gamarra 1996).

The special case of Nicaragua

As I have pointed out above, there are two critical moments in the Nicaraguan transition. The transformations of Nicaraguan society stemmed from the triumph of the Sandinista revolution in 1979. The revolution toppled the Somoza authoritarian dynasty and introduced significant changes in society and political institutions. One change was the eradication of all vestiges of the security apparatus of the old regime, the other major change was the creation and mobilization of civil society organizations that would play an active political role in Nicaraguan society (Anderson and Dodd 2005; Williams 1994). When the Sandinistas were electorally defeated in 1990, the institutions and agents of the old-dictatorship were all largely gone. The Sandinista security apparatus was not necessarily democratic as it responded to FSLN partisan lines, but the sort of relationship it developed with the population, especially the urban poor and middle classes, was significantly less repressive than that of the Somoza regime or its northern neighbors (Booth and Walker 1999). Much of the base for the post-transitional development of the police forces was planted between 1979 and 1990 (Bautista Lara 2006; Orozco 2009).

This account of the transformations of the security apparatus focuses then in the attempt of removal of the Sandinistas from the security apparatus and how, despite the failure to do so, the process yielded more solid and accountable institutions of public security, and the eradication of illegal armed groups. Hence, the critical moment in the Nicaraguan transition took place around the 1990 elections as the outcome of the election prompted another wave of transformations in the security realm. The key point of these changes was the attempt to remove the Sandinistas from security institutions and their submission to elected authorities.

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The new elected government, a broad and fragile alliance of different opposition groups headed by Violeta Chamorro, faced the challenge of negotiating with a party (the FSLN) that was stronger and better positioned in key posts of the security apparatus (Spalding 1999; Spence 2004). For example, 80 percent of the military officers were active militants of the FSLN and all the commanders of the police were party members.

In the case of the police, Chamorro agreed with the Sandinistas that most of the police structure would remain intact (Spence 2004), but in exchange some top officials would be removed and new rules and regulations for its internal management would be established. After the elections, the police change its name to *Policia Nacional de Nicaragua*. The director and some of the most important members of the police command, who have been in the police since the early years of the Sandinista regime, were removed in 1992, two years after the elections. The police, then started a long process of institutionalization that, at the beginning consisted in the "de-partisanization" of the police (Orozco 2009), and afterwards focused onto the professionalization of the police officers (Bautista Lara 2006).

Although the Sandinista police had already started a process of professionalization by 1988, when most of its cadres had accumulated enough experience and had actively learned from Cuban and eastern European police advisors (Orozco 2009), the definite thrust to transform the police came with the series of reforms that emerged from the pact between the Sandinista leadership and the new government. The police law, enacted in 1992, established that the police would be an "armed institution of civil nature, apolitical, non-partisan, and non-deliberative" (Bautista Lara 2006: 25). Then, between 1995 and 1997, several legal reforms were enacted in order to regulate the

relationship between the government and the police; they provided a framework for a police career and defined a national command structure (Spence 2006). Given the complex scenario of having a coercive institution which political loyalties have traditionally been on the opposition party, some of those regulations ensured that the police would be loyal to the government and the national laws, but that it would have some degree of autonomy regarding public security policies (Spence 2006).

On the military front, Chamorro agreed that Humberto Ortega, the head of the Sandinista Army, would remain as commander in chief, but in exchange he would have to resign from the FSLN and accept a drastic reduction in the size of the army. These agreements were not reached easily, as throughout the negotiation process there were several threats from Ortega to ignore the agreements and deploy the army in the cities. In addition, agreements between the Sandinistas and Chamorro government generated strong divisions within Chamorro's governing coalition and prompted enormous U.S. pressure on the government to further reduce Sandinista influence. In response, the army and the police took several measures to demonstrate their independence from the FSLN and their allegiance to the regime such as combating veterans of the former *Sandinista Army* who have risen up in arms to demand land and benefits (Cajina 1996).

As we saw in Chapter IV, the end of the Nicaraguan war left many former combatants from both sides without a program for reinsertion into society; the *Recompas* and *Recontras* tried to force the government to attend their demands by conducting raids and military operations in many towns and middle-size cities and in the countryside; most conspicuously, they also engaged in banditry and criminal activities (Cuadra 2002). Three points differentiated these groups from the ones that continued operating in El

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Salvador. First, in contrast to the case of El Salvador, the end of the war left the Contra army fundamentally dispersed and disorganized; they split in several little armed groups that held some territorial control in some areas of the countryside. Whereas in El Salvador, the government had to negotiate with one major politico-military organization (the FMLN), and did not have to engage with splinter groups of the former guerrillas; in Nicaragua the Chamorro government engaged in multiple negotiations with small re-armed Contra groups, local strongmen, and also demobilized army combatants over resettlement benefits (Spalding 1999). Second, in Nicaragua, most of the post-war armed groups in the countryside were remnants of the Contras (the opposing guerrilla) or rogue members of the Sandinista Army, which was being transformed to become a National Army; they were basically opposed to the government and its policies of demobilization and reconstruction.[44] In contrast, in El Salvador, since the guerrilla was completely demobilized, most of the surviving informal armed groups had been attached to the government forces, which remained in power in the post-transition era. The ruling party of the post-transition was the same party responsible of the death squads during the pre-war and war periods (Wood 2003). Third, the existence of post-transition armed groups in Nicaragua was related to public claims regarding post-war benefits and difficult economic conditions. In El Salvador, illegal groups directed their claims and demands using the private channels of patronage within the ruling party.

Conditions in Nicaragua, then, led to a different response from the state during the post-transition period. When a negotiation failed, the army launched military operations, even against former Sandinistas, to force them to negotiate. The aim of the army and the

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[44] Some authors also mention the dissatisfaction produced by harsh economic policies enacted during the Chamorro government in order to stabilize Nicaraguan economy (Saldomando 1999; Spence 2006: Walker 2000)..

police was not only to stop the consolidation of any irregular armed group but also to convey the message that the new institutions of security and the state would not tolerate the existence of defiant or parallel armed groups, whether inside or outside state institutions (Bautista Lara 2006; Cajina 1996).

This did not always operate transparently. For instance, after information was leaked in July 1993 suggesting that the Sandinista-controlled intelligence services were allowing criminal organizations to operate in Managua, the U.S. Senate cut off nearly $100 million in aid to Nicaragua (Spence 2004). Two months after that, in a politically bold move, speaking in front of a group of diplomats assigned to Nicaragua, Violeta Chamorro announced the removal of Ortega as army chief (Cajina 1996). Although Ortega and the Sandinistas threatened with rebellion, the pressure of the U.S. and international community forced Ortega to accept his removal.

All in all, the effort to institutionalize and separate the police and the military from the FSLN was deepened in large part because they saw institutionalization as the only strategy that could grant them with survival after the Sandinista electoral defeat (Bautista Lara 2006; Orozco 2009; Vivas Lugo 2009).[45]

As in its northern-neighbors, Nicaraguan security institutions faced problems of corruption and criminal infiltration in the early 1990s, but the enormous U.S. pressure over the economically devastated Nicaragua, directly through government agencies and also through multilateral organizations (IMF and the World Bank), helped not only to stir Nicaraguan institutions away from rogue elements in a timely manner, but also to commit themselves to a transformative process of institutionalization (Spence 2006).

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[45] Vivas Lugo was the director of the Sandinista police in 1979-1981, and again in 1990-1992; while Francisco Bautista was a founding member of the Sandinista police.

Nevertheless, it would be a mistake to credit everything to U.S. pressures. Popular organization and mobilization, a legacy of the revolutionary experiment, helped to shape Nicaraguan security institutions by channeling public demands through two types of mechanisms. One, through former pro-Sandinista grassroots organizations, that would target demands on former Sandinista officials serving in the new government (Cuadra Lira 1998). The other, by advancing street demonstrations that would — violently or not— challenge the new regime. In this context, the police had to exercise a delicate balance to enforce the law: it had to comply with the laws and decisions of the new regime, but without alienating or excessively repressing the former Sandinista base. Institutional deepening and non-partisanship was the only way to go. According to Orozco (2009), for an important period, the institutionalization of the police precluded different administrations, especially that of President Arnoldo Alemán (1996-2002), from using it to political purposes.

During this process of institutionalization of the police and the military as non-partisan organization, the war against illegal armed groups in the countryside played a significant role. In addition to prove their allegiance to the national government, it allowed the police and the military to consolidate the notion that the state was the only bearer of the means of legitimate force in Nicaragua. In other words, it allowed the consolidation of the post-transition Nicaraguan state. It removed potential competitors of territorial sovereignty and, despite its endemic weaknesses in other areas of governance, it concentrated the management of violence under the key security apparatuses of the state. In contrast with El Salvador, Guatemala, and Honduras, where state institutions tolerated, encouraged, and even integrated illegal armed groups to the structures of

informal governance; Nicaraguan institutions (police and military) struggle to eradicate parallel structures of violence and insecurity, in order to consolidate their own legitimacy in the country but also, and more importantly, in the international arena.

The former does not mean that informal institutions of governance did not exist in post-transition Nicaragua or that clientelism did not pervade political relations of power. Actually, patronage, corruption, and illegal networks of governance are very much present in contemporary Nicaragua (Rodgers 2006c; 2008). However, they do not depend upon informal or illegal spheres of systematic violence, but upon constant and intense bargaining of state resources. Even the increasing utilization of gangs and mobs by the FSLN in recent years in order to influence national negotiations and generate social unrest (Rocha Gómez 2009; Rocha 2007; Rocha 2008; Rodgers 2008), state institutions have not yielded parallel armed organizations with the power they have in northern Central America. Despite the internal conflicts they generate within a police institution still sympathetic to the Sandinista project (Rocha Gómez 2007), gangs and mobs remain largely under negotiated control.

Conclusions

In sum, the mode of transition in Nicaragua is significantly different from those of northern Central America, particularly regarding public security. In northern Central America, elements of the old regime managed to block or subvert some of the fundamental institutional features evading the public accountability contained in political agreements. This was possible in part because the political operators were not confronted by forceful opposition. In Guatemala, the military emerged as the victors of the war, and

the civil society was weak and frightened enough to force only some of the changes entailed in the reforms. In El Salvador, although the FMLN remained a defiant opposition force, it later engaged in covert negotiations that weakened the scope of the reforms. In Honduras, although civil society and the U.S. played an active role at the beginning, the military retained sufficient capacity to threaten those who dared to push for further reforms. In all three countries the external push for reforms was erratic, inconsistent and unsustained. Only in El Salvador, did the United Nations (ONUSAL) play an important role to enforce parts of the agreement but in some cases the two former rivals agreed to dismiss some previous pacts. In those situations ONUSAL was left without enforcement power.

Conversely, in Nicaragua, the revolution destroyed the Somoza regime and all its violent agents were removed from power. That was a significant step. When the Sandinistas lost the elections in 1990, they were pressured into withdrawing from the institutions. Under such pressure, the Sandinistas strengthened the security institutions as a way to legitimize their role; at the same time, the Chamorro government had to negotiate with the Sandinistas in order to prevent social disruptions. Even in electoral defeat, the FSLN retained the largest active social base among the population. The integration of some of the Sandinista leadership into the post-revolutionary oligarchy may have also underpinned this process (Rodgers 2006c; 2008); but the need of survival of some former Sandinistas within security institutions helped to create state institutions in which old-regime violent entrepreneurs were more constrained to develop parallel structures and launch extralegal violence, even when some of them continued having some links to party lines.

CHAPTER VI

STATE VIOLENCE IN THE POST-TRANSITION

In February 2007 members of the Guatemalan National Civilian Police killed and burned

the bodies of four Salvadorans in a remote rural area in eastern Guatemala. Three of the

victims were members of the Central American parliament, a regional political body

similar to the European Parliament; they were also prominent members of the Salvadoran

ruling party, ARENA. Initial investigations revealed that the perpetrators were officers of

the Criminal Investigations Division linked to a criminal ring operating within the

Guatemalan police. Some of the perpetrators were arrested five days later and sent to a

Guatemalan maximum security prison. They were killed three days later by a specialized

armed commando unit that stormed the prison. Initial investigations pointed to a

Guatemalan congressman, and some news reports implicated some of the victims as

members of drug trafficking organizations (McKinley 2007).

Two years later, as investigations continued and after some Guatemalan police

officials were removed from the case; investigations by the Salvadoran authorities

revealed that a former Salvadoran congressman linked to a drug-cartel who was

imprisoned in the United States for illegal immigration, was also implicated in the murder

of the ARENA parliamentarians in Guatemala.[46] Some months later, a reputed

Salvadoran news website published the transcription of a recorded telephonic

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[46] Noticias EFE. 2009."Ordenan captura de ex-diputado implicado en asesinato de tres diputados." February 25, 2009. [http://www.que.es/ultimas-noticias/sucesos/200902251709-ordenan-captura-diputado-implicado-asesinato.html]. See also: Centro de Reportes Informativos sobre Guatemala. 2009. "Caso Parlacen: capturados por crimen han obstaculizado inicio de juicio." February 19, 2009. [http://cerigua.info/portal/index2.php?option=com_content&do_pdf=1&id=7550]

conversation between the congressman imprisoned in the United States and a high

ranking official of ARENA, who was also the owner of a large private security company

operating in the country and a former member of the Nicaraguan *Guardia Nacional*.[47]

The audio recording had been provided by the American Embassy in El Salvador to the

news website reporters. In the conversation, recorded at the premises of the U.S. prison,

the ARENA executive asks the congressman imprisoned in the U.S. for half million

dollars in exchange for "mobilize his connections and powerful people" in order to

release him from criminal charges in El Salvador. The publication of the tapes generates

a national scandal and ARENA quickly expels the official and denies any other

connection of its own partisan structures to the case.[48] Some days after the scandal, the

now-former ARENA official is shot outside his house and dies. After a brief

investigation, the General Attorney's Office rules the death as a suicide and closes the

case.

This case illustrates the extent of the infiltration of criminal networks within

Guatemalan and Salvadoran institutions. Guatemalan institutions are a particularly

egregious case; even so similar phenomena also appear in El Salvador and Honduras.

Since the mid 1990s, news articles and human rights organizations recurrently warn not

only about the existence of cleansing groups and death squads in the Salvadoran,

Honduran, and Guatemalan institutions (Amnesty International 2003a; Payne 1999;

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[47] He had been naturalized after moving to El Salvador in the early 1980s. Baires, Rodrigo, and Carlos Martinez. 2009. "Adolfo Tórrez pidió medio millón a Roberto Silva para liberarlo de cargos en El Salvador." *El Faro*, April 15, 2009.
[http://archivo.elfaro.net/secciones/Noticias/20090413/noticias4_20090413.asp]
[48] Martinez, Carlos, Rodrigo Baires, Sergio Arauz, and Daniel Valencia. 2009. "Arena destituye a Tórrez e inicia proceso de expulsión." *El Faro*, April 16, 2009. See also: Valencia, Daniel and Sergio Arauz. 2009. Adolfo Torrez tramitaba ingreso al PCN cuando murio. June 9, 2009.
[http://archivo.elfaro.net/secciones/Noticias/20090608/noticias1_20090608.asp]

Peacock and Beltrán 2003; UNHRC 2009) but also about organized crime infiltration in the new security institutions (Beltrán 2007; Dudley 2010; Smyth 2005; The Economist 2010).

In this chapter, I review some of the evidence that links state institutions and state-sponsored illegal groups to the prevalence of current violence in Central America, particularly in El Salvador. I show how their participation in the maelstrom of violence takes different forms and contributes in different ways to contemporary violence, In doing this, I propose to classify the involvement of state institutions in three different types: legal violence, extralegal violence; and plain criminal violence.

The history and the processes depicted in the two previous chapters suggest that transitions to democracy played a significant role in defining the post-transition relationships between state institutions and violence specialists, these relationships yielded state institutions that in Nicaragua, in comparison to the northern Central American countries, have pursued completely different approaches when dealing with public security and managing violence. I begin this final analysis by comparing state sponsored-violence comparing Nicaragua with northern Central America, especially El Salvador.

Legal Violence and the prominence of *Mano Dura*

Legal violence refers to the state's legitimate use of force and its capacity to expand its limits in order to fight crime.[49] This can entail the alteration of laws and penal codes to provide discretionary powers to state institutions in order to fight crime.

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[49] I use here the notion of "limits" proposed by Holden (1996: 439; 2004), namely, "the freedom of state agents to (a) both define and control (through sanctions or inducements) enemies of the state, (b) avoid

Before the transitions in Central America, the limits of violence exerted by the state had been established by the particular relationship between the economic elite and the internal security forces at the command of the military (Torres Rivas 1998). This relationship implied that fundamental security tasks were principally focused on protecting oligarchic economic interests and maintaining the relationship of subordination of a large portion of the population (Holden 2004; Ruhl 2004). Laws were frequently ignored or reformed to be adjusted to the need to submit political rivals and control threats to the established order. The political transitions generated a change of paradigm in the exercise of public security (Bailey and Dammert 2006; Fruhling 2003). On the paper, this implied that the new limits in the use of force on the part of the state were no longer defined by the needs of the containment of the communist threat or arbitrary protection of the interests of the elite (O'Donnell 1999), but from the necessity to provide security to all the population under the rule of law. As we have seen in the previous chapter, these transformations generated tough resistance from the security operators of the former regime (military, police, and intelligence services), who utilized fear and insecurity as an argument to undermine the reforms or to limit the protection of fundamental rights (Cruz 2006b; Spence 2004; Stanley 1993). This is the context in which the zero tolerance programs began to be applied in several countries in the region.

These programs, which were inspired by the hard line policies that were applied in New York in the early nineties, are based on the idea that, in order to establish order and security, it is necessary to strictly enforce the law (Eck and Maguire 2006). The New York experience was used in the northern Central American countries as an argument in

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punishment for committing 'illegal' acts (i.e., impunity), and (c) informally deputise non-state agents in the exercise of state-sponsored violence (death squads)."

favor of more severe laws and programs (PNUD 2009). The first country to implement this type of policies was Guatemala with Alfonso Portillo (Merino 2001), but Honduras, and, especially, El Salvador developed sophisticated programs afterwards (Cruz 2010). They were called the *Mano dura* policies.

The enactment of *mano dura* policies in northern Central American countries and the absence of this type of approach in Nicaragua (as well as in Costa Rica) highlight the differences between the former and the latter. In El Salvador and Honduras, the *mano dura* laws dictated the criminalization of youth by banning any "youth street group," the expansion of police power by providing them with discretionary faculties, and the limitation of civil rights (Cruz and Carranza 2006; Hume 2007; Ungar 2009). In El Salvador —where the *mano-dura* type of policy mutated into a superlative form called *Súper Mano Dura—,* an anti-*mara* law was enacted in July, 2003 under the administration of Francisco Flores. This act, known as *Ley Antimaras,* also aimed to facilitate the detention and prosecution of suspected gang members based on the newly classified felony of "illicit association" (asociación ilícita) and gang membership (Thale and Falkenburger 2006). In El Salvador, as in Honduras, the new rulings gave complete authority to the police —and in some cases to military personnel— to carry out arrests based on arbitrary decisions and thin evidence. Police could use the presence of tattoos, hand signals, some dress codes, and physical appearance as evidence of gang membership (Hume 2007).

Although this specific directive was not included in the Honduran reform, Honduran police acted on the basis of similar criteria, jailing even children who happened to be dressed like gang members (Carranza 2006). In El Salvador, a 2005 report by the

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National Civil Police details that, between July 23, 2003 and July 8, 2005, the police

captured 30,934 gang members (Aguilar and Miranda 2006). Although the majority of

these arrests represent multiple captures of the same person (gang members were

arrested, freed after forty-eight hours and then arrested again), the figure reflects the

volume of gang-related police activity that took place in a relatively short period of time.

The former resulted in prison overcrowding and a significant rise in homicides.

The abuse of authority and prison overpopulation multiplied. Human rights organizations

denounced an increase in the cases of police mistreatment and a sensible deterioration in

the conditions at the prison facilities (Amnesty International 2003b). By the middle of the

decade, there were over 10 thousand gang members in jails across northern Central

America. The riots and massacres –in some cases perpetrated by the guards themselves–

became frequent in the Honduran, Salvadoran and Guatemalan prisons (Thale and

Falkenburger 2006). As I have explained elsewhere (Cruz 2007a; 2010), the gangs, who

in the early part of the decade were a secondary security issue, took advantage of their

presence in the prisons to take control of them, increase internal cohesion, establish links

to organized crime, and create large extortion networks. Then, and as a result of the hard

line policies, the *Salvatrucha* and the 18 (*Eighteenth Street*) gangs had not disappeared;

on the contrary, they had become powerful mafias with the capacity to extort large

sectors of the population as we saw in Chapter IV.

In contrast, the Nicaraguan approach was rooted more in a communitarian-based

deterrence strategy, described by the then-deputy police director, Francisco Bautista, as a

social accord ("concertación social") (Bautista 2004). Furthermore, Rocha (2007)

describes the way the Nicaraguan police pondered over the different approaches taken in

American cities in the fight against gangs. According to Rocha (based on a paper written by Francisco Bautista in 2003), the Nicaraguan police paid attention to the fact that whereas "zero-tolerant" New York reduced crime to the same extent as "community-oriented" San Diego, the latter managed to do that with significantly fewer arrests and even reduced the number of complaints against the police for human rights abuses. In other words, Nicaraguan law-enforcement institution paid particular attention to the human rights consequences of following one approach and not the other. Therefore, authorities refused to follow the zero tolerance approach in favor of a preventive one (USAID 2006). This can be explained because the transitions contributed to a Nicaraguan police, which has developed an institutional culture based more on community needs, has emphasized anti-crime preventive approaches and has stressed the need for investigation and criminal intelligence at the community level (Kliksberg 2007; PNUD 2009; Programa Estado de la Región 2008).

However, in a critical analysis about the Nicaraguan police, Rocha Gómez (2007) has stated that police operations on the ground are more violent and repressive than usually asserted, and that the image of a professional institution conceals the "political economy" of a conflicting police that sometimes has been used by the FSLN. This analysis, nonetheless, does not contradict the information that portrays Nicaraguan policing as less prone to tolerate excessive violence from within than its peer institutions to the north as we will see below. Nor does it preclude the fact that the Nicaraguan police have been praised for their reforms and approaches to violence by organizations such as the UNDP (PNUD 2009: 187-189) and USAID (2006: 128-130). Analyses of the police in Guatemala, El Salvador, and Honduras have also revealed contradictory and profound

divisions as not all the members of those institutions are equally enmeshed in authoritarian practices (Amaya 2006; Meza 2004; Monterroso Castillo no date). In those cases, however, the internal dynamics, burdened with unrestrained brokers from the old regimes who rely on the support of incumbent politicians and powerful elites, have ended up driving the institutions more toward militarized and repressive means than in Nicaragua. In Nicaragua, some politicians and incumbents have also favored repressive approaches to the problems of security, but they have been unable to influence the policies implemented by the police on the ground as the Salvadoran or Honduran politicians have.

In sum, the severity of the programs in northern Central America, deployed by institutions that were not subjected to accountability mechanisms, created the conditions for the exacerbation of the levels of violence, and the deterioration in the conditions of public security. Central American governments sought legitimacy by declaring "total war" against crime, gangs and delinquency. In so doing, not only did they justify the state's excessive use of violence and ignored fundamental liberties and human rights; they also created the conditions in which criminal bands legitimized their own retaliatory actions. I will come back to this point below.

Extralegal violence and the perpetuation of illegal operations

Although El Salvador and Honduras formally extended the limits of legal violence with the enactment of the *mano dura* laws, legitimizing the use of state force to the point of endangering the physical integrity of citizens, there is another type of violence, exerted by agents of the state, which clearly exceeds any legal framework, even those established

as extraordinary measures during the crusades against crime. This extralegal violence

takes place in different ways, but the most significant can be summed up in three types of

activities. First of all, extrajudicial executions committed by state agents. Second, the

activities carried out by social cleansing groups or death squads composed of police and

active duty military personnel. And third, the active but covert promotion of vigilante and

militia groups composed of individuals with no formal link to official institutions. In

practice, these kinds of actions overlap. The police that systematically execute suspects,

often participate in illegal social cleansing groups, or foster their formation.

In northern Central America, the prevalence of these types of groups and

activities has been extensively documented. For example, a research project conducted by

Harvard University International Human Rights Clinic (2007) found that cleansing

groups comprised by police officers and civilians were responsible for the killing of

many gang members in El Salvador. The existence of these groups within the new

civilian police goes back to the very early years of the post-transition and the

reconstitution of the illegal armed groups that were investigated by the Joint Group, and

that I reviewed in the previous chapter. According to human rights organizations, these

groups have remained operational throughout the 1990s and the 2000s (IDHUCA 1997;

Tutela Legal del Arzobispado 2007; 2008).

A review of one death squad case, called the Black Shadow (*Sombra Negra)*

provides an excellent window to view how these groups continued operating using state

institutions. I present this case because during the course of my search of documents on

the activities of death squads in El Salvador, I obtained a copy of the affidavit of the main

witness in the case against some alleged members of the Black Shadow squad. This

affidavit is the only public document that extensively depicts the activities of this kind of group. The Black Shadow was a death squad that operated in the second half of the 1990s in some slums and shantytowns of the city of San Miguel in El Salvador.

The affidavit details the process through which the witness, a former sergeant of the police, came across the death squad. According to the document, when the witness was assigned to a new post, representatives of the group came to meet her and ask for support in their activities as a previous officer did. The document reveals that the Black Shadow was a death squad acting with the financial support of high government officials and businessmen in the city and the department of San Miguel. It was comprised by former military and policemen, civilians, and active members of the new police. It also had the logistic support of local high ranking police officials. For instance, the witness describes how before an operation of the death squad, one of the police commanders of the city used to stop police patrolling so the squad could operate freely in the area. The squad targeted criminals, gangs, and political activists that were considered a threat for the members of the group. The document also depicts how, as the witness became aware of the activities of the squad and as she refused to participate, she became herself a target of the squad while at the same time she was subjected to a disciplinary investigation within the police. After discovering that all the local chain of command of the police was aware of the activities of Black Shadow, the witness went to the specialized investigations unit (*División de Investigación Criminal*-DIC) in San Salvador. The DIC, then, starts an investigation of the case. Shortly afterward, the witness receives a reprimand from the deputy police director for her report that other high ranking police officials were also involved in a high-profiled death squad. After several attempts and with the sponsorship of the DIC, she finally reaches the police director in San Salvador in order to ask him for protection. The director suggests her to take a long leave as he expresses his own frustration about his inability to grant her effective protection!

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The document is rich in details of the case that, for reasons of space, I cannot reproduce here. However, the document makes clear that the Black Shadow squad operated with the participation of police officers and the acquiescence of local police commanders. Furthermore, the document shows how mechanisms of transparency and accountability were thrashed by different police commanders at the highest levels in order to protect the image of the institution and some politicians involved in the case. The case went to court and some members of the squad, police officers, and sponsors were indicted. However, they were later cleared of charges by a higher court of appeals and released from prison. Some of the accused remained in the police and nowadays occupy high posts within it. Other person accused to be a sponsor of the group has served as a city mayor for more than nine years at the time of this writing. The witness fled the country.

In a similar case in Honduras, the chief of the Police Internal Affairs Unit exposed the existence of death squads within the police in 2002 and pointed at their involvement in many extrajudicial killings of children and youth. After that, the officer was removed from her post (Ungar 2009). According to several human rights reports, since 1998, cleansing groups associated to the police have murdered hundreds of street children and suspected gang members in Honduras (Amnesty International 2003a; Casa Alianza Honduras 2006; U.S. Department of State 2008). In Guatemala, no less than 80 extrajudicial killings and disappearances perpetrated by the National Civilian Police were reported to the office of the Human Rights Ombudsman between 2004 and 2005 (Samayoa 2007) and the UN High Commissioner for Human Rights has repeatedly reported the involvement of state agents in extrajudicial killings (UNHRC 2009).

Conversely, in Nicaragua, sources within human rights organizations do not report the existence of death squads or cleansing groups entrenched in state institutions. Although there were eight murders perpetrated by state officials between 2005 and 2008, according to a human rights consortium report, all of them were attributed to the excessive use of force by the police and military. In all cases, the individuals involved were identified and in most cases taken to court (Centro Nicaraguense de Derechos Humanos et al. 2008). The report praises the absence of an institutional culture of abuse and torture in the Nicaraguan police, but it shows concern about some cases of "disproportional use of police force when apprehending suspects" (Centro Nicaraguense de Derechos Humanos et al. 2008: 29). This same appraisal of the Nicaraguan police can be found in other independent reports (UNODC 2007; USAID 2006). Although these reports acknowledge the existence of problems in the Nicaraguan police, the reports also point to a lesser authoritarian character of the Nicaraguan institution in comparison with its northern neighbors.

A review of the Amnesty International (AI) reports comparing the four countries can best illustrate the differences between Nicaragua and the rest of the countries (Amnesty International 1991-2009). For every country, Table 6.1 shows the percentage of yearly reports that point at the occurrence of extrajudicial killings, killings by state forces or by illegal armed groups associated to the state, over the total number of reports since the country transition took place. For example, there are nineteen AI annual reports since the Nicaraguan election in 1990. Seven out of those nineteen reports state the occurrence of extralegal killings in Nicaragua. That represents 37 percent of the AI reports on post-transition Nicaragua. In contrast, in Honduras, 64 percent of the AI

annual reports since 1998, the year when the security reforms were concluded, denounce

killings by state forces. It is important to note that in the case of Nicaragua, most

extrajudicial killings perpetrated by the state or para-state forces occurred during the first

six years after the defeat of the Sandinistas; whereas in northern Central America it is still

possible to find reports of extrajudicial killings and activities of death squads for the

years 2006 to 2009. In other words, although Nicaraguan institutions are plagued with

problems and excessive use of police force is common, the magnitude of extralegal

violence by the state and its collaborators has been far lower than in Guatemala, El

Salvador, and Honduras.

Table 6.1. Percentage of AI Reports on Extralegal Killings in Central America

Country (Number of annual reports reviewed)	Annual reports reviewed (Number)	Extrajudicial killings, killings by police, death squads or cleansing groups associated to the state (%)
Nicaragua	1991-2009 (19)	37
El Salvador	1993-2009 (17)	59
Honduras	1999-2009 (11)	64
Guatemala	1997-2009 (13)	77

Sources: AI Human Rights Annual Reports 1991-2009.

Criminal Violence and the Penetration of Organized Crime

The participation of state institutions and officers in the promotion and concealment of

extrajudicial violence is, indeed, a criminal activity. However, there is another kind of

violence perpetrated by agents of the state, whose ultimate objective is not a twisted

maintenance of order and security, but the development of criminal economies and the

terrorizing of political and economic rivals. I will refer to those cases as criminal violence

to differentiate it from other types of violence carried out by the state. In practice,

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however, evidence suggests that this type of violence is frequently linked to legal and illegal structures originally created to combat crime or to fight against threats to the state. Groups that started out as special military commandos, crime fighting units and anti drug squads, degenerated into organized crime mafias, as violent as the criminal groups they combated. A noteworthy example is the ''Kaibiles' in Guatemala (Dudley 2010; Smyth 2005). These are a group of special forces created by the Guatemalan army to fight the insurgency during the years of the war. Intelligence reports indicate that in recent years they have become operatives for the Mexican Zetas (Dudley 2010).

Notwithstanding, the governmental agents' direct involvement in criminal activities goes beyond formally forming organized violent bands. Actually, this encompasses a broad spectrum of activities, which go from acts of street corruption to managing networks of drug traffickers and hit-men, from the police stations to the parliamentary seats.

A 2004 UNDP briefing on organized crime in Honduras pointed at the infiltration of drug-trafficking cartels in security and justice institutions (Caldera and Landaverde 2004). In 2007, an unidentified high-ranking public official said that 30 percent of the country's police chiefs have decision-making posts in the organized crime networks engaged in drug trafficking (Moreno 2007). In 2009 and 2010, Salvadoran and Guatemalan top national police chiefs and anti-narcotic deputies have been accused of drug-trafficking and covering-up criminal operations (Castillo 2010; Dudley 2010; The Economist 2010). Such criminal networks acting within security institutions have contributed to the death toll, overall public insecurity, and the increasing levels of distrust in state institutions in the region. This is reflected in the results of the 2008 Americas

Barometer Democracy surveys in Central America. As shown in Table 6.2, Guatemala,

El Salvador, and Honduras currently experience lower levels of citizen confidence in the

police and the military than in Nicaragua, while at the same time their police institutions

are seen as more riddled by crime.

Table 6.2. Public Opinion about Security Institutions in Post-Transition Central
America, 2008 (percentages)

Country	High confidence in the army [a]	High confidence in the police [a]	Police involved in criminal activity [b]
Nicaragua	60.1	47.4	25.1
El Salvador	53.4	41.1	48.8
Honduras	34.5	30.1	47.2
Guatemala	36.6	30.3	65.9

Source: Americas Barometer 2008 database.
[a] Respondents were asked to answer using a seven-point scale. The figure shows the percentage of people who answered from five to seven.
[b] Question asked whether the police protected their community from crime or were involved themselves in criminal activity.

The evidence on linkages between agents of the state and crime in northern

Central America is so frequent that it is impossible to sum it up here. Furthermore: press

coverage and denunciations by human rights organizations are so recurrent that it is

impossible to argue that the problem is restricted to misbehavior of a few people

embedded in the governmental institutions. Despite the fact that not all countries are

afflicted by the same level of decomposition and that, even in the most problematic

countries, not all government officials are corrupt; the evidence suggests that the problem

is of a structural nature. The institutions in charge of public safety and combating crime

lack efficient systems of transparency, control and accountability. These shortcomings

originate at the very moment of the institutions' creation and are explained by the fact

that the people that have to construct these control systems were also involved in maintaining impunity in the past.

As we saw in Chapter V, under the justification that it is necessary to have experienced personnel, many police and military operators from former authoritarian governments were able to remain in the institutions and to mold them in order to fit their old ways of doing things. But these agents accumulated more than experience in the fight against crime. They also gained know-how and connections to commit crimes. In Guatemala and Honduras, for instance, some of the same military officers that participated in the counterinsurgency wars and held top government positions, also managed to do businesses with organized crime and drug trafficking (Beltrán 2007; Rosenberg 1988; Smyth 2005). When political transitions required the military retreat from public security functions, they changed their military fatigues for civil police uniforms, and went on with business as usual.

State, violence specialists and post-transition violence

State institutions and informal actors linked to the state are not the only ones responsible for contemporary violence in Central America and Latin America. To be sure, there are many other actors behind the post-transition surge. However, the state, its institutions, and even those informal representatives are not ordinary actors in the social dynamics of violence (Arias and Goldstein 2010b; Pearce 2010). A murder committed by a common citizen is not the same as one perpetrated by a police officer; an extortion ring run by gang members is not the same as one composed of a group of attorneys and police officers; a drug dealing operation that is covered up by a businessman is not the same as

one that is protected by a police chief or a military commander; and a hitman operating without police clearance is not the same that one who has the protection and consent of authorities. The participation of state agents in criminal activities increases the repercussions of crime, makes the institutions accomplices in the violence, reproduces impunity, and affects the legitimacy of the regime, particularly if this is democratic. Such is the predicament with state-sponsored violence in the post-transition era.

In addition, the problem with state-sponsored violence as it manifests in Central America—and many other Latin American countries— is that it hinges on the participation of informal agents and out-of-control brokers who reproduce more violence and insecurity than a legally-constrained institution or, even, than a rogue criminal. Furthermore, it reproduces social and political relationships that bargain social power using plain violence.

Central American *maras* are an illustrative case. The *mano dura* crackdowns not only extended the limits of legal violence from the Central American states, it also unleashed violence specialists and illegal armed groups that have been lurking within state institutions for years. Under the all-out war against gangs, they took advantage of the networks and alliances that covered up their illegal activities. They went onto a rampage of gang and youth cleansing that contributed to the escalation in the levels of violence in El Salvador, Honduras, and Guatemala (Amnesty International 2003a; Cruz and Carranza 2006; International Human Rights Clinic 2007). They went back to the practices of former death squads, who kidnapped, tortured, and executed their victims attempting to terrorize other gangs and youths. In response, gangs prepared for the all-out war and responded in the same terms. Being in prison, they built alliances with other

armed actors, they obtained resources and they joined the rampage against anybody who appeared to be a collaborator of the death squads and the vigilantes.[50]

In contrast with the dynamics of insurgent and counter-insurgent violence of the past, when the guerrillas had to gain and keep popular legitimacy, and urban-war tactics and terror had to be weighed against the possibility of losing local popular support, the contemporary gangs and the new forms of organized crime do not depend on political legitimacy to survive; they just need resources, weapons, and the willingness to retaliate against state representatives and collaborators. In a striking similarity with the dynamics of violence depicted by Alvarenga (1996) and Holden (2004) during the first half of the twentieth century in El Salvador, an important share of the dynamics of violence in post-transition El Salvador hinge upon waves of collective retaliation between informal state collaborators, gangs, and organized crime groups. This time, however, the technologies of violence and terror are more sophisticated. After all, globalization has made weapons and communication tools available for anybody who can pay. The state is no longer, then, the only one with the capacity of concentrating the technologies of force.

Contemporary literature of armed groups has put a lot of weight on the structure of opportunities created by resourceful countries such as those in Africa (Collier 2009; Collier and Hoeffler 2004). Although this literature has significantly contributed to our understanding of civil war and post-transition instability, they have usually overlooked the importance of grievances produced by state institutions and state-associated brokers because, despite the presence of those grievances, many states have not descended into civil war and systematic political conflict again, as is the case in Latin America. The

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[50] See the press interview with an Eighteenth Street Gang national leader conducted by a couple of reporters of the Salvadoran newspaper *La Prensa Grafica*: Sanz and Castro (2004).

Central America cases presented here suggest that countries may not slide back to war, despite the existence of grievances, but they do engage in non-political organized violence that is turning them even more violent than some war zones.

Indeed, Guatemala, El Salvador, Honduras, and even Nicaragua have serious problems with violence generated by common criminals, drug-cartels, and gangs. But the fundamental reason why Nicaragua has not descended into the abyss of violence that its northern neighbors have inhabited for many years now is that the state has zealously concentrated the monopoly of the use of violence.

CHAPTER VII

CONCLUSIONS: DEMOCRATIZATION UNDER ASSAULT

Why are some post-transition countries more violent than others? What does democratization have to do with the levels of violence? In this project I have tested the relationship between political regime, political transitions, and violence. I have showed that in order to understand the levels of criminal violence that are affecting some post-transition countries we have to go beyond the traditional fields of inquiry. Most scholarship attempting to explain post-transition violence focuses on variables that have to do with the economy, social capital, and the increasing globalization of organized crime. In order words, these are variables that are entrenched in societal conditions. Another stream of research has focused on factors that make fragile post-transition countries to slip back into civil war, ethnic conflicts, and political turmoil. Both approaches have contributed significantly to our understanding of violence in post-transition countries, whether democratic or not.

However, most of such literature leaves out an important variable, namely, the state. To be sure, many of the major contributions to our understanding about violence take for granted the role of the state. For instance, wealth, economic growth, and inequality stem, in part, from state policies. Penetration of organized crime and illegal armed groups, on the other hand, is usually seen as an indicator of state corruption and as a gauge of state's capacity to exert effective control over the territory and the population; but the existence of armed groups is rarely seen as a product of a state project of control, especially under a democratic regime. The state becomes important, however, when we

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enter the field of the politics of conflict; this is, when we have to explain the prevalence of civil wars and internal conflict.

None of those frameworks are sufficient to explain violence in Latin America. With the exception of Colombia, no Latin American country is facing an internal conflict of political nature. Strictly speaking not even Colombia would qualify as a clear cut case of political conflict. Drug production and traffic have transformed the dynamics of conflict in that Andean country. So, the rise of violence in post-transition Latin America can hardly be explained using the framework of political conflict, nor can be explained only by visiting the economic and cultural variables.

Hence, we need to bring back the state in, but in a more overreaching way as it has been brought thus far. In many ways, the findings of this research project indicate that the state matters in the prevalence of post-transition violence. In the first place, it matters because I found solid evidence that the political regime affects the levels of violence. This is to say, the type of regime that emerges from a political transition has a clear impact on the levels of post-transition violence. Democracy indeed helps to reduce the levels of violence, but most of the countries do not emerge from transitions as full-fledged democracies; some may not reach a satisfactory level of working democracy. Many post-transitional countries are just hybrid regimes, that is, electoral democracies with poor record in human rights, civil liberties, and the observance of the rule of law. It is under this type of regime when common violence tends to grow the most. In other words, violence depends upon the way the state relates with the society in the management of order and security.

Secondly, the state matters in the prevalence of post-transition violence because I found that in Central America, the variable that distinguishes those countries suffering epidemic levels of violence (El Salvador, Guatemala, and Honduras) from the one that does not (Nicaragua) is the role of the state in the management of violence; more precisely it has to do with the extent to which the state has tolerated, encouraged, promoted, and even created parallel armed groups in order to manage security and grant social order. Those groups and their ways of operation were not created recently. They are a legacy of authoritarian regimes and, as such, they are a legacy of the way the state used to control and submit the population. However, political transition provided the opportunity to transform those relationships and how the state established the limits of its own use of force. This critical juncture operated distinctively in Nicaragua than in the rest of Central America. In the former, it destroyed the systems of civilian collaboration with state repression and deactivated the informal violence specialists working from state institutions. By doing that, it opened the spaces for the construction of more professional and accountable security institutions. In contrast, in northern Central America, the networks of civilian collaboration with extralegal state operations continued operating in clandestine forms. Although the military were removed from power and institutions were reformed, violence specialists continued operating from within state institutions. They entrenched their relationships with incumbents and political operators in the countryside and the communities, as well as the top levels of state apparatuses. By doing that, they closed the opportunities to democratic reforms in state institutions and implanted the mechanisms for the perpetuation of impunity from the state.

Violence reproduced and expanded during the post-transition era not only because economic neoliberal reforms may have weakened welfare state institutions and not only because transnational organized crime may have penetrated the state. More importantly, violence became predominant because state institutions extended the limits of the use of force under democratic rule, they continued encouraging extralegal violence, and sponsored and covered-up criminal violence.

In order to understand how those mechanisms have taken place, we have to move beyond the simplistic examination of the performance of law-enforcement institutions, and we have to drop the notions that informal institutions and extralegal violence only erupt as a social response to state vacuum and institutional incapacity. As the evidence presented here suggests, when assessing the role of the state we have to examine the relationships of collaboration established by politicians, civil society, violence specialists, and security institutions in the management of order and the use of force. These relationships are conditioned by networks of clientelism and patronage historically built in each country. They are conditioned by the way people interact in order to access and influence political and economic power.

Under authoritarian Guatemala, El Salvador, and Nicaragua, violence was a fundamental ingredient of those patronage networks. Hence they are not the legacies of political transitions, but of authoritarian regimes. However, political transitions transformed those relationships in the Central American countries. In most of them, they did not eradicate such political relationships but transformed them in order to fit the new rules of electoral politics. Violence specialists continued operating from new institutions of security, under the protection of incumbents and politicians, and with the financial and

logistic support of local caciques and political bosses. During electoral processes and

politic campaigns, they were utilized to buy —or force— allegiances, mobilize voters,

and rally to support politicians. Violence increased because these actors were better

positioned to hamper the performance of state institutions and to ensure impunity.

In Nicaragua, however, political transitions radically transformed patronage

relationships by removing security institutions and violence specialists linked to state

institutions from the equation of political collaboration and the exercise of violence. The

key point in Nicaragua is not that patronage and clientelism disappeared. They did not. In

fact, the FSLN and the major Nicaraguan political parties have excelled at building their

political machineries upon corruption and clientelist politics. But the critical difference

between Nicaragua and the rest of Central America is that violence specialists linked to

state structures were removed from the circuits of patronage. Political transitions cleaned

up Nicaraguan institutions from potential extralegal operators and deactivated the organic

links between them and security institutions. When pressures to enact draconian measures

to fight crime rose in the post-transition, police and military in Nicaragua were readier to

resist the temptation to slip back to authoritarian responses. They were also better poised

to control and clean up their security institutions and to concentrate the means of coercion

in the hands of formal institutions during the post-transition era.

Hence, political transitions played a major role in determining the likelihood of

high levels of post-transition violence. Where political transitions demobilized the

informal violence specialists working from (and for) the state, where transitions

disarticulated the organic links between violence specialists, incumbent politicians and

institutions, and where transitions pushed the main negotiating actors to build and

strengthen effective systems of oversight and accountability, transitions yield a regime better positioned to stop the reproduction of violence from the state and with the capacity to tackle common crime from the society. In contrast, in those countries in which political transitions left violence operators largely untouched and they managed to maintain their political links to political institutions and incumbents, violence has developed to levels of internal conflict and war. As I have repeating all along this project: El Salvador, Guatemala, and Honduras have more homicidal violence than many troubled countries in Africa and the Middle-East.

The key point to understand why some political transitions pushed violence specialists out of the equation of post-transition governance is to examine the need of survival of some political elites. This is where the role of civil society and international actors come to bear. In those countries where political elites from the old regime could get away just with shallow reforms in the security apparatuses, violence specialists and their links to political elites remained in control, reproducing violence in the long run. In those countries were pressure was mounted up to a point where political elites really had to transform their security apparatus and disarticulate the links of their informal violence specialist from state institutions, violence has remained under control.

The critical element was, hence, political survival. The Sandinistas in Nicaragua removed their violence specialists and successfully reformed their security apparatuses because they needed to survive in the post-transition. The strong pressure exerted by the United States and the Nicaraguan civil society pushed the Sandinistas to radical transformations. In northern Central America, the United States was largely disengaged from pushing the old regime elites to reform. All the work was left to the United Nations,

which after all was only an arbiter of pacts and negotiations conducted by internal forces. In Guatemala and El Salvador the old regime elites retained enough power as to negotiate, manipulate, and force the continuity of their authoritarian operators within the institutions of security or in power positions. In Honduras, where the military "voluntarily" relinquished from the security apparatuses, the organic links between the party system and the military provided enough space to the latter as to return as civilians in charge of the new institutions of law-enforcement.

Civil society also was largely disengaged from the processes of reforming the security apparatuses in northern Central America. Actually, in Guatemala and El Salvador, remnants of the authoritarian networks of civilian collaboration were key players in pushing local and national elites to keep the systems of clientelism and patronage within the democratic state. They were the electoral base for parties that perpetuated the links between informal violence specialists and state institutions. Ironically, they provided a good base for organization and mobilization in periods of elections. In Nicaragua, to the contrary, the Sandinista regime had encouraged mass organization and civilian engagement in politics. When they had to hand over power, community associations and grass-root organizations mobilized to push for deepening the reforms in the security apparatuses and supported the professionalization and institutionalization of the police and the military.

Table 7.1 exhibits a summary of the factors at play during the transitions, and how they yielded the fundamental differences between Nicaragua and the rest of Central America.

Table 7.1. The Transition Settings and the Levels of Crime

Factors during the transition	Favorable setting	Unfavorable setting
Violent specialists from the old regime	Did not survive the transition or were deactivated	Survived the transition and remain active
Relationship between former violent specialists and new governing elites	Weak ties, new elites control security apparatus and have the power to restrain former violent specialists. Clientelist networks with no links to violence specialists.	Strong collaboration ties Elites unable or unwilling to control some of the violent operators acting illegally. Clientelist networks with strong links to violence specialists.
Civil society/citizen participation	Active pushing for reforms	Passive in general Some active groups opposing the reforms
Transnational actors	Significant leverage in pushing transformations.	Not involved or with little influence during the transition.
Results		
Institutional Outcomes	Institutions more likely to be efficient, and accountable	Institutions more likely to be weak, inefficient, and corrupted.
Public security outcome	Low levels of crime	High levels of crime
Countries	**Nicaragua**	**El Salvador, Guatemala, Honduras**

These findings challenge the conventional wisdom about transitions in Latin America. They show that countries that have seemingly followed the playbook of democratic transitions are now burdened by crime and violence (El Salvador), whereas the country that have always raised doubts about its democratic credentials (Nicaragua) is doing better containing crime and avoiding the collapse produced by the penetration of organized crime. By all accounts, El Salvador has remained at the top of the independent assessments on democracy, electoral performance, and respect for civil liberties in the region, second only to Costa Rica. But this seeming democratic stability has not granted

El Salvador with low levels of violence. Quite the opposite: El Salvador accomplished almost all the formal criteria for democratic transition. It removed the military from power, dismantled the old internal security institutions, created a new civilian police, and set an electoral system that has been capable of granting fair and free elections in the last fifteen years. Yet, El Salvador occupies the infamous position of being the most violent country in the Western Hemisphere. In contrast, Nicaragua did not dismantle its security institutions but reformed them; it did not create a new police but kept the same one, with different name and leadership. Clientelist politics and corruption pervade the performance and the relationships in most of the political institutions including the judiciary. But Nicaragua has managed to be far less violent than El Salvador and almost any other Latin American country with the exception of Costa Rica, Chile, Uruguay, and Argentina.

The difference, hence, rests on those informal spheres created from the same state. Despite the political reforms, El Salvador keeps managing order and internal security by relying in informal collaborators linked to state institutions and capable to resort to private violence. Nicaragua does not.

The findings suggest that the removal of the military and the civilianization of the institutions of public security are not sufficient conditions for preventing the reproduction of illegal and criminal violence from the state. In order to understand violence in Central America, we have to look also to civil society collaboration with the state. The fundamental problem dealing with post-transition violence is not whether the military were removed from politics, but whether the new regime uses the old violent entrepreneurs in order to achieve order and administer the use of force.

The focus on the military that has prevailed in the literature of transitions in Latin America for years has distracted the study of the relationships between them, the violence specialists, the civilian collaborators, and the incumbents. These relationships are at the base of the reproduction of violence in Central America, and in most of Latin America as well. Those countries more affected by common and criminal violence nowadays are precisely countries where state institutions play a major role reproducing violence. Think on the Latin American countries more affected by common violence and crime in these days. In addition to Central America, they are Brazil, Colombia, Venezuela, and Mexico (Avilés 2006; Birbeck and Gabaldón 2009; Davis 2006a; Hinton 2006). In all of them a common factor is the significant participation of state institutions in the reproduction of violence. Police violence in Brazil is notorious and well documented; despite its successful democratic transition, inhabitants of Rio de Janeiro and Sao Paulo have to deal with some of the most corrupted police in the hemisphere: they conduct extralegal operations and executions, collaborate with civilians and local bosses to form cleansing squads, and integrate criminal rings (Brinks 2006; Caldeira and Holston 1999; Chevigny 1996). The internal conflict that affects Colombia since the 1950s has its roots in the creation of armed groups by political parties in the past and in the formation of vigilante organizations from the Colombian state (Tate 2007). They all transited to form guerrillas, paramilitaries, and criminal organizations. The drug cartels have, indeed, contributed the most to Colombian violence, but it is impossible to understand the high levels of violence without considering the contribution of state institutions and their informal collaborators in the countryside and within the communities. The same seems to account for Venezuela

and Mexico. In both countries, police institutions are pervaded by corruption and clientelist networks linked to criminal organizations (Davis 2006a; Davis 2007).

The former is to say that the findings of this research project are also applicable to other regions beyond Central America. They indeed are useful to understand violence in the rest of Latin America, but they can also help to illuminate our understanding of criminal violence in some post-transitions countries such as Russia, where Volkov (2002) has unveiled the complex mechanisms of collaboration between organized crime and post-transition security institutions.

The implications of this research are critical. They point to the consequences of creating illegal or armed groups in order to fight insurgency, terrorism, and organized crime. As the painful Salvadoran experience demonstrates, the creation of parallel structures within the state and the surrender of legitimate use of force to informal violence specialists and armed groups with little or no oversight set the conditions for the perpetuation of extralegal violence and organized crime in the future. In doing this, they also undermine the capacity of the state to claim the monopoly of the legitimate use of force, they weaken its ability to enforce the rule of law and they undercut the systems of human rights protection of the citizens. Therefore, new democratic regimes end up assaulted from the same state institutions meant to underpin democracies.

The findings of this project also challenge the idea that transitions are trapped in the dilemma of relying on the old-regime security apparatus in the first stages of democratization to prevent an upsurge in crime. The survival of old institutions—whether formal or informal— has been part of the crime problem. The upsurge of crime that followed the transitions in all Central American countries has been far less devastating in

Nicaragua, which deactivated and restrained old-regime actors through political

engagement and accountability mechanisms, than in northern Central America, where old

human rights abusers and repressors are still very much in control of security.

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