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Perpetual Resistance: Societies and Violence in Latin America

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Perpetual Resistance: Societies and Violence in Latin America

Abstract

Violence has been a part of the LAC region's landscape since before independence, evolving from interstate to intrastate, and, more recently, emerging as criminal violence in the 1990s. Today LAC is the world's most violent region —home to seven of the ten cities registering the highest homicide rates. According to recent polling, insecurity is one of citizens' two top concerns. Guest editor Jose Miguel Cruz unites top scholars to examine the complex problem from various disciplinary perspectives —history, sociology, political science, journalism, communications and public policy —to identify the drivers and manifestations of violence in Latin America and the Caribbean.

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**Perpetual Resistance:
Societies and Violence
in Latin America**



Hemisphere

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Cover Image and Page 5: Salvador Meléndez

FROM THE EDITOR

Dear *Hemisphere* readers:

With this issue of *Hemisphere*, guest-edited by José Miguel Cruz, Director of Research at the Kimberly Green Latin American and Caribbean Center (LACC), we continue our work to understand the complex dynamics of crime and insecurity in the Americas. Violence has been part of the region's political landscape since before independence; rather than interstate, however, much of the violence plaguing the region since the twentieth century is intrastate, pitting state and non-state actors against each other with the goal of maintaining or seizing political and socioeconomic power. As Dr. Cruz indicates, in the 1990s a different type of violence emerged in the region: criminal violence, and it reached epidemic levels. Today, Latin America and the Caribbean is the world's most violent region, certainly in terms of homicide rates. Seven of the 10 cities with the highest levels of homicide rates are in Latin America and the Caribbean, and citizens there feel the fears and suffer the costs of this insecurity on a daily basis. According to recent polling by AmericasBarometer, insecurity is one of the top two concerns of citizens in all countries of the region, even in low-crime countries such as Chile, Costa Rica and Uruguay.

Any understanding of the dynamics of criminal violence in Latin America and the Caribbean requires a multinational and interdisciplinary approach. Dr. Cruz has brought together an impressive collection of scholars from across the region to examine this complex problem from various disciplinary perspectives—history, sociology, political science, journalism, communications and public policy. In addition to offering compelling data, this issue of *Hemisphere* provides a diverse set of essays that analyze the drivers and manifestations of violence, including weak criminal justice systems, transnational criminal organizations, human and drug trafficking, vigilantism, overcrowded prisons, gender-based violence and weakened economies.

LACC, a long-standing leader in the study of violence in the region, is committed to providing cutting-edge, reliable and thought-provoking research on this complex and critical challenge to the stability, security and prosperity of the region. Our expectation is that this issue of *Hemisphere* will provide a comprehensive examination of the subject, add to scholarly and policy debates on crime and insecurity in the Americas, and offer academics and policymakers alike new insights into the theoretical and practical challenges, as well as solutions.

Frank O. Mora
Director & Professor
Kimberly Green Latin American and Caribbean Center
Florida International University

FROM THE GUEST EDITOR

Twenty-five years ago, most Latin American countries were still emerging from the military dictatorships and authoritarian regimes that had ravaged the region for years. In many of them, an expectation prevailed that a new era of political stability, development and economic growth was about to begin. Several countries embarked on promising reforms of their public apparatuses, including criminal justice systems and security forces. Civil society participation flourished as electoral processes and formal democratic institutions became the norm, and many of the authoritarian-era constraints imposed on civil and individual rights were shattered.

By the early 1990s, however, research by the Inter-American Development Bank, the World Bank and the Pan-American Health Organization (PAHO) began reporting alarming rates of crime and interpersonal violence in Latin America and the Caribbean. Countries such as Brazil, Colombia, El Salvador, Guatemala and Jamaica displayed what PAHO described as epidemic levels of interpersonal violence, well above the world average. As the decade drew to a close, these same organizations warned of the impact of criminal violence on the region's development and the well-being of its citizens.

Fast-forward 25 years, and the region has been unable to shake off its problems with crime and insecurity. In some countries, the situation has gotten much worse. In northern Central America, Venezuela and some parts of Mexico and Brazil, criminal violence is so prevalent that it has provoked a humanitarian crisis, with street gangs, vigilante groups and rogue armies assuming control and state-like responsibilities over entire communities and rural areas. At the same time, some countries, such as Chile, Nicaragua and Uruguay, have managed to keep crime relatively under control, and others previously besieged by high levels of crime—Colombia and Guatemala, for example—have enacted policies that have succeeded in reducing violence over the last decade.

Many factors play a role in the dynamics of criminal violence in the region. Researchers have pointed to the expansion of transnational criminal organizations, the war on drugs, the erosion of the welfare state, the rapid increase of urbanization, the liberalization of political competition, and the peak of the youth bulge as some of the causes. At this writing, more study and debate is needed to understand the full dimensions of crime and insecurity and their impact on the Americas.

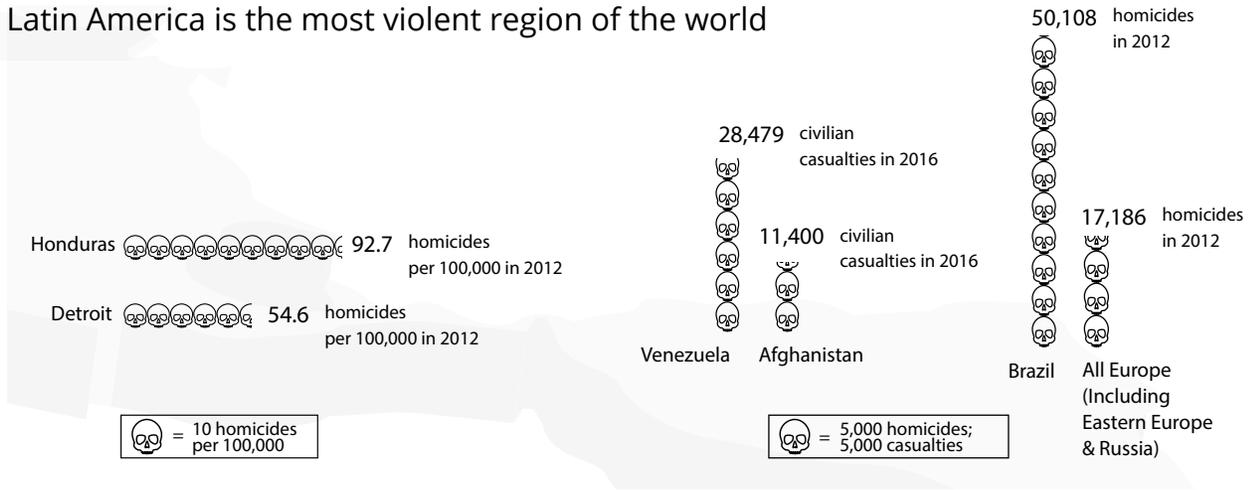
This issue of *Hemisphere* aims to contribute to the discussion on criminal violence in Latin America. It recruits experts from around the region to examine the historical evolution of crime and insecurity, the role of criminal justice systems, the participation of and consequences for young people, and the implications of the victimization of women. The contributors also offer new insights into the role of Latin American elites in maintaining public security, the “contribution” of the Brazilian security forces, the dynamics of organized crime along the US-Mexican border, and representations of women as criminal actors. In addition, the editors have sought to provide a closer look at some of the most conspicuous victims of crime and its perpetrators in the region. The photo essay for this issue, for example, features stories of people affected by different manifestations of violence. The photos date from the early 2000s, underscoring the chronic nature of violence in several countries of the region. This issue also presents excerpts of interviews conducted with gang members in El Salvador in 2016 as part of an ongoing LACC research project. By including this information, the editors hope to further the debate on crime and insecurity from the perspective not only of the academic researchers who study these phenomena, but also the individuals who endure their consequences.

José Miguel Cruz
Director of Research
Kimberly Green Latin American and Caribbean Center
Florida International University



I N F O G R A P H I C

Latin America is the most violent region of the world



The region's average prison population rate is more than double of that of the world

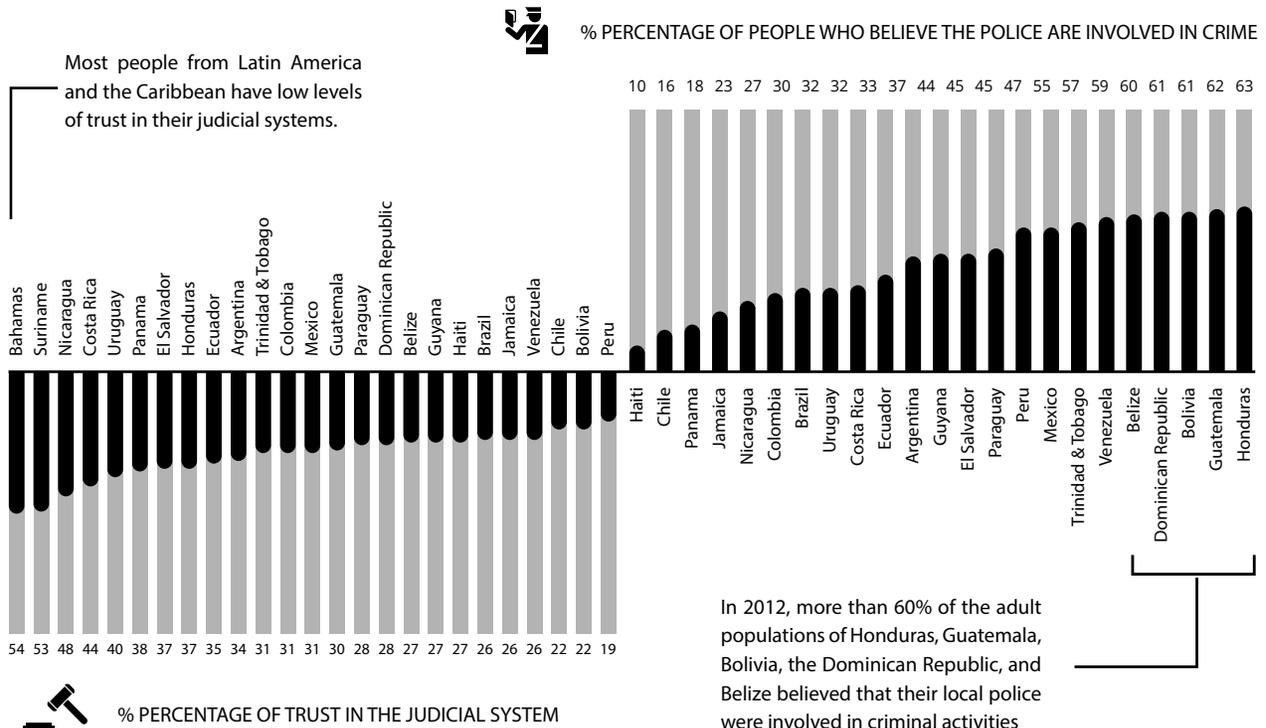


The world prison population is 144 per 100,000.



The prison population rate in Latin America is 387 per 100,000. In the United States it is 698 per 100,000.

The region suffers from ineffective and corrupt criminal justice systems



Sources: Observatorio Venezolano de Violencia; U.N. Office for the Coordination of Humanitarian Affairs; UNODC's Global Study on Homicide; Vanderbilt University's Latin American Public Opinion Project; and World Prison Brief.

The Multiple Faces of Violence in Latin America

by Roberto Briceño-León

Latin America is the world's most violent region. According to reports released over the last decade by the World Health Organization (WHO) and The United Nations Drug and Crime Office (UNODC), when compared to other world regions, crimes in Latin America tend to be more violent, murder is committed more frequently, and the threat or use of physical force is more common. Yet, the world's highest levels of poverty are not found in Latin America; no major racial, ethnic, or religious conflicts are taking place there; and the region is no longer suffering significant political strife. There are no wars, and Latin American democracies, despite their issues, are rather stable. Why then, is Latin America so violent?

MULTIPLE CRIMINALITY

While having a drink sitting in the local bar, a man turns to his neighbor, takes out a gun and shoots him. Startled, some people run away, but one man remains and asks:—What happened? The answer is succinct:—He gave me a nasty look, and I killed him...

This is how violence has played out in Latin America for years, and it is a common scenario frequently repeated in jokes or remarks by politicians, pundits and sociologists. However, there is not just one singular type of violence in Latin

America; crime in the region has become extremely complex and acts of violence, many and varied. Homicides, assaults and casualties occur daily in all countries, but crime in Mexico and crime in Argentina are not the same, nor is the violence in neighboring countries, such as Colombia and Venezuela. One cannot compare violence by guerrilla groups in the Colombian jungle to violence by Argentine military dictatorships, and neither resembles the cruelty exerted by the drug lords in Mexico or the kingpins who control unit sales of *maconha* in the *favelas* of Rio de Janeiro. When it comes to murder, the differences among countries are not only substantial in terms of numbers, but also in terms of significance and political impact.

One can group violence in Latin America into two distinct periods. Before the 1990s, widespread violence was linked to conflicts over power; after the 1990s, violence linked to extortion emerged. The manifestations of violence changed in the 1980s during the so-called "Lost Decade," which served as an important transition period. During that time, crime increased, and violence became more urban than rural, more criminal than political, and more quotidian than sporadic.

The following pages analyze the types of violence that came to characterize each period and how they changed over time. Some cities, such as Medellín or São Paulo, have managed to reduce homicide

and crime levels, while others, such as Caracas or San Pedro Sula, have faced dramatic increases. Rates of change are also inconsistent across the region. In some cases, things have improved or worsened in very short periods of time, while in others, they have remained stable or changed so gradually that the shift has gone virtually unnoticed. The discussion concludes with the analysis of common denominators among countries suffering extreme violence and draws conclusions that may help us review public policies of prevention and crime control.

VIOLENCE BEFORE THE 1990s

By the end of the last century, three types of violence characterized the region: violence by landowners; violence by dictatorships; and violence spawned by insurgents and guerrillas. Linked to fights for power and control over territory, violence up to the 1990s mostly involved struggles to establish social order and authority and was also used as a tool to maintain, reinforce or undermine power.

Violence by large landowners

Violence in Latin America was, for a long time, concentrated in rural areas. A developed state did not exist in many zones, nor did a robust legal system that would allow the resolution of conflicts via independent courts of law. Domingo Faustino Sarmiento in his classic novel, *Facundo*, posited that the expansive rural areas of the region, and those who lived



Soldiers patrolling the street outside a children's day-care facility in a gang-controlled neighborhood in Ilopango, El Salvador. August 31, 2015. SALVADOR MELENDEZ

there, exemplified “barbarism.” The only means to achieve progress and further development required that the inhabitants of those regions be “tamed” and exposed to “civilization;” namely, the city and the law. As part of this rationale, economic and political power had to be exerted—and was done so, to a large extent—by private armies formed and controlled by large landowners. In many cases, large landowners served as predecessors to a not yet consolidated state and wielded their power by legitimizing the use of force. This experience in Latin America laid the foundation for the future development of an ever-changing landscape of violence.

Although expressions of violence have varied across time, commonalities do exist. Violence inflicted at the hands of so-called *coroneles* in the northeast of Brazil shares characteristics with the many stories of violence related to the rise of paramilitary groups in the Colombian Urabá (Antioquia) and the murders of indigenous people in Guatemala. In each case, violence has been the result of the constant struggle for control of land. Another root cause is the failure of societies to develop, provide and utilize effective tools to ensure peaceful resolution of conflicts and give citizens the opportunity to exercise their rights.

Violence by dictatorships

In Latin America, traditional autocracies took it upon themselves to “civilize” their countries and modernize society with the creation of a state that would control social relations by law rather than by force. The process also stressed the need for a kind of “Caesar,” or enlightened dictator, who, with wisdom and an iron fist, would guide, educate, and also subjugate society. The outcomes of these exercises have varied greatly. Literary masterpieces such as *El Señor Presidente* by Miguel Angel Asturias, *El otoño del patriarca* by Gabriel García Márquez, and *La fiesta del chivo* by Mario Vargas Llosa

provide compelling backdrops for their portrayals of dictators who have absolute control over society and exercise power through extra-judicial violence.

In contrast, the relatively recent Argentine, Chilean or Uruguayan dictatorships formed in a new environment, and for a different purpose, in the confrontational context of the Cold War. The violence exerted by these dictatorships was intended to dominate the political opposition, whose regime leaders were defined not only as social enemies or rivals for political power, but also as foreign agents acting domestically. In the end, the conflict was ideological and political, and merited an all-out “war” in the eyes of the regimes. It was that belief that led rulers to commit brutal acts of violence and extreme violations of human rights.

Another case of violence that is rarely mentioned in the region, perhaps due to a kind of convenient self-censorship by Latin American intellectuals and leftists, is the one exercised for decades by Cuba. The Cuban regime, dressed in revolutionary garb and shouting slogans of liberation, has used violence against its political enemies, accusing them of being counter-revolutionaries and foreign agents, just as the Argentine and Chilean dictatorships did in their time.

Violence by guerrillas

Responses to violence have been equally violent. Peasant insurrection emerged in rural societies in Latin America, and the use of violence was central to these movements. These “agrarian” uprisings, which occurred from Mexico to Chile, have become mythologized, but in fact, their results have been

mixed. This is also true of the liberal guerrillas in Colombia who launched the “Guerra del Llano” in the 1950s. Using violence as a tool, they managed to defeat the army and impose their law in certain territories, but they ultimately failed to uphold their achievements. Regardless, by the end of the 1950s, thanks to the victory of the Cuban revolution, armed guerrilla movements as a violent reaction to oppressive government became consolidated as a viable political alternative in Latin America.

Starting in the 1960s, guerrilla warfare, which sought to seize political power by armed force, became one of the most significant expressions of violence in the region. The political thesis was simple: A group of courageous leaders would begin their guerrilla war in a hotbed of discontent, with the intention of arousing support among the local population to expand their operation into a political and military movement and, ultimately, overthrow the established authorities. The characteristics of this expression of violence were specific to each country. The Venezuelan Armed Forces of National Liberation (FALN) were not the same as Argentina’s Montoneros or Uruguay’s Tupamaros. All of them, however, were part of a broad support initiative for the “anti-imperialist war” that garnered public attention following the Tri-Continental Conference held in Havana in 1966.

The guerrilla cycle of violence in the region has been winding down due to the defeat of most of the groups and their integration into the mainstream political arena. This is the case of the *Sendero Luminoso* or Shining Path

in Peru, and Colombia’s FARC, the oldest guerrilla organization in Latin America, whose original leaders simply died of old age. The FARC’s new leadership eventually acknowledged that its tactics and methods were no longer effective and recently put down their weapons in a historic peace agreement with the Colombian government. Such agreements by themselves do not mean that the violence is over, but they do represent a significant step forward. As the Colombian novelist Héctor Abad, whose father was murdered by guerrillas, recently wrote, the text of the Colombian peace accord has a lot more poetry than the real and practical prose of national reconciliation. But it should also be acknowledged that it was poetry more than tactics that led to the rise of guerrilla movements in the region, and thus, it stands to reason that a dose of poetry may also help with the peacemaking.

VIOLENCE AFTER THE 1990s

Over time, the drug business became a primary source of income for criminal groups. This, along with the end of the Soviet Union and the Cold War, led to the de-politicization of everyday life and the rise of another kind of violence.

Drug violence

The drug market has become one of the great drivers of crime in the region. It is a vast market, and its revenues and capacity to reinvent itself and move in and out of legal and illegal worlds make the stakes very high. The violence exercised by the drug cartels in Colombia and Mexico to control production zones or shipping routes has taken unimaginable forms. In the northern triangle of Central America (El Salvador, Honduras,

and Guatemala), violence has also mutated dramatically due to drugs. El Salvador, which for years bled out from a war between the government and guerrillas, was able to reach a peace accord, putting an end to long-held hostilities. However, new opportunities created by the drug trade revived crime, and old combatants morphed into common criminals who supported drug shipping routes to Mexico and the United States. In Colombia, the drug business ensured a stable source of income for the guerrillas, and it was thanks to that money that they were able to acquire sophisticated weaponry and pay competitive salaries to combatants, even though over time, drug trafficking destroyed the insurgents politically, corrupted them, damaged their credibility and eroded sympathy from the population.

Violence tied to drugs has two functions. First, violent force is used to defend or conquer markets. In Latin America, supply exceeds demand due to the low number of Latin American users and their limited purchasing power. The easiest way to enhance revenue is by stealing market share from other retailers, unleashing fierce clashes between criminal organizations. The second function of drug violence is related to the illegal nature of the business. Despite being unlawful and criminal, the drug industry is highly regulated, but based on verbal agreements among multiple actors and intermediaries. Since there is no formal way to guarantee that actors abide by these verbal contracts, the threat or use of violence is the most efficient way to force compliance. Such has been the case in Colombia and, currently, in Mexico.

Violence by youth gangs

While kingpins of the drug trade

are behind the waves of violence, young gang members are usually on the frontlines and more than willing to serve as reliable executioners. Typically, gangs are formed by groups of friends that, in the process of peer socialization, enter the organizations, seeking identity and hope for the future. They are integrated from an early age, and as a result of their activities, life expectancy is significantly reduced. In the big cities of almost every country, gangs represent models of successful social organization, especially in poor areas, slums and *favelas*. Youth gangs serve as operatives; they are the ones in charge of dealing the drugs, and are also responsible for the robberies, assaults and property crimes that support their organizations. (Personal items and jewelry have been replaced by cellphones and tablets as the gangs' loot of choice).

Gangs are part of the communities in which their members live, and their identity and the complicit silence (or support) that they receive correspond to their turf. They are feared and valued at the same time because, in the absence of police protection, local gangs establish themselves as the only defense inhabitants have against potential violent aggression by other gangs. This protective function, despite its associated acts of violence, grants them recognition that reinforces their local status and strengthens their ability to attract new young members. It is through youth gangs, and violence, that some young people are able to improve their economic and social status.

Gang wars have resulted in many deaths in cities across the region. Each war has its own dynamics, and thus, should be interpreted in a wider context.

Analyses of the causes and effects of gang wars must go beyond "small business" or "defense of market" models; gang wars are about clashes over territory, community protection and identity, and are extremely violent. Although gangs are responsible for carrying out violent acts, they are viewed by the communities, and by their members, as self-defense mechanisms. As long as there is no state strong enough to provide effective protection for those who live in a particular neighborhood, the gang that controls that neighborhood will continue to operate and perpetrate violence.

Organized crime violence

Over time, guerrilla groups, drug dealers and gangs have gradually become complex organizations directly linked to organized crime. Following the definitions of the Palermo Convention, most nations' laws define organized crime as three or more people who commit a crime on a recurring basis and for economic purposes. In Latin America, organized crime involves structures with a lot more than three people and a robust hierarchy that allows for the delegation of tasks and a line of command. The Central American *maras*, the First Command of the Capital (PCC) of Brazil, and the *bandas criminales* (bacrim) in Colombia are clear expressions of this phenomenon, as are the surviving guerrillas or paramilitary groups, given their actions and means of control. The most important difference has to do with changes in the way revenue is generated.

Gangs make their income via predatory crime, stealing from people and retailers, kidnapping, contracting hit men, and charging for the delivery of "security services."



A battalion of the Military Police Special Operations unit occupied the favelas of Parque União, Nova Holanda, and Mare in Rio de Janeiro, Brazil on March 25, 2014. WILTON JUNIOR/ESTADAO CONTEUDO/Agencia Estado via AP Images

As is common in organized crime, they also branch out into extortion. Organized crime victims are not robbed, kidnapped or murdered; they are simply charged a small fee on a weekly or monthly basis to avoid harm. In other words, the business of organized crime is the protection of its victims. Organized crime entities extort victims for protection from other crime groups and, of course, from themselves.

This difference between gang activities and the mafia-type activities of organized crime affords two important advantages to the latter. On one hand, while it is true that a larger amount of money can be obtained from a single operation—i.e. theft or the kidnapping of a businessman—it is also true that extorting small amounts of money from many people can generate high levels of income. Moreover, those operations can be done in a recurring and parasitic fashion, guaranteeing a constant flow of cash for the organization. The regular income allows for “improving” the criminal organization; it enables it to buy better weaponry, expand or guarantee the permanence of its members, and pay necessary bribes to the authorities.

In those areas where it manages to establish itself, organized crime replaces the state and roguishly carries out its functions, as has happened in the vast border region between Colombia and Venezuela: in the states of César, Norte de Santander and Meta on the Colombian side, and Zulia, Tachira, and Apure in Venezuela. To ensure that nothing happens to them or their families—and to remove the risk of losing even one emaciated cow—the guerrilla and paramilitary groups impose laws and sanctions

and, as is common in organized crime, charge businesspeople, transporters and farmers a monthly fee they call a “vaccine.”

Police and prison violence

The state’s answer to crime has also been a violent one, sometimes as a legitimate exercise and sometimes as an illegal response done in a criminal fashion and resulting in increased violence. Prisons that should be safe and controlled spaces end up serving as headquarters for criminal coordination, the dissemination of violence and illicit exports.

Although police forces have improved in many cities and countries, many still have difficulties addressing crime. Perhaps the most powerful obstacle facing police is a lack of trust from the people they serve. Except for the Chilean *Carabineros* and, more recently, the Colombian National Police, public opinion surveys show low levels of public trust in and respect for police organizations in Latin America. (See the infographic on page 6). Changing public opinion is no easy task. Generally speaking, the processes used to select police in Latin America are inadequate and, once recruited, officers are poorly trained and severely underpaid. Additionally, the military’s strong focus on tactics, doctrine and organization have altered police practices and image. Police are viewed as defenders of government interests rather than guardians of citizen security.

Police institutions must also grapple with two types of crime within their own ranks. The first type results from officers taking justice into their own hands when the system fails to prosecute and sentence apprehended criminals.

Such practices have led to the emergence of an institutional culture in which police believe they are not only the law, but also above the law. The second type develops over time and on the job. Essentially, police officers become corrupted, complicit and ultimately involved in criminal activities. They end up either extorting criminals or morphing into offenders who use their knowledge and badge as a license to break the law.

Gender violence

Approximately 90% of violent crime victims are male, but experiences in Brazil show that gender-based violence is also a problem. Before the Peacekeeping Police Units (UPP) arrived in the *favelas* of Rio de Janeiro, there were virtually no complaints of violence against women in those communities. The issue seemed to be nonexistent and without political or social relevance. Ultimately, the UPP managed to physically remove the criminal organizations, or *quadrilhas*, from the *favelas*. The moment they did so, crime decreased; complaints about gender violence however, significantly increased. These changes are attributed to the fact that the displacement of the criminal organizations from the areas they controlled provided state social services with an entrée into the communities, and thus, a space for the reporting or denouncement of gender violence. With a focus no longer fully consumed by the violence of the *quadrilhas*, people were able to look at violence more closely, and new realities came to light. When attention shifted to issues related to families, households and labor markets, gender violence emerged unmistakably. This stands to reason considering that on a micro-social level, violence against women is

about power, money, sexuality and all of the associated complexities.

One particular and often surprising characteristic of gender-based violence is that the most lethal homicides and life-threatening injuries are generally committed against men. Gender-based violence against women may also be deadly, but in general, the violence women experience tends to be more chronic rather than lethal. For example, women tend to suffer injury more often than homicide and are especially vulnerable to violent robbery. (Regarding non-violent theft, male and female victimization rates are almost the same).

To address gender-based violence and policy, governments have created laws and special offices to field complaints and protect potential victims. Significant progress has been made in almost every country, but more effective strategies need to be developed. For example, gender-based violence must be viewed in the context of the general crime trends of a given country when developing policy. Additionally, it is important to consider women's perspectives and draw from the female experience. Historically in the region, an androcentric vision has driven anti-violence policies and favored the use of military-oriented responses to social problems. Women's perspectives would improve effectiveness and efficiency.

THE HETEROGENEITY OF VIOLENCE ACROSS THE REGION

Although world statistics rank Latin America as the most violent region in the world, the truth is that levels of violence vary greatly from country to country and even from province to province. If one

considers Colombia's past or the current situation in Venezuela and El Salvador, extraordinary levels of violence predominate. However, in other countries in the region, such as Uruguay, Chile or Costa Rica, homicide rates have been lower than in the United States for years.

Such variations in levels of violence must be highlighted and understood. Currently, the Latin American region could be divided into three groups: countries that are becoming more secure; countries where violence and criminality are rising; and countries that are managing to keep their public security conditions stable.

Colombia presents the most significant change in the region. After decades of rural guerrillas, deadly struggles between drug trafficking organizations and paramilitary violence, Colombia has undergone a remarkable transformation. The country has seen a significant reduction in its homicide, kidnapping and robbery rates for over a decade. Cities such as Medellín and Bogotá, whose inhabitants once lived under a constant state of siege due to crime, today enjoy a much safer public space. Colombia's oldest and most infamous guerrilla group, the FARC, has already announced a cease-fire and the incorporation of its combatants into civil life. Of course, the country is not yet a paradise and many problems and risks persist. Colombia's murder rate has been cut in half when compared to its levels in the mid-1990s; however, its homicide rate of 30 per 100,000 inhabitants is still high. In addition, one guerrilla group, the ELN, remains operational, and the risk of recently demobilized FARC guerrilla combatants becoming common criminals is very high.

Another country that has experienced important changes is Brazil. For a long time, the country's image was based on a belief in two Brazils. Called "Belindia" by some authors, one was the rich, beautiful ("Bel") south and the other, the poor ("India") north. Historically, Brazil's violence was concentrated in the rich states of the south (São Paulo, Rio de Janeiro, and Minas Gerais), and not in the impoverished areas of the north. This situation has changed in the last two decades thanks to policies applied in the south to reduce crime, especially in São Paulo and Rio de Janeiro. Violence and crime have essentially been displaced to the northeast, where now, not only the state of Pernambuco but also others like Ceará show high levels of violence. All in all, between the decrease of violence and crime in some areas and the increase in others, the country has managed to maintain the homicide rate at about 23 per 100,000 inhabitants.

Another country that has significantly reduced its levels of violence is Peru. The violence and terror of *Sendero Luminoso* was ultimately brought to an end thanks to the authorities and citizenry. Moving freely through the streets and traveling across the country safely was once impossible, but all of that has changed in just a few years. There is no consensus among analysts and observers as to the reasons for these particular changes, but, most agree, they should not be underestimated.

On the opposite extreme, two countries that thirty years ago did not even appear on the list of "danger zones" today have the distinction of being considered the most violent nations in a region



A FARC guerrilla couple takes care of a baby at their camp at the Transitional Standardization Zone in Pongores, Colombia on April 3, 2017. The Colombian government is building accommodations that will house FARC guerrillas until the end of the disarmament process, as per the November 2016 peace agreement. JOAQUIN SARMIENTO/AFP/Getty Images

already known for being violent. These countries are Venezuela and Honduras. For years, Venezuela was not considered a dangerous country; it had defeated a guerrilla force and managed to maintain high levels of prosperity and social mobility. In fact, some studies of violence did not even include Venezuela as part of the research because the country did not “qualify.” Since then, the major failures of both the Chávez and Maduro administrations, and their so-called class struggle and revolution, have destroyed the economy, the gross national product and the fabric of society. Although the Venezuelan government has

strictly censored crime data for more than a decade, some top government officials put the homicide rate at 62 per 100,000 inhabitants, while other independent sources estimate it at about 90 per 100,000.

El Salvador, which for years suffered political violence and, later, criminal gangs, is a more ambiguous case. The government and the gangs, or *maras*, negotiated an agreement in an effort to reduce violence and homicides. This so-called “truce” generated a great deal of hope, and many Salvadorans expected to see the development and implementation of conciliatory

policies. However, recent evidence has shown that instead of the truce weakening the gangs and reducing violence, youth gangs have managed to exploit it and further strengthen themselves. They have kept their territorial domain intact and continue to contribute to ever-increasing levels of homicide.

In Mexico, the high crime and violence areas of the north, such as Chihuahua and Sonora, coexist with the rather peaceful Yucatan Peninsula, including Quintana Roo. Mexico City, despite its large population, has a homicide rate of fewer than 10 per 100,000, a

lower rate when compared to other cities. The country of Mexico as a whole experienced a slow but steady reduction from the 1990s until 2008. Then, as a result of changes in the drug market and an aggressive security policy, power structures and illicit markets underwent significant transformations and imbalances, resulting in an increase in drug trafficking-related violence.

While the current situations in Venezuela, Honduras, El Salvador and Mexico seem grim, other countries in the region have kept their levels of violence and crime relatively stable and low in comparison. These include Chile, Uruguay and Argentina in the Southern Cone; and Costa Rica and Nicaragua in Central America. Although each country's social and political conditions differ from the next, all have homicide rates lower than ten per 100,000 inhabitants. In the case of the countries with mid-level crime rates, Ecuador, Bolivia and Paraguay, experts hypothesize that existing mechanisms of traditional social control underpin the legitimacy of coercive force and help mitigate crime in both rural and suburban communities.

An always provisional balance

The manifestations of violence in Latin America reflect a landscape even more diverse and dynamic than we have been able to convey in this article. If we seek to draw conclusions, we can state that crime has moved from rural to urban areas, that conflict between power and subversion (or political opposition) has been displaced by conflict and violence related to illegal business and extortion economies, and that extra-judicial violence by security forces and the ever-deteriorating control of prison environments have undermined the rule of law.

A fair share of the academic literature and political discourse on this topic has been devoted to explaining crime as the result of precarious social conditions, and it can be argued that poverty, family abandonment and inequality are indeed behind much of the violence. The experiences of countries that have managed to reduce homicides and crime points us in another direction, however. During the period in which violence in Colombia declined, poverty did not, nor did inequality. In Brazil, violence is somehow under control and, at the same time, successful social programs have reduced poverty levels and increased school attendance and employment. In Venezuela, where official data indicate that poverty and inequality dropped more than in Brazil during the same years, the opposite happened, despite the redistribution of wealth from increased oil revenues. Homicides, kidnapping, robberies and drug trafficking rose like never before in the history of the country. What is clear from these experiences, whether positive or negative, is that in Brazil and Colombia institutions and the rule of law were strengthened, whereas in Venezuela they were destroyed.

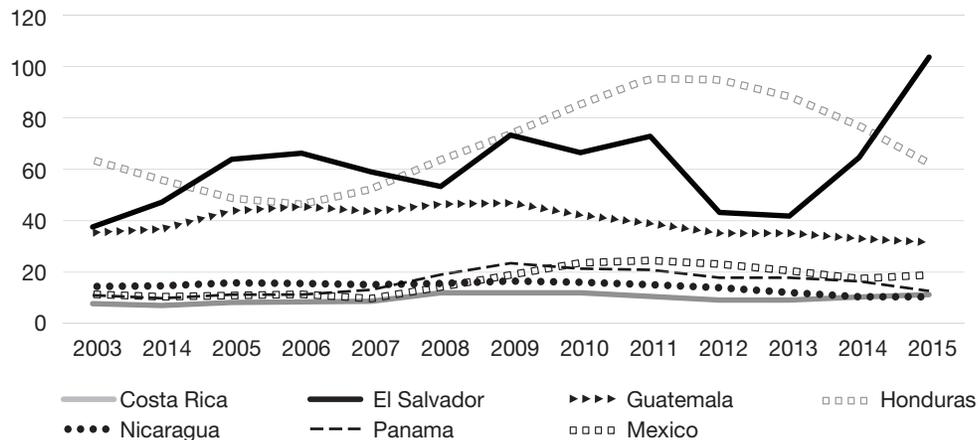
The changing face of violence in Latin America indicates that social programs are necessary but insufficient and that law enforcement policies are important so long as excessive force or corrupt criminal police activities do not distort or undermine them. Controlling and reducing violence and crime requires reinforcing the social pact, strengthening the rules of the game, and bolstering institutions. Safety and peace entail the construction of democracy and the strengthening of the citizenry, not to mention the consolidation

and expansion of a collective space where diverse groups can coexist and imagine themselves sharing a future.

Roberto Briceño-León is a Venezuelan sociologist, professor at the Universidad Central de Venezuela and coordinator of Venezuela's Violence Observatory (OVV), which pools the efforts of seven Venezuelan universities to study and prevent violence.

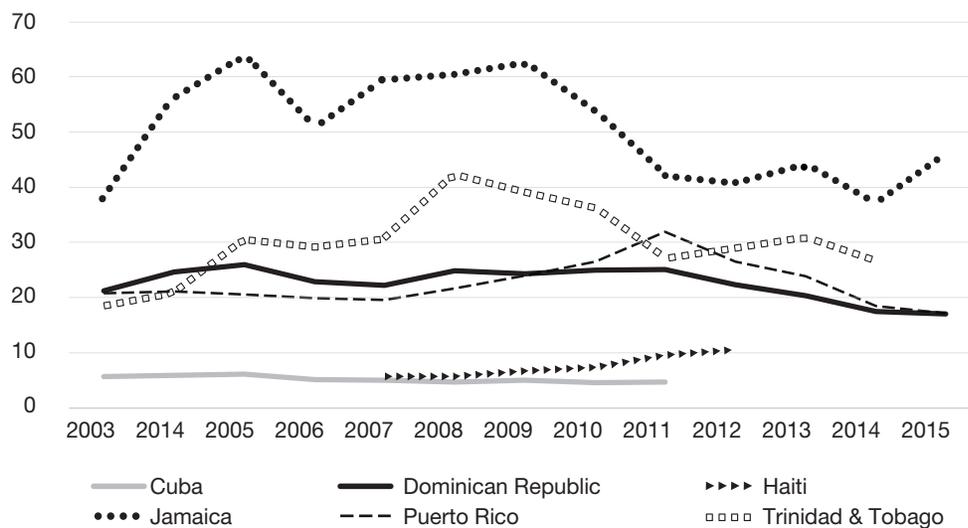
Data at a Glance

Homicide Rates in Mexico & Central America | 2003-2015
(Rate x 100,000 population)



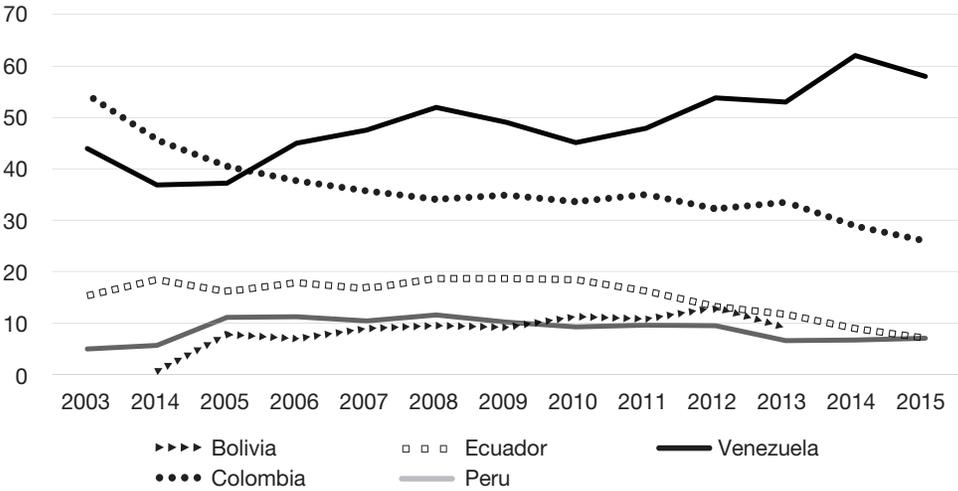
Source: <http://www.insightcrime.org/news-analysis-crime-homicide-round-up-2015-latin-america-caribbean>
<https://homicide.igarape.org.br/> UNODC Homicide Statistics: Homicides per 100,000 Inhabitants (2000-2014).

Homicide Rates in Selected Caribbean Countries & Puerto Rico | 2003-2015
(Rate x 100,000 population)

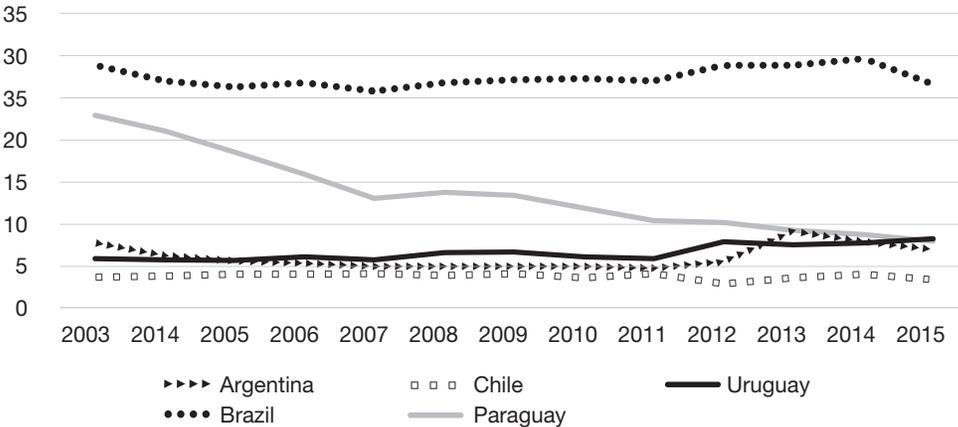


Source: <http://www.insightcrime.org/news-analysis-crime-homicide-round-up-2015-latin-america-caribbean>
<https://homicide.igarape.org.br/> UNODC Homicide Statistics: Homicides per 100,000 Inhabitants (2000-2014).
Only partial data available for Cuba, Haiti and Trinidad & Tobago.

Homicide Rates in the Andes | 2003-2015 (Rate x 100,000 population)

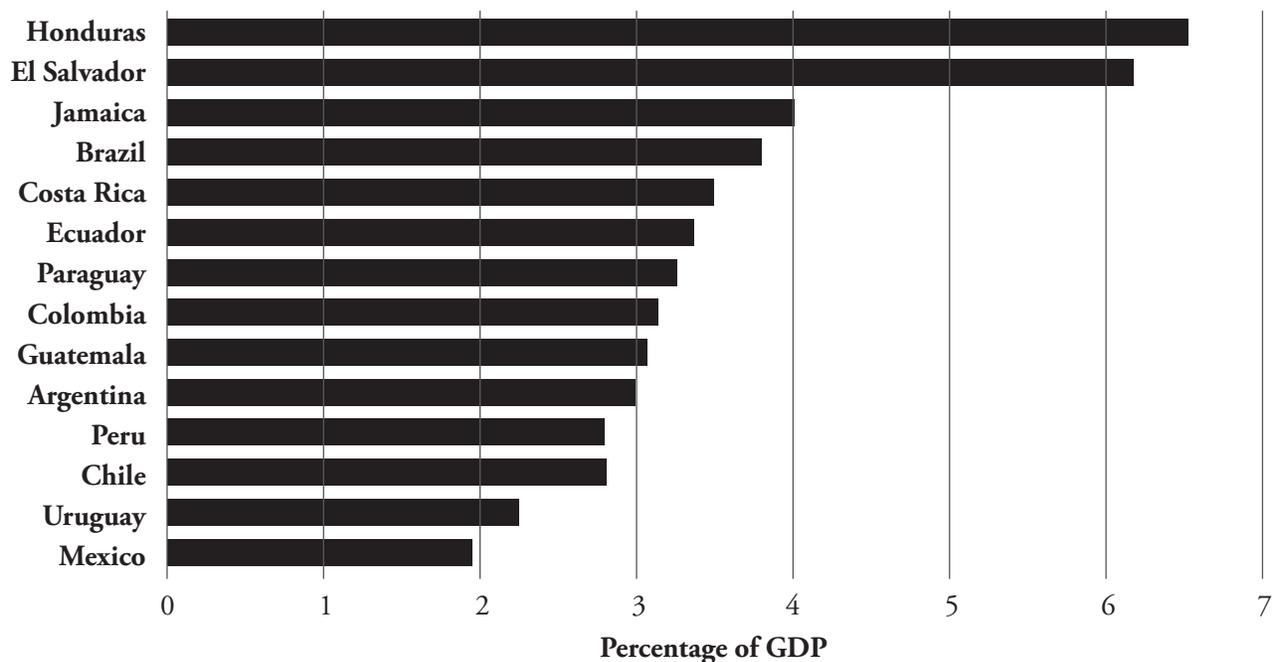


Homicide Rates in the Southern Cone, Brazil & Paraguay | 2003-2015 (Rate x 100,000 population)



Source: <http://www.insightcrime.org/news-analysis-crime-homicide-round-up-2015-latin-america-caribbean>
<https://homicide.igarape.org.br/> UNODC Homicide Statistics: Homicides per 100,000 Inhabitants (2000-2014).
Only partial data available for Bolivia.

Cost of Crime in Latin American Countries as a Percentage of GDP in 2014



Source: Jaitman, Laura & Ivan Torre. 2017. "Estimation of the Direct Costs of Crime and Violence." In *The Costs of Crime and Violence: New Evidence and Insights in Latin America and the Caribbean*. Laura Jaitman (editor). Washington, D.C.: Inter-American Development Bank, p.27.

Robbery Rates in Latin America and the Caribbean | 2003-2014

(Rate x 100,000 inhabitants)

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|--------------------|-------|-------|-------|-------|-------|-------|--------|-------|-------|-------|--------|--------|
| Argentina | | | 907.7 | 895 | 849 | 957.9 | | | | | | |
| Bolivia | | | 93.9 | 91.8 | 111 | 137.4 | 136.2 | 125.7 | 117.8 | 140.7 | | |
| Brazil | | | | 469.3 | 481.2 | 479.8 | 463 | 544.3 | 542.1 | 484 | 495.7 | |
| Chile | | 401.4 | 403 | 480.7 | 567.7 | 538.5 | 546.1 | 480 | 534.7 | 469.6 | 529.5 | 598.7 |
| Colombia | | 128.9 | 93.9 | 125.3 | 115.6 | 107.6 | 134.5 | 133.8 | 146.2 | 176.3 | 197.4 | 197.5 |
| Costa Rica | 423.1 | 470.4 | 501.1 | 950.3 | 908.3 | 974.9 | 1014.8 | 950.1 | 878.8 | | 1018.9 | 1095.6 |
| Dominican Republic | | | | | | | | | | 20.6 | | 144.2 |
| Ecuador | 230.4 | 228.8 | 346.7 | 377 | | | 356.9 | 362.3 | 476.2 | 557 | 601.5 | 570.6 |
| El Salvador | | | 81.7 | 93.8 | 95.3 | 99.9 | 107.6 | 89.7 | 95.3 | 90.9 | 87.8 | 77.5 |
| Guatemala | | 93.8 | 83.3 | 67.9 | 69.5 | 71.6 | 26.6 | 22 | 22.7 | 24.9 | 24.2 | 19.4 |
| Honduras | | | | | | | | | 325.5 | 254.3 | 237.9 | |
| Jamaica | | | | 74.6 | 59.2 | 97.9 | 110.8 | 104.1 | 112.4 | 100.3 | 96.3 | 81.3 |
| Mexico | | 475.6 | 470.1 | 489.5 | 539.8 | 571.3 | 582.6 | 622.3 | 624.6 | 611.9 | 588.9 | |
| Nicaragua | | | 397.4 | 446.7 | | | | 495.5 | | | | |
| Panama | | 152.1 | 158.1 | 172.9 | 184.7 | 224.7 | 228.8 | 262.6 | 262.6 | 268.1 | | |
| Paraguay | | | | 153 | 179.1 | 180.4 | 213.4 | 220.3 | 214.7 | 235.2 | 274 | 307.1 |
| Puerto Rico | | | | | | 146.6 | 163.9 | 175.6 | 174.6 | 170.4 | 163 | 140.3 |
| Peru | 143.2 | 157.3 | 165.1 | 164.6 | 147.1 | 149.9 | 168.2 | 193.4 | 217.4 | 253.4 | 261.3 | 250.5 |
| Uruguay | 291.7 | 277.5 | 291.7 | 266.2 | 274.7 | 319.5 | 338.7 | 409.8 | 443.1 | 453.8 | 490.6 | 542.8 |
| Venezuela | 149 | 111 | 103 | 103 | 106 | | | | | | | |

Source: UNODC Robbery Statistics: Robberies per 100,000 Inhabitants (2003-2014). Data for Venezuela: Centro para la Paz y los Derechos Humanos Tasa de Robos por 100 mil Habitantes (2003-2007). Data compiled by Daniel Barrera.

The Politics of Femicide in Latin America

by Gema Santamaría and María Huesca

It has been four decades since Diana E.H. Russell shed light on the gendered dimension of violence with her definition of femicide as “the killing of females by males because they are female.” The sexual politics of murder, she explained, played a role in perpetuating this form of violence across historical periods and regions. In the Latin American context, scholars such as Marcela Lagarde adopted and further developed the term, and the Spanish word *feminicidio* has become a valuable tool for mobilizing different sectors of society. It has been central to the campaign to raise awareness of the killings of hundreds of young women, many of them *maquila* workers, in the Mexican border city of Ciudad Juárez, and to the struggle and demands of women’s movements in countries such as Guatemala, El Salvador, Argentina, Nicaragua and Brazil.

As is often the case with concepts that travel, Lagarde’s *feminicidio* was not merely a translation of Russell’s definition. In Latin America, impunity became a key explanatory factor for the scope of the problem and its persistence. The politics and meaning of *feminicidio* refer specifically to the actions and omissions of state institutions and public officials that add to the reproduction of this form of violence in Latin America. In this article, we analyze quantitative

aspects and patterns of femicide, concluding with some reflections on its political dimensions.

Rates of femicide in the region

According to a 2012 Small Arms Survey report, 25 of the countries with high and very high incidences of femicide are in the Americas. El Salvador tops the list, followed by Jamaica, Guatemala, Honduras, Bolivia and Colombia. In these countries, femicide rates are anywhere from 7 to 12 per 100,000 inhabitants. Except for Bolivia, all of the countries in question are characterized by high levels of lethal violence in general, as well as by the presence of organized criminal gangs and drug-trafficking organizations (DTOs).

Data from the United Nations Office on Drugs and Crime (UNODC) confirm this trend. According to its latest report on global homicide, the countries of the northern triangle of Central America are among those with the highest female homicide rates, followed by Venezuela, Colombia, Mexico and Bolivia. In all of these countries, homicide rates for males are considerably higher than those for women. On average, the homicide rate for men in the Americas is 29.3, compared to 3.7 for females. This difference is all the more striking in certain countries. According to UN and UNODC statistics, for example, the male

homicide rate in Honduras in 2011 was approximately 163 per 100,000; the female homicide rate for the same year was 11.4. In Guatemala, the homicide rate for men was 82.5 per 100,000 in 2009, compared to approximately 9.8 per 100,000 for women. These numbers are consistent with global trends: Across different countries and regions, lethal violence directly affects men at a much higher rate than it does women.

Despite its relatively lower rate of occurrence, however, female homicide has specific characteristics that make it a subject of special concern. According to the UNODC, 47% of female homicides around the world are committed by an intimate partner or family member. The percentage is lower in Latin America; in this region, only 38% of femicides are perpetrated by a partner or family member. When broken down by country, the disparity is even more pronounced. For example, in Uruguay, a country with a relatively low homicide rate, the percentage of women victimized by a family member or an intimate partner is 58.5%. In contrast, in El Salvador—one of the most violent countries in the region—the number is as low as 4%. These figures suggest that, at least in certain countries, other dynamics beyond the domestic or private sphere are at play in the organization of violence.



SALVADOR MELÉNDEZ

Patterns of femicide

The patterns of femicide in the region follow a range of logics and pose different challenges. Cases perpetrated by intimate partners and family members are more directly linked to traditional forms of domestic violence. According to a study by the Pan American Health Organization (PAHO) covering 11 countries across the region, one in every 10 women reported being a victim of violence at the hands of an intimate partner at least once in her lifetime. This percentage is particularly high in some countries, including Bolivia and Peru, where more than 40% of women reported having been victimized by intimate partners. Research has shown that violence within the domestic sphere tends to escalate, going from psychological and physical forms of abuse to lethal violence. Due to the intricate dynamics of intimidation and economic and emotional dependence, violence within the domestic sphere is notoriously difficult to prevent, report and prosecute.

Femicides associated with organized crime and gang-related violence point to an increasing role for women as both victims and victimizers. In other words, killings by and of women in the public sphere reflect the growing recruitment and victimization of women by criminal organizations. They also expose the increasing participation of these groups in criminal activities such as human trafficking and sexual exploitation, which have a greater impact on women and girls. This is particularly true in Mexico, Colombia and the northern triangle of Central America. Criminal organizations such as Los Zetas reach beyond drug trafficking to the extortion

and exploitation of immigrants, including women. Prostitution and sex trafficking networks are active in Mexico's southern border region and states along routes for Central American immigrants, such as Veracruz and Tamaulipas. Femicides in the public sphere are also a reflection of the militarized strategies adopted by Mexico and the countries of the northern triangle. Human rights reports point to an increase in human rights violations as a direct result of these policies. Killings of women have also increased, as have forced disappearances and torture.

Although private and public expressions of femicide are often considered in isolation, in practice they are connected in significant ways. For instance, the victimization of women by human trafficking and sexual exploitation networks often begins at home and can be directly connected to intimate partner violence. Partners or other family members typically recruit women for such networks by promising them a job in another city or country. This dynamic has been documented among Mexican and Central American female migrants who fall victim to forced labor, prostitution and sexual exploitation on their way to the United States. The same is true of women's involvement in drug-trafficking organizations (DTOs). In Mexico, for instance, women often enter DTOs through filial or sentimental relationships. Due to the gendered dynamics of domination, women consistently occupy the lowest ranks within these criminal organizations, but the law disproportionately penalizes them. In countries as different as Chile, Peru, Argentina and El Salvador, more than half of female prison inmates are serving time for drug trafficking

and possession, a statistic well above the percentage of male inmates doing time for similar offenses.

The politics of femicide

The political dimension of femicide in Latin America is mainly expressed by the actions and, even more so, the omissions of states in investigating, prosecuting and punishing women-related killings. While most Latin American countries have adopted specific policies or national plans to combat violence against women, these efforts remain chronically underfunded and suffer from a lack of coordination and articulation. This deficit in the state's capacity to fully perform its role translates into neglect of the problem and impunity for the individuals and criminal organizations involved. In Guatemala, for example, 98% of femicides go unpunished, and in Honduras, the impunity rate has been calculated at 93.5%.

In many cases, the omissions go beyond institutional paralysis to active involvement by state actors in perpetuating violence against women. This is especially true in contexts where the state has increased the discretionary power of police and military personnel to combat crime. In Mexico, for instance, femicides have increased 40% since 2006, the year the country officially launched its war on drugs. In Honduras, killings of women rose by more than 200% between 2002 and 2010, a period that coincides with the escalation of militarized anti-narcotics and anti-gang policies.

The prevalence of femicide in the region cannot be understood in a vacuum. Rather, it should be viewed within a broader

sociopolitical context characterized by gendered dynamics of exclusion and discrimination in the family, schools, economy and public sphere. Effective responses to femicide must address the institutional and social roots of the phenomenon. Evidence suggests that specialized and gender-sensitive police units can contribute to the reporting of intra-family or intimate partner violence. The creation of shelters with the support of civil society and grassroots organizations has also proven instrumental in providing immediate assistance and protection for the victims of domestic violence, sexual exploitation and human trafficking. Beyond these measures, policy responses need to address the victimization of women by criminal syndicates. To investigate and prosecute such crimes, governments will have to allocate additional resources beyond programs focused solely on prevention.

Either by their actions or their omissions, Latin American states have shown that they play a critical role in the perpetuation and persistence of femicide. *Ni una más* (not one more) and *ni una menos* (nor one less) have become rallying cries for civil society organizations and women's movements across the region. To fulfill these pledges, states must acknowledge the political dimension of femicide and ensure justice is done for female victims and their families.

Gema Santamaría is a Nicaraguan-born historian who teaches in the Department of International Studies at Instituto Tecnológico Autónomo de México (ITAM). María Huesca is a senior in the International Relations program at the same institution.

Victims and Perpetrators:

Youth and Violence in Latin America

by José Miguel Cruz

Youth bear the brunt of the wave of criminal violence affecting Latin America and the Caribbean. According to the 2013 Global Study on Homicide published by the United Nations Office on Drugs and Crime, one in seven murder victims in the world is a young male aged 15-29 living in the Americas. Homicide rates for male youth in Latin America, widely considered the most violent region in the world, are more than four times the global average. In Honduras alone, the 2012 homicide rate for males 15-29 surpassed 280 per 100,000. And in Brazil, the country with the most victims in the region, killings of youth 10-29 consistently account for more than 55% of all homicides in the country, according to data collected by Arturo Alvarado, a professor at the Colegio de México.

Young people are conspicuous actors in regional criminal activities in general, especially in urban centers. Youth gangs rule the streets in a number of cities and impoverished communities across Latin America and the Caribbean. In Colombia, the Dominican Republic and Venezuela, street gangs commonly recruit minors as young as 11 years old. In the northern triangle of Central America (Guatemala, El Salvador and Honduras), where the so-called *maras* have expanded and openly challenged national governments, gangs compel aspiring members to murder people from

rival territories just to be considered serious candidates for joining the organization. In Mexico, data collected by the Secretaría de Gobernación's Victimization Survey found that 33.5% of murders committed in that country in 2013 were perpetrated by youth aged 25 or younger. Violence is a tool not only of criminal syndicates, but also of self-directed youngsters reacting to the forces of exclusionary environments.

The impact of youth violence

It is impossible to understand the problems of crime and insecurity in the hemisphere without taking into account the participation of young people in the dynamics of violence, whether as its victims or perpetrators. Likewise, it is not possible to fully grasp the impact of criminal violence on a broad range of issues, from development to economic growth and political stability, without considering young people and their relationships with social and political institutions. The soaring levels of youths victimized, usually at the hands of their peers, have an outsized impact on Latin American societies. Youth-related violence not only increases the morbidity and mortality of a population otherwise characterized by its optimal health, but also affects economic productivity and limits the potential for innovation that young people represent. According to a recent report by the Inter-American Development Bank,

crime costs countries in the region an average of nearly 3.5% of GDP, with Honduras, El Salvador, Jamaica, and Brazil paying well above this level. Young populations victimized by violence add a disproportionate burden to health care systems and social services, while youth gangs and violent juveniles strain criminal justice systems and overcrowd prisons across the region. All of these issues divert government resources and private initiatives from development programs and productive activities.

The impact of violence can also be seen in the region's political climate. Latin American societies trapped in waves of violence are more inclined toward censorship and limit the public spaces where youth can create and thrive. They tend to empower institutions and actors with the potential to suppress tolerance, freedom and inventiveness. They are also more likely to scapegoat young people, especially the underprivileged, for many of the social ills affecting their communities. In some societies in Latin America and the Caribbean, young people not only are the most frequent victims of violence and its most visible perpetrators, but are also portrayed as the main parties responsible for the violence, insecurity and social instability inside their troubled countries. As several studies have documented, such representations are largely shaped by political forces, part of social systems that keep disadvantaged youth

away from political representation and decision-making processes. This is particularly evident in extremely unequal countries, where large masses of unemployed and impoverished young males are automatically labeled as a threat to stability.

In fact, a closer look at the dynamics of youth-related crime in countries experiencing significant outbreaks of violence suggests that this problem can be attributed at least in part to the failure of social and political institutions to incorporate young people into mainstream politics. In most countries of the region, social segregation of young people and the economic constraints they suffer are the result not of brazen discrimination or political repression, as was the case under the former military dictatorships, but instead of sustained processes of exclusion that permeate the institutions of socialization. Exclusion starts at home, is legitimized in the classroom and constantly reinforced in the community.

Research across the hemisphere—the United States included—has found a strong connection between criminal gangs, state-sponsored vigilante groups, and other violent organizations, on the one hand, and dysfunctional and abusive families, neglected and underfunded school districts, and derelict and underserved communities, on the other. Many youngsters transition into adulthood from the marginal edges of Latin America, where deprivation, despair and violence prevail. In the *favelas* of Brazil's megacities, the *villas miseria* of Buenos Aires, and impoverished rural communities in Mexico and Central America, violent groups become the “natural” reference points for many

children and young people. They turn to criminal activities and violence is the currency of choice in their daily relationships, even within the household and schools, because violence is the only skill they have learned and used in their immediate environments.

The political dimension

These problems and exclusionary dynamics are not new, but they have exploded across the region in the last few decades because of the failure of political establishments to reform institutions and enact policies that recognize and address the structural and demographic changes occurring in the wake of political transitions, the Washington Consensus and the information revolution. A number of Latin American and Caribbean countries experienced the peak of a youth bulge between 2005 and 2015, significantly straining education systems, job markets and social services. Instead of channeling resources toward those areas, many governments resorted to draconian anti-crime policies and drug wars that defunded and debilitated the social institutions that nurtured and protected youth. The so-called northern triangle of Central America is a case in point: Plagued by the highest crime rates in the world, Guatemala, El Salvador, and Honduras have consistently had some of the lowest rates of public social expenditure in the region, while their security budgets have substantially increased.

For many young people living in impoverished slums and neglected communities across the region, the societal transformations that sprang from cycles of political reforms have done very little to encourage a sense of opportunity and social mobility. Even the ambitious social programs implemented by the populist regimes

that rose to power in the early 2000s failed to transform the dynamics of exclusion perpetuated by the key institutions of socialization. In many cases, governments coupled welfare policies with anxious discourses and violent campaigns against youth and the communities benefiting from public subsidies.

Ultimately, youth-related violence in Latin America and the Caribbean is as much a political challenge as it is a law enforcement or judicial one. In addition to the basic mechanisms of exclusion that perpetuate criminal violence, the problem is linked to political dynamics that seek to criminalize certain social groups for electoral gain. In Latin America and the Caribbean, young people between the ages of 15 and 29 represent more than 25% of the population. As long as governments continue to ignore the systemic marginalization and victimization of their country's youth, it will be impossible to address the high levels of violence in the region. To tackle criminal violence, Latin American societies not only need to enact policies that address the plights and concerns of young people, but also give them a voice in the political system.

José Miguel Cruz is a political scientist and the director of research at the Kimberly Green Latin American and Caribbean Center at Florida International University.

Drug Trafficking and Violence in Latin America:

Trends, Challenges and Lessons Learned

by Jonathan Rosen

Latin American countries have been afflicted by drug trafficking and organized crime for decades. Criminal organizations use violence to intimidate rival cartels, citizens, government officials and law enforcement. Yet government policies are also in part responsible for the high levels of violence. Iron fist (*mano dura*) strategies designed to combat organized crime throughout the region have led to spikes in violence in Colombia, Mexico, Brazil, El Salvador and various other countries. After passing *mano dura* and *super mano dura* programs to combat gangs in the early 2000s, for example, El Salvador surpassed Honduras as the most violent non-warring country in the world, with 104 homicides per 100,000 inhabitants in 2015.

The kingpin strategy

One of the most common strategies Latin American governments have implemented to combat drug trafficking and organized crime is the so-called kingpin strategy, which holds that eliminating cartel leaders is the key to toppling drug trafficking organizations. In practice, the kingpin strategy can lead to more violence as rival cartels compete for control of territory and drug trafficking routes, and individuals within the organization jockey for power and leadership.

The case of Pablo Escobar, the ruthless leader of Colombia's Medellín cartel in the 1980s and early 1990s, reveals the shortcomings of the kingpin strategy. Although the Medellín cartel collapsed after Escobar was killed in a firefight with the Colombian authorities in 1993, drug trafficking in this South American country continued unabated. In Mexico, too, the administration of President Felipe Calderón (2006-2012) focused on capturing the leaders of major drug trafficking organizations, charting its success by the number of top *capos* and drug shipments seized. However, drug violence proliferated during this government: During the six years of the Calderón administration, 26,000 people disappeared and 70,000 deaths were attributed to drug-related violence. Some sources put the death toll as high as 120,000. The violence has continued unabated under President Enrique Peña Nieto: During the first 45 months of his administration, 78,109 narco-executions have been recorded, with some of the highest tolls in the states of Mexico (1,326), Guerrero (1,267) and Chihuahua (771).

One of the problems of the kingpin strategy, University of Miami Political Science Professor Bruce Bagley points out, is the fragmentation of drug cartels. The toppling of the Medellín and Cali cartels, for example, resulted in

the emergence of 300 *cartelitos*. Mexico had six major drug trafficking organizations in 2006; by 2012, Attorney General Jesús Murillo Karam reported that the number had increased more than tenfold to between 60 and 80. The fragmentation of cartels into smaller organizations makes it even more difficult for the government to dismantle groups competing for control of drug routes, territory and markets.

The militarization of the war on drugs

The increasing violence in Latin America is intricately connected to the militarization of the war on drugs. In Mexico, President Calderón deployed the military to combat the increasing power and presence of drug cartels. By definition, the military should protect against external threats and enemies, while police forces are responsible for internal security. Calderón turned to the military because he did not have confidence in Mexico's notoriously corrupt police. The newly militarized war against drug trafficking organizations, however, led to a dramatic increase in violence. The war fragmented criminal organizations, spurring territorial battles between different groups and against state institutions. From 2008 to 2012, for example, Ciudad Juárez, just across the border from El Paso, Texas, was the most dangerous city in

the world due to the impact of drug trafficking and organized crime. Across Mexico, 123 journalists or media-support workers were killed between 2006 and 2015 as drug traffickers and criminal organizations targeted politicians, human rights activists, journalists and other groups critical of their activities.

Other countries have also suffered from drug-related violence following a state's decision to militarize the drug war. Various cities in Brazil have experienced spikes in violence as a result of organized crime groups such as First Capital Command (*Primeiro Comando da Capital*, or PCC) in São Paulo. In the northeast, Salvador, the capital of the state of Bahia, had a murder rate of 60 per 100,000 in 2015, surpassing Rio de Janeiro (21.5 per 100,000).

On their own, drug trafficking and organized crime do not necessarily result in high levels of violence, but militarizing the drug war causes violence to spike. Critics of the tactic argue that the government is winning minor battles but losing the war. Leaders are captured and convicted, but the prisons they are sent to are plagued by overcrowding and function as schools of crime. Drug trafficking and other illicit activities continue behind prison walls, and countless escapes have occurred from prisons throughout Latin America. Militarization also does nothing to address the underlying problems in many countries, including high levels of corruption, inequality and unemployment. Ethan Nadelmann and Bruce Bagley argue that drugs are cheaper and more readily available today than ever before, an indication of the failure of supply-side strategies. Increasingly,

many experts are arguing that drugs should be viewed as a health issue as opposed to a security problem. Drug trafficking will exist as long as there is demand for its product. Countries should spend fewer resources on combating the supply of drugs and more on treatment, rehabilitation and education, these experts maintain.

Other challenges

To effectively combat organized crime, drug trafficking and violence, governments need to address the deeper challenges that exist in their societies. Corruption and impunity are especially insidious problems in many Latin American countries. Impunity rates in Mexico and Venezuela, for instance, are as high as 99% and 98%, respectively. Néstor Humberto Martínez, the chief prosecutor of Colombia, has cited similar figures for his country. Instead of deploying the military to combat criminals, countries should focus on strengthening their institutions. Roberto Zepeda Martínez, a researcher at the Universidad Nacional Autónoma de México, stresses the need to combat the corruption and impunity that enable criminal organizations to bribe and intimidate government officials, politicians and security personnel.

In addition to corruption, countries throughout the region are plagued by inequality and various other socioeconomic challenges. Twenty million youths in Latin America are known as *ninis* because they neither work nor study (*ni estudian, ni trabajan*). Young people who lack educational and employment opportunities are vulnerable to joining drug trafficking organizations, which actively recruit them.

Lesson learned?

Many states in Latin America have long histories of conflict and structural violence. Drug trafficking and organized crime, as well as counternarcotic strategies, have played a role in escalating the problem. Addressing the violence will require governments to learn the lessons of past failures. Many leaders throughout the region, rejecting the cost of the drug war in terms of bloodshed, have called for a new paradigm. Alternative strategies are being debated, including decriminalization and legalization. While there are no magic solutions for ending structural violence in Latin America, the change in discourse over the past several years demonstrates that policymakers are at least looking for creative solutions.

Some leaders, however, seem not to have learned from the failed policies of the drug war. Mauricio Macri, the president of Argentina since 2015, has reverted to hardline policies to combat drugs and crime in that country. While some governments are moving away from the failed paradigm of the drug war, others are continuing the same strategies. Drug-related violence will continue if successive administrations persist in implementing the same failed policies.

Jonathan D. Rosen is an international studies specialist at the Jack D. Gordon Institute for Public Policy and Citizenship Studies at Florida International University.

Changing Course: Criminal Justice Reform in Latin America

by Mirte Postema

Criminal violence has been on the rise in the Americas in the last 15 years, despite efforts by the authorities to contain it by putting more offenders behind bars. With mass imprisonment failing to improve citizen security, governments need to consider a different approach to criminal justice. Instead of emphasizing incarceration as a response to insecurity, the focus should be on prevention, rethinking how to deal with crime, and strengthening the judicial system.

Pretrial detention and its implications

The incarceration rate in the Americas is high. Around the world, the average prison population rate is 144 per 100,000 inhabitants; in Latin America, it is 387. According to data collected by Roy Walmsley, approximately 110 out of every 100,000 inhabitants in the Americas are in pretrial detention. These are people who are merely suspected of committing a crime and have yet to be proven guilty in a court of law. In the majority of the world's countries, the pretrial rate is below 40; in the Americas, only three countries—Aruba, Jamaica, and Nicaragua—are below that level, and 13 states have rates higher than 150 per 100,000 inhabitants.

The Inter-American Commission on Human Rights points to a number of factors to explain the prevalence of pretrial detention the region. These include “issues of legal design,” such as compulsory pretrial detention for certain crimes; “structural deficiencies in the administration of justice systems” that interfere with judicial independence; and “deeply rooted [punitive] tendencies in judicial culture and practice.”

The situation is problematic for several reasons. First, it indicates an alarming lack of access to justice throughout the region. The right to liberty is fundamental and should only be restricted in exceptional circumstances. The fact that 39% of all people imprisoned in the Americas have not been convicted of any crime indicates a worrying disregard for that right. Second, research by the UN Office on Drugs and Crime has found that high rates of pretrial detention tend to correlate with prison overcrowding. This is a considerable problem in the Americas, where prisons operate at more than 150% of their capacity in 11 countries. Prison overcrowding compromises inmate safety and dignity, reducing the chances of rehabilitation and contributing to a vicious cycle of crime and violence.

The importance of public policy

The good news is, we can change this reality. Studies have shown that public policy can have a substantial

positive impact on criminal justice issues. The institutional reforms of the 1990s, for example, introduced the accusatory system in Latin America and strengthened due process guarantees with the effect of lowering the pretrial detention rate. A regional study by the Justice Center for the Americas showed that these gains have been at least partly undone following popular clamor for *mano dura* (iron fist) policies that favor incarceration and harsher punishments. The same study also found, however, that support for *mano dura* policies is stronger among people who perceive the state as weak. Strengthening public institutions, therefore, is central to efforts to chart a more constructive way of dealing with crime and violence.

To contain crime and violence, states need to develop initiatives aimed at prevention, including educational, employment and psychosocial support programs. Data collection, including where, when, and by whom crimes are committed, is essential to properly target and tailor such activities within countries and sub-regions. A connection also exists between a country's level of economic development and citizen security, with lower-income countries tending to experience more violent crime than middle- or higher-income countries. Economic empowerment programs, therefore, could play a major role in preventing crime and violence.

Also essential are efforts to strengthen judicial institutions. Several studies have shown that the certainty of punishment, rather than the severity of sanctions, is the most effective deterrent. To achieve this effect, all actors in the justice system—police, prosecutors, courts, public defenders and the prison system—need to be more effective, efficient and respectful of human rights. The Guatemalan Public Ministry is an example of the progress that can be made in this regard. Starting in 2011, following a 2009 pilot project, the Ministry implemented a restructuring to provide integral attention to victims and identify patterns among cases. The new system created teams tasked with determining whether less severe or complex cases could be resolved using conciliation or alternative solutions, and sharing information across the Ministry and with other actors in the criminal justice system. Important strides were also made to professionalize the institution and defend its independence. Following these reforms, Ministry cases solved through alternative solutions increased exponentially, from 5,800 in 2008 to 27,950 in 2013, and convictions more than doubled, from 3,280 in 2009 to 7,122 in 2013.

The Guatemalan experience holds valuable lessons for other countries. Justice institutions can and should make the necessary efforts to professionalize their ranks via transparent and capacity-oriented hiring procedures. By introducing laws to govern justice sector careers, lawmakers can help guarantee the independence of justice operators, with oversight by autonomous administrative bodies. Better (digitalized) systems make it possible to share information within and across institutions and tap into advanced investigation methods to resolve complex cases.



A man holds up a sign that reads in Spanish: “CICIG Yes” in reference to the U.N. International Commission Against Impunity, or CICIG, during a protest against Guatemala’s President Otto Pérez Molina in Guatemala City on Monday, April 20, 2015. MOISES CASTILLO/AP Photo

Given the level of prison overcrowding in Latin America, governments need to be willing to consider unorthodox measures to create the conditions for structural reform. One such measure is the granting of partial pardons. According to the Pew Charitable Trusts, between 2008 and 2013, thirty US states lowered their imprisonment rates through such mechanisms as the commutation of sentences, and all saw reduced crime levels in the same period. In Italy, a study conducted by Francesco Drago and colleagues published in the *Journal of Political Economy* found that people whose sentences were commuted following passage of a bill that reduced prison sentences by three years were less likely to re-offend than those whose convictions remained untouched. This practice has been tried in the Americas in Bolivia, which has granted presidential pardons and amnesties to nonviolent offenders for a number of years. Despite helping to reduce prison overcrowding, however, it has done nothing to reverse the country’s

pretrial detention rates, which have continued to increase.

Lastly, but perhaps most important, it is essential that societies as a whole rethink their approach to criminal justice. For example, the “war on drugs” has led to lengthy prison sentences for relatively minor drug offenses. As the Open Society Justice Initiative has made clear, mandatory pretrial detention for certain crimes overburdens the prison system and imposes enormous costs on suspects, their families and the state. In general, lengthy sentences make it harder to reintegrate into society. Interrogating current policies, therefore, is the most important first step in reforming the criminal justice and prison system.

Mirte Postema is a Dutch human rights specialist. She is a Fellow for Human Rights, Criminal Justice and Prison Reform in the Americas at Stanford Law School.

Senseless Captivity: Prisons in Latin America

by Marcelo Bergman

Crime has risen dramatically in Latin America over the last three decades. While levels vary among countries, most states in the region have higher crime rates today compared to the 1980s and '90s. In response to public outcry and generalized perceptions of insecurity, governments have introduced tougher crime laws, leading in turn to a significant rise in the prison population. According to the International Center for Prison Studies, the region averaged 225 inmates per 100,000 people in 2013, compared to 95 per 100,000 in the early 1990s. Today, more than two million people in Latin America are behind bars. If the trend continues, the prison population is estimated to reach four million by 2025.

The rise in incarceration, however, has not slowed the increase in crime. Some observers argue that without the tough policies, crime rates would be even higher, but this is impossible to prove. In the meantime, mass imprisonment has led to human suffering and exacted a high financial and social cost. An important question, therefore, is why Latin American prison systems have been unable to reduce crime and improve public security in the region.

Overcrowded and underfunded

Several authors, Andrés Antillano, Elías Carranza and Fernando Salla

among them, have provided ample evidence of prison conditions in the region ranging from bad to atrocious. Most prisons are overpopulated; in many, water and food are scarce. Corruption is rampant in most systems, and rehabilitation programs are few, outdated and ill equipped to deal with the demands of reinsertion. In most countries, educational programs provide only elementary-level instruction, and less than one-third of inmates attend classes regularly. The constitutional mandate of social rehabilitation has become an ambitious dream; instead, prisons have become schools of crime. Many first-time, nonviolent inmates exit prisons as professional and violent offenders already linked to criminal groups. The author's own research in the region suggests that more than 50% of inmates will re-offend, half of them within the first six months of leaving the system.

Two interconnected processes contribute to an extensive list of shortcomings in the region's penitentiary systems: first, insufficient investment in infrastructure and rehabilitation programs; and second, a doubling of the prison population in most countries in less than 15 years, outpacing generous budget allocations and brand new facilities. This disparity has contributed to a serious deterioration in prison conditions. New prisons rapidly become obsolete, corruption has

been difficult to contain and, in countries such as Honduras, Venezuela and El Salvador, prison facilities have come under the control of gangs and other criminal organizations. Prison authorities in the region, for the most part, have had a hard time coping with mass incarceration.

Who are the inmates?

The prison population in the region can be classified in multiple ways. The first is by inmates' legal status; in other words, whether they are in pretrial detention (PTD) or already sentenced. In most countries, half the prison population has PTD status, although this percentage has been changing as governments launch a concerted effort to speed up criminal procedures. These days, suspects are often expected to await trial outside prison unless a judge determines they pose a risk of evidence tampering or escape. According to available prison surveys, however, more than 95% of inmates are tried while they are already in jail.

The author's research has found that approximately 40% of inmates in Latin American prisons are serving time for property crimes, most of them robberies that may include the use of violence. Between 20% and 25% of inmates are in jail for drug-related offenses, less than 20% for homicides, and between 15% and 20% for sex-related crimes, particularly rape. More than one-

third of prisoners surveyed say they did not use violence in committing their offenses.

Most inmates in Latin America serve, on average, shorter sentences than in the United States. The average length is seven years, but longer sentences for homicides and sex crimes distort the average. Although mandatory sentencing has been extended in recent years, most inmates serving time for drug crimes and robberies are serving sentences that run anywhere from one to six years. As a consequence, the prison population in Latin America rotates rapidly. Half of inmates are released before they turn 30 years old, and a significant percentage goes back to crime soon after release from jail.

Females comprise 5% of the prison population, but their rate of incarceration has grown faster than the rate for males. Women serve time mainly for two types of felonies: homicides and drug-related crimes. The rise in the number of female inmates reflects their growing role in transporting drugs (as “mules”) and selling and delivering small quantities of illegal narcotics. For some women, particularly those heading single-parent households, drugs have become a source of income, and in many countries in the region, preschool-aged children are allowed to live with their mothers in prison.

The burden on families

The incarceration of young males and heads of families puts an enormous stress on their households. Given the poor conditions in most prisons, many family members already living in disadvantaged environments must travel hours to provide their relatives with the basic needs prisons fail to furnish: clothes, sheets, shoes, medicine and even food. Most of all, incarceration

of a breadwinner puts a significant stress on other family members to earn enough money to live. The imprisonment of a relative often means a heavy burden for members of the extended family, some of whom turn to crime themselves to supply basic needs for the prisoner and his or her kin. As children visit their fathers, brothers, uncles or mothers in prison, correctional institutions become familiar places, losing their deterrence effect. Every day in Latin America, more than two million children face the reality of having at least one close family member (a parent or sibling) in jail, and more than three million children have had a relative incarcerated during the last two years. No systematic studies have examined the effect familiarity with prisons has on future criminal behavior, but based on anthropological work, authors such as Javier Auyero and Maria Berti suggest the impact is significant.

A partial balance

Large-scale imprisonment has barely affected crime rates in the region. Robbery rates are high and growing, domestic illegal drug markets are expanding, and violence remains on the rise while more offenders are admitted to penitentiary systems. Latin American correctional facilities do not deter enough potential criminals and do not incapacitate enough offenders to reduce the incidence of crime.

Why has doubling the prison population failed to reduce crime? Arguing that even more offenders need to be locked up is problematic, if only because resources and state capacities for running a penitentiary system are limited. Even in the United States, according to Alfred Blumstein and Joel Wallman, the

effect of increased incarceration rates on reducing crime has been estimated at less than 10%. In short, putting more people behind bars does not produce a meaningful reduction in crime, and no country in the region has the resources to house a prison rate of 500 people per 100,000 inhabitants in decent facilities.

Prisons in Latin America have failed in two important ways: They do not deter, and they do not incapacitate. Large illegal economies breed the type of criminality that prisons are unable to curb or deter. Most of those arrested are small-time criminals: muggers, car thieves, drug dealers and drug mules, the last links in a long chain of illicit networks that are quickly replaced. As long as the market for stolen goods persists and demand for illegal drugs remains steady, large criminal organizations will have an incentive to recruit foot soldiers.

Marcelo Bergman is an Argentine sociologist. He is the director of the Centro de Estudios Latinoamericanos sobre Inseguridad y Violencia (CELIV) at Universidad Nacional de Tres de Febrero in Argentina.

The Private Sector, States and Crime in Latin America

by Eduardo Moncada

There is no question that criminal violence in Latin America disproportionately affects the most vulnerable populations, but it also has a cost for Latin America's business community and, in turn, the region's economic potential. Alongside longstanding concerns regarding regulatory conditions, corruption and economic infrastructure, Latin America's private sector consistently points to crime as one of the primary obstacles to doing business in the region. As early as 1997, World Bank surveys of firms around the world found that Latin American entrepreneurs most often cited crime as the main factor constraining their ability to do business. Two decades later, businesses in Latin America report the highest financial costs associated with crime, and an astounding two-thirds of the region's firms pay for private security.

The toll criminal violence takes on the private sector reverberates throughout the region's economies and societies. As Alejandro Gaviria has pointed out, the increased costs of doing business, coupled with declining sales in contexts of insecurity, can lead firms to reduce investment, stifling job creation and economic growth. The potential outcome is a vicious circle in a region that continues to exhibit exceptionally high levels of inequality as well as complex and

worrisome dynamics of criminal violence, especially in countries, such as Brazil and Venezuela, that are experiencing economic downturns. Addressing these challenges will require continued research into the economic costs and consequences of crime.

The relationship between crime and the private sector also has repercussions in the political realm. As is clear from studies of phenomena as varied as authoritarianism, transitions to democracy, market reforms, taxation and public spending, the private sector is as much a political actor as it is an economic one. Scholars such as Elisabeth Jean Wood and Angelika Rettberg have shown that active business support for peace in civil war settings in Latin America has helped turn the tide of some of the region's most violent conflicts, but we know considerably less about the role that Latin America's business community plays in the politics of criminal violence; that is, the formal and informal political processes that shape its origins, dynamics and responses.

Businesses can play a role in providing the state with important resources to prevent and stem criminal violence. Lucy Conger documented how elite segments of the private sector in the Mexican state of Nuevo León gave government officials important financial, technical and human

resources to support the creation of the *Fuerza Civil*, a new police unit designed to be more efficient and resistant to corruption than existing security forces. Another example is El Salvador, where large multinational firms have worked with the government to reincorporate former gang members into the labor force by providing them with skills training and employment opportunities. Methodologically rigorous and evidence-based evaluations of these and other similar cases may be able to tell us more about the efficacy of public-private sector coordination in this realm.

Focusing solely on the resources that business can offer such initiatives, however, risks overlooking a number of other important questions regarding the political dimensions and implications of the relationship between the private sector, criminal violence and the state in Latin America. These questions fall into three overarching categories: state-business relations, business-criminal relations, and business resistance to criminal actors.

State-business relations

Anecdotal evidence suggests that collaboration between the public and private sectors can yield positive benefits in addressing criminal violence, but we need more comparative research into the scope and influence of such

partnerships. My own research has found that the nature of relations between the state and business is shaped in part by longstanding arrangements of governance that often predate contemporary waves of criminal violence and reflect a degree of overlap between political and economic interests. The public-private relationship can range from collaborative to conflictive and includes intriguing variants in between, each of which poses unique opportunities and barriers to effective coordination on issues of criminal violence and the rule of law. On the one hand, collaborative relations lead to the sharing of critical resources and, more broadly, private sector endorsement of state projects to stem and prevent violence. Conflictive state-business relations, on the other hand, undermine similar policymaking efforts not only by denying resources to the state, but also by encouraging the private sector to support competing efforts to establish order, options that can include extra-judicial violence and private militias. These relationships can vary across and even within cities—a dynamic that underscores the importance of subnational politics in a realm of scholarship and policymaking that has traditionally favored a national-level focus.

Business-criminal relations

We must also consider how the nebulous border between licit and illicit economies affects the potential for business to partner with the state to stem criminal violence. More research is needed on the linkages between business and criminal actors, a dynamic that can vary along a number of dimensions, including firm size, economic sector and place in the commodity chain. Different types of business, in other words, are likely to have different

types of relationships with illicit economies and the criminal actors that coordinate them. Some of these relationships approximate structural fusions that make it difficult to disentangle licit from illicit interests. Others resemble arms-length relations characterized by predatory criminal behavior toward firms, including protection rackets and other forms of extortion. A better understanding of the variations in business-criminal relations could greatly inform the efforts of policymakers to help businesses address private security concerns and enlist their aid in broader initiatives aimed at advancing public order.

Business resistance to criminal violence

A closer look at attempts by businesses to resist the advances of criminal actors could also yield practical insights for potential policy interventions. During my research into protection rackets in Latin America, for example, I found that businesses use varied strategies to contest “taxation” by criminal actors. These strategies appear to vary depending on the degree to which firms engage in informal economic activities. Firms in the state-regulated formal sector are able to use their access to legal sources of capital and state actors to reject the advances of protection rackets and engage in public forms of resistance aimed at ending such practices. In contrast, informal firms whose activities are unregulated by the state and that lack legal access to capital often depend on protection rackets for financial support through short-term, high-interest loans. In other words, formal sector firms can count on the political and economic resources to resist criminal actors, while informal firms have a substantially lower capacity to do so. This suggests that policymakers

should consider initiatives to improve the financial situation and boost the political involvement of Latin America’s substantial informal sector as a critical part of their efforts to stem the power of criminal groups. Attention to the criminal victimization of business should be balanced with more research on business mobilization to contest criminal actions.

Private sector support can play an important role in tackling persistent criminality and the growing power of criminal groups in Latin America. Enlisting the aid of the private sector, however, is as much about politics as it is about financial resources, job creation and technical knowledge. More research into the areas touched on above could help advance our understanding of the complex political dimensions of the relationship between the private sector, the state and crime in Latin America.

*Eduardo Moncada is Assistant Professor in the Department of Political Science at Barnard College, Columbia University and the author of *Cities, Business, and the Politics of Urban Violence in Latin America* (Stanford University Press, 2016).*

New Forms of Crime and Violence in the Americas:

Human Trafficking, Transnational Organized Crime and Migration in Central America and Mexico

by Guadalupe Correa-Cabrera



Handprints and the Spanish word for “Liberty” mark slats of the US-Mexico border fence in Nogales, Mexico, Sunday, April 2, 2017. RODRIGO ABDIAP Photo

The involvement of transnational organized crime in the trafficking of undocumented migrants in transit from Central America to the United States is an important hemispheric problem that has not been well understood or studied appropriately to date. Many researchers and public officials interested in this phenomenon have relied on informants of dubious

credibility and on informal sources that have not been properly verified or systematized. Migrant trafficking is a complex human problem that involves formal and informal transnational actors and generates billions of dollars in profits. The massacre of 72 migrants in San Fernando, Tamaulipas in 2010, and recently documented cases of sex and labor trafficking (including forced labor in criminal activities) allegedly involving transnational

criminal organizations reveal the extent of the problem, expose serious limitations on the part of justice systems, and indicate the need for further research and action.

In the Western Hemisphere, the overlap between migration and organized crime is most visible in the northern triangle countries of Central America (Honduras, El Salvador and Guatemala) and along Mexico’s eastern migration

routes from the main border cities in Tabasco and Chiapas (e.g., Tapachula and Tenosique) to the border of Tamaulipas with Texas. The most common and extensive human trafficking activities in the northern triangle countries are forced prostitution and compulsory labor for criminal gangs, especially Barrio 18 and Mara Salvatrucha (MS-13). These gangs operate transnationally, but their levels of organization and the threat they represent are much less significant outside of Central America, and they do not seem to participate in migrant smuggling activities on a large scale within Mexican territory.

Three central Mexican states (State of Mexico, Tlaxcala and Puebla), the southern state of Chiapas, and Mexico City report the highest incidences of human trafficking. These types of crimes have increased exponentially in the past seven years—more than 600%, according to statistics from the Attorney General's Office (PGR)—and are concentrated mainly along the country's borders. In the south, the largest forced prostitution node is the city of Tapachula, Chiapas. The majority of the victims are minors, mostly poor migrant girls from Guatemala, Honduras and El Salvador. The state of Chiapas's special prosecutor's office investigated 68 cases of human trafficking from 2008 through May 31, 2015, most of them involving sex trafficking. Despite these investigations, NGOs and human rights defenders report serious limitations in the justice system and law enforcement, mainly at the state and local levels. All too often, they claim, undocumented migrants in vulnerable situations and victims of labor exploitation are the ones arrested and charged, not the actual traffickers. These allegations can

be verified by examining prison files and the testimony of detainees who have been presumed guilty in advance of any due process.

A second common form of migrant trafficking along Mexico's eastern migration routes is forced labor for criminal activities. Typically, transnational criminal organizations, mostly drug cartels, compel hapless migrants to engage in activities such as the production, transport and sale of illicit drugs; violence or killing for hire (*sicariato*); and surveillance for their organizations (*halconaje*). Other aspects of the problem include migrant smuggling and kidnappings for ransom. The main groups involved in these activities in eastern Mexico include Los Zetas, the Gulf Cartel and, more recently, the Jalisco New Generation Cartel (*Cartel Jalisco Nueva Generación*, or CJNG) in Veracruz. Most of the victims are young Central American men and Mexican deportees, recruited mainly in Mexico's northeastern border region.

The practice of compelling migrants to work for criminal organizations was especially prevalent during the most violent period of Mexico's drug war, from 2010 through early 2013. During this period, the cartels forced many migrants to commit acts of violence and even murder. The areas most affected included the southern border city of Tenosique, Tabasco; Saltillo, Torreón and Piedras Negras, Coahuila; the main cities of Veracruz (including Coatzacoalcos, the city of Veracruz and Boca del Río); and the entire state of Tamaulipas. Today, forced labor for criminal activities in Mexico takes place mainly in the Tamaulipas border cities of Reynosa, Matamoros and Nuevo Laredo; the Tamaulipas

state capital, Ciudad Victoria; Piedras Negras, Coahuila; and the state of Veracruz. All suffer from rampant corruption and deficient law enforcement, with numerous allegations of close links between local and state law enforcement agencies and organized crime.

The current security crisis in Mexico and Central America, a weak rule of law, high levels of corruption, and the limitations of Mexican legislation make the problem of migrant trafficking in the region even more acute. At its root are the massive forced displacements of Central Americans escaping violence and extreme poverty in their countries. Sex and labor trafficking, with the alleged involvement of transnational criminal organizations, is intimately linked to migrant smuggling. All of the manifestations of this problem underscore the limits of the region's justice systems and the need for further research to help us understand these connections.

Guadalupe Correa-Cabrera is Associate Professor of Public Affairs and Security Studies at the University of Texas Rio Grande Valley (UTRGV). The information for this piece comes from a project that was funded through a research grant from the United States Department of State Trafficking in Persons Office (J/TIP) and should not be reproduced or copied without permission. The contents are the responsibility of the researcher and do not necessarily reflect the views of the Department of State or the United States government.

On the Difficulties of Representation:
**Women in Gangs in
Latin America**

by *María Santacruz Giralt*



Female inmates attend a mass marking one hundred days since a peace agreement was reached among gang members at the women's prison of Ilopango in San Salvador, El Salvador, Tuesday, June 26, 2012. LUIS ROMERO/AP Photo

In the late nineteenth century, the field of criminology paid little attention to offenses committed by women. If the topic was considered at all, it was marginalized, pathologized and (hetero) sexualized. Male scientists and, later, criminologists and doctors, largely defined women by contrasting their “dangerous, disruptive subjectivities” with the “rational and reliable” male mind. As a result, many scientific disciplines, including psychiatry and criminology, became important drivers in the production of a normative femininity as the context for explaining female crime.

For years, the incursion of girls and women into “outlaw spaces” was explained as the manifestation of individual maladjustments, psychiatric disorders or moral deviations. Well into the twentieth century, girls and women who strayed from the law and, with it, the standard of the “feminine-normative woman” occupied a unique place in the taxonomy of deviation. Even today, women are automatically thought of as the victims of or bystanders to violence, not as its agents. It comes as a shock to imagine a female taking a life rather than creating and nurturing it.

Given the persistence of such assumptions, criminal transgression is still widely understood as an eminently masculine phenomenon. An example is the issue of female involvement in gangs in Latin America, especially in El Salvador, where these criminal organizations are a major social problem. Research on the roles girls and women play in gangs is a neglected topic, or at least a marginal one in comparison with the work

that has been done on male gang members. Three related issues are responsible for this neglect: first, the development and complexity of the gang phenomenon in Central America; second, traditional approaches to transgression and violence; and third, women’s minority status within gangs themselves.

Research on gangs has struggled to keep up with the rapid changes this phenomenon has experienced in the past decade, including the growing links between organized crime and delinquency, the impact of state policies and, most recently, ties and negotiations with state agents. The bulk of study has targeted the main actors in these spaces (the “homeboys”), with women’s involvement ranking as an incidental or, at best, secondary concern. This paucity of inquiry about women’s agency is explained not only by the gender gap (the lower female delinquency rate compared to men), but also, and more importantly, by the way society represents women.

As many contemporary female authors have observed, much of the research on women as violent actors follows an agenda shaped by traditional, universalist, reductionist and/or sexualized representations of “women.” This is an agenda that conceives of women as the objects (sufferers, victims) or witnesses (spectators, scholars) of violence, not its subjects (perpetrators, agents). The issue of women in gangs is a complex and sensitive subject because women’s regime of action is complex. Their transgressions are not only criminal but also social, because they disrupt the conventional link between women and violence.

Women have minority status within gangs, not only in terms of numbers but also because of a qualitative imbalance. Salvadoran gang dynamics, representations and group practices engender and are produced by the implicit and explicit codes, values and rules of a violent masculinity. Gangs are spaces configured by practices linked to the cultural meanings by which members represent themselves collectively, construct their subjectivities and understand the “world of the masculine” on close terms with violence. Gangs are spaces that reproduce at a micro-level, in an extreme way, representations, stereotypes and asymmetries prevalent in Salvadoran society. In those worlds, the center of daily life is marked by excessive violence.

Women constitute a collective subject in a larger dynamic centered on the active exercise of a violent masculinity that requires them to join in as “one of the guys,” but at the same time they are conditioned by their “womanhood” inside and outside of the gang. Much of the trouble in analyzing this dynamic stems from the difficulty of focusing on the complex agency of a particular type of research subject/object. In other words, violent acts on the part of women within criminal gangs break the logic of society’s ascribed role for women.

María Santacruz Giralt is a Salvadoran sociologist. She is an instructor at the Universidad Centroamericana in San Salvador.

“A Good Criminal is a Dead Criminal”: Police Killings in Brazil

by Ignacio Cano

Brazil, along with Jamaica and, more recently, some Central American countries, is one of the places in the world where the police are most known for using lethal force. According to official data released by the *Forum Brasileiro de Segurança Pública*, a total of 3,022 people lost their lives as a result of police interventions in 2014. This figure, necessarily an underestimation of the real phenomenon, is already equal to a rate of 1.5 police killings per 100,000 inhabitants, higher than the overall homicide rate in many other countries. It also marked a 37% increase from the previous year. The national rate hides stark regional differences, with states such as Rio de Janeiro, Alagoas and São Paulo facing a far more acute problem. Brazilian police officers in turn are subject to disproportionate violence: 398 of them were killed in 2014, most of them in the same states mentioned above. The main difference is that while officers kill most suspects while on duty, the majority of law enforcement agents are killed off duty as a result of private conflicts, while resisting a robbery, or simply because they are recognized as police officers.

The profile of a victim of police killings is the same as that of the typical homicide victim: a young black male who lives on the urban periphery. Research in Rio de Janeiro shows that the probability of being killed (as opposed to

being wounded) in a shootout with the police is approximately 8% higher if the suspect is black. This discrepancy holds true both inside and outside the *favelas* (slums). Police killings in Brazil, in contrast to those in the US, are more often debated along the lines of class or territory rather than race.

Beyond the high incidence of police violence, the pressing question is whether the use of such force is justified or excessive. Given the notorious inability of the Brazilian criminal justice system to investigate police killings and separate legitimate from abusive police actions, analysts often resort to global indices of police use of force. The most common ones are the lethality index (the number of dead suspects divided by wounded suspects); the ratio of suspects killed to law enforcement officers killed; and the proportion of all homicides that result from police action. Regardless of the index used, the figures reveal the excessive use of force and the practice of summary executions in several Brazilian states, confirming the conclusions of many human rights reports.

The roots of this excess in the use of lethal force are manifold. The first obvious one is the existence of particularly violent types of criminal behavior. In Rio de Janeiro, for example, drug-dealing gangs control the slums with assault rifles and dispute their territories with each other and the police.

The second factor is the prevalence of a “warrior ethos” among police officers, who see their mission as a war against crime rather than protecting the civilian population, to the point that innocent victims of the crossfire are viewed as collateral damage.

Third, significant sectors of the population support punitive policing out of a belief that violence is the only way to fight crime given the weakness of Brazil’s criminal justice system. A survey of the general population in 2010 revealed that 44% of Brazilians agreed that “a good criminal is a dead criminal.” Recent research shows that many people support summary executions even though they do not trust the police or their capacity to distinguish between criminals and law-abiding citizens, as revealed by several notorious cases of “police mistakes” that resulted in deaths.

Fourth, Brazil lacks proper internal and external controls on police use of force. The Civil Police (which plays an investigative role), the Public Prosecutor’s Office and the Judiciary have all neglected their duty to investigate cases of police killings and punish abuses. In an already overburdened criminal justice system, little attention is spared for murders where evidence is scarce, witnesses are terrified, and prosecution of law enforcement agents is unpopular among broad sectors of the population. Indeed, legal



People reenact a killing during an August 22, 2014 march through the Mangueiras favela in Rio de Janeiro, Brazil, to protest police killings of blacks. Every year, Brazil's police are responsible for around 2,000 deaths, one of the highest rates in the world. Many of the deaths in Rio involve blacks killed in favelas. MARIO TAMAI/Getty Images

transference of the responsibility for killings committed by the military police from the military courts to civilian jurisdiction in 1997 did not translate into a significantly higher number of prosecutions or sentences against police officers involved in summary executions. Internal controls also tend to be lax and not focused on the use of force. Until recently, the military police in Rio, for example, could not account for the number of bullets shot by each officer, even though the figure reached the hundreds in some cases. The military police in São Paulo in the 1990s and in Rio more recently introduced internal programs to monitor the use of force, but results have been limited.

Poor police training and the lack of a clear official policy are additional factors that explain the use of excessive force. Some officers are uncertain when and how to use force: Many genuinely believe they could be prosecuted just for trying to defend themselves, whereas others think it is legal to shoot a fleeing suspect. In addition, the availability of non-lethal weapons is not guaranteed.

Finally, police officers lead a stressful life and are commonly exposed to violence, to which they tend to respond with more violence. Recent research in Rio suggests that factors such as witnessing other colleagues being

shot, or experiencing violence in adolescence, are associated with the increased use of force, as are institutional incentives to interdict drugs.

Once all of these factors are added up, perhaps the real question is why the number of civilians and police officers who murder each other in Brazil every year isn't higher.

Ignacio Cano is a Spanish sociologist. He is the coordinator of the Laboratory for the Analysis of Violence (LAV) at the State University of Rio de Janeiro (UERJ).

“We Are Marked by Its Signs”: The Pull of Gang Life in Central America

In 2016, the Kimberly Green Latin American and Caribbean Center, in partnership with Florida International University’s Jack Gordon Institute for Public Policy and El Salvador’s Fundación Nacional para el Desarrollo, carried out a research project to understand the phenomenon of gangs in that Central American country, home to some of the most violent criminal organizations in the region. The research team conducted interviews with more than 1,200 active and former gang members (*pandilleros*) in jails, prisons, rehab programs and juvenile correction centers. These conversations, excerpts of which appear below, shed light on such topics as the context of gang violence in El Salvador; what kind of people tend to be recruited and why; and how feasible it is for members to leave gang life, as well as the role society can play in facilitating this decision. More information about the research, the sponsor institution, and the ethical procedures followed to protect interview respondents are available at <https://lacc.fiu.edu/research/the-new-face-of-street-gangs-in-central-america/>.

Interviewer: *Why do young people join gangs in El Salvador?*

Pandillero 2:
First of all, the unemployment. Lack of opportunities. The situation in the country is really bad. For

example, I was not involved in anything wrong before... But they [the police] see you talking to the guys [the gang] and harass you, think that you are with them. And you react by deciding to join the gang. You feel anger. I remember once a boy was killed in my neighborhood; I wasn’t a gang member yet, but I felt anger at how he was murdered. And that is what motivated me to become a member. Obviously, it isn’t good what they do, but violence generates more violence. Here, if you kill one gang member, three new ones join. Gangs are not good but they gain power by recruiting young people. Remember, gangs are considered to be cool/fashionable. The gang attracts members because it is popular. The more the police put the pressure on, the more angry people get.

Pandillero 13:

In my case, I liked the gangs. Ever since I was young, I liked their tattoos, their music; I liked to see how girls approached them [gang members]... like they were popular. However, in many cases, people don’t join gangs voluntarily, but because they are forced to. Often people join to defend someone else or themselves, or their family... Your brother or sister may have had problems with some gang, and so you join another one to protect them. You could say that here in El Salvador, if you are not a member of

the police, you are a gang member. It’s just that simple: There is always someone in your family or among your friends with links to the gangs.

Pandillero 15:

[People join the gang] because they often do not have any options. They view it as something natural. Young people want to feel important, to feel accepted, to be part of something. In this sense, gangs are often more receptive toward young people. They attract them, tempt them. They are better at this than many other organizations.

Pandillero 7:

Many young people become involved with gangs because of a lack of love from their parents. Some get involved because they want more respect.

Interviewer: *Describe “respect.”*

Pandillero 7:

If I’m in the gang, nobody will argue with me; nobody will be able to harm me. If they touch me, they’re gonna have problems. Basically, it’s based on fear.

Interviewer: *Do you think the gangs have a clear goal? If so, what is their goal?*

Pandillero 12:

The main goal of the gang is to dominate a territory. To control it. Remember, many gang members have a lot of resentment. They

have been humiliated, and so their purpose is to dominate in some form. What they want is power.

Interviewer: *What kind of power do gang members want? Economic, social or political?*

Pandillero 12:

I would say both economic and social. Young people often rebel during adolescence. They seek attention. But this type of rebellion is different: It is caused by emptiness. It reflects a lack of appreciation and love. [Gang members] aren't violent without a reason; the vacuum in their lives manifests itself through violence. Regarding economic power, gang members just want to come out of poverty. Poverty is the main reason. One of my friends used to tell me: 'let's jump in [join the gang], we are gonna have money, we are gonna have what our parents don't give us.'

Interviewer: *Did you find these things in the gang?*

Pandillero 12:

No. I partly found respect, social recognition, but not always. In terms of economic power, I didn't get what I expected.

Interviewer: *What did the gang give you, then?*

Pandillero 12:

You could say power. In the sense that if someone looked at me the wrong way, because I was with the gang I could take him out. I even got a weapon. A homemade one, but still—I felt powerful with it. I knew that I could intimidate anyone who crossed me.

Interviewer: *What is it that attracts young people most to gangs vs. other social organizations?*

Pandillero 15:

It can be many things, but mostly, young people are attracted by the

possibility of finding an identity. Teenagers often lack identity; the gang gives it to them, to the point that it even gives them new names.

Interviewer: *What is the main purpose of the gangs?*

Pandillero 15:

At some point, the gangs did not have a purpose. Before, they might have served as a tool for self-defense or a secure place. Over time, they have acquired a purpose. Nowadays, the main goal of gangs is economic, to get revenue. A sense of identity, of being notorious, may be there, too, but it's not the main purpose.

Pandillero 16:

To recruit more members, especially young ones. They look for kids who are, like, 8 years old... In my neighborhood, for example, there are 5- or 6-year-old kids who are already beginning...and it's a pity because they may already carry a pistol. You can see an 8-year-old firing a pistol. The gang sees they are kids and takes advantage of their innocence. They are not looking for adults, just youngsters.

Pandillero 2: There is an order. The gang always has an objective: to control, to gain territory, so that all of El Salvador belongs to one gang. That is when the homicides will stop. Controlling a territory allows them to develop criminal activities calmly, to extort...

Interviewer: *Can [the gang] problem be solved in the next 10 years?*

Pandillero 2:

It is hard. There is no solution. The only solution should address the roots of the problem. I do not think the gangs will disappear. They are becoming stronger, gaining more power. Inside the prison, the situation is really bad. The government mistreats the inmates.

So many people want to change, but they have no opportunities. I spent 10 months in prison and the situation is critical. In the state of emergency now we have no water... we could spend 20 days without water...the food is often inedible. This is repression. And the more repression the gangs feel, the more anger and hatred it creates.

Pandillero 18:

We need preventive programs against violence that would provide young people with recreational activities. We need to take young people into account, teach them and give them ways to occupy their free time, because that's precisely when gangs target them most. Of course, I don't think they should be given anything they want, but they also have rights under the law. If someone is beaten they will react differently. We all have opportunities to change, but if the violence comes from the government, the response from youth will be worse. Look at the prisons: There are sick inmates there who need help. But instead, they are kept isolated... If the law changed a little bit, it could reduce the levels of violence.

Interviewer: *What conditions are necessary for a gang member to leave a gang?*

Pandillero 13:

There is no such thing as leaving the gang. You may not have noticed, but I have tattoos on my body. We are not there anymore but, in a certain way, the group considers us to still be a part of it because we are marked by its signs. You can "calm down" [no longer participate in gang life and the activities of the gang organization], but not leave the gang. Nobody can leave the gang. The only way to find light is through God.



Alleged members of the 18th Street Gang are presented to the press in San Salvador, El Salvador on February 26, 2016. Over the course of three days, members of the national civil police and the armed forces captured 240 gang members accused of homicide and extortion. MARVIN RECINOS/AFP/Getty Images

Pandillero 11:

Spiritual change. Only God can change a person... To calm down, you have to have been in a gang for a while; that is, if a member has done enough for the gang and has a good rank, he can get a pass to calm down. Otherwise, it's a lie, unless you become a Christian. Calming down is still like being active. I've

known people who calmed down at first and then were active again because they don't have God in their heart.

Pandillero 15:

Actually, the gangs make you swear an oath of loyalty until death. There have been cases of people who calm down; they walk away from

the gang for various reasons, such as having a family. They stop their illicit activities, sometimes they move...but these are very isolated cases. The possibility is stronger if a young gang member finds a new ID, a new lifestyle, a 360° turn in life, something that changes him. But he can't keep on committing crimes outside the gang; this would cause



discontent in the gang. So, if he says he will change his life, the change must be radical, otherwise the gang won't accept it.

Interviewer: *On a personal level, what does someone need to leave the gang?*

Pandillero 6:

They need to have a way to occupy

their time and know that their life is worth something. In the gang, you fall into a life of vice, alcohol, drugs, violence... You basically waste your life. You don't value it. Some people even kill themselves because their conscience won't leave them alone. My conscience was chasing me, and that's why I started drinking a lot. ... Many people can't live with what they have done. Gang members know that what they are doing is wrong. I left because I was told the gang [a rival gang] went to my house to shoot it up. I knew that I'd be killed someday. My mom was selling *pupusas* outside our house with my brother and sister. A car stopped and the people in the car started to fire at them. My sister was injured, and my mother and my brother were shot as well. And an 8-year-old kid, who was just eating *pupusas*, died right there... My friends came and told that they had come to my place, harmed my family, and that we were going to avenge ourselves. I said to God: just give me one more chance. And I told myself from my heart: If I go [looking for revenge], first, they could kill me.... Second, the police could catch me and I could be incarcerated for 30 years... And third, even worse, they could come back and kill someone in my family. They had already injured them.... So, I told my brother: if you want to, go ahead. I'm done; I'm not going anywhere. And my brother told me, "then I'm done, too. I'm here [in the gang] only because of you, to protect you."

Interviewer: *What are the challenges people face once they leave the gang?*

Pandillero 23:

Your family is the major challenge, because your family knows you best. I did not grow up with my mother. She just left me in the neighborhood and went away. After my brother

was murdered, she told me that I was dead to her, too, and that I was never going to change. It's a huge challenge when your own mom, who had you, who is supposed to love you unconditionally, tells you this kind of thing. In my case, I can't say that I love her. She was never there for me; I've never known her love. And this was a major obstacle—that after all I had lost, when I really wanted to recover and change, she reacted like this. I felt that it made things worse...

Pandillero 8:

The main problem is non-acceptance. Because in the eyes of society, a gang member never changes. We feel excluded and it's really bad, because some of us have families, kids, we want to work... Sometimes, job positions require a high school degree. (In my case, thank God, I have a high school degree). Or you can be rejected because of a tattoo or because of your past. Tattoos are art in other places. Here, tattoos are associated with gang members.

Pandillero 13:

The discrimination. Even though I'm a Christian now, the police keep pursuing me anyway. The police play a big role in the fact that many people who want to change cannot. People who want to leave the gang need a helping hand; they need someone to help them. But this hand does not exist.

Compiled by José Miguel Cruz, a political scientist and director of research at the Kimberly Green Latin American and Caribbean Center at Florida International University.

Everlasting

by Donna DeCesare



*Moravia barrio,
Medellín, Colombia, 2001*

*Like most of Medellín's barrios,
this one is controlled by gangs.*

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*Medellín,
Colombia, 2001*

*The funeral for a youth from the "comunas" who was
murdered in clashes between
gangs and armed groups over control of
profits from extorting the bus routes.*

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*El Carmen de Bolívar,
Colombia, 2005*

Survivors of the El Salado Massacre, these orphaned children are now displaced and living in El Carmen. They receive support from "Women Life and Future," an NGO that helps victims of the conflict. Since the paramilitary groups who perpetrated the massacre demobilized, the killers have immunity and have been living in the same region as their former victims.

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Photo Essay

*Villavicencio,
Colombia, 2007*

Mariela Duarte, widow of human rights lawyer Josue Giraldo, is raising her two daughters alone. Mariela lives a very private life but wants the memory of her murdered husband to be honored. "Josue was a generous person who always helped others. He was transparent in everything he did and deserves transparency about his life and the way he died."

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*Guatemala City,
Guatemala, 2001*

A crowd gathers at a crime scene following a gang-related homicide.

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Guatemala City,
Guatemala, 2005

At the Verbena cemetery, a youth weeps inconsolably for an older boy who had been like a father to him. The murdered youth had been involved with gangs but recently became an evangelical Christian and supported himself by selling candy on the buses downtown. He was murdered in broad daylight in Zone 1 in what some allege was a revenge gang killing based on mistaken identity.

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Guatemala City,
Guatemala, 2001

Cindy, a 16-year-old prostitute, struggles to earn money to support her two-year-old son. She hopes to leave this life and fears having her face shown. Many of the women in this gang-controlled red light district are trafficked from other Central American countries.

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Photo Essay

Guatemala City,
Guatemala, 2001

Rosario (an alias for her protection) is now 19 years old. She was raped by Guatemalan policemen when she was 15. After she received death threats for speaking out, Casa Alianza provided her refuge and began a legal case to prosecute the men who victimized her.

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Guatemala City,
Guatemala, 2005

Elcira González Pérez, 41, pictured with her daughter, Dalia Susana Alvarado González 15, holds a portrait and the 6th-grade diploma of her daughter, Fabiola Alvarado González, who died of HIV-related illness in 1999 at age 12.

Elcira González became an HIV and women's rights activists when she discovered that her 9-year-old daughter had been sexually abused by her husband (the child's own father) and that he had been offering her to his friends for money. She fought to have her ex-husband and all of the men who raped her daughter incarcerated. The case received widespread press coverage, but instead of gaining her sympathy the publicity caused the family to suffer tremendous stigma. Schools rejected her daughter, neighbors taunted them and they were forced to move many times. Despite the stigma, Elcira and Dalia continue their work as activists.

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*Bogotá,
Colombia, 2001*

Therapist Monica Berjano counsels an adolescent incest victim. The children use doll figures to aid in talking about traumatic events and strengthen their self-esteem. Renacer is an NGO that provides therapy for children who have been sexually abused.

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*Guatemala City,
Guatemala, 2003*

Guatemalan Police routinely search and detain gang members. Critics complain that the police engage in extra-judicial killings of youth suspected of belonging to gangs.

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Photo Essay



Medellin, Colombia, 2001

The barrios of Medellín are full of armed actors. Gangs often control territory, but guerrillas and paramilitary groups also contest power. The availability of handguns as well as assault rifles and the lack of state presence ensures domination by the armed groups. Even though they participate in criminal actions, people sometimes prefer the homegrown gangs because their members at least come from the community and hence have a greater sense of connection to people who live in their barrio than those who come from outside to take control.

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San Salvador, El Salvador, 2009

At a leadership training workshop on gender rights, a group of young women from one of the most impoverished and violent barrios lists suggestions for how to reduce violence in Salvadoran society.

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