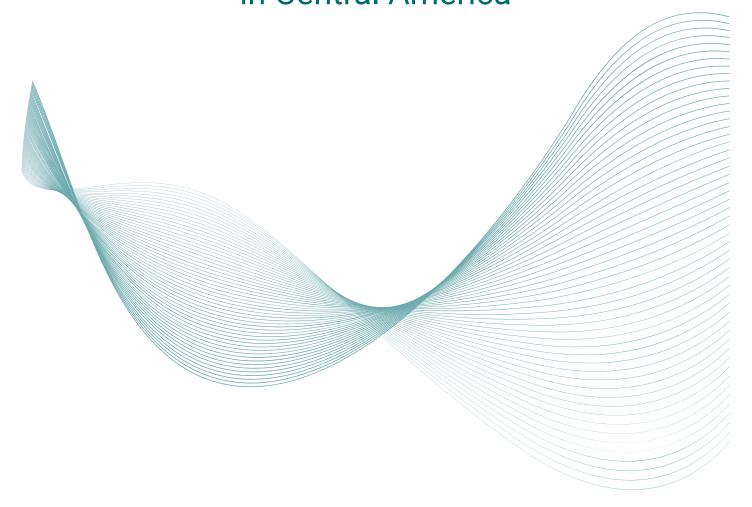
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in Central America"



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Editors' Introduction

Luciana Chamorro, University of Michigan; **Kai M. Thaler**, University of California, Santa Barbara

How has Central America fared amid the current global wave of autocratization and democratic erosion (Lührmann and Lindberg 2019; Diamond 2020)? There were promising transitions to democracy around the region in the early 1990s after an era of civil wars and dictatorships, but after a period of democratic institutionalization, the picture has gotten darker over the past decade (e.g., Dada 2020; Pignataro, Treminio, and Chavarría–Mora 2021).

There have been some bright spots of democracy and accountability. The 1990s were marked by efforts to professionalize national armies and police forces, with reforms aimed at subordinating security forces to civilian control. The region also celebrated competitive elections and witnessed the expansion of civil liberties, including an explosion of civic and social organizations representing the interests of previously excluded sectors of society. However, these democratic reforms faced crucial challenges. In most of the region, democratization was predicated on passing blanket amnesties for the political crimes and human rights violations committed in prior decades, resulting in a generalized lack of accountability and a climate of impunity. As a result, de facto power remained at the hands of military and traditional oligarchic elites. Though the regimes built in the 1990s in El Salvador, Guatemala, Honduras, and Nicaragua were nominally democratic, they struggled and often failed to translate this into meaningful improvements in citizens' lives, protection of basic rights, and public accountability. As Alberto Cortés Ramos and Diana Fernández Alvarado (2021) have argued, Central American states have been institutionally robust in exercising their coercive functions, and institutionally precarious and weak in providing basic public services. This has meant high levels of violence, restrictions of civil liberties, continued persecution and exclusion of women, Indigenous and Afro-descendant groups and LGBTQI communities, and high levels of corruption and impunity.

Despite state repression and government intransigence, people around the region have continued to take to the streets to demand accountability, expansions of basic state welfare provision, and an end to corruption and abuses of power (e.g., Sosa and Almeida 2019; Cabrales and López–Espinoza 2020; Masek 2020; Valencia 2021), with Guatemalan protesters in 2015 even succeeding in forcing the resignation of President Otto Pérez Molina

and his cabinet over a major corruption scandal (see Flores 2019). But overall, popular efforts to forge or protect democracy have been met with an iron fist. The 2009 coup against President Manuel "Mel" Zelaya in Honduras, the rise of a ruthless dynastic dictatorship in Nicaragua spearheaded by President Daniel Ortega, the swift dismantling of the separation of powers in President Nayib Bukele's El Salvador, gross violations of human rights in Guatemala, and the rise of an extremist, anti-rights movement in Costa Rica that seriously contended in the 2018 elections (Vargas Cullell y Alpízar Rodríguez 2020), all point to serious regional descent towards autocratic rule.

"But overall, popular efforts to forge or protect democracy have been met with an iron fist."

Corruption, Impunity, and Authoritarian Actions

Though justice for crimes committed during civil wars and under dictatorships has moved in fits and starts, one major step for accountability in the region was the 2013 conviction of former Guatemalan dictator Efraín Ríos Montt for genocide and crimes against humanity in his military regime's campaign of mass violence against Indigenous communities during Guatemala's Civil War. After the initial conviction was controversially overturned, Ríos Montt was being re-tried in 2018 at the time of his death, and other military officials have also been convicted of war crimes (see Burt 2021). Elsewhere, accountability for war crimes has been elusive, with Nicaragua never having any transitional justice process after its civil war (see Núñez de Escorcia 2014) and the long fight for justice for victims of El Salvador's El Mozote massacre facing new barriers as Bukele has eroded judicial independence and cultivated military support (Bonner and Rauda 2021). Impunity and efforts to undermine institutions and civil society groups dedicated to governmental accountability have, unfortunately, been common when it has come to other abuses of power, too.

In Honduras, President Manuel Zelaya's postelection shift to left-wing politics and push to form a constituent assembly sparked a fierce right-wing reaction and a 2009 military coup that led to a new government under the right-wing Partido Nacional (PNH) and President Porfirio Lobo (Meza *et al.* 2010; Pastor Fasquelle 2011; Ruhl 2010), who violently suppressed post-coup demonstrations (Sosa 2015). Under Lobo's successor, Juan Orlando Hernández, the PNH's rule grew more authoritarian and corrupt, with stacked courts, election fraud in 2017 to ensure Hernández's victory, repression of protests, and Hernández and his family's increasing involvement in narcotrafficking (Freeman and Perelló 2022; Salomón 2018; Sosa and Almeida 2019). Though the government in 2016 agreed jointly with the Organization of American States (OAS) to establish a special prosecutors' unit (UFECIC) and an anti-corruption and impunity commission (MACCIH), despite (or because of) investigators' success in uncovering corruption, there was little cooperation and sometimes outright attacks from Hernández and the PNH, and the agreement supporting the commission was not renewed in 2020 (Calderón Boy 2022; Call 2022). Persistent corruption, state repression, gang violence, and the lack of accountability for Hernández and government officials contributed to high levels of dissatisfaction and despair, especially among young people who came of age around the 2009 coup and its aftermath (Frank-Vitale and d'Aubuisson 2020). There is potential for change, though, under the new administration of President Xiomara Castro (see below).

In Guatemala, the scandal that led to President Pérez Molina's downfall in 2015 was emblematic of the institutionalized corruption that developed in the state during the civil war and then persisted (Bowen 2022; Schwartz 2021). Pérez Molina's forced resignation offered an opportunity for a reset of a culture of ubiquitous corruption, in which it has been difficult for Guatemalans to get by without some degree of clientelism or bribery (Burrell, El Kotni, and Calmo 2020). Comedian Jimmy Morales ran for president and won in 2015 as a populist outsider focused above all on cleaning up corruption, yet he turned out to be more of the same, brushing off family members' and his own implication in corruption, and then launching a campaign against the United Nationsbacked International Commission against Impunity in Guatemala (CICIG). Morales sought to expel CICIG, and then succeeded in ensuring the Commission's mandate was not renewed, though it had successfully worked with Guatemalan investigators to implicate over 1,500 people in corruption cases over the course of twelve years (Gutiérrez 2016; Hallock 2021; Schwartz 2022). Morales' successor, current President Alejandro Giammattei, has only deepened the persecution of anti-corruption actors and efforts. His government has threatened, fired, arrested, and chased into exile anti-corruption investigators and prosecutors (Bowen 2022; Schwartz 2022), and in late July 2022, the police arrested Guatemala's most prominent journalist, Jose Rubén Zamora, president of El Periódico, signaling a likely wider crackdown on the press (Valdéz 2022).

The extent of Giammattei's anti-democratic ambitions may or may not be limited to preserving impunity, but in El Salvador, President Nayib Bukele is clearly intent on dismantling democracy. After years of high crime rates and little accountability for the powerful (e.g., Allison 2017), Bukele won office in 2019 as a youthful populist pledging to clean up the political establishment's corruption and combat El Salvador's endemic gang violence—and then ran roughshod over democratic institutions. In 2020, Bukele marched into the Legislative Assembly with armed soldiers to give a speech to his captive audience pressuring them to force the passage of new security funding (Agren 2020). After his Nuevas Ideas party won a supermajority in the 2021 legislative elections, Bukele upped his aggression, covering up corruption related to COVID-19 aid funding while selectively prosecuting rivals, firing judges en masse, and ceasing cooperation with the Organization of American States-backed International Commission Against Impunity in El Salvador (CICIES) (Indacochea and Estrada 2021; Labrador and Gavarrete 2021; Meléndez-Sánchez 2021). In 2021 and 2022, Bukele has threatened El Salvador's financial stability (and opened up avenues for corruption and sanctions-busting) by adopting Bitcoin as an official currency (Vásquez 2022); journalists have been under attack (e.g., Arévalo and Arredondo 2022); and tens of thousands of people have been arrested under a state of emergency that the legislature continuously extends (Buschschlüter 2022)—a convenient way to give Bukele more power while using the ostensible purpose of combating gang violence. Bukele continues to enjoy high approval ratings, but rather than a new political dawn, he has brought authoritarianism and corruption in slick new packaging (Meléndez-Sánchez 2021; Miranda 2021; Roque Baldovinos 2021; Wolf 2021).

Bukele is following in the footsteps of Nicaraguan leader Daniel Ortega, who has shown the region how to win the presidency and then develop an authoritarian regime. Ortega returned to power in 2007 at the head of the Frente Sandinista de Liberación Nacional (FSLN), whose revolutionary government he helped lead in the 1980s, but his politics and the FSLN had sharply diverged from the past. Ortega formed alliances with conservative politicians, business elites, and Catholic Church leaders to gain and solidify power, and then worked to remove democratic checks and balances on his power and perpetual reelection (Martí i Puig 2010; Jarquín 2016; Thaler 2017). As Ortega's family and FSLN elites corruptly accumulated business empires and wealth, he sought to establish a political dynasty, using the 2016 elections—which took place after leading opposition parties were sidelined through legal manipulations—to make First Lady Rosario

Murillo the new Vice President (Jarquín 2016; Thaler 2017). Mass protests in 2018 challenged the regime and its elite pacts (e.g., Chamorro Barrios 2020; Monte Casablanca and Gómez 2020). But after weathering the uprising and violently retaking the streets (Cabrales Domínguez 2020; Grupo Interdisciplinario de Expertos Independientes 2018; Mosinger et al. 2020), Ortega and Murillo have further entrenched their power. The Ortega-Murillo family and the FSLN control all state institutions and use all arms of state power to persecute anyone who opposes them politically or commercially—creating a culture of nepotism and turning even the healthcare system and telecommunications regulators into agencies of repression. The regime has expelled and shuttered civil society organizations, seized control of universities, shut down media outlets and arrested journalists, and gone on the offensive against the Catholic Church. In 2021, the government arrested and jailed all of the leading opposition presidential contenders months before the November elections (Martí i Puig, Rodríguez Suárez, and Serra 2022; Thaler and Mosinger 2022), and in July 2022, the police took over the town halls of the remaining opposition-governed municipalities, rather than waiting to rig the vote in November's municipal elections (Redacción Confidencial 2022). With no political competition, freedom of assembly, or freedom of expression, Nicaragua today is a dictatorship by any definition, and, unfortunately, it may be offering a roadmap for Bukele and Giammattei in their own power grabs and crackdowns (e.g., Selser 2022).

Violence and Human Rights

Though the end of civil wars and open conflict significantly reduced levels of political violence, the region has nevertheless reached comparable and even higher levels of violence in the post-war period. Attention is often focused on the extraordinarily high homicide statistics in the Northern Triangle produced by conflicts among gangs to secure territory and economic markets. However, a more holistic perspective on violence in the region should also consider equally concerning rates of sexual violence, the increase in femicides, the persistence of targeted attacks on Indigenous and Afro-descendent people, as well as forms of structural violence and human rights violations perpetrated by the state.

In Nicaragua, political violence has escalated swiftly, particularly after the aforementioned civic protests that paralyzed the nation between April and August of 2018. The government responded by ordering police and progovernment paramilitary groups to use live ammunition on protesters, leaving a death toll of over three hundred

and twenty-five in the span of three months of protest (Cortés Ramos et al. 2020; Martí i Puig y Jarquín 2021). For over a decade, the Nicaraguan police force was praised for implementing a community-oriented policing model that has been deemed successful at preventing citizen insecurity in comparison with the rest of the region, but the force's loss of any institutional independence and utter loyalty to a ruling family went mostly ignored (Cajina 2017; Sierakowski 2020). Long before 2018, the use of excessive force became routine against those deemed to oppose the Ortega government and its policies, including against industrial and agricultural workers expressing labor grievances (Walters 2019), senior citizens seeking to access pensions (Chamorro and Yang 2018), and peasant, Indigenous, and Afro-descendent people opposing extractivist and infrastructural megaprojects (Collombon 2015; Sánchez González 2016). When the police force has not been the agent of state repression, it has stood by as armed government supporters and paid gang members attack social and political protests (Rodgers 2017). The complete deterioration of Nicaragua's security forces and generalized fear among the population since the response to the 2018 protests has been compounded by the ongoing cancellation of thousands of non-governmental organizations and civic associations, many of whom provided basic services to impoverished urban and rural communities neglected by the state (Human Rights Watch 2022a). Canceled organizations include human rights organizations, private universities, medical associations, Christian charitable organizations, feminist collectives, community water management associations, among others.

While the situation in Nicaragua is extreme, political violence and human rights violations are on the rise elsewhere. As Giovanni Batz (this issue) argues, the Guatemalan state has also increasingly "exploited times of unrest to suspend civil liberties, as well as arbitrarily arrest, criminalize, and persecute activists, Indigenous leaders, journalists, and environmentalists" (32). Likewise, in El Salvador, President Nayib Bukele used his supermajority to order the national assembly to declare a state of exception on March 27, 2022 with the aim of lowering homicide rates, after a record 62 people were assassinated the day prior. According to investigative journalists, the spike in homicides was the product of a rupture in tacit agreements between Bukele and the leaders of El Salvador's most notorious gangs (Martinez 2022a). The ongoing state of exception has suspended four constitutional guarantees, including the liberty of reunion and association, the right to defense, the right to the inviolability of correspondence and intervention in communications,

and the 72-hour limit on administrative detention. Police forces have targeted young men from poor urban and rural communities en masse, detaining over forty-five thousand people without investigations or warrants by simply alleging they have involvement in gangs or ties to gang members. Human rights groups have documented sixty-three deaths while in custody, as well as thousands of allegations of torture, cruel treatments, and even forced disappearances (Observatorio Universitario de Derechos Humanos 2022; Human Rights Watch 2022b). For the families of those unfairly detained, the fear and despair resemble those experienced during the civil war. Thousands have spent months on a pilgrimage across El Salvador's prisons and hospitals seeking information about their loved ones to no avail.

In addition to the resurgence of forms of political violence unseen in three decades, the reorganization of land tenure, the expansion of extractivist industries, the creation of tax-exempt zones, among other shifts, have produced new sites of conflict among state and nonstate actors (Robinson 2019). Throughout the region, government support for extractivism, including mining, forestry, large-scale fishing, and infrastructural megaprojects has undermined the rights of Indigenous and Afro-descendent people. Despite state commitments to grant communal land rights to Indigenous and Afro-descendent groups and promises of the right to self-determination, racist counternarcotics policing and outright militarization of Indigenous communities have prevailed in Nicaragua and Honduras in the name of the so-called war on drugs (Goett 2015, 2019; Montero 2020). Moreover, governments continue granting concessions without community approval for megaprojects and resource extraction (Copeland 2019a; See Altamirano Rayo, this issue; Batz, this issue). In Honduras and Guatemala, rural farmland has been appropriated by transnational corporations that have transformed them into oil palm plantations, displacing Indigenous and Afro-descendent people from ancestral lands (Castillo 2019; Copeland 2019b). Tourism, too, has often been developed at the expense of Indigenous and Afro-descendant peoples' rights and their use of lands and waters prized by developers and tour operators in Honduras, Panama, and elsewhere (e.g., Mollett 2016, 324-25; Loperena 2017; Martínez 2022b). Transnational agribusiness projects in Costa Rica are displacing mestizo peasants further into the agricultural frontier (Edelman 2000). Displaced peasants and corporations in Nicaragua are invading Indigenous lands for mining, cattle ranching, and the exploitation of forests, using murders, kidnappings, violence, and intimidation with impunity (The Oakland Institute 2020; Mayer and Mittal 2021). Meanwhile, in Guatemala's Indigenous highlands,

human rights organizations have documented the return of death squads to protect private gold, silver and fossil fuel extraction.

At the same time, rights and protections for women and LGBTQI populations have also stalled and in some instances deteriorated with the region's authoritarian setbacks (Sagot 2012). The region tops per capita statistics in femicides and violence against LGBTQI people, and the situation is worsened by institutionalized corruption, lack of state capacity to prosecute crimes, and a generalized culture of impunity towards perpetrators (Gonnella-Platts et al. 2020; Human Rights Watch 2020; Torres 2019; Sagot 2022). Gender based aggressions, violations, and threats are used as tools to intimidate, extort, torture, and ultimately force populations to comply with demands by state and non-state actors, including police officers in Nicaragua and gangs in the Northern Triangle countries. Violence against transgender activists in El Salvador has led most to seek refuge elsewhere (Chavez Courtright 2019). Across the region, states have ignored or outright rejected international human rights agreements, and in particular, agreements related to the rights of women and LGBTQI populations. A notable exception is Costa Rica, where same-sex marriage became legal in 2020 following a 2017 paradigmatic decision by the Inter-American Court of Human Rights, which declared that all rights applicable to the family relationships of heterosexual couples should also be extended to same-sex couples (Gonzalez Cabrera 2020). Costa Rica also adopted a Court decision that established the right of people to change their name according to their gender identity.

In most of Central America, political pandering to conservative values has set barriers for progressive reform on women's and LGBTQI rights, leading to momentous setbacks, particularly with regards to access to reproductive care. In El Salvador, abortion has been banned with no exceptions since 1998 and the constitution recognizes "every human being from the moment of conception" as a person. Hundreds of women have been prosecuted criminally for abortion or aggravated homicide, which can be punished with up to fifty years in prison, when experiencing an obstetric emergency (Viterna and Santos Guardado Buatista 2017; Center for Reproductive Rights 2021). In Honduras, where abortion is also banned with no exceptions, Congress prohibited the use of emergency contraception (commonly known as Plan B) in April of 2009. While then-President Zelaya vetoed the prohibition, the Supreme Court of Honduras upheld the law after he was ousted from power. Under Honduran Law, simply being in possession of emergency contraception can

be considered an "abortion attempt," punishable with three to six years in prison (Center for Reproductive Rights 2012). In Guatemala, where abortion is banned except when a judge deems that carrying a pregnancy to term poses a risk to the woman's life, a new law was recently passed by Congress that establishes jail sentences for pregnant people suffering an involuntary abortion or miscarriage (Amnesty International 2022). It also "expressly prohibits same-sex marriage, as well as the teaching of sexual diversity and gender equality in schools, and outlaws prosecuting people or groups for discriminating against others for their sexual orientation" (Ibid). President Giammattei withdrew his support for the law and ultimately vetoed it after large scale protests, but human rights groups fear the reversal is only temporary.

The situation is no different in Nicaragua. Overturning a precedent that had been in place for over a century, abortion was prohibited in 2006 with no exceptions to save the woman's life (Kampwirth 2008). This prohibition foretold a general policy of hostility and outright criminalization of Nicaragua's organized women's and feminist movement by the Ortega government. The critical situation for Nicaragua's women's movement has been masked in part by government propaganda, a case of "autocratic genderwashing" (Bjarnegård and Zetterberg 2022). The government decriminalized homosexuality and passed a so-called "gender parity" law that mandates gender equity in the country's elected representatives, going as far as justifying Ortega's selection of his wife, Rosario Murillo, as vice-president in the interest of gender parity. In practice, the complete control of Ortega and Murillo over all branches of government has meant that no elected officials have any independence to legislate in the interests of women and LGBTQI populations. The recent banning and confiscation of the assets of Nicaragua's non-governmental organizations addressing gender-based violence and discrimination threatens to worsen the situation of women and LGBTQI populations who rely on their services for access to healthcare and legal assistance (Vilchez 2022).

The convergence of anti-capitalist, anti-extractivist, gender-based, and environmental struggles has fueled coalitions that have brought previously excluded political actors to the center of national politics. Indigenous and Afro-descendent people, women, and LGBTQI people have been at the heart of these national struggles, visibly leading efforts for transformation in the entire region (Sevilla Jiménez 2022). In 2021, an Indigenous led campesino organization in Guatemala (CODECA) guided peasant, student, and workers organizations in strikes and road blockades

demanding the resignation of President Giammattei and the establishment of a Plurinational and Popular Constituent Assembly to rewrite the constitution, refound Guatemala as a Plurinational State, and develop an alternative to the current economic model (Batz 2021). In Nicaragua, a coalition formed against extractivist projects and environmental degradation in late 2017 that brought together the struggles of the Movimiento Campesino that emerged in opposition to Nicaragua's Interoceanic Canal megaproject and other communities denouncing the disasters posed by American and Canadian mining corporations in their territories. Large-scale waves of social mobilization have emerged opposing water privatization in Costa Rica (Ballestero 2012) and El Salvador, as well as against mining concessions throughout the region (Dougherty 2011, Spalding 2014). These mobilizations are routinely met with excessive violence by police, military, and paramilitary forces. Honduras, Nicaragua, and Guatemala all top Global Witness reports' rankings for deadliest countries for "land and environmental defenders" (Global Witness 2021). Most murders of Central American environmental activists and land defenders have gone unpunished, but a Honduran court convicted the construction executive who allegedly coordinated the 2016 assassination of Indigenous Lenca activist Berta Cáceres, with the lower-level assassins already imprisoned. Such outcomes offer hope that organized national and international mobilization for justice can still outweigh the corruption and impunity that has become the norm in the region.

Looking Ahead

In 2021, Honduras offered a democratic ray of hope in the region by ending the PNH's rule over a decade after the coup—despite the party's efforts to tilt the playing field and call the election early in their favor (Freeman and Perelló 2022; Salomón 2022)—with new President Xiomara Castro vowing to make the government serve all Hondurans and requesting that the United Nations help set up an anti-corruption commission. That said, the Castro government has already disappointed some by granting an outsized role to her husband, former president Manuel Zelaya and using a Manichean rhetoric that divides the population into heroes or traitors and coup-mongers, deepening polarization. Others have noted Castro has failed to prioritize the country's gender and sexual violence epidemic and has continued the prior government's policy of fighting citizen insecurity with increased militarization.

Elsewhere in the region, democracy and citizens' satisfaction with it have been faring poorly, with even Costa Rica seeing rising xenophobia (Jillson 2020;

Malone 2019) and voting for an anti-establishment populist in 2022, Rodrigo Chaves, who has already begun to attack the country's independent press in ways that resemble the strategies used by Bukele and Ortega (Mora 2022). Even Panama, which has been stably democratic for three decades after the U.S. invasion toppling Noriega (Loxton 2022), erupted in nationwide protests in summer 2022 over cost-of-living increases and corruption (e.g., Guevara 2022).

Against this regional background of turmoil and repression, however, there are potential sources of optimism. First, people have remained willing to take to the streets in order to challenge governments to uphold their side of the political bargain and to actually serve the people they are supposed to represent. Only in Nicaragua has the ability to protest publicly been smothered, though people there still find small ways to engage in everyday resistance. Second, the civil society and non-governmental organizations that blossomed over the last three decades make it more difficult than ever for governments to hide corruption and abuses and to curtail or deny rights without a fight. The efforts by Nicaragua's government to crush civil society and attacks on journalists and media outlets around the region show politicians' discomfort with being publicly called to account, and online outlets (see Avila Reyes 2021) and social media have helped keep governments from controlling the flow of information. Politics in Latin America have often been pendular, with advances in democratic and economic inclusion and representation followed by reactionary swings in the opposite direction (e.g., Cameron 2021). Pro-democracy actors in Central America will be hoping that the momentum shifts soon, and they will continue working to try to ensure that it does.

Contents of the Issue

The articles in this issue provide diverse perspectives on the quality of democracy around Central America, going beyond simply issues of regime type or elections to discussing what governments in the region mean for citizens' lives, and how democratic deficiencies and increasing authoritarianism are impacting the region. We sought to bring together scholars from across disciplines to put political science into dialogue with research from and on Central America from across the social sciences on the causes and consequences of democracy's lack of consolidation in the northern countries of Central America. The first two articles discuss how democracy has been dismantled in El Salvador and Nicaragua, and the historical roots of authoritarian leaders' ability to do so. The second pair of articles discuss how the governments of

Honduras and Guatemala have undermined democratic institutions, and how democracy in the countries has often fallen short, especially for Indigenous and Afro-descendant populations, though the new Castro government in Honduras might be able to break with the pattern. In the book exchange, the authors of two recent books on the politics of crime, violence, and policing in Latin America discuss each other's work and its implications for future studies and policy.

In the opening article, Manuel Meléndez-Sánchez examines the growing autocratization of El Salvador by President Nayib Bukele and how public dissatisfaction with democracy contributed to Bukele's rise and his continued popularity. Meléndez-Sánchez argues that democratic disillusionment in El Salvador can, paradoxically, be traced to two main sources: the elite pact that helped the country democratize and investigations exposing high-level corruption. The pact between the FMLN and Arena at the end of the Salvadoran Civil War helped leaders in both parties feel secure about democratization, but it did so at the cost of restricting intra-party democracy and tilting the electoral playing field in the two parties' favor. Public support for the parties waned, and Bukele and his anti-system Nuevas Ideas party offered a chance to reject the effective Arena-FMLN duopoly. Corruption investigations against former presidents and other top officials, meanwhile, led the public to conclude that politicians in general were corrupt, rather than creating perceptions of accountability. Bukele's populist anti-corruption rhetoric therefore found a receptive audience, who have continued to support him even as he dismantles democracy.

Antonio Monte Casablanca and his co-author, who has requested to keep their name anonymous due to security concerns, approach Nicaraguan authoritarianism as a structural problem rooted in the longstanding practice of establishing authoritarian pacts among the nation's elites. Tracing the practice of pacts throughout the twentieth century, they show how negotiations between elites have been used to resolve political turmoil and create power-sharing arrangements at the exclusion of non-elite social and political actors. Moreover, they argue this practice has been adopted by Daniel Ortega in his return to power, establishing arrangements with right wing politicians, capital holding elites, and high-ranking members of the military to ensure his political continuity in exchange for opportunities for enrichment. The authors link pactmaking with a supplementary authoritarian practice that also has historical roots: the use of Manichean discourses that dehumanize political opponents and strip them of their nationality, thus justifying their incarceration, torture, or death.

Giorleny Altamirano Rayo looks at Honduras, where, surprisingly, the right-wing governments of Porfirio Lobo and Juan Orlando Hernández implemented expansions in titled communal territories for Indigenous and Afro-descendant groups. Rather than emerging from a concern with these communities' rights and historic claims, Altamirano Rayo shows how titling communal lands was a strategy to reestablish government influence in the eastern region of Mosquitia, in the face of criminal organizations' increasing power. Crucially, the government titled lands and set up administrative structures in ways designed to ensure central state control, rather than providing communities with meaningful autonomy or full rights to all their traditional lands. New President Xiomara Castro has demonstrated commitments to protecting Indigenous and Afro-descendant rights in a cooperative manner, so her administration offers an opportunity to potentially democratize state-sanctioned governance of communal lands.

Writing from the perspective of Guatemala's organized indigenous Mayan communities, Giovanni Batz expands on the continuities between the decades of civil war and current structural inequalities and the marginalization and exploitation of Indigenous peoples. He argues that persistent structural inequalities, the dismantling of anti-corruption institutions combating impunity, the use of the justice system to persecute agents of the rule of law, and the unfettered expansion of extractivist industries in ancestral lands has plunged Guatemala into further violence and civil strife. In this context, Indigenous communities have experienced increased militarization and suspension of their civil liberties with tacit support from U.S. officials who continue to support Guatemala with military equipment that has been used to suppress dissent. Despite facing persecution, assassinations, and forced displacement, and increasing migration, Batz argues that Indigenous communities and ancestral authorities have organized Guatemala's most prominent national protests calling for change, and promoting the establishment of a dignified, plurinational state that respects the rights of Indigenous peoples to self-determination.

In the Author Exchange, Yanilda González and Eduardo Moncada discuss each other's recent books (González 2021; Moncada 2021). Both books focus on responses to crime and violence around Latin America and what remedies politicians and citizens may seek, with important implications for democratic accountability. González's work looks at why it is so difficult to reform police institutions, even under democracy, showing how politicians are often reluctant or ineffective at reforming and restraining violent or unaccountable

institutions. While the book primarily examines Argentina, Brazil, and Colombia, its findings are very relevant for Central America, where weak democratic institutions and corruption have allowed criminal organizations and high levels of criminal violence to persist (e.g., Yashar 2018). Moncada examines cases across Colombia, El Salvador, and Mexico to understand why citizens adopt differing responses to organized criminal violence when the state is unable or unwilling to control it. Moncada shows how the interaction of criminal group interests, local economies, and the level of police corruption or complicity explains when we see individuals and communities rely on everyday nonviolent resistance and negotiation, and when they turn to vigilantism to protect themselves (see also Bateson 2021). With criminal violence and violent, corrupt policing continuing to plague Central America, the books can help diagnose structural problems and chart potential paths forward towards making states safer and more accountable for everyone, not only political and economic elites.

References

- Agren, David. 2020. "Nayib Bukele's military stunt raises alarming memories in El Salvador." The Guardian, February 16, 2020.
- Allison, Michael E. 2017. <u>"El Salvador: A Far Cry from Peace."</u> Revista de Ciencia Política 37 (2): 449–469.
- Amnesty International. 2022. "Guatemala:

 Discriminatory law foments hate and puts lives,
 rights and families at risk." March 9, 2022.
- Arévalo, Karla, and Alejandra Arredondo. 2022. "'We Are Not Going to Censor Ourselves,' Say El Salvador Journalists." Voice of America, May 5, 2022.
- Avila Reyes, Jennifer. 2021. <u>"Reporting Against the Tide of Dictatorship."</u> NACLA Report on the Americas 53 (4): 365–370.
- Ballestero S., Andrea. 2012. "Transparency Short-Circuited: Laughter and Numbers in Costa Rican Water Politics." *Political and Legal Anthropology Review* 35 (2): 223–41.
- Bateson, Regina. 2021. <u>"The Politics of Vigilantism."</u> Comparative Political Studies 54 (6): 923–955.
- Batz, Giovanni. 2021. <u>"Guatemala's National Strike</u>
 <u>Demands Structural Change."</u> The North American
 Congress on Latin America, September 7, 2021.

- Bjarnegård, Elin, and Pär Zetterberg. 2022. <u>"How Autocrats Weaponize Women's Rights."</u> Journal of Democracy 33 (2): 60–75.
- Bonner, Raymond, and Nelson Rauda. 2021. "Survivors and Families of Victims of a 1981 El Salvador Massacre See Justice Slip Away Again." ProPublica, September 13, 2021.
- Bowen, Rachel E. 2022. "Backlash against State Strengthening Reforms: The Rise and Fall of the CICIG in Guatemala." In *The Limits of Judicialization:* From Progress to Backlash in Latin America, edited by Sandra Botero, Daniel M. Brinks, and Ezequiel A. Gonzalez-Ocantos, 115–138. Cambridge: Cambridge University Press.
- Burrell, Jennifer, Mounia El Katni, and Ramiro Fernando Calmo. 2020. "The Anti/Corruption Continuum: Generation, Politics and Grassroots Anti-Corruption Mobilization in Guatemala." Journal of Latin American and Caribbean Anthropology 25 (4): 610–630.
- Burt, Jo-Marie. 2021. <u>"The Justice We Deserve: War Crimes Prosecutions in Guatemala."</u> Latin American Research Review 56 (1): 214–232.
- Buschschlüter, Vanessa. 2022. <u>"El Salvador gangs: State of emergency extended again."</u> BBC, July 20, 2022.
- Cabrales, Sergio, and Alvaro López-Espinoza. 2020. "Nicaragua en Movimiento: Análisis de las protestas 2016-2020." Serie de Estudios Institucionales 2020, No. 1. Managua: FUNIDES.
- Cabrales Domínguez, Sergio Miguel. 2020. "La oleada de protestas del 2018 en Nicaragua: procesos, mecanismos y resultados." In Anhelos de un nuevo horizonte: Aportes para una Nicaragua democrática, edited by Alberto Cortés Ramos, Umanzor López Baltodano, and Ludwing Moncada Bellorin, 79–95. San José: FLACSO.
- Cajina, Roberto. 2017. <u>"La Policía se ha desnaturalizado: es un satélite del régimen."</u> Revista Envío, no. 421.
- Calderón Boy, Ana María. 2022. "The Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH) and its New Integrated Criminal Investigation Model." In *The Politics of Anti-Corruption Agencies in Latin America*, edited by Joseph Poszgai Alvarez, 201–217. London: Routledge.
- Call, Charles T. 2022. "Ten Key Lessons from the OAS Mission in Support of the Fight against Corruption and Impunity in Honduras." In *The Politics of Anti-Corruption Agencies in Latin America*, edited by Joseph Poszgai Alvarez, 218–234. London: Routledge.

- Cameron, Maxwell A. 2021. "Pathways to Inclusion in Latin America." In *The Inclusionary Turn in Latin American Democracies*, edited by Diana Kapiszewski, Steven Levitsky, and Deborah J. Yashar, 401–433. Cambridge: Cambridge University Press.
- Center for Reproductive Rights. 2012. "Honduras
 Supreme Court Upholds Absolute Ban on Emergency
 Contraception, Opens Door to Criminalize Women
 and Medical Professionals." February 13, 2021.
- ———. 2021. "Manuela v. El Salvador: The Impact of Blanket Abortion Bans on Women Experiencing Obstetric Emergencies."
- Chamorro Barrios, Carlos F. 2020. "Nicaragua: antes y después de la Rebelión de Abril." In Anhelos de un nuevo horizonte: Aportes para una Nicaragua democrática, edited by Alberto Cortés Ramos, Umanzor López Baltodano, and Ludwing Moncada Bellorin, 23–39. San José: FLACSO.
- Chamorro, Luciana, and Emilia Yang. 2018.

 "Movilización Social y Tácticas de Control En El
 Neosandinismo: El Caso de #OcupaINSS." Cahiers des
 amériques latines, no. 87: 91–115.
- Copeland, Nicholas. 2019a. <u>"The Violent Landscapes of Sugar and Oil Palm."</u> Hot Spots, Fieldsights, Society for Cultural Anthropology, January 23, 2019.
- Collombon, Maya. 2005. "Le Grand Canal, l'offrande sandiniste aux Nicaraguayens." Les Études du CERI: l'année politique de l'Amérique Latine, no. 217–218: 20–24.
- Copeland, Nicholas. 2019b. "Defending Consultation: Indigenous Resistance Against the Escobal Mine in Guatemala." NACLA, May 22, 2019.
- Cortés Ramos, Alberto, and Diana Fernández Alvarado. 2021. "Órdenes sociales, regímenes políticos y geopolítica en Centroamérica: una lectura de larga duración en el contexto del bicentenario." Anuario de Estudios Centroamericanos, no. 47: 1–40.
- Courtright, Nicola Chávez. 2019. <u>"Bound Up in Each Other: Salvadoran LGBT Displacement."</u> Hot Spots, Fieldsights, *Society for Cultural Anthropology*, January 23, 2019.
- Dada, Carlos. 2020. <u>"Central America Dismantles Democracy."</u> Dissent 67 (4): 95–106.
- Diamond, Larry. 2020. "Breaking out of the Democratic Slump." Journal of Democracy 31 (1): 36–50.

- Dougherty, Michael L. 2011. <u>"The Global Gold Mining</u> Industry, Junior Firms, and Civil Society Resistance in Guatemala." Bulletin of Latin American Research 30 (4): 403–18.
- Edelman, Marc. 2000. Peasants Against Globalization: Rural Social Movements in Costa Rica. Stanford: Stanford University Press.
- Flores, Walter. 2019. "Youth-Led Anti-Corruption Movement in Post-Conflict Guatemala: 'Weaving the Future'?" IDS Bulletin 50 (3): 37–52.
- Frank-Vitale, Amelia, and Juan José Martínez d'Aubuisson. 2020. <u>"The Generation of the Coup:</u> <u>Honduran Youth at Risk and of Risk."</u> Journal of Latin American and Caribbean Anthropology 25 (4): 552–568.
- Freeman, Will, and Lucas Perelló. 2022. <u>"The Long Game: The Opposition Wins in Honduras."</u> Journal of Democracy 33 (2): 118–132.
- Global Witness. 2021. <u>"Last Line of Defence."</u> September 13, 2021.
- Goett, Jennifer. 2015. "Securing Social Difference:
 Militarization and Sexual Violence in an AfroNicaraguan Community: Securing Social
 Difference." American Ethnologist 42 (3): 475–89.
- ——. 2019. "The New Terrorist Type in Nicaragua."
 Hot Spots, Fieldsights, Society for Cultural
 Anthropology, January 23, 2019.
- Gonnella-Platts, Natalie, Jenny Villatoro, and Laura Collins. 2022. No Justice: Gender-Based Violence and Migration in Central America. Washington, DC: Wilson Center.
- Gonzalez Cabrera, Cristian. 2020. <u>"Costa Rica's Progress on Marriage Equality Should Inspire the Region."</u> Human Rights Watch, June 3, 2020.
- González, Yanilda María. 2021. Authoritarian Police in Democracy: Contested Security in Latin America. Cambridge: Cambridge University Press.
- Grupo Interdisciplinario de Expertos Independientes (GIEI). 2018. Informe sobre los hechos de violencia ocurridos entre el 18 de abril y el 30 de mayo de 2018. Washington, D.C.: Organization of American States.
- Guevara, Cristina. 2022. "In Panama, Protesters Want Deeper Reform." Americas Quarterly, August 1, 2022.
- Gutiérrez, Édgar. 2016. "Guatemala fuera de control: La CICIG y la lucha contra la impunidad." *Nueva Sociedad*, no. 263: 81–95.

- Hallock, Jeffrey T. 2021. "Unprecedented Success and Entrenched Opposition." In The Politics of Anti-Corruption Agencies in Latin America, edited by Joseph Poszgai Alvarez, 179–200. London: Routledge.
- Human Rights Watch. 2020. "Every Day I Live in Fear: Violence and Discrimination Against LGBT People in El Salvador, Guatemala, and Honduras, and Obstacles to Asylum in the United States." October 7, 2020.
- Human Rights Watch. 2022a. "Nicaragua: Government Dismantles Civil Society Arbitrary Closures of Groups Impede Rights, Humanitarian Work." July 19, 2022.
- Human Rights Watch 2022b. <u>"El Salvador: Evidencias de graves abusos durante el régimen de excepción."</u>
 May 2, 2022.
- Indacochea, Úrsula, and Jessica Estrada. 2021. "The Illusion of CICIES in El Salvador." In *The Politics of* Anti-Corruption Agencies in Latin America, edited by Joseph Poszgai Alvarez, 251–265. London: Routledge.
- Jarquín, Edmundo (ed.). 2016. El régimen de Ortega: ¿una nueva dictadura familiar en el continente? Managua: PAVSA.
- Jillson, Chris. 2020. <u>"Costa Rica's Neighbor, Intruder, and Essential Worker."</u> NACLA Report on the Americas 52 (4): 385–390.
- Kampwirth, Karen. 2008. <u>"Abortion, Antifeminism, and the Return of Daniel Ortega: In Nicaragua, Leftist Politics?"</u> Latin American Perspectives 35 (6): 122–36.
- Labrador, Gabriel, and Julia Gavarrete. 2021. "Bukele Responds to Avalanche of International Criticism: "The People Voted for This." El Faro, May 7, 2021.
- Loperena, Christopher A. 2017. "Honduras Is Open for Business: Extractivist Tourism as Sustainable Development in the Wake of Disaster?" Journal of Sustainable Tourism 25 (5): 618–33.
- Loxton, James. 2022. <u>"The Puzzle of Panamanian Exceptionalism."</u> *Journal of Democracy* 33 (1): 85–99.
- Lührmann, Anna, and Staffan I. Lindberg. 2019. "A Third Wave of Autocratization Is Here: What Is New about It?" Democratization 26 (7): 1095–1113.
- Malone, Mary Fran T. 2019. <u>"Fearing the 'Nicas':</u>
 Perceptions of Immigrants and Policy Choices in
 Costa Rica." Latin American Politics and Society 61 (1):
 1–28.

- Martí i Puig, Salvador. 2010. <u>"The Adaptation of the FSLN: Daniel Ortega's Leadership and Democracy in Nicaragua."</u> Latin American Politics and Society 52 (4): 79–106.
- Martí i Puig, Salvador, Daniel Rodríguez Suárez, and Macià Serra. 2022. "Nicaragua 2020-2022: El Cierre Autoritario." *Revista de Ciencia Política* 42 (2): 383-406.
- Martínez, Carlos. 2022a. "Collapsed Government Talks with MS-13 Sparked Record Homicides in El Salvador, Audios Reveal." El Faro, May 17, 2022.
- ———. 2022b. <u>"Los supervivientes de los Cayos Cochinos."</u> El Faro, July 31, 2022.
- Masek, Vaclav. 2020. "Guatemalans Have Had Enough." NACLA, November 23, 2020.
- Mayer, Joshua, and Anuradha Mittal. 2021. <u>"Amid the Political Crisis in Nicaragua, Foreign Gold Mining Companies Amplify the Repression."</u> The Oakland Institute, July 13, 2021.
- Meléndez-Sánchez, Manuel. 2021. "Millennial Authoritarianism in El Salvador." Journal of Democracy 32 (3): 19–32.
- Meza, Victor, Ramón Romero, Lucila Funes, Manuel Gamero, Leticia Salomón, and Antonio Murga. 2010. *Golpe de Estado: Partidos, instituciones y cultura política*. Tegucipgalpa: Centro de Documentación de Honduras.
- Miranda, Danilo. 2021. "Nayib Bukele: "El Estado soy yo" ¿Hasta dónde impondrá su agenda autoritaria?" Envío, no. 468.
- Mittal, Anuradha, and Josh Mayer. 2020. "Nicaragua's Failed Revolution: The Indigenous Struggle for Saneamiento." Oakland: Oakland Institute.
- Mollett, Sharlene. 2016. <u>"The Power to Plunder:</u>
 Rethinking Land Grabbing in Latin America."
 Antipode 48 (2): 412–32.
- Moncada, Eduardo. 2021. Resisting Extortion: Victims, Criminals, and States in Latin America. Cambridge: Cambridge University Press.
- Monte Casablanca, Antonio, and Juan Pablo Gómez. 2020. <u>"Autoritarismo, Violencia, y Élites en Nicaragua. Reflexiones sobre la Crisis (2018–2019)."</u> Anuario de Estudios Centroamericanos, vol. 46.

- Montero Castrillo, Fernando. 2020. "Martial Love: Articulation and Detachment in the Moskitia's Military Occupation (Nicaragua/Honduras)." PhD dissertation, Department of Anthropology, Columbia University, New York, NY.
- Mora, Carlos. 2022. <u>"Organizaciones censuran nuevo ataque de Chaves a la prensa."</u> CR Hoy, August 3, 2022.
- Mosinger, Eric, Kai M. Thaler, Diana Paz García, and Charlotte Fowler. 2022. "Civil Resistance in the Shadow of the Revolution: Historical Framing in Nicaragua's Sudden Uprising." Comparative Politics 54 (2): 253–277.
- Núñez de Escorcia, Vilma. 2014. <u>"Would a Truth Commission be Possible Here?"</u> Envío, no. 395.
- Observatorio Universitario de Derechos Humanos. 2022. "Informe 100 días de Régimen de Excepción en El Salvador 2022." Universidad Centroamericana – El Salvador, August 10, 2022.
- Pastor Fasquelle, Rodolfo. 2011. <u>"The 2009 Coup and the Struggle for Democracy in Honduras."</u> NACLA Report on the Americas 44 (1): 16–21.
- Pignataro, Adrián, Ilka Treminio, and Elías Chavarría-Mora. 2021. "Democracia, apoyo ciudadano y nuevas generaciones frente al retroceso democrático en Centroamérica." Anuario de Estudios Centroamericanos, vol. 47.
- Redacción Confidencial. 2022. <u>"El asalto final del FSLN contra las alcaldías opositoras."</u> Confidencial, July 5, 2022.
- Robinson, William. 2019. <u>"The Second Implosion of Central America."</u> NACLA, January 28, 2019.
- Rodgers, Dennis, and Stephen Young. 2017. "From a Politics of Conviction to a Politics of Interest? The Changing Ontologics of Youth Politics in India and Nicaragua: From a Politics of Conviction to a Politics of Interest?" Antipode 49 (1): 193–211.
- Roque Baldovinos, Ricardo. 2021. <u>"Nayib Bukele: populismo e implosión democrática en El Salvador."</u>
 Andamios 18 (46): 233–255.
- Ruhl, J. Mark. 2010. <u>"Trouble in Central America:</u>
 <u>Honduras Unravels."</u> Journal of Democracy 21 (2): 93–107.

- Sagot, Montserrat. 2012. "Un paso adelante y dos atrás? La tortuosa marcha del movimiento feminista en la era del neointegrismo del 'facismo social' en centroamerica." In Feminismo y cambio social en América Latina y el Caribe, edited by Magdalena Valdivieso et al. Buenos Aires: CLACSO.
- ———. 2022. "Gendered Necropolitics: Inequalities and Femicides in Central America." In *Persistence and Emergencies of Inequalities in Latin America*, edited by Pablo Vommaro and Pablo Baisotti, 95–110. Cham: Springer International Publishing.
- Salomón, Leticia. 2018. "Indignación y crisis política en Honduras." *Nueva Sociedad*, no. 273: 14–21.
- ———. 2022. "Los desafíos de Xiomara Castro en Honduras." *Nueva Sociedad*, no. 299: 134–144.
- Sánchez González, Mario. 2016. "Los Recursos En Disputa. El Caso Del Conflicto Minero En Rancho Grande, Nicaragua." *Anuario de Estudios Centroamericanos*, vol. 42: 93–131.
- Schwartz, Rachel. 2021. "How Predatory Informal Rules Outlast State Reform: Evidence from Postauthoritarian Guatemala." *Latin American Politics* and Society 64 (1): 48–71.
- ———. 2022. "Guatemala 2021: Reconsolidating Impunity and Reversing Democracy." *Revista de Ciencia Política* 42 (2): 309–332.
- Selser, Gabriela. 2022. "Concern that Nicaragua repression could be 'model' in region." AP News, August 4, 2022.
- Sevilla Jimenez, Alondra. 2022. "Activismo feminista en tiempos de crisis." In *La suma de todas las crisis* y las resistencias feministas. Managua: Programa Feminista La Corriente.
- Sierakowski, Robert. 2020. "We Didn't Want to be like Somoza's Guardia': Policing, Crime and Nicaraguan Exceptionalism." In A Nicaraguan exceptionalism?: Debating the Legacy of the Sandinista Revolution, edited by Hilary Francis. London: Institute of Latin American Studies, School of Advanced Study, University of London.
- Sosa, Eugenio. 2015. "The Movement Against the Coup in Honduras." In Handbook of Social Movements across Latin America, edited by Paul Almeida and Allen Cordero Ulate, 313–326. Dordrecht: Springer.
- Sosa, Eugenio, and Paul Almeida. 2019. <u>"Honduras: A Decade of Popular Resistance."</u> NACLA Report on the Americas 51 (4): 323–327.

- Spalding, Rose. 2014. "El Salvador: Horizontalism and the Anti-Mining Movement." In Rethinking Latin American Social Movements: Radical Action from Below, edited by R Stahler-Sholk et al., 311–33. Lanham: Rowman & Littlefield.
- Thaler, Kai M. 2017. "Nicaragua: A Return to Caudillismo." Journal of Democracy 28 (2): 157–169.
- Thaler, Kai M., and Eric Mosinger. 2022. "Nicaragua: Doubling Down on Dictatorship." Journal of Democracy 33 (2): 133–146.
- Torres, M. Gabriela. 2019. "Gender-Based Violence and the Plight of Guatemalan Refugees." Hot Spots, Fieldsights, Society for Cultural Anthropology, January 23, 2019.
- Valdéz, Alexander. 2022. <u>"Zamora sigue detenido y sin audiencia de primera declaración."</u> elPeriódico, July 31, 2022.
- Valencia, Roberto. 2021. <u>"Ya ocurrió la primera gran marcha contra Bukele. ¿Y ahora qué?"</u> The Washington Post, October 12, 2021.
- Vásquez, Eric. 2022. "The Technical Fix: Bitcoin in El Salvador." South Atlantic Quarterly 121 (3): 601–611.
- Vílchez, Dánae. 2022. "Nicaraguan Government Outlaws Feminist Groups Serving Vulnerable People." NACLA, June 10, 2022.
- Viterna, Jocelyn, and Jose Santos Guardado Bautista. 2017. "Pregnancy and the 40-year Prison Sentence: How 'Abortion is Murder' Became Institutionalized in the Salvadoran Judicial System." The Health and Human Rights Journal 19 (1): 81-93.
- Walters, Jonah. 2019. "The Sandinista Labor Paradox." *NACLA Report on the Americas* 51 (3): 276–83.
- Wolf, Sonja. 2021. <u>"A Populist President Tests El Salvador's Democracy."</u> Current History 120 (823): 64–70.
- Yashar, Deborah. 2018. Homicidal Ecologies: Illicit Economies and Complicit States in Latin America. Cambridge: Cambridge University Press.

Lessons from El Salvador's Authoritarian Turn

Manuel Meléndez-Sánchez, Harvard University¹

If El Salvador is still a democracy, it is unlikely to remain one for long. President Nayib Bukele has exhibited autocratic tendencies since he took office in June 2019. But the country's turn toward authoritarianism began in earnest in May 2021, when Bukele gained a supermajority in the country's Legislative Assembly. Within hours of taking their oaths, the president's new legislative allies voted to vacate—and then pack—the Constitutional Chamber, El Salvador's highest court. Speaking to the legislature soon after the judicial coup, a triumphant Bukele vowed never to let his enemies return to power: "As long as God gives me strength," he promised, "I will not let it happen."² Indeed, Bukele and his allies have systematically undermined remaining sources of horizontal accountability, including opposition parties, lower courts, local governments, independent government agencies, civil society organizations, and the press.³ In late 2021, the Constitutional Chamber paved the way for Bukele to seek reelection in 2024. If he runs, Bukele is all but guaranteed a second term in part because he is extremely popular and in part because there remain few guarantees that the election would be minimally fair.

What explains El Salvador's ongoing authoritarian turn? Bukele himself has, of course, played a key role. Relying on a distinctive political strategy that combines populist appeals, authoritarian tactics, and a modern personal brand fueled by social media—what I have labeled millennial authoritarianism (Meléndez-Sánchez 2021)—Bukele has built a formidable electoral coalition. Like many would-be autocrats before him, Bukele has used his overwhelming public support—most polls place his approval rating above 80 percent (e.g., Rentería 2021)—to consolidate power under the presidency and weaken checks and balances.

This, however, is only one part of the story. In 2018, the year before Bukele's election, 63.4 percent of Salvadorans said they were dissatisfied with democracy

¹ The views expressed in Manuel's contribution to this volume are those of the author and do not necessarily reflect the views of the U.S. Institute of Peace or the Minerva Research Institute.
2 A full video of this speech is available online, in Spanish, at https://www.youtube.com/watch?v=9AlBouIqN3E.

³ See, respectively, Flores 2021; Miranda 2021; Velásquez 2021; Guzmán *et al.* 2020; Alemán and Sherman 2021; and Abi–Habib and Avelar 2022.

(LAPOP 2018). Over 60 percent agreed that "elections are a waste of time because things in this country will never change," and 78 percent said political parties did not represent people like them (IUDOP 2018). Millennial authoritarianism could not have succeeded in El Salvador if Salvadorans had not already grown deeply disillusioned with democracy by the time Bukele ran for office: Bukele's authoritarian project thrived in, but did not create, these conditions. Why, then, did so many Salvadorans lose faith in democracy in the first place?

Here I focus on two factors that contributed to this public disillusionment with democracy in El Salvador: the unintended long-term consequences of the country's democratic transition pact and the double-edged nature of high-profile corruption investigations. Both of these factors highlight important theoretical insights that are often overlooked in discussions about democratic backsliding, and, in doing so, may offer lessons that extend well beyond El Salvador.⁴

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The Unintended Long-Term Consequences of Transition Pacts

In the early 1990s, the Nationalist Republican Alliance (Arena) government and the Farabundo Martí National Liberation Front (FMLN) guerrillas—bitter rivals in a civil war that had been raging since the early 1980s struck a pact designed to end hostilities and transition to democracy. El Salvador's transition pact had three main components. First, the 1992 Chapultepec Peace Accords created a pathway for the FMLN to demobilize, become a political party, and participate freely in the "civil, political, and institutional life of the country" (Gobierno de El Salvador 1992, 54). Second, a 1993 General Amnesty Law granted combatants on both sides of the conflict immunity from prosecution for warrelated crimes. Finally, a new Electoral Code, written in 1992, set high barriers to entry for new parties and gave leaders of both Arena and the FMLN significant influence over future electoral processes.

These agreements presented difficult tradeoffs, particularly from the perspective of transitional justice. However, they successfully addressed the central challenge to democratization in El Salvador: ensuring that the vital interests of Arena, the FMLN, and the core constituencies each represented would be protected during and after the transition. The pact ensured that the two organizations—as well as their individual members—could participate freely in electoral politics without facing prosecution or disqualification for war-related offenses. Meanwhile, the new Electoral Code shielded leaders of the two parties from internal competition by allowing them to control leadership and candidate selection. The Electoral Code also protected party leaders from external competition, for example by conditioning access to public campaign financing on expected vote share—a move that left newcomers at a major disadvantage compared to the well-established Arena and FMLN.

Together, these provisions persuaded the leaders of the two organizations to lay down arms. Crucially, the pact also set the stage for the development of a strong and remarkably stable party system following the initial transition. Arena consolidated its status as the strongest party on the right, while the FMLN soon established itself as the largest party on the left. Former wartime leaders and combatants ran for office, participated in national and local government, and played an active role in intra-party politics: to adapt Loxton and Mainwaring's (2018) evocative phrase, the pact offered these former fighters a political life after civil war. Importantly, the new party system also offered Salvadoran voters—who were experiencing full electoral democracy for the first time—a meaningful choice between two parties that represented deep, preexisting social cleavages. The pact, in short, made it possible for Arena and the FMLN to compete at the ballot box instead of on the battlefield.

To be sure, my claim is not that the pact alone was responsible for El Salvador's democratization. Others, for example, have noted the importance of popular mobilization (Wood 2001) and the international context (Montgomery 1995, 213–262) in bringing about Salvadoran democracy, as well as the key role of partybuilding strategies (Holland 2016; Loxton 2021, 126–165) in ensuring the continued success of Arena and the FMLN after the initial transition. What I suggest is that the pact made El Salvador's transition to democracy possible by making electoral politics minimally safe for powerful actors on both sides of the regime divide; the pact was, in other words, a necessary (if not sufficient) condition for democratization.

However, as Salvadoran democracy entered its third decade, the enduring legacies of the transition pact contributed to a process of political decay. Well into the 2010s, wartime leaders and their close allies continued to dominate the two main parties and, through them, electoral politics. No election illustrates this more clearly than the 2019 presidential contest. Despite (or perhaps because of) his popularity, traditional FMLN elites—who still controlled the party's cúpula, or top governing structures—viewed Bukele with great suspicion: they feared that Bukele, already the country's most popular and skillful politician by some margin, would easily secure the FMLN's nomination and then marginalize the party's longstanding powerbrokers. As a result, the cúpula swiftly expelled Bukele from the FMLN, claiming that he had attempted to divide the party. They then handpicked Hugo Martínez, a former combatant and veteran party loyalist, to run against Bukele.

This is an instructive episode. The Chapultepec Accords and the Amnesty Law had allowed wartime elites to remain at the helm of the FMLN after the transition. The Electoral Code, which gave party leaders full control over internal party discipline and the party's nomination process, had then allowed these traditional elites to remain in power for decades and to block newcomers who, like Bukele, could challenge their dominance. A similar dynamic occurred inside Arena: well into the twenty-first century, the party's internal workings—including its nomination processes continued to be dominated by the conservative economic elites who had founded the party decades earlier. In the early 1990s, El Salvador's transition pact made democratization possible precisely by ensuring that elites on both sides of the regime divide could protect their interests through Arena and the FMLN. But, as late as 2019, the two parties remained first and foremost vehicles of elite interest representation.6

As a result, a growing number of voters grew disillusioned with what these parties—which had become synonymous with electoral politics—had to offer. By 2018, only 30.8 percent of Salvadorans said they supported one of the major parties. Almost 80

percent said that Arena and the FMLN did not represent people like them, and 60 percent agreed that elections were a waste of time (IUDOP 2018). A chasm had opened up between Salvadorans and their political parties. Bukele stepped in to fill this void.

The Salvadoran experience invites us to revisit bygone debates about the merits and limitations of elite pacts. As the Third Wave spread across Latin America, O'Donnell and Schmitter (1989) argued that pacts could facilitate difficult transitions from authoritarian rule by protecting the key interests of powerful elites, thereby protecting the new democratic playing board against those who may otherwise wish to knock it over. "Pacted transitions," in this view, offered a way to "arrive at a sufficiently strong consensus about the rules of the game ... so that no major elite [would be] tempted" to revert to authoritarianism (Karl 1990, 12). Indeed, El Salvador's successful transition demonstrates that, even in deeply divided societies, pacts can create incentives for elites to tolerate democratization—in part by giving them tools to succeed at, and eventually embrace, electoral politics.

Yet even as scholars of the region recognized that pacts could make democratic *transition* possible, some worried that these same pacts could eventually pose problems for democratic *consolidation*. Writing soon after Brazil's transition, for example, Hagopian (1990, 147) noted that, by shielding elites from full-blown electoral competition, transition pacts could deter political parties from becoming "genuine transmission belts for nonelite interests." Karl (1990, 8) warned that transition pacts "may appear temporary agreements" but become "persistent barriers to change, barriers that can even scar a new regime with a permanent 'birth defect.'"

El Salvador's experience suggests that these warnings, too, were prescient. There is a fundamental crosstemporal tradeoff at the heart of democratic pacts: pacts can make democracy viable in the short run but undermine it in the long run. Today, amid growing concerns of creeping authoritarianism and a "democratic recession" (e.g., Diamond 2015), understanding how to navigate this tradeoff is perhaps more important than at any time since the Third Wave. For example, under what conditions do pacts continue to limit electoral competition well after the transition period? And how can future pacts be designed to minimize their negative long-term effects? These are important questions for scholars seeking to improve our understanding of how to protect and promote democracy sustainably.

⁵ On political decay, see Huntington 1968 and Fukuyama 2014. 6 A new Political Parties Law, enacted in 2013, aimed to democratize the inner workings of the traditional parties, most notably by requiring that parties select candidates for public office through internal elections. But, in practice, party leaders retained their ability to control the candidate selection process, for example by purging membership rolls, handpicking internal election coordinators, and manipulating parties' loosely defined "ethics codes" in order to exclude unwanted candidates. For a discussion of these and other design flaws that undermined the 2013 Parties Law, see FUSADES 2013.

How Fighting Corruption Can Backfire

A second factor that contributed to Salvadorans' disillusionment with democracy was a string of highprofile corruption investigations beginning in 2013. In September of that year, former President Francisco Flores (1999–2004) was accused of redirecting 15 million dollars in international donations earmarked for earthquake relief toward Arena's campaign coffers. In 2016, three other former officials were accused of corruption: President Antonio Saca (2004–09), First Lady Ana Ligia Mixco de Saca (2004–09), and Attorney-General Luis Martínez (2012–15). Former President of the National Assembly Sigfrido Reyes (2011–15) was investigated for corruption beginning in 2017. Mauricio Funes, who led the first FMLN government between 2009 and 2014, followed suit in 2018.

In short, in the span of five years, six of El Salvador's most powerful and high-profile politicians were formally (and very visibly) investigated for corruption. The accusations against them were credible—Martínez and Saca were eventually handed prison terms, Flores died under house arrest, Funes fled to Nicaragua (where he was granted citizenship by Daniel Ortega's government), and Reyes escaped to Mexico—and the investigations implicated governments of both parties. These events had no precedent in Salvadoran history.

How did Salvadorans respond? In principle, fighting high-profile corruption could increase public trust in democracy by showing voters that democratic institutions can hold powerful politicians accountable and by deterring further acts of corruption. However, such efforts can also backfire by creating a "perception that the whole system is rotten" (Mayka and Smith 2018) and by providing populist candidates—such as Bukele—with political ammunition against the establishment.

This is what happened in El Salvador. Most voters did not view the string of high-profile investigations as a sign that Salvadoran democracy could hold politicians accountable, but rather as evidence that democracy was corrupt beyond hope. By 2018, 84.9 percent of Salvadorans believed that at least half of all politicians were involved in corruption; almost one in three Salvadorans believed *all* politicians were corrupt (LAPOP 2018). Perversely, the non-partisan nature of the corruption investigations only contributed to the sense that democracy was broken: as Salvadoran political scientist Oscar Pocasangre noted, for voters these investigations "proved disorienting when it came to distinguishing between ARENA and the FMLN. Once easily distinguishable, now the parties seemed to

amalgamate into one undesirable mass." Before long, "voters started questioning their party ties and looking for alternatives" (Pocasangre 2021).

Bukele capitalized on these attitudes to powerful effect. "Return what you have stolen" ("devuelvan lo robado") and "There is enough money when no one steals" ("el dinero alcanza cuando nadie roba") are two of his signature catchphrases. He often describes his political movement as a historic effort to end a corrupt regime and establish "real democracy":

Now we are building a real democracy. We are not building a false democracy, like the one the forces of the status quo installed. ... For 200 years, democracy was a pantomime. It was all theater. We had elections, yes, but when politicians got to power, they forgot about the people. ... They never cared about people, they only cared about votes. To them I say: keep crying for that system in which you saw our country as your plantation and our people as your laborers, keep tearing your hair out because you can no longer enrich yourself at the expense of the Salvadoran people. ... We will never again return to the system that for two centuries sank us into crime, into corruption, into inequality, and into poverty. Never again.⁷

The Salvadoran experience illustrates that, much like pacts, high-profile anti-corruption efforts can present a difficult tradeoff when it comes to democratic consolidation. In the long term, rooting out corruption almost certainly strengthens democracy. But in the short and medium term, such efforts can threaten democracy by undercutting voters' faith in the political system and fueling the rise of populists and extremists. These short-term costs of fighting corruption may be most salient in contexts where corruption and abuse are widespread—that is, precisely where fighting corruption is most important. To be sure, this does not imply that anti-corruption efforts should be abandoned, but we should strive to understand how to predict and minimize their unintended short-term consequences for democracy.

Moving Forward

How will El Salvador's authoritarian turn evolve moving forward? Even compared to other cases of democratic backsliding in the region, the odds of a democratic resurgence in El Salvador are long. Three years into his term, Bukele remains overwhelmingly popular:

⁷ A full video of this speech is available online, in Spanish, at https://www.youtube.com/watch?v=9AlBouIqN3E.

his approval rating has hovered between the mid-80s and the low-90s. Since mid-2021, his allies control 64 of the legislature's 84 seats, 196 of the country's 262 municipal governments, and the judicial branch. The opposition, meanwhile, remains divided and unpopular. If Bukele intends to continue consolidating power and undermining checks and balances, he appears to have the political capital and institutional leverage to do so.

Yet two critical issues are likely to keep Bukele up at night: crime and debt. Beginning in 2019, negotiations between the Bukele administration and the country's main criminal groups helped drive homicide rates down to their lowest level in over a decade. But in March 2022, violence exploded after negotiations broke down (Meléndez-Sánchez 2022). The government responded by declaring a state of emergency, suspending due process guarantees, and conducting over 40,000 arrests.8 Bukele's swift and aggressive response to the homicide spike is telling: a sustained increase in criminal violence could undermine his support among voters, 38.2 percent of whom say that crime, violence, and insecurity are the country's biggest problems (IUDOP 2021). Historically, Salvadoran governments have alternated between repression and negotiation in their approach to crime. Both strategies have ultimately failed: repression tends to trigger higher levels of violence as criminals fight back, while negotiations are difficult to sustain. On crime, the past does not bode well for Bukele.

On the issue of debt, it is the future that poses a threat to Bukele's dominance. El Salvador's public debt burden is expected to reach 86.9 percent of GDP by the end of 2022, with major repayments due in 2022 and 2023. In February 2022, citing an estimated financing gap of 1.2 billion dollars for 2022, Fitch downgraded El Salvador's credit rating from B- ("highly speculative") to CCC ("substantial credit risk") (Fitch Ratings 2022).9 In April, El Salvador's bonds declined by 15.1 percent, "a rout only surpassed by bonds in war-torn Ukraine" (McDonald 2022). In an attempt to shore up the country's fiscal position, Bukele has experimented with Bitcoin, which became legal tender in September 2021. So far, Bukele's gamble has backfired: as cryptocurrencies have tumbled, El Salvador has recorded massive losses (Pérez 2022),

while the country's Bitcoin-backed "volcano bond" has attracted few investors (McDonald 2022). Meanwhile, negotiations with the IMF—which has urged El Salvador to abandon Bitcoin (Martin 2022)—have stalled. Investors, according to some reports, are now bracing for a default (Rosen 2022). Bukele may thus have some difficult—and politically costly—fiscal choices to make in the near future. He may be forced, for example, to overhaul the country's public pension system, in which 25 percent of the country's debt obligations are tied up (Fitch Ratings 2022)—a political quagmire that every previous government has avoided.

O'Donnell (1994, 66) once argued that, faced with crisis and policy failure, presidents who have concentrated power can quickly move "from omnipotence to impotence." In crime and debt, Bukele may have two potential crises in the making.

References

- Abi-Habib, Maria, and Bryan Avelar. 2022. <u>"El Salvador's New Law on Gangs Raises Censorship Fears."</u> The New York Times, April 6, 2022.
- Alemán, Marcos, and Christopher Sherman. 2021.

 "'Foreign' Agents Pitch has El Salvador Civil Society on Edge." AP News, November 17, 2021.
- Amnesty International. 2022. <u>"El Salvador: President</u>
 Bukele engulfs the country in a human rights crisis
 after three years in government." June 2, 2022.
- Diamond, Larry. 2015. <u>"Facing Up to the Democratic Recession."</u> *Journal of Democracy* 26 (1): 141 –155.
- Fitch Ratings. 2022. "Fitch Downgrades El Salvador's Long-Term IDR to 'CCC' from 'B-." February 9, 2022.
- Flores, Brenda. 2021. <u>"Fiscalía allana sede de Arena por caso Taiwán, un día después de conocerse la lista Engel."</u> El Diario de Hoy, July 21, 2021.
- Fukuyama, Francis. 2014. Political Order and Political Decay: From the Industrial Revolution to the Globalization of Democracy. New York: Farrar, Straus, and Giroux.
- Fundación Salvadoreña para el Desarrollo Económico y Social (FUSADES). 2013. <u>Memorándum político: Diez</u> <u>fallas en el decreto de Ley de Partidos Políticos</u>. San Salvador: FUSADES.
- Gobierno de El Salvador. 1992. *Acuerdos de Paz*. San Salvador: Gobierno de El Salvador.

⁸ This means that, during the state of emergency (which is ongoing at the time of writing), the Bukele government has conducted approximately 1.2 arrests for every 200 Salvadorans. Local and international observers have warned of arbitrary arrests and widespread human rights violations (e.g., Amnesty International 2022; Human Rights Watch 2022).

⁹ In May 2022, Moody's too downgraded El Salvador's rating, citing "a deteriorating predictability of institutions and government actions" as a contributing factor (Moody's Investor Service 2022).

- Guzmán, Valeria, Gabriel Labrador, and Jimmy Alvarado. 2020. <u>"Bukele confecciona una IAIP menos transparente vía decretos ejecutivos."</u> El Faro, September 11, 2020.
- Hagopian, Frances. 1990. "Democracy by Undemocratic Means?" Elites, Political Pacts, and Regime Transition in Brazil." Comparative Political Studies 23 (2): 147–170.
- Holland, Alisha C. 2016. "Insurgent Successor Parties: Scaling Down to Build a Party after War." In Challenges of Party-Building in Latin America, edited by Steven Levitsky, James Loxton, Brandon Van Dyck, and Jorge I. Domínguez, 273–304. New York: Cambridge University Press.
- Human Rights Watch. 2022. <u>"El Salvador: Evidence of Serious Abuse in State of Emergency."</u> May 2, 2022.
- Huntington, Samuel. 1968. *Political Order in Changing Societies*. New Haven: Yale University Press.
- Instituto Universitario de Opinión Pública (IUDOP). 2018. Encuesta sobre el proceso electoral 2018: consulta de opinión pública de febrero 2018. San Salvador: Universidad Centroamericana José Simeón Cañas.
- ——. 2021. La población salvadoreña evalúa la situación del país al final del año 2021. San Salvador: Universidad Centroamericana José Simeón Cañas.
- Karl, Terry Lynn. 1990. "Dilemmas of Democratization in Latin America." Comparative Politics 23 (1): 1–21.
- Latin American Public Opinion Project (LAPOP). 2018. Americas Barometer: 2018 Round.
- Loxton, James. 2021. Conservative Party-Building in Latin America: Authoritarian Inheritance and Counterrevolutionary Struggle. Oxford: Oxford University Press.
- Loxton, James, and Scott Mainwaring (eds.). 2018. Life After Dictatorship: Authoritarian Successor Parties Worldwide. New York: Cambridge University Press.
- Martin, Eric. 2022. "Ditch Bitcoin: IMF Urges El Salvador to Rethink Bitcoin." Bloomberg, January 25, 2022.
- Mayka, Lindsay, and Amy Erica Smith. 2018. <u>"Could Corruption Investigations Undermine Democracy in Latin America?"</u> Vox, May 17, 2018.
- McDonald, Michael. 2022. <u>"Bitcoin-Bond Sale Flop Deepens Debt Market Rout in El Salvador."</u>
 Bloomberg, April 29, 2022.

- Miranda, Wilfredo. 2021. <u>"Nayib Bukele jubila a un tercio de los 690 jueces de El Salvador."</u> El País, September 1, 2021.
- Meléndez-Sánchez, Manuel. 2021. <u>"Latin America Erupts: Millennial Authoritarianism in El Salvador."</u>

 Journal of Democracy 32 (3): 19–32.
- ——. 2022. "What's Behind the Spike of Violence in El Salvador?" Lawfare, April 11, 2022.
- Montgomery, Tommie Sue. 1995. Revolution in El Salvador: From Civil Strife to Civil Peace (2nd edition). Boulder: Westview Press.
- Moody's Investment Service. 2022. "Rating Action:
 Moody's downgrades El Salvador's ratings to Caa3
 from Caa1; maintains negative outlook." May 4,
 2022.
- O'Donnell, Guillermo. 1994. "Delegative Democracy." *Journal of Democracy* 5 (1): 55–69.
- O'Donnell, Guillermo, and Philippe C. Schmitter. 1989. Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies. Baltimore: Johns Hopkins University Press.
- Pérez, Santiago. 2022. <u>"El Salvador's President Went All In on Bitcoin. Then It Tanked."</u> The Wall Street Journal, May 14, 2022.
- Pocasangre, Oscar. 2021. <u>"Why El Salvador's Multi-Party System is on the Brink of Collapse."</u> El Faro, February 24, 2021.
- Rentería, Nelson. 2021. <u>"Majority of Salvadorans Approve of Bukele's Leadership, Poll Shows."</u> *Reuters*, December 15, 2021.
- Rosen, Phil. 2022. <u>"El Salvador's Bitcoin Bond</u>
 Reportedly Hasn't Lured a Single Investor, and
 Markets Are Bracing for a Default on Conventional
 Debt." Business Insider, May 3, 2022.
- Velásquez, Eugenia. 2021. <u>"Bukele recorta Fodes y concentra fondos en una nueva autónoma municipal."</u> El Diario de Hoy, April 7, 2021.
- Wood, Elisabeth Jean. 2001. "An Insurgent Path to Democracy: Popular Mobilization, Economic Interests, and Regime Transition in South Africa and El Salvador." Comparative Political Studies 34 (8): 862–888.

"To Let Die": A Systemic Aggravation of Nicaragua's Authoritarian Tradition (2018-2022)

Anonymous; Antonio Monte Casablanca, Lateinamerikan Institute – Freie Universität Berlin

In April 2018 in Nicaragua, mass protests in response to proposed social security cuts were brutally repressed, exploding into a larger political and humanitarian crisis—one that continues today after more than 350 citizens have been assassinated and hundreds more imprisoned for political reasons. Thousands of Nicaraguans have left the country since then, many in search of better economic opportunities, while others have left to escape political persecution. The Nicaraguan government led by Daniel Ortega and Rosario Murillo, of the Frente Sandinista de Liberación Nacional (FSLN), has violently suppressed social protests since the crisis began. Domestic and international human rights organizations have published multiple reports documenting serious human rights violations. For example, the report from the Grupo Interdisciplinario de Expertos Independientes (Interdisciplinary Group of Independent Experts, GIEI) argues: "the State of Nicaragua perpetrated actions that amount to crimes against humanity under international law, namely assassinations, arbitrary deprivation of liberty and persecution" (2018, 4). The Colectivo de Derechos Humanos de Nicaragua (Nicaraguan Human Rights Collective) continues to document and publicize human rights violations perpetrated by Ortega and Murillo's government, though it carries out its work in exile in Costa Rica.1

At the beginning of the crisis, there was consensus among those not aligned with the government—e.g., academics, social movements, non-governmental organizations, and civic society—that the crisis came as no surprise. As the Centro Nicaragüense de Derechos Humanos (Nicaraguan Center for Human Rights, CENIDH) foresaw, the government's accumulative and escalating undemocratic repression over the years eventually led to a tipping point. CENIDH documented that within the years of Ortega and Murillo's term (2007–today), it has been common for the government to either repress or execute Indigenous and peasant populations (especially those in the anti-canal

movement), support plantation and mine owners, repress worker strikes, and to pressure, coopt, or occupy the independent press and opposition political parties (Centro Nicaragüense de Derechos Humanos 2017, 5; Membreño 2014; Álvarez and Aráuz 2016; Salinas Maldonado 2016).

Furthermore, many experts explained how the roots of the situation in Nicaragua ran deeper than the 2018 crisis (Cortés Ramos, López Baltodano, and Moncada Bellorin 2020). Academics, such as Gema Kloppe–Santamaría, were quick to highlight how the crisis exposed the international community's biased representation of Nicaragua as the "most secure country" in Central America (Kloppe–Santamaría 2018)—a narrative that was employed to overstate the April uprising's surprise factor. More recently, Kloppe–Santamaría has followed how these forms of state–driven violence—directed towards civil society, the free press, the Catholic Church, and general political opposition—have only increased over the last few years (Kloppe–Santamaría 2020).

One of the authors [of this contribution] recently argued that the crisis in Nicaragua was the eventual outcome of the political pact between national business elites and the authoritarian Ortega and Murillo regime. We both agree with this argument and assert that rather than being an exceptional event, the crisis was a response to a long authoritarian tradition characterized by political pacts and both the systematic cooptation of social movements and systemic repression of social actors traditionally not included in the economic and political structures of the country, such as peasants and Indigenous communities.

Much more has happened in Nicaragua since 2020, however. Many of the latest events in the country unfortunately show a gradual worsening of human rights conditions for the overall population, due mostly to the economic crisis, the Covid-19 pandemic, and escalating repression by the government. Moreover, the government has restructured its power through the radical exclusion of NGOs, as well as the harsh imprisonment and silencing of both political opponents and human rights activists. What follows here examines how an authoritarian tradition defined by systemic violence of exclusion and persecution can help explain the recent laws, political practices, and specific forms of repression that have taken place in Nicaragua since 2020.

In sum, we argue the following. First, Nicaragua's 2018 uprising and subsequent repression are the systemic outcomes of a historical pattern of authoritarian pacts

¹ For more information about this organization, visit: https://colectivodhnicaragua.org/.

and exclusion of non-elite social and political actors. Second, the authoritarian tradition in Nicaragua crystallizes particularly in the discursive and practical deprivation of opposition members' national identity and humanity, which enables their incarceration, torture or, as we state below, their death.

The Systemic Violence of Nicaragua's Authoritarian Tradition

To a large sector of Nicaraguan society, the 2018 uprising and ensuing crisis felt all too familiar: political violence, incarcerations, exile, and discursive reproachments of "internal enemies" took center stage again. In 2018, protesters screamed, "Ortega y Somoza son la misma cosa" ("Ortega and Somoza are the same thing"). Somoza, the surname of a family that repressively ruled Nicaragua for more than forty years (1936–1979) with support from the United States, brought back memories of past conflicts. Consequently, we first interpreted this familiarity as an expression of what Slavoj Žižek labels as "systemic violence" that is, a violence that the hegemonic economic and political systems reproduce exhaustively by their same cultural and productive forces until the point that it becomes natural, justifiable and, even, an (un)noticeable presence, like "dark matter" (Žižek 2013, 10).

While examining the most common political practices of dictatorships and revolutionary governments in Nicaragua, we found that the authoritarian practices of creating an enemy and radically excluding some sectors of the population went hand in hand with the tradition of elite political pacts to reinforce an extractive and exploitative economic system in Nicaragua. Such pacts were discursively presented as a necessity for order under the rule of Catholic and patriarchal patterns of authority. At the same time, such pacts enabled radical political exclusion, in Hannah Arendt's (2004) terms, that hindered the life of some sectors of the society as bare life, in the words of Judith Butler (2009). Arendt proposes political exclusion—particularly of certain populations from all forms of governance—as the most basic foundation of authoritarianism. If democratic governments are founded on the inclusion of different social groups, totalitarianism thrives on the inclusion of a few at the expense of the many. Such exclusion, Butler would argue, deprives the subject of all political meaning and, thus, of his or her recognition as equal to those in power or included into a power structure. The lives of those excluded are bare—or precarious—in the sense that their mutual communal bond is broken in order for those in power to control the excluded population.

In the case of Nicaragua, we argue that systemic violence, the product of exclusion and exploitation, has been put into practice mostly by dictatorships. Accordingly, political pacts among elites in each political transition or moments of crisis in Nicaragua show the political elite's dependence on order above justice to sustain or justify dictatorial rule in the country. They achieve their sense of order through control over peasant or Indigenous populations, among others, and the cooption of political opposition. As also noted by Peruvian historian Alberto Flores Galindo (1986), we argue that this use of pacts to enable dictatorial rule follows an authoritarian tradition.

Throughout Nicaraguan history, violence has mediated political transitions, often reinforcing authoritarian patterns. The four major political transitions experienced by Nicaraguan society in the twentieth century were marked by considerable political and state violence, whether due to the military occupation by the United States (1912–1934), the campaign led by Augusto C. Sandino against the occupation of the U.S. Marines (1927–1934), the revolution led by the FSLN (1979–1990), or, finally, the transition from the revolutionary government of the FSLN to the government of Violeta Chamorro (1987–1995). Although this last transition was facilitated by national elections, the civil war that preceded it was a central factor in the peace agreements allowing the elections to take place.

"Throughout Nicaraguan history, violence has mediated political transitions, often reinforcing authoritarian patterns."

These logics of violence, however, also operate in times of instability without any major political transition. The structured power of the economic and political systems organizes and solves crises through the same use of violence and the ensuing pacts that validate such power. Constitutional historian Antonio Esgueva Gómez documents how Nicaraguan constitutions tend to establish either military powers or pacts between *caudillos*.² The constitution, electoral laws, and political pacts allowed the election of Anastasio Somoza García in 1936 and secured the dynasty of the Somozas in 1936, 1950, 1961 and 1971 (Esgueva Gómez 2011). For example,

² In Spain and other Spanish-speaking countries, the word *caudillo* refers to a military or political leader. For example, the title El Caudillo was assumed by General Franco of Spain in 1938. See: https://www.oxfordreference.com/view/10.1093/oi/authority.20110803095555783.

Somoza García's candidacy in 1936, even though illegal due to his position as General of the Armed Forces, was allowed thanks to the amnesties and pacts that both pardoned Sandino's assassins and presented "order over justice" as necessary to reorganize political power in Nicaragua after the U.S. occupation (Walter 2004, 33–35).

Later crises during the Somoza dictatorship were resolved in a similar fashion. In 1950, Somoza García and the leader of the Conservative Party, Emiliano Chamorro, negotiated what was called the Pacto de los Generales (Pact of the Generals). The pact distributed deputies in the National Assembly and, most importantly, allowed Somoza to run for president again and validate his reelection. In 1971, the thenpresident, Anastasio Somoza Debayle (son of Somoza García), organized and signed with opposition leader Fernando Agüero the Pacto Kupia Kumi (Kupia Kumi Pact). The pact allowed Somoza to run for election again, distributed deputies in the National Assembly, and condoned the National Guard's massacre of 200 protesters on January 22, 1967 on Roosevelt Avenue in Managua.

Pacts between political parties have also historically included the business sector. Historian Maria D. Ferrero Blanco states that, "Somoza made a tacit pact with this bourgeoisie: that it would dedicate itself to producing and enriching itself, and that it would not get involved in politics" (2010, 43). This pactista element that distributes both wealth and quotas of power among economic and political elites operates outside the law or government institutions, until the agreements are either grafted onto existing laws or drafted into a new constitution. The pactista social actors have been described as uniquely both political and economic elites in Nicaragua. As Jaime Wheelock and Luis Carrión, sociologists turned leaders of the FSLN, have stated, the FSLN rose as a political organization precisely to break the political stranglehold of the "pactista bourgeoisie" (1981).

Since 1990, however, Daniel Ortega and the FSLN have adopted the political practice of intra-elite pacts and the intertwining of the economic model and political power, taking an authoritarian turn. After the FSLN lost the 1990 elections, the former guerrilla and state-party organization became a political party. In those years, Ortega and Murillo rose to rule the entire apparatus of the FSLN and, with it, executed a set of pacts and discursive changes that allowed them to become economic elites and return to political power in 2006. After expelling many of the key FSLN figures and taking control of the party in 1994, Ortega signed

a string of pacts with opposition leaders between 1996 and 2006, including a pact with Arnoldo Alemán of the Partido Liberal Constitucionalista (Liberal Party, PLC), the former president convicted of corruption and money laundering. Ortega and Alemán were protected from legal procedures against them, and their pact included constitutional changes that would pave the way for Ortega to win the 2006 elections and return to power. Subsequently, Ortega signed the so called "repactos" (re-pacts) with then-President Enrique Bolaños of the PLC (2001-2006) (Martí i Puig 2010). Ortega and Murillo simultaneously signed a pact with the Catholic Church, receiving the blessing of then-Cardinal, Miguel Obando y Bravo, and, once in power, banned abortion in Nicaragua and presented themselves as the government of "Nicaragua, Cristiana, Socialista y Solidaria" ("Nicaragua, Christian, Socialist, and in Solidarity") (Vannini 2012, 68).

Ortega signed similar pacts at the beginning of his latest regime (in 2007) with business organizations, particularly the Consejo Superior de la Empresa Privada (Superior Council of Private Enterprise, COSEP). The pact with COSEP also included another business elite concentrated in the Ejército Nacional (National Army). The army created a private/public entity to finance itself in the 1990s, the Instituto de Prevención Social Militar (IPSM), which owns different businesses (El Nuevo Diario 2011). Throughout the 1990s and early 2000s, COSEP continuously complained to the government that the "business sector of the Army" competed in preferential, or unfair, terms against other private companies in Nicaragua (Dye et al. 1996; Lacayo Oyanguren 2005, 494). After the 2007 pact, such complaints ceased, and both COSEP and IPSM participated closely in the political economy of the Ortega government. The pact in 2007 also enabled the Ortega family's discretional use of Venezuelan aid and the funds provided by Venezuelan oil imports secured on reduced prices. The Ortega family benefited from this pact by enriching itself through the creation of private companies that have handled over five hundred million dollars in Venezuelan aid-related money; these funds have not been regulated through the National Assembly as aid, nor have loans been managed by the Assembly as required by law (Olivares 2016a, 2016b, 2016c; Nicaragua no calla 2021). The 2007 pact thus established a new political and economic elite class comprised of the traditional elites grouped under COSEP, the new military elite operating under IPSM, and the Ortega family itself.

During each major political transition, both sides of the political spectrum constructed their own interpretation of Nicaraguan history, in order to define the opposing side as the "enemy" that would have to be exterminated. For example, Somoza not only rose to power between 1931 and 1936, he also published his own account of the war in Nicaragua to justify the assassination of Sandino in 1934. Somoza portrayed Sandino as a "bandit" or a "psychopath" with the purpose of justifying the actions of the National Guard not just against the guerrilla leader, but against his entire army (Walter 2004, 35; Gómez 2015, 15). At the same time, Sandino believed that Nicaraguans belonged to the Indo-Hispanic race and, thus, had to defend the anti-imperialist cause against U.S. intervention. Within this logic, Nicaraguans like Emiliano Chamorro or Adolfo Díaz had "assassinated their right to a [Nicaraguan] citizenship" after collaborating with the U.S. intervention (Schroeder 1998, 228–29).

Throughout the war between the FSLN government and the Contrarrevolución (Counterrevolution) during the 1980s, the epithets "imperialist invaders" or "piricuacos" ("bloodthirsty dogs" in the Miskitu language) were commonly used by FSLN and Contra members, respectively. On each side, what was denied to the identified enemy was precisely their common bond of being Nicaraguan (Agudelo Builes 2017, 73). Similar forms of political insults and dehumanization were instrumentalized by the FLSN during and after the April 2018 uprising. Murillo justified the first attempts by police and paramilitary bands to crush the protests as actions against "tiny, pouting vampires" ("minúsculos, puchitos, vampiros"), or "mercenaries of the CIA", controlled by "yanqui (Yankee) imperialism" (Redacción Cultura 2019).

The examples mentioned above show that the discursive construction of power has weaved the history of violent political transitions in Nicaragua. It is a violence that embeds itself within the country's constitutional government, secured by patriarchal dictators and sustained by the negotiated support of military and business elites. This is the result of what can be defined as systemic violence structured by an authoritarian tradition in Nicaragua. This conclusion aligns with the arguments of Central American scholars, such as Marta Casaús, Víctor Hugo Acuña, and Alexander Segovia, among others. They demonstrate that strong elites in Central America who coopt political and economic power undermine state institutions, political parties, the middle class, labor unions, social movements, and communal organizations, while particularly harming Indigenous groups. Nicaragua has thus experienced a gradual concentration of power that disregards representation and recognition for the population, while at the same time secures major influence for business elites in governmental procedures (Casaús and García Geráldez 1996; Acuña 1995; Segovia 2005).

"To Let Them Die": Strangers and the Undead in their Own Country

Below, we consider what it means to practice political dissent or opposition in an authoritarian tradition of systemic violence. We highlight how the law, political-ideological discourses, and cultural mechanisms combine to impact the current situation in Nicaragua.

As the country neared the November 2021 presidential elections, the state's system of repression functioned in a myriad of ways focused on eradicating dissent. In late 2020, the government passed the Ley 1055 de Soberanía (Law of Sovereignty) and the Ley de Agentes Extranjeros (Law on Foreign Agents). Using these laws in 2021, the government cancelled the legal status of the main opposition party, Ciudadanos por la Libertad (Citizens for Freedom, CxL) and incarcerated opposition political candidates on the charge that they were "traitors to the Nation." Most of them remain in prison to this day. Additionally, more than a thousand NGOs have been closed since 2021 on charges of collaborating with "foreign agents" or after having been subjected to exhausting administrative surveillance by the state (Redacción Confidencial 2022). Even economic elites have fallen victim to these new laws—José Adán Aguerri, Michael Healy, and other members of COSEP have been arrested and still languish in prison.

The FSLN made its intention of expelling and taking away the citizenship of Nicaraguans opposed to Ortega's rule clearer as the country approached the 42nd anniversary of the Sandinista Revolution, on July 19, 2021. A promotional song titled "Sovereignty," performed by Los Rústicos del Norte and sung by María Alfonsina Martínez, clearly states that sovereignty is represented both by the blue and white national flag and the red and black Sandinista one. The song suggests that neither flag should be subject to "foreign interference," stating, "it will never be the same, that a Nicaraguan speaks like one from abroad" (vivanicaragua13 2021). Against these "outsiders," again the song says, "sovereignty is not discussed, only defended," alluding to Sandino. But who are these foreigners or outsiders? ("Afuera: ¿Soberanía para la tiranía?" 2021). According to the Law on Foreign Agents, Kitty Monterrey is such a foreigner. Due to her opposition to Ortega and Murillo, the former leader of CxL was stripped of her Nicaraguan nationality by the government and was forced to leave the country (Redacción Confidencial 2021b).

We have observed that Nicaraguans live under oppression caused by the laws passed in 2020 and 2021, Ortega's official speeches, and, lastly, the cultural promotion of these ideas of sovereignty. These three factors have created a system that not only represses, silences, and expels, but also takes away the identity of dissenting Nicaraguans. Those in prison experience complete isolation from their families and the public. Scarce reports testify to the deteriorating health of these prisoners; their bodies tucked away in a cell become a canvas of pain and torture that can only be described to the public when the police allow a visit every few months.³ The rest of the population helplessly watches in horror. The prisoners die slowly as lonely "foreigners," devoid of the common bond of being Nicaraguan. They die in silence.

Caring for the dying and the sick is a social norm that cannot be overstated. It is one of the main principles that recognizes the life of the individual and their importance to the social bond in fraternity. As Norbert Elias states in *The Loneliness of Dying*, modern societies "try to provide help to the dying by trying to alleviate their pain and by caring, as far as possible, for their physical well-being. By such efforts we give them to understand that we still consider them as human beings" (1989, 80).

This was not the case for Hugo Torres, nor for the current political prisoners in Nicaragua. A former FSLN general, Torres became an outspoken critic of Ortega, and his arguments against the dictatorship grew louder after April 2018. He was arrested on June 13, 2021, during the intense months building up to the elections later that year (Redacción Confidencial 2021a). In a video recorded before his arrest, he called out to the Nicaraguan people to not give up and reminded them that it was another step towards the end of the dictatorship. This was the last time Nicaraguans saw or heard from Torres. Even though many NGOs, family members, and friends demanded his release as his health deteriorated, the government refused, and he died in police custody on February 12, 2022. In the eyes of the government, he died a "traitor" and a "foreigner," a stranger in his own country.

Norbert Elias wrote that death has a simultaneous individual and social function. Before the modern capitalist state, death was a public and communal affair that connected the moral consciousness of the people with the body of the deceased as a ritual of time's forces of change. For him, modernity enforced a death that was never before "so hygienically removed from

the sight of the living in order to hide them behind the scenes of social life; never before have human corpses been transported odorlessly and with such technical perfection from the mortuary room to the grave" (1989, 32–33).

In authoritarian and repressive states, however, a moral or meaningful death is one of the key factors to control the societal bond through symbolic violence. Those who die in favor of the reigning power structure are recognized as martyrs, but not as individuals—they are recognized within the parameters of the dehumanizing authoritarian power structure. In an authoritarian state, people die in silence and solitude, either in name of the *status quo*, i.e., "the revolutionary government," or as dissidents devoid of their names and identity (Elias 1989, 81–82).

The sporadic news of prisoners' decaying health in Nicaragua causes an immobilizing fear. Nicaraguans who question the government are no longer oppressed daily by paramilitary forces or the police suppressing riots and protests, nor are they hunted by snipers, as during the height of the repression in 2018. Now they rot in lonely prison cells, devoid of their identity, or they helplessly watch this fate inflicted on loved ones.

This asocial death is a product of the systemic violence throughout Nicaragua's history being pushed to its most extreme limits by the current Ortega and Murillo regime. This authoritarian institutionalization of power has historically taken a toll mostly against peasant and indigenous populations, but all political opponents are now enemies. The "enemy" is stripped of their nationality, identity, and the fundamental fraternal bonds of community. They are a stranger in their own land, labeled as a traitor by a government wishing they disappear without a trace. Those Nicaraguans who continue to oppose the government and advocate for political prisoners, exiles, and victims of repression are fighting to assert their humanity and to reclaim life from a regime that seeks to deprive them of it.

References

Acuña, Victor Hugo. 1995. "Autoritarismo y Democracia En Centroamérica: La Larga Duración, Siglos XIX y XX." In *Ilusiones y Dilemas: La Democracia En Centroamérica*, edited by K.D. Tangermann, 63–97. San José, Costa Rica: FLACSO.

<u>"Afuera: ¿Soberanía para la tiranía?"</u> 2021. Detrás del Discurso (blog), November 25, 2021.

³ The "Sé humano" ("Be Human") organization publishes portraits sketched from testimonies of the few family members that can visit the political prisoners every 2 or 3 months. See: https://www.sehumanonicaragua.com/.

- Agudelo Builes, Irene. 2017. Contramemorias: Discursos e Imágenes Sobre/Desde La Contra, Nicaragua 1979–1989. Managua: IHNCA-UCA.
- Álvarez, Rezaye, and Yafaly Aráuz. 2016. <u>"Campesinos a Ortega: Nicaragua No Es Tu Finca."</u> La Prensa, August 31, 2016.
- Arendt, Hannah. 2004. Los orígenes del totalitarismo. Madrid: Taurus.
- Butler, Judith. 2009. Frames of War: When Is Life Grievable? London: Verso.
- Casaús, Marta, and Teresa García Geráldez, eds. 1996. Elites, Empresarios y Estado En Centraomérica. Madrid: CEDEAL.
- Centro Nicaragüense de Derechos Humanos, CENIDH. 2017. Informe Sobre Derechos Humanos y Conflictividad En Centroamérica 2016–2017.
- Cortés Ramos, Alberto, Umanzor López Baltodano, and Ludwing Moncada Bellorin, eds. 2020. Anhelos de Un Nuevo Horizonte. Aportes Para Una Nicaragua Democrática. San José: FLACSO-Costa Rica.
- Dye, David R., Deena Abu-Lughod, Jack Spence, and George Vicjers. 1996. Conflictos Difíciles, Soluciones Parciales. La Búsqueda Del Consenso En Nicaragua 1990-1995. Cambridge, MA: Iniciativas Hemisféricas.
- El Nuevo Diario. 2011. <u>"El Emporio Económico Del IPSM."</u> April 27, 2011.
- Elias, Norbert. 1989. El Silencio de Los Moribundos. Translated by Carlos Martín. México, D. F: Fondo de Cultura Económica.
- Esgueva Gómez, Antonio. 2011. Elecciones, Reelecciones y Conflictos En Nicaragua (1821-1963). Vol. 2. Managua: IHNCA-UCA.
- Ferrero Blanco, María Dolores. 2010. La Nicaragua de Los Somoza, 1936-1979. Managua: IHNCA-UCA.
- Flores Galindo, Alberto. 1986. <u>"La Tradición Autoritaria: Violencia y Democracia En El Perú."</u> Lima.
- Gómez, Juan Pablo. 2015. Autoridad, Cuerpo, Nación: Batallas Culturales En Nicaragua (1930-1943). Managua: Instituto de Historia de Nicaragua y Centroamérica.
- Grupo Interdisciplinario de Expertos Independientes. 2018. <u>"Informe sobre los hechos de violencia ocurridos entre el 18 de abril y el 30 de mayo de 2018."</u> December 2018: 4.

- Kloppe-Santamaría, Gema. 2018. "Nicaragua's Uprising: From Dictatorship, to Revolution, to Dictatorship." IPI Global Observatory (blog), August 10, 2018.
- ———. 2020. "Violencia En Centroamérica." Foreign Affairs Latinoamérica 20 (1): 7–13.
- Lacayo Oyanguren, Antonio. 2005. La Difícil Transición Nicaragüense En El Gobierno Con Doña Violeta. Serie Ciencias Humanas, no. 12. Nicaragua: Colección Cultural de Centroamérica.
- Martí i Puig, Salvador. 2010. <u>"The Adaptation of the FSLN: Daniel Ortega's Leadership and Democracy in Nicaragua."</u> Latin American Politics and Society 52 (4): 79–106.
- Membreño, Cinthia. 2014. <u>"Represión Sangrienta Contra Ex Cañeros."</u> Confidencial, January 2014.
- Monte Casablanca, Antonio, and Juan Pablo Gómez. 2020. "Autoritarismo, violencia y élites en Nicaragua. Reflexiones sobre la crisis (2018–2019)." Anuario de Estudios Centroamericanos 46 (May): 1–29.
- Nicaragua no calla. 2021. "Ortega Murillo S.A.: Negocios de los hijos de la pareja presidencial dejan USD 936,000 en contratos." Confidencial, February 11, 2021.
- Olivares, Iván. 2016a. <u>"La 'alcancía' de Albanisa."</u> Confidencial, April 9, 2016.
- ———. 2016b. <u>"Una 'Pulpería' de Negocios."</u> Confidencial, April 11, 2016.
- ———. 2016c. <u>"La deuda: de Caruna a Albanisa."</u> Confidencial, April 13, 2016.
- Redacción Confidencial. 2021a. "Quiénes son los 26 detenidos en la arremetida del régimen en contra de la oposición." Confidencial, June 16, 2021.
- ——. 2021b. <u>"Régimen orteguista desaparece la nacionalidad nicaragüense de Kitty Monterrey."</u> Confidencial, August 8, 2021.
- ——. 2022. <u>"El asalto al derecho de asociación:</u>
 <u>Estas son las 669 oenegés decapitadas por Ortega."</u>
 Confidencial, June 21, 2022.
- Redacción Cultura. 2019. "Rosario Murillo y su 'diccionario de odio' lanzados contra opositores desde abril del 2018 hasta el final del 2019." La Prensa (blog). December 29, 2019.
- Salinas Maldonado, Carlos. 2016. <u>"La Campesina Que Planta Cara al Canal de Nicaragua."</u> El País, July 18, 2016.

Schroeder, Michael. 1998. "The Sandino Rebellion Revisited: Civil War, Imperialism, Popular Nationalism, and State Formation Muddied Up Together in the Segovias of Nicaragua, 1926– 1934." In Close Encounters of Empire: Writing the Cultural History of U.S.-Latin American Relations, edited by Gilbert M. Joseph, Catherine C. LeGrand, and Ricardo D. Salvatore, 208–68. Durham: Duke University Press.

Segovia, Alexander. 2005. Integración Real y Grupos de Poder Económico En América Central: Implicaciones Para El Desarrollo y La Democracia En La Región. 1st ed. San José: Fundación Friedrich Ebert.

Vannini, Margarita. 2012. "La Memoria, La Comunicación, La Cultura: Apuntes Para (Re)Visitar Una Relación." *Revista de Historia IHNCA-UCA*, no. 28: 65–73.

vivanicaragua13. 2021. <u>Los Rústicos Del Norte - Soberanía</u> Ft. María Alfonsina Martínez.

Walter, Knut. 2004. El régimen de Anastasio Somoza, 1936-1956. Managua: IHNCA.

Wheelock, Jaime, and Luis Carrión. 1981. *El Desarrollo Económico y Social de Nicaraqua*. Managua: DEPEP.

Žižek, Slavoj. 2013. *Sobre la violencia: seis reflexiones marginales*. Barcelona: Espasa Libros.

State Building, Transnational Organized Crime, and Communal Land Titling in Weak Democracies

Giorleny Altamirano Rayo, U.S. Department of Labor's Chief Evaluation Office

In January 2022, left-leaning politician Xiomara Castro took office as the first female president in Honduras. Castro replaced Juan Orlando Hernández (2014-2021), a conservative president extradited to the United States on drug-trafficking and firearms charges. The landslide victory for Castro, former First Lady to ousted President Manuel Zelaya, ended 12 years of National Party rule, and offers an opportunity to restore democracy in the country. In her government plan to "Reestablish Honduras," Castro promised to protect the rights of Indigenous and Afro-descendent communities to land and natural resources, as well as to recognize what she calls "autonomous zones." Surprisingly, her government's focus on communal land rights for these groups is not a new phenomenon: Castro's conservative predecessors had also been interested, although selectively. Why would national governments, both from the right and the left, be motivated to recognize and put into practice the property rights of minority groups? My research shows that central governments use communal land titling to safeguard state interests, i.e., to reclaim territorial dominance in contested geographies that lack state presence and to install new institutional hierarchies to restrict local governance (Altamirano Rayo 2021).

Honduras is a prime example to study what motivates political elites to title Indigenous and Afro-descendant communities' lands. In Honduras, people that self-identify as Indigenous make up about 7 percent of the population, and titled communal lands extend to about 13 percent of the national territory, close to the Latin American average. Like the majority of countries in the Americas, Honduras signed the United Nations Declaration on the Rights of Indigenous Peoples² in 2007, ratified the International Labour Organization's (ILO) Convention No. 169³ in 1995—which orders

^{1 &}quot;Plan de Gobierno para refundar Honduras 2022-2026" https://criterio.hn/wp-content/uploads/2021/09/PLAN-DE-GOBIERNO-XIOMARA-CASTRO.pdf

² https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html
3 https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::
NO::P12100_INSTRUMENT_ID:312314

signatories to title Indigenous territories—and adopted constitutional protections for Indigenous and Afrodescendant groups' property rights back in 1982.4 These formal institutions have long been adopted, which makes Honduras a great case to move research on communal land rights and titling beyond institutional origin into institutional effects. Importantly, Honduras offers the opportunity to study the conditions under which central government authorities embedded in weak institutional environments might realize the historical socioeconomic claims of marginalized groups.

To understand what motivates political decisionmakers, I compared titling patterns across Honduras and analyzed in-depth subnational studies in anthropology and geography on participatory mapping projects capturing grassroots movements' demands for land rights. I also conducted original, semi-structured interviews with two former presidents, Porfirio Lobo (2010-2014) and Hernández, as well as high-ranking military officers. Additionally, I analyzed data on communal land titling, reports on drug-trafficking, and notes from three months of fieldwork in seven sites in Honduras, including fieldwork in Mosquitia, a remote southeastern region of the country that was the epicenter of massive communal land titling in 2012. Leveraging the concentration of state-sanctioned communal property in Mosquitia that cannot be found in other regions, I pinpointed the motivations of decision-makers and identified the factors that played a significant role in producing this highly unexpected institutional outcome.

"Importantly, Honduras offers the opportunity to study the conditions under which central government authorities embedded in weak institutional environments might realize the historical socioeconomic claims of marginalized groups."

In Honduras, the central government has viewed and used communal land titling as a strategy to meet the state's own security needs. In the late 2000s, transnational organized crime contested the state's territorial power in Mosquitia. Conservative presidents and their military allies used land titling as an anti-

narcotics strategy that intended to recover physical access to Mosquitia for state authorities. In other words, Honduran officials sought to reclaim territories controlled by rival nonstate actors and inhabited by Indigenous and Afro-descendant communities to reproduce the state's power there. In a context where the local population resists direct state domination, the central government uses communal land titling as a relatively cost-efficient technique to govern local civil society. The need to reclaim territorial power informs the state building strategy that authorities adopt.

In analyzing the interaction between security interests and communal land titling and emphasizing how communal land institutions can be mechanisms to secure state rule, I build on the work of Catherine Boone, who highlights how governments manipulate different types of property regimes in sub–Saharan Africa to secure political order (2014). In doing so, I contribute to an extensive literature in political science and comparative sociology that informs us that states design and redesign land tenure regimes to reinforce and reproduce their territorial rule into the future (Anderson 1974; Scott 2009).

Selective Design and Implementation of Land Institutions

Douglass North defined institutions as:

humanly devised constraints that structure political, economic and social interaction. They consist of both informal constraints (sanctions, taboos, customs, traditions, and codes of conduct), and formal rules (constitutions, laws, property rights) (1991, 97).

Based on this definition, I focus on the selective observance of the property rights of Indigenous and minority groups with historical ties and claims to land, or communal property rights, which govern the use, access, management, and tenure of land and land-based natural resources on the basis of identity. There are five distinct types of property rights: the rights of access, use, management, exclusion, and alienation (Ostrom 2003). The degree of legally recognized property rights varies across communal groups, even within the same country. They may have collective control over land and natural resources, which entails a degree of self-governance (Yashar 1999). Conversely, they may have narrow rights of access, use, and management (Agrawal and Ostrom 2016), with only limited legal decision-making powers. In all cases, the state affords members of certain groups the legal right to exclude non-members from enjoying land rights in recognized

⁴ https://www.constituteproject.org/constitution/ Honduras_2013?lang=en

territories. In addition, group members cannot transfer their rights to outsiders; the sale or transfer of land is illegal. Neither individual members nor the community as a whole have full ownership rights, only proprietor rights.

Government officials need to take action for these property institutions to have actual political effect (Carey 2000). For communal property rights, activation occurs through titling programs where government authorities identify and delineate the boundaries of territories and issue formal land titles to communities. A communal land title results from three crucial political decisions: (1) whether to incorporate peoples into the modern state (Slater 2010); (2) whether to title private property in land (freehold) or communal property based on identity (Otto and Hoekema 2012); and (3) whether to title micro-territories or macro-territories.

The way that governments title communal land matters for politics. Although both kinds of titling modes create communal land that cannot be legally traded on open and competitive markets, the political distinction between micro-territories and macroterritories is important. In the case of micro-territories, the government breaks villages apart and allocates small plots of land at the village level to local, state-sanctioned political organizations. By titling individual villages separately, central authorities design smallholding regions and prevent local authorities from managing the land and natural resources that are located beyond the village boundary. Only the village land that is included in the communal property title, and not adjacent areas, falls within local leaders' jurisdiction. In this case, the government encourages the proliferation of political and administrative units at the lowest level of the state apparatus. By fracturing the powerbase of large Indigenous or Afro-descendant communities in a territory, this mode of titling follows the political logic of divide and rule.

Alternatively, the government can design and title macro-territories. Government officials can amalgamate separate villages together and allocate a large continuous area with its surrounding environment to state-authorized political organizations, so that group leaders have the direct authority to allocate productive resources located far beyond the village boundaries. In this way, the government institutionalizes relations of property and authority between themselves, their allies, and villagers. State-sanctioned local authorities in macro-territories have greater authority over more villagers and determine resource allocation for larger areas than those that govern micro-territories. The

mode of titling macro-territories follows a political logic of cooptation.

In Honduras, the central government had titled microterritories since the early 1990s but had neglected Mosquitia, despite receiving tireless demands for titling from grassroots organizations since the 1980s (Anderson 2007; Mollett 2011). In 2012, the government suddenly changed its titling strategy to macroterritories and only paid attention to the country's east. In a span of four short years (2012–2016), the titled macro-territories of Mosquitia covered about 12 percent of the country's total land area. By early 2016, the government had granted communal land titles to Indigenous and Afro-descendent groups over an area larger than Jamaica—by far the largest concession of land in forty years (Instituto Nacional Agrario 2016).

The sudden shift in strategy and geographic attention in 2012 is surprising; it happened three decades after protecting Indigenous and Afro-descendant groups' communal property rights in the constitution and nearly two decades after ratifying ILO Convention 169. In a context where communal land titling is authorized by the president and supported by the military, rather than decided by independent agencies, there was little reason to modify the traditional, restrictive titling model in place since the 1990s. I argue that the sudden generosity showed with the titling programs in Mosquitia happened mainly as an anti-narcotics strategy to recover territorial access in contested geographies.

A Security Strategy in Titling Macro-Territories

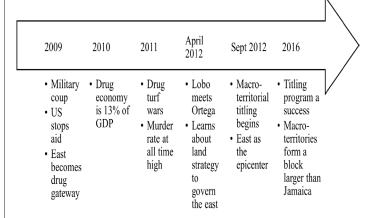
With very little formalized state presence, Mosquitia offered the ideal geographic conditions for drug trafficking organizations to flourish (Bunck and Fowler 2012). In the mid-2000s, the region became a favorite among traffickers looking for an unencumbered path to the north and, by 2009, had become the single most important port of entry for northbound drugs from South America (United Nations Office on Drugs and Crime 2012). In 2009, organized crime took advantage of the political crisis triggered by the coup d'état against Manuel Zelaya (2006-2009) to turn Mosquitia into an even more established operating base (Ibid 2010). The police and the military focused on controlling dissidents in cities and neglected the east even further (International Criminal Court 2015). The United States suspended \$3 million in economic assistance, antinarcotics aid, and information exchange (Meyer and Ribando Seelke 2015). By 2010, about 260 tons of cocaine landed in Honduras, worth roughly \$2 billion equivalent to 13 percent of Honduras's gross domestic

product. In 2011 and 2012, between 80 and 87 percent of all cocaine-smuggling flights destined for the United States first landed in Honduras (U.S. Department of State 2013). Drug trafficking became an important source of income, and traffickers created a drug-based economy in the country (Cuéllar *et al.* 2011). With cocaine flooding the country, organized crime moved to control larger geographic areas, tax all activity therein, and "act like a state within the state" (United Nations Office on Drugs and Crime 2012, 13). Although cocaine entered from the east, turf wars among heavily armed criminal groups turned the country's major cities into war zones. By 2011, the national murder rate of 92 per 100,000 people "was one of the highest recorded in modern times" (Ibid, 15).

In September 2012, Porfirio Lobo ordered the government's land administration agencies to work with Miskito political elites to title a dozen Territorial Councils in the east, each amalgamating several villages into communal land blocks. By 2016, the government had met its aim: bureaucrats had designed and titled all the designated communal land blocks in Mosquitia. Titled lands added up to over one million hectares (Honduras Presidencia 2016). In that land area, the state officially sanctioned about a dozen Indigenous and Afro-descendant elites, the heads of the Territorial Councils, to administer and adjudicate land matters inside the newly created jurisdictional units. Both Lobo and his successor, Hernández, traveled to Puerto Lempira to hand-deliver the land titles to the authorities of the newly formalized Territorial Councils.

The central government decided to title macroterritories in the east to accomplish two interrelated goals: 1) displace criminal organizations that had infiltrated Mosquitia, and 2) to rule the region through state-sanctioned intermediaries. In the middle of the security crisis caused by the 2009 military coup and popular resistance to it, government officials were worried about the power of drug-trafficking organizations in Mosquitia. They made alliances with local political elites to gain local acquiescence for heavy-handed counternarcotic operations and increasing militarization (Cave 2012). The strategy of using communal property rights to recover state power congealed by early 2012, when Lobo met his Nicaraguan counterpart, dictator Daniel Ortega (1984-90, 2007current), to discuss security threats in Central America and learned about Nicaragua's macro-territorial titling strategy implemented in 2007 to govern the historically restive Miskito communities on Nicaragua's Caribbean Coast (Consejo de Comunicación y Ciudadanía 2012; Lobo 2015). See Figure 1 for a timeline.

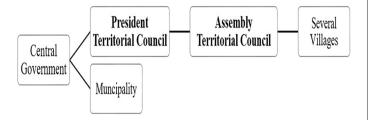
Figure 1. Communal Land Titling Timeline in Honduras



Central government officials viewed the trafficking problem as a serious threat to the survival of the entire Honduran state and the lack of state presence in Mosquitia as the fundamental cause. From their perspective, local inhabitants were victims of trafficking organizations, not the main perpetrators. The military viewed drug lords as outsiders who either employed Miskito villagers as hired hands or bought large expanses of land to launder drug money or build clandestine airstrips, storage facilities, and training grounds. In areas where land holding is communal, drug traffickers used cocaine profits to establish and extend private property relations and expand the agricultural frontier (McSweeney et al. 2017). In turn, local villagers protected the drug trade and refused collaboration with the state's anti-narcotics agents, whom locals viewed as threats to the only profitable source of livelihood in the region (Escalante 2018). As criminal organizations threatened the state's legitimacy and survival, government officials designed a strategy to regain control of the eastern territory and displace drug traffickers from the region.

The state's anti–narcotics approach intertwined military and political elements. The military plan was to stop the flow of drugs by intercepting cocaine cargoes landing or docking in Mosquitia. The political strategy centered on building alliances with local leaders. Through its titling program, the central government built new hierarchical governing structures prone to political manipulation and cooptation. In 2012, the central government began working with local political elites to identify the exact areas to which the state would issue land titles. Once the boundaries were identified, the state issued a communal property title to a Territorial Council on behalf of multiple villages. The Territorial Council, headed by one political appointee, became the official representative of the communities specified in the communal land title. These political

Figure 2. New Governing Hierarchy



appointees are the key intermediaries between the state and the villagers. Figure 2 shows in boldface the new governing structures that the state built and bolstered by titling intercommunal lands. These new land institutions allow the central government to build a patronage system funneled through vetted political intermediaries to build local acquiescence and garner political support to displace drug trafficking organizations from the east.

Conclusion

The Honduras case shows that the state's security interests motivate communal land titling in weak institutional environments. This connects the study of land institutions with inherently political understandings of state reach into rural areas and with the strategies that central governments deploy to regain and maintain territorial control. These land tenure regimes are an important strategy of statecraft; they generate a web of institutions at the local level that anchor the power of the central government. By linking the central government to the local elites in charge of the newly designated subnational territorial units, national elites build new institutional hierarchies and manipulate local intermediaries to monitor and control the local population. In turn, these decisions are consequential for the character of citizenship and long-term economic trajectories of regions within these differentiated institutions.

The new Castro government has the opportunity to move beyond narrow security concerns and focus on broader issues, such as clarifying the scope of state authority within the newly institutionalized Indigenous and Afro-descendant territories. The challenge is to turn these subnational jurisdictions toward pro-democratic and progressive political possibilities, since Castro's predecessors created the land institutions to control people from the top-down. The territories, however, may still become conduits for the exercise of participatory democracy at the local level, what Indigenous and Afro-descendant activists and communities have hoped for. Castro's government faces a tough challenge but one that is worth taking if

Honduras is to strengthen its democratic institutions at all levels and experience political advancement that is meaningful for all citizens.

References

- Agrawal, Arun, and Elinor Ostrom. 2016. <u>"Collective Action, Property Rights, and Decentralization in Resource Use in India and Nepal."</u> Politics and Society 29 (4): 485–514.
- Altamirano Rayo, Giorleny. 2021. <u>"State Building, Ethnic Land Titling, and Transnational Organized Crime: The Case of Honduras."</u> Latin American Research Review 56 (1): 50–66.
- Anderson, Mark. 2007. <u>"When Afro Becomes (Like)</u>
 <u>Indigenous: Garifuna and Afro-Indigenous Politics</u>
 <u>in Honduras."</u> Journal of Latin American and Caribbean
 Anthropology 12 (2): 384–413.
- Anderson, Perry. 1974. Lineages of the Absolutist State. London: NLB.
- Boone, Catherine. 2014. Property and Political Order in Africa: Land Rights and the Structure of Politics. New York: Cambridge University Press.
- Bunck, Julie Marie, and Michael Ross Fowler. 2012. Bribes, Bullets, and Intimidation Drug Trafficking and the Law in Central America. University Park: Pennsylvania State University Press.
- Carey, John M. 2000. <u>"Parchment, Equilibria, and Institutions."</u> Comparative Political Studies 33 (6–7): 735–761.
- Cave, Damien. 2012. "Honduran Villages Caught in Drug War's Cross-Fire." The New York Times, May 23, 2012.
- Consejo de Comunicación y Ciudadanía. 2012. "Reunión de Daniel con Presidente Porfirio Lobo, Jefes de Seguridad de CA y empresarios centroamericanos." El 19 Digital, April 26, 2012.
- Cuéllar, Nelson, Susan Kandel, Andrew Davis, Oscar Díaz, Fausto Luna, and Xenia Ortiz. 2011. Territorial Dynamics in Central America. San Salvador: PRISMA.
- Escalante, Gustavo Adolfo Paz. 2018. Interview by Giorleny Altamirano Rayo, June 18, 2018, Tegucigalpa, Honduras.
- Honduras Presidencia. 2016. "Otorgadas por Gobierno del presidente Hernández: Más de 17,500 familias de La Mosquitia beneficiadas con titulación de un millón de hectáreas de tierra." Press release, April 8, 2016.

- Instituto Nacional Agrario (INA). 2016. Comunidades Tituladas Período 1993–2016. Report.
- International Criminal Court (ICC). 2015. <u>Situation in Honduras: Article 5 Report</u>.
- Lobo, Porfirio. 2015. Interview by Giorleny Altamirano Rayo, May 28, 2015, Tegucigalpa, Honduras.
- McSweeney, Kendra, Nazih Richani, Zoe Pearson,
 Jennifer Devine, and David J. Wrathall. 2017. "Why
 Do Narcos Invest in Rural Land?" Journal of Latin
 American Geography 16 (2): 3–29.
- Meyer, Peter J., and Clare Ribando Seelke. 2015. <u>Central America Regional Security Initiative: Background and Policy Issues for Congress. CRS Report R41731</u>.

 Washington, DC: Library of Congress, Congressional Research Service.
- Mollett, Sharlene. 2011. "Contested Autonomy: Globalization and Miskito Customary Property Rights in the Rio Plantano Biosphere." In *Property, Territory, Globalization: Struggles over Autonomy,* edited by William D. Coleman, 101–121. Vancouver: University of British Columbia Press.
- North, Douglass C. 1991. <u>"Institutions."</u> *Journal of Economic Perspectives* 5 (1): 97–112.
- Ostrom, Elinor. 2003. <u>"How Types of Goods and Property Rights Jointly Affect Collective Action."</u>
 Journal of Theoretical Politics 15 (3): 239–270.
- Otto, Jan Michiel, and André J. Hoekema, eds. 2012. Fair Land Governance: How to Legalise Land Rights for Rural Development. Leiden: Leiden University Press.
- Scott, James C. 2009. The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia. New Haven: Yale University Press.
- Slater, Dan. 2010. Ordering Power: Contentious Politics and Authoritarian Leviathans in Southeast Asia. Cambridge: Cambridge University Press.
- United Nations Office on Drugs and Crime (UNODC). 2010. World Drug Report 2010. Vienna: UNODC.
- —. 2012. <u>Transnational Organized Crime in Central</u>
 <u>America and the Caribbean: A Threat Assessment.</u>
 Vienna: UNODC.
- U.S. Department of State. 2013. <u>International Narcotics</u>
 <u>Control Strategy Report 2012–2013</u>.
- Yashar, Deborah J. 1999. "Democracy, Indigenous Movements, and Postliberal Challenge in Latin America." World Politics 52 (1): 76–104.

State Violence and Democratic Deficiencies 25 Years After Guatemala's Peace Accords

Giovanni Batz, University of California, Santa Barbara

In Guatemala, some fear the return of an authoritarian state, as politicians, elites, and the military dismantle safeguards against corruption, impunity, and state violence. Sit Po'p, an Ixil Maya authority from Nebaj, was six years old when the Guatemalan Peace Accords were signed on December 29, 1996, officially ending one of the longest civil wars in Latin America. Reflecting on what peace means today, Sit P'op stated that there is peace in Guatemala because there is "no more war or genocide" (translation mine, Sit P'op 2022). But at the same time, she acknowledged the country is still "far from a peace as it should be" (Ibid). The end of the war signaled a promising future for democracy, justice, and human rights, but the government has often impeded progress in these areas.

According to Pap Me'k, an Ixil Maya ancestral authority from Nebaj, "the peace accords were a hope for the country, the possibility of a multiethnic, multilingual, and multinational Guatemala in a modern democratic state" (translation mine, Pap Me'k 2021). But now, 25 years later, he says they are a source of frustration as "the word peace became political discourse rather than reality" (Ibid). He contends that the Guatemalan state was given the responsibility of implementing the Peace Accords, but that it has instead destroyed the little progress that has been achieved since then.

The comments from Sit Po'p and Pap Me'k came after the people of Nebaj held a community assembly in December 2021 to denounce the municipal mayor Virgilio Gerónimo Bernal Guzmán and demand his resignation. Bernal Guzmán, who was invited but did not attend the community assembly, has been accused of engaging in various illicit and corrupt activities, including "approving the regulation for the right of way and construction of electric power towers that was rejected by residents, as well as overvaluing food and products delivered during the pandemic" (translation mine, González 2021). The community assembly is part of the Ixil's historical struggle to pursue peaceful and local community-based solutions and transparency to defend against institutional, governmental, and structural corruption and impunity at all levels of government.

During the Guatemalan Civil War (1960–1996), the government committed genocide by massacring and disappearing Maya residents of the Ixil region, made up of the municipalities of Chajul, Cotzal, and Nebaj. Today, the region is invaded by hydroelectric megaprojects (Batz 2020). Extractivist companies—in collaboration with the government—commit human rights abuses, violate Indigenous communities' rights to consultation, and persecute Indigenous leaders, among other crimes (Ibid). Companies have been implicated in bribing high ranking government officials to obtain licenses and contracts. This includes the hydroelectric HidroXacbal (in Chajul), which obtained "energy distribution contracts" by bribing the Minister of Energy and Mines (García and Pitán 2020).

While experiencing the weakening of democratic structures and the further entrenchment of corruption and impunity, Guatemala is plunging into further violence and civil strife, contributing to the forced displacement and migration of thousands. Some of the civil war's root causes continue, namely land and structural inequalities and the marginalization and exploitation of Indigenous peoples. Foreign entities, such as corporations and the U.S. government, have contributed towards the repression of activists, Indigenous communities, and migrants (Batz 2021; Cuffe 2018; Masek 2021). Despite this, Indigenous and oppressed peoples in Guatemala continue to struggle to build a democratic and dignified future.

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The Weakening of Democracy

For Pap Me'k, democracy does not exist in Guatemala, where it is risky to speak of it and advocate for human rights. He says:

What governs in Guatemala is impunity, it is corruption. [Guatemala] is a narco state, a state that has been captured by the mafias, by the traditional oligarchy that have always been in power and [who run] the country as if it were their private plantation (translation mine, Pap Me'k 2021).

Sit Po'p echoed these words and noted that many Indigenous communities have been abandoned by the corrupt state and are displaced from their territories by the armed forces.

Guatemalan military personnel and government officials have long been implicated in narcotrafficking, raising concerns about the influence of organized crime in the country (Sieff 2020; Smyth 2005). For instance, a 2021 U.S. investigation implicated the Guatemalan military in aiding narcotraffickers in loading drugs onto trucks, transporting cocaine, providing security, and receiving between \$400,000 to \$1 million in payment for their services (Pitán 2021). Politicians at all levels of government have been accused of working with and for drug cartels, such as the municipal mayor of Esquipulas Palo Gordo and his family, who have been accused of money laundering and transporting cocaine into Mexico (Papadovassilakis 2021).

The few protections, safeguards, and entities geared towards combating corruption and impunity have been gutted in recent years. The United Nations-backed anti-corruption unit created in 2006, the International Commission Against Impunity in Guatemala (CICIG), gave Guatemalans hope that justice would be served to corrupt politicians, such as former president Otto Perez Molina who was forced to resign in 2015. The rightwing and military backlash, however, was swift. In 2019, CICIG was forced out of the country by President Jimmy Morales (2016-2020), who was being investigated himself for corruption associated with the financial anomalies of his 2015 presidential campaign (CICIG 2018). When Morales announced in August 2018 that he would not renew the mandate of CICIG, he did so while surrounded by 68 uniformed military members, which increased concerns that he would attempt a coup (Associated Press 2018). Thereafter, CICIG's domestic counterpart, the Special Prosecutor's Office Against Impunity (FECI), was left to undertake and continue many of CICIG's investigations.

FECI has also been severely undermined after the forced exile of its head, special prosecutor Juan Francisco Sandoval, in July 2021. Attorney General Maria Consuelo Porras arbitrarily fired Sandoval soon after FECI began investigations into Guatemalan President Alejandro Giammattei, which included allegations that the president accepted bribes from a foreign mining company (Kitroeff 2021). Sandoval was forced into exile, where he would claim that "the Guatemalan justice system has been overtaken by the mafias in power," and that Consuelo Porras was a "friend" of the president, who obstructed FECI's investigations into Giammattei and other government officials (Arroyo and

Laborde 2021; Kitroeff 2021). In January 2022, under new leadership "handpicked by Consuelo Porras," FECI made a formal request to remove the immunity of Judge Erika Aifan, who oversaw corruption cases against high-ranking government officials in the High-Risk Court (Blitzer 2022). The U.S. State Department labeled this move to remove Aifan's immunity as "a blatant effort to obstruct investigations into corruption and an affront to the integrity of Guatemala's highest courts" (Price 2022). The case demonstrates how anti-corruption institutions, such as FECI, have been dismantled, coopted, and subsequently used to legally persecute agents of the rule of law.

Judges and lawyers combating corruption, such as Sandoval and Aifan, have been arrested, criminalized, and threatened. In June 2021, four judges requested that the Attorney General's office review thirty complaints made against them, which they claim were intended to harass and legally persecute them (Román 2021). More concerning, Attorney General Consuelo Porras has been implicated in stalling investigations into the Guatemalan president, earning the label from the United States as "undemocratic and corrupt" (Reuters 2021). Despite national and international public outcry and protests, President Giammattei reappointed Consuelo Porras for a second term in May 2022 (Cuffe 2022). Today, there is little state oversight to protect against rampant government abuses. Despite these threats and challenges within the judicial system, families, activists, lawyers, and judges continue to seek justice for the crimes, violence, disappearances, and genocide carried out during the war (Burt and Estrada 2020, 2022; Ovalle 2022).

Militarization and Migration

In recent years, the Guatemalan state has become increasingly militarized and has exploited times of unrest to suspend civil liberties, as well as arbitrarily arrest, criminalize, and persecute activists, Indigenous leaders, journalists, and environmentalists (Calles and Hernández 2021; Daniel 2021). For instance, on June 13, 2022, two Maya Q'eqchi' ancestral authorities were arrested after they participated in an event where they presented a legal complaint against the Guatemalan government to the Inter-American Commission on Human Rights (IACHR) (Francisco 2022). They argued that the Guatemalan government had not ceased or suspended mining operations in El Estor by the private company Solway Investment Group, nor consulted with the ancestral authorities about the project in accordance with a 2019 Constitutional Court ruling (Ibid). One of the Q'eqchi' leaders was charged with allegedly injuring thirteen police officers during a peaceful protest against the mine in October 2021—a protest that quickly

saw the Guatemalan president send in the police and military to violently repress Q'eqchi' communities (Masek 2021). The intervention by the armed forces was followed by a state of siege in El Estor that lasted a month and a half. Prior to this, between January and December 2020, there were at least 1,004 attacks on and 15 murders of community leaders and human rights activists and defenders (Human Rights Watch 2022). These many examples of physical and legal persecution have led some to fear the regression of the government into an authoritarian state.

On the 25th anniversary of the Peace Accords, the National Platform of Organizations of Victims of the Internal Armed Conflict issued a statement of its concerns, noting that not much had changed since the war ended. It argued that the "Pact of the Corrupt" (a group of corrupt business leaders, military members, and politicians) has taken control of the justice system and has used the military to repress Indigenous communities, particularly those resisting extractivist industries (like those in El Estor). These concerns were reaffirmed by the Human Rights Ombudsman of Guatemala, Jordán Rodas Andrade, who warned that the current Giammattei administration was undoing the gains of the Peace Accords and that a network of organized crime had been embedded within the government and was "seriously threatening democracy and social peace" (translation mine, Procurador de los Derechos Humanos 2021). This, he said, presents significant danger to human rights activists and journalists, adding that this violence could be the warning signs of "an arbitrary and oppressive regime that would once again have Guatemalan families mourning and also forcing new human displacements" (translation mine, Ibid).

Despite the United States' public condemnation of corrupt Guatemalan government officials, such as the Attorney General, U.S. officials continue to support the Guatemalan military, business elites, and government. U.S. military equipment and aid has been tied to human rights abuses. For example, the morning that Morales announced that he would not renew CICIG's mandate, military vehicles donated by the U.S. Defense Department drove past and around CICIG's offices several times, as well as driving by the offices of prominent human rights defenders. These vehicles were given to the Guatemalan government in order to combat organized crime and drug trafficking. U.S. Congresswoman Norma Torres raised concerns in 2021 that U.S. military aid and vehicles "may have been used...against peaceful community leaders in El Estor," who were protesting a foreign mining company as mentioned above (Torres 2021). Historically, the

U.S. has equipped and supported the Guatemalan state and dictatorships to engage in counterinsurgency and the repression of human rights activists, community leaders, and Indigenous peoples; this legacy continues today.

Since the 25th anniversary of the Peace Accords, migration and forced displacement has increased, highlighting the Guatemalan government's inability to provide livable conditions for its people (made more visible during the Covid-19 pandemic and following the two hurricanes Eta and Iota in 2020) (Abbott 2021). The U.S. has also collaborated with the Guatemalan state to militarize its borders, approving deterrence and repression against other Central American migrants and caravans (Shear 2021). For example, on January 17, 2021, Guatemalan police and military forces beat and pushed back thousands of Hondurans and other migrants trying to pass through the country on their way to the U.S. Also, Vice President Kamala Harris visited Guatemala in June 2021 and warned Guatemalans, "Do not come," since the U.S. would "enforce" laws and "secure" their border (Navlor and Keith 2021). A year later, the U.S. continues to implement inhumane deterrent policies, such as Title 42, at the U.S.-Mexico border as a "solution" to migration.

The U.S. has also touted neoliberal policies and private investments as solutions to migration, proposals that do not address structural and historical problems that cause migration and displacement. In June 2022, Vice President Harris unveiled a \$1.9 billion private investment plan in partnership with ten companies as a way to combat migration in Central America (White House 2022). One of these companies, Fundación Terra (funded by Terra Inversiones), is led by Fredy Nasser, who supported the 2009 coup in Honduras and owns the company that built the hydroelectric project HidroXacbal (financed by Terra Inversiones); as mentioned above, HidroXacbal obtained licenses by bribing the Minister of Energy and Mines (Batz 2021; Hondudiario 2022; Terra Inversiones 2022). Another company involved in Harris' plan is Pantaleon, owned by the Guatemalan oligarchic Herrera family, which "will invest \$9.4 million to fund the initial phase of a 1,200-acre industrial park on Guatemala's Southern Coast" (White House 2022). Pantaleon is an agro-industrial company founded in the 19th century, associated with displacement of Indigenous communities, exploitation, and harsh labor conditions. International private investments and corporations in Guatemala will not provide better living conditions, nor deter migration out of Guatemala, but instead, will support corrupt business elites and government agents.

Towards a More Dignified State

Indigenous communities and ancestral authorities have been at the forefront in the struggle against government abuses and impunity and in the effort to build a dignified country. They have led many of the national protests in recent years and offered solutions to rectify the long-standing structural problems facing Guatemala, such as promoting a plurinational state, defending land and water, and resisting extractivist industries and militarization. In Nebaj, Pap Me'k argues that it is the people's right to seek the resignation of municipal mayor Bernal Guzmán, and that he does so "for the dignity of the Ixils, for the dignity of the people of Nebaj" (translation mine, Pap Me'k 2021).

Twenty-five years after the Peace Accords, Guatemalan democracy is at a crucial political juncture when the safeguards against corruption, impunity, and state violence are being dismantled by politicians, elites, and the military. Thousands of Maya and Guatemalans are migrating and fleeing the country due to structural inequalities, state violence, and forced displacement. The search for a long-lasting peace continues. Pap Me'k hopes that change can be achieved and states: "In Guatemala, we need an inclusive country, without discrimination, without racism" (Ibid). He says that Guatemala is a diverse, multiethnic. multilingual country, and the people need their rights to be respected, opportunities for organizing, and opportunities for generating their own development. Most of all, Pap Me'k says they need to be "governed with dignity and without corruption" (Ibid).

References

Abbott, Jeff. 2021. <u>"Guatemala's Failed Promise."</u> The Progressive Magazine, December 20, 2021.

Arroyo, Lorena, and Antonia Laborde. 2021.

"Washington, la capital de la justicia guatemalteca
en el exilio." El País, August 16, 2021.

Associated Press. 2018. <u>"Guatemala's President Shuts</u>
Down Anti-Corruption Commission Backed by U.N."
The New York Times, August 31, 2018.

Batz, Giovanni. 2020. <u>"Ixil Maya Resistance against Megaprojects in Cotzal, Guatemala."</u> Theory and Event 23 (4): 1016–1036.

———. 2021. <u>"U.S. Policy Toward Central America Continues Legacy of Displacement."</u> North American Congress on Latin America, April 29, 2021.

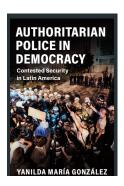
- Blitzer, Jonathan. 2022. <u>"The Exile of Guatemala's Anti-Corruption Efforts."</u> The New Yorker, April 29, 2022.
- Burt, Jo-Marie, and Paulo Estrada. 2020. <u>"Guatemala to Begin Evidentiary Phase of Genocide Trial Against Senior Military Officials."</u> Washington Office on Latin America, March 6, 2020.
- ———. 2022. "In Guatemala, Ex-Paramilitaries Face Trial for Wartime Rape of Indigenous Women." North American Congress on Latin America, January 11, 2022.
- Calles, Juan, and Andrea Hernández. 2021. "Nanci Sinto, activista de DDHH, ligada a proceso por protestas frente al Congreso el #21N 2020." Prensa Comunitaria, November 25, 2021.
- CICIG. 2018. <u>"Solicitud de antejuicio en contra del señor</u> JIMMY MORALES, Presidente Constitucional de la República de Guatemala."
- Cuffe, Sandra. 2018. <u>"U.S. Gave Military Jeeps to Guatemala to Fight Drug Trafficking. Instead, They Were Used to Intimidate an Anti-Corruption Commission."</u> The Intercept, November 9 2018.
- ———. 2022. <u>"Guatemala Attorney General's</u>
 <u>Reappointment Raises Alarm."</u> *Aljazeera*, May 17, 2022.
- Daniel, Frank Jack. 2021. <u>"A Tax Man Went After Guatemala's Elites. Then They Hit Back."</u> Reuters, December 7, 2021.
- Francisco, Francisco Símon. 2022. <u>"Detienen a dos autoridades ancestrales de El Estor, por oponerse a la minera."</u> Prensa Comunitaria, June 13. 2022.
- García, Oscar, and Edwin Pitán. 2020. <u>"Feci señala que</u> el exministro de Energía y Minas, Erick Archila, recibió dádivas por más de Q75 millones." *Prensa Libre*, December 11, 2020.
- González, Ana Lucía. 2021. <u>"Pobladores de Nebaj</u> desconocen a su alcalde luego de masiva Asamblea Comunitaria." *La Hora*, December 18, 2021.
- Hondudiario. 2022. <u>"Fundación Terra se incorpora como socio estratégico al Partnership for Central America."</u> June 8, 2022.
- Human Rights Watch. 2022. "Guatemala: Events of 2021."
- Kitroeff, Natalie. 2021. <u>"Biden Faces a Trade-Off: Stop Corruption, or Migration?"</u> The New York Times, August 24, 2021.

- Masek, Vaclav. 2021. "Guatemala Cracks Down on Q'eqchi' Resistance in El Estor." North American Congress on Latin America, November 16, 2021.
- Naylor, Bryan, and Tamara Keith. <u>"Kamala Harris Tells Guatemalans Not To Migrate To The United States."</u>
 NPR, June 7, 2021.
- Ovalle, Luis. 2022. <u>"Reinician audiencias del caso Diario Militar; 10 exoficiales del Ejército y 2 de Policía Nacional vinculados."</u> Prensa Comunitaria, January 12, 2022.
- Pap Me'k. 2021. Interview with Giovanni Batz, conducted via phone. December 24, 2021.
- Papadovassilakis, Alex. 2021. <u>"A Blend of Family and Politics in Guatemala's Cocaine Trade."</u> InSight Crime, August 3, 2021.
- Pitán, Edwin. 2021. "'Soldados cargaban la cocaína': testigo revela cómo militares escoltaban a narcotraficantes en Guatemala y cobraban hasta US\$1 millón." Prensa Libre, July 2, 2021.
- Price, Ned. 2022. <u>"U.S. Concern for Integrity of Guatemalan Judicial System."</u> Press Statement, U.S. Department of State, January 16, 2022.
- Procurador de los Derechos Humanos. 2021. "La Democracia y la Paz Social Están bajo grave amenaza en Guatemala." December 29, 2021.
- Reuters. 2021. "U.S. Adds Top Guatemalan, Salvadoran officials to Corruption List." September 20, 2021.
- Román, Julio. 2021. "Jueces de Mayor Riesgo piden al MP que desestime denuncias en su contra, pues consideran que son infundadas y espurias." Prensa Libre, June 21, 2021.
- Shear, Michael D. 2021. "U.S. Reaches Agreements with Mexico, Honduras and Guatemala to Increase Enforcement against Migration." The New York Times, April 12, 2021.
- Sieff, Kevin. 2020. <u>"The Guatemalan Rainforest:</u>
 Lush Jungle, Mayan Ruins and Narco Jets Full of
 Cocaine." The Washington Post, July 5, 2020.
- Sit P'op. 2022. Interview with Giovanni Batz, conducted via phone. January 11, 2022.
- Smyth, Frank. 2005. <u>"The Untouchable Narco-State:</u>
 <u>Guatemala's Military Defies the DEA."</u> The Texas
 Observer, November 18, 2005.
- Terra Inversiones. 2022. Website. https://terra-inversiones.com

Torres, Norma. 2021. <u>"Torres Includes Key Central</u>
America Rule of Law Provisions in National Defense
Authorization Act." Website for Congresswoman
Norma Torres. December 17, 2021.

White House. 2022. "Fact Sheet: Vice President Harris
Announces More Than \$1.9 Billion in New Private
Sector Commitments as Part of Call to Action for
Northern Central America." June 7, 2022.

Author Exchange



Authoritarian Police in Democracy: Contested Security in Latin America. By Yanilda María González. New York: Cambridge University Press, 2021. 355p. Cloth and paper.

Review by Eduardo Moncada, Assistant Professor of Political Science, Barnard College, Columbia University

Why do authoritarian enclaves persist despite democratization in Latin America? The region accounts for a disproportionate share of the world's lethal violence and has a wide range of criminal economies. Yet the track record of institutional reforms to increase the accountability and efficacy of police forces in Latin America that were once central to sustaining authoritarian regimes is quite dismal. In Authoritarian Police in Democracy, Yanilda González tackles this question with a novel and compelling study of the politics of democratizing authoritarian police in Latin America. González convincingly argues that authoritarian policing is not simply a vestige of the non-democratic regimes of the past but instead the product of contemporary democratic politics. This book is a foundational contribution to the growing research agenda on crime, security, and policing.

The book places politicians and parties at the center of the analytical framework. Even when politicians favor reforming the police, they hesitate to do so unless they face two conditions: convergence in societal preferences for police reform and a credible electoral threat from the political opposition. The book's framework predicts little institutional change absent either of these conditions. Why is each condition necessary for reform?

The framework rightly assumes that, like any public good or service, the pattern of police-sponsored protection and related coercive violence in a locality will map onto pre-existing social cleavages, including race, ethnicity, and class. Populations favored by the status quo prefer repressive authoritarian policing against disadvantaged social groups seen as threats to security and sources of criminality. Democratizing the police therefore requires that all segments of society converge on a preference for democratic reform—something that González argues is most likely in the wake of police scandals of the type that can quickly and broadly turn public opinion against the police. But even with societal convergence, incumbents will not pursue police reform unless they face a strong political opposition. The reason is that political challengers can leverage social consensus to threaten the incumbent's grip on political power. González uses this framework to unpack and analyze cases within and across Sao Paulo (Brazil), Buenos Aires (Argentina), and Colombia. The empirical chapters combine and analyze rich interview data, analysis of media and government archives, polling data, and participant observation. As with any clearly written, insightful, and provocative study, several questions also emerge from close reading of this book.

The argument's underlying premise is that police forces derive structural power from their ability to deploy or withhold coercion from state efforts to maintain order. This unique power makes the police a formidable political actor and raises the costs that incumbents face if they were to attempt reforms without broad societal support. But this assumes that police institutions are coherent hierarchical entities with clear and functional chains of command. In the book, González herself notes that the 1997–98 police reform in Buenos Aires was successful in part because divisions within the police prevented it from effectively and collectively mobilizing against the democratizing reforms. Indeed, much research on policing in Latin America traces the inefficiency and repressive nature of police institutions precisely to internal cleavages between ranks and divisions, as well as across territories.

This book focuses on explaining whether politicians pursue police reform. With its careful theorization and effective use of controlled comparisons to craft and analyze six detailed case studies, additional analysis of whether these reforms produce substantive changes in policing is best left to future research. But one question that emerges from this focus on the political pursuit of police reform has to do with the broader reality of Latin America's weak institutional context, characterized by serial replacement of institutions within many policy domains, including the security sector. One

wonders whether the relatively high probability that adopted police reforms will be overturned in this weak institutional environment might reduce the police's perception of reform as always representing an existential threat to their authoritarian nature.

Finally, what do we mean by the notion of "authoritarian police?" Police forces in Latin America once used coercion to preserve the power of national political elites. Today, police use this same resource on behalf of a range of other actors, including businesses and economic elites aligned with the state, but also organized crime. Police forces that collude with organized crime are more likely to be sources of disorder than order. Here, police alignment with actors that challenge state authority might reduce the political cost of reform for incumbents and thus generate alternative pathways toward democratization of the police.

The fact that this book sparks these and other questions reflects its powerful argument and nuanced empirical analysis. González's research and findings will surely guide much future work on the politics of crime and policing, but it will also be essential reading for those concerned with the study of institutional change, electoral politics, and public policy making.

Response from Yanilda González

It's always a joy to be in conversation with Eduardo Moncada's work. I thank Eduardo for his careful reading of my book and in particular his thoughtful engagement with its theoretical framework. His review raises some important questions about the nature of police institutions and the broader institutional context, and the effect of both on police reform processes.

Moncada first raises a crucial question about the extent to which police forces ought to be considered "coherent hierarchical entities with clear and functional chains of command," citing the broader literature's characterization of internal cleavages within police forces throughout the region as a driver of inefficiency and repression. While I share the view that police forces are not always unitary actors—as I demonstrate in my discussion of "islands of excellence" within Colombia's police and the divisions within the Buenos Aires provincial police during their reform in 1997-1998— Moncada cites the latter as evidence of a lack of police coherence that undermines their inability to coordinate and exert structural power to effectively block reform efforts. Yet Buenos Aires Province demonstrates the opposite. In order to mobilize those internal divisions at the moment of reform, civilian reform leaders had to

take extraordinary measures to create a rupture within the police's dominant power structure, including a state-of-emergency provision that allowed mass firings of officers and a decree for the mandatory retirement of the top three ranks of the police's command structure. Thus, although far from a monolith, this case underscores how police forces have clear incentives to coordinate to oppose outsiders and have a militarized hierarchical structure that facilitates internal (coerced) cohesion.

A related question in Moncada's review concerns the weak institutional context prevalent in Latin America, suggesting that rapid overturning of reforms through serial replacement should mitigate police perceptions of threats posed by reform. Yet, my book lays bare how serial replacement is a poor descriptor of police institutions, which are typically characterized by remarkable continuity. As my case studies demonstrate, Brazil and Argentina transitioned to democracy while leaving intact decades-old laws governing police crafted under dictatorships, while key aspects of the organizational structure of the Colombian police similarly date back to a brief period of military dictatorship in the 1950s. Rather than taking for granted that reforms "will be overturned in this weak institutional environment," police mobilized actively to sustain these institutional structures, as I show in the discussion of the police's successful efforts during Brazil's Constitutional Convention to ensure that police institutions would remain unchanged under the 1988 constitution.

Moncada closes with a key insight, that the rise of organized criminal actors throughout the region may challenge the relationships between police forces and traditional political leaders and elites, thereby weakening the police's structural power and potentially creating new openings for democratizing police reforms. This highlights an important intersection between our books, raising questions about the possibility for democratic policing in the context of the growing complexity of organized crime, the rise of collective vigilantism, and the linkages between the two and the state.



Resisting Extortion: Victims, Criminals, and States in Latin America. By Eduardo Moncada. New York: Cambridge University Press, 2021. 300p. Hardback and eBook.

Review by Yanilda González, Assistant Professor of Public Policy, Harvard Kennedy School

The rise of armed "self-defense" groups in the Mexican state of Michoacán has drawn widespread media coverage around the world, characterized as either ordinary citizens combatting brutal drug cartels in the face of government inaction, or lawless violence amid a Hobbesian war of all against all. Under what conditions do citizens besieged by drug cartel violence take up arms, and which depiction of these conditions more accurately describes these interactions between drug-trafficking organizations, victims, and the state? In Resisting Extortion: Victims, Criminals, and States in Latin America, Eduardo Moncada tackles these urgent questions with a novel theoretical framework, meticulous and challenging fieldwork, and nuanced insights about the contested and contradictory nature of order and citizenship in Latin America's violent democracies.

Resisting Extortion asks, "In settings where the state is unable or unwilling to enforce the rule of law, why do victims resist similar forms of criminal victimization in contrasting ways?" (6). Moncada develops a brilliant argument explaining resistance by victims as a function of criminal groups' time horizons, the structure of local political economies, and the extent of criminal capture of the police. Crucially, when criminal groups have long time horizons, they are more likely to provide order and limit predation, incentivizing victims to adopt strategies of everyday resistance, consisting of negotiation strategies to mitigate predation. By contrast, when criminal groups have short time horizons, we are more likely to observe either piecemeal vigilantism in which victims undertake sporadic violent actions against perpetrators—or more institutionalized forms of decentralized and centralized collective vigilantism, depending on whether the local firm structure is atomized, segmented, or encompassing, respectively. In some instances, namely when police are not captured by criminal groups, collective vigilantism can evolve into co-production of order by vigilante groups and state entities, which both bolsters (by thwarting organized crime) and weakens the rule of law (by enabling vigilantism). Moncada meticulously illustrates this argument drawing on extensive fieldwork in

Colombia, El Salvador, and Mexico, leveraging a range of qualitative evidence—including interviews, focus groups, ethnography, judicial documents, and victim drawings.

Moncada develops invaluable conceptual tools for understanding the political economy of vigilantism and offers a convincing and compelling narrative of the transformation of civic and economic life under the domination of criminal groups, as well as the conditions under which victims can effectively exert resistance. It would be difficult to overstate the book's many contributions, from its conceptualization of crime victimization as an iterative and relational process (rather than a one-off event as most conventional scholarship does), to its nuanced and novel exploration of how the rule of law is experienced in practice in weak institutional contexts and how it is understood and reconstituted by its victims.

The book also raises several important questions about the nature of resistance, victims, and vigilantism that will undoubtedly generate further scholarly debates and inquiry. First, how does Moncada's framework extend to other crimes besides extortion and to other modes of resistance? Citizens caught in territories dominated by armed criminal groups face varied forms of victimization—from sexual violence and kidnapping to disappearances—and engage in a range of actions, including cooptation and exit, but also strategies such as legal mobilization, as shown by scholars such as Gallagher (2017). How do we bridge, and explain, this broader set of responses, from exit, submission, cooptation, and nonviolent resistance to violent resistance?

Second, how might we complicate the notion of victim, which Moncada largely treats as a fixed, immutable category that endures over time, even as individuals shift to violent and extralegal strategies that may not directly connect to their victimization? Moncada rightly notes in the methods appendix that "the boundary between a victim engaging in resistance and a criminal actor can be hazy and shift in unexpected and unsettling ways" (211-212), but how might we incorporate this insight into our theoretical frameworks and empirical analysis? This tension is palpable in Resisting Extortion, as the erstwhile victims address the problem of criminal capture of police through "coproduction" of order, which in many instances seems tantamount to vigilante capture of police and local government (see the discussion of "bottom-up purges," section 6.6.1). The evolution of armed groups (e.g., the Familia Michoacana DTO emerged as a self-defense group against the Zetas) and blurred lines between state and non-state (e.g., Medellín's predatory and criminal Convivir began as state-sponsored self-defense groups) further underscore the need to better understand the complexities inherent in the relationship between victims, criminals, vigilantes, and the state.

From its theoretical innovations and rigorous empirical analysis to the important questions it raises, *Resisting Extortion* is an essential book for understanding contemporary patterns of organized crime, as well as their consequences for order, state formation, and the rule of law.

Response from Eduardo Moncada

I thank Yanilda González for engaging critically with my book and for the important points that she raises concerning the broader research agenda on the politics of civilian agency in settings of crime and violence.

She is correct that civilians who live and work in territories controlled by criminal actors can experience multiple forms of victimization. Part of the reason why I focus on criminal extortion in Latin America in addition to the fact that it is widespread but largely understudied—is precisely because it is often accompanied by a range of other types of crime used to facilitate extortion. These can include verbal threats, psychological harassment, physical assault, kidnapping, and sexual violence, among others. Criminal extortion is a bundle of different types of crimes all deployed with the shared objective of enabling criminal actors to forcibly extract rents from their victims. A core task for future research is mapping and analyzing the ways that people experience different combinations of crimes, and if and why distinct configurations of victimization prompt varied types of civilian responses.

Indeed, future analysis of civilian agency will require precisely what González suggests: studying and comparing the strategies that victims use both within and outside the rule of law. We need to unpack communities so that we can map which individuals and social groups elect distinct strategies despite facing similar conditions of criminal victimization. This would extend a growing literature on the political consequences of criminal victimization (e.g., Bateson 2012; Gallagher 2022; Ley 2018) by interrogating when and how political agency in settings of intense crime and violence assumes multiple and even contradictory forms.

Finally, González asks if the concept of "victim" loses its analytic utility when the aggrieved engage in crime and violence themselves. One of the things

that struck me during my fieldwork was exactly this: our vocabulary of "victims" and "criminals" struggle in settings where extralegal violence is a resource available to not only governments and criminal organizations but also to everyday citizens to defend themselves when the state cannot or will not uphold the rule of law. A challenge for future research is therefore to identify the conditions under which states contest victims' extra-legal strategies of resistance and enforce the rule of law, thus interrupting the potentially vicious cycle between victimization and criminality.

Joint Commentary from González and Moncada

We thank the Editors for inviting us to have this fruitful exchange on our books. Our reviews and responses point to a number of shared takeaways to inform future research on the politics of crime, policing, and violence, as well as their broader implications for democracy and the rule of law.

Collectively our books underscore the central role of insecurity, violence, and policing as key sites of political contestation and citizen demand-making that deeply shape state-society relations in Latin America. We demonstrate how citizens' demands for order and security act as an important driver of ordinary politics that reconfigures understandings and workings of democracy in extraordinary ways via popular endorsement of authoritarian policing and unchecked vigilante violence. In the context of high inequality and weak institutions, politicians cater to citizens' demands and win democratic elections by promising to unshackle the state's coercive authority from legal constraints to unleash rampant killings upon purported criminals, and private sector actors engage in lethal vigilantism to redefine local order and power relations. Our comparative studies of five Latin American countries show that these modes of violence perpetrated by state and societal actors are not an aberration of democracy, but instead can be part and parcel of everyday democratic politics and societal mobilization.

In doing so, our books call upon scholars and policymakers alike to reconceptualize democracy and the rule of law in contexts of weak institutions. We lay bare that order is inherently contested in these settings, leading many citizens to (rationally) demand responses from the state and/or undertake violent practices themselves that both bolster and erode the rule of law, and both reinforce and distort usual notions of democracy.

But our books not only speak to phenomena in the Global South; they also carry implications for understanding these issues in certain contexts in the Global North. As recent events in the United States show, democracy, the rule of law, and (formal) order are inaccessible to substantial portions of populations even in established democracies. A pressing challenge for future research is more comparative studies of the political origins, dynamics, and consequences of crime, policing, and violence across the conventional scholarly divide between Global South and North.

References

Bateson, Regina. 2012. <u>"Crime Victimization and Political Participation."</u> American Political Science Review 106 (3): 570–587.

Gallagher, Janice. 2017. <u>"The Last Mile Problem:</u>
Activists, Advocates, and the Struggle for Justice in
Domestic Courts." Comparative Political Studies 50
(12): 1666–1698.

— — . 2022. Bootstrap Justice: The Search for Mexico's Disappeared. Oxford: Oxford University Press.

Ley, Sandra. 2018. <u>"To Vote or Not to Vote: How Criminal Violence Shapes Electoral Participation."</u>

Journal of Conflict Resolution 62 (9): 1963–1990.

Meet the Authors



Giorleny Altamirano Rayo is a lawyer and political scientist turned public servant currently working as a Senior Mathematical Statistician at the U.S. Department of Labor's Chief Evaluation Office. She previously worked at DOL's Bureau of International Labor Affairs, where she led policy engagement on labor

and trade issues with trade partners and promoted the use of scientific methods. She has over 15 years of experience in applied research and foreign policy, with a focus on human rights. Before joining the federal government in 2018, she worked as a diplomat for the Nicaraguan government and as a university administrator at Vanderbilt University. She earned a JD from the American University (Nicaragua), an LLM from Vanderbilt with a Fulbright Scholarship, and a PhD in Political Science from the University of Texas-Austin.



Giovanni Batz is an Assistant
Professor in the Department of
Chicana/o Studies at the University
of California, Santa Barbara. He was
a 2020-2022 President's Postdoctoral
Fellow in the Department of Native
American Studies at the University
of California, Davis, where he
worked on his manuscript tentatively

entitled, "The Fourth Invasion: Decolonizing Histories, Megaprojects and Ixil Resistance in Guatemala." His work can be accessed at https://ucdavis.academia.edu/GioBatzGiovanniBatz.



Yanilda María González is an Assistant Professor of Public Policy at the Harvard Kennedy School. Her research focuses on policing, state violence, and citizenship in democracy, examining how race, class, and other forms of inequality shape these processes. González received the 2022 Clarence Stone

Scholar Award from APSA's Urban and Local Politics Section. She received her PhD in Politics and Social Policy from Princeton University. Prior to joining HKS she was an Assistant Professor at the School of Social Service Administration at the University of Chicago. González previously worked at a number of human rights organizations in the U.S. and Argentina, including the New York Civil Liberties Union, ANDHES, and Equipo Latinoaméricano de Justicia y Género.



Manuel Meléndez-Sánchez is a USIP-Minerva Peace and Security Scholar at the U.S. Institute of Peace and a Ph.D. candidate in Political Science at Harvard University. His research explores emerging challenges to contemporary democracy, with a focus on Central America and Mexico. His dissertation project examines

criminal electioneering: deliberate attempts by criminal organizations to influence democratic elections.

Manuel's writing on El Salvador has appeared in the Journal of Democracy, Lawfare, Slate, and The Washington Post's Monkey Cage. The views expressed in Manuel's contribution to this volume are those of the author and do not necessarily reflect the views of the U.S. Institute of Peace or the Minerva Research Institute.



Eduardo Moncada is an Assistant Professor of Political Science at Barnard College, Columbia University. His research agenda focuses on the political economy of crime and violence as well as comparative urban politics in Latin America. He is the author of numerous articles, as well as Cities, Business and the Politics of

Urban Violence in Latin America (Stanford University Press, 2016) and co-editor of Inside Countries: Subnational Research in Comparative Politics (Cambridge University Press, 2019).



Antonio Monte Casablanca is a Dr. phil. in history and Assistant Professor and Researcher at the Latin American Institute of the Free University of Berlin. His main area of research focuses on the relationship between society, culture and authoritarianism, especially during the Somoza dictatorship in Nicaragua

(1936–1979). His latest publication is "Historia global, turismo y Centroamérica: espacios y culturas de viaje," which is part of the book *América Latina en la historia global*, edited by Carlos Riojas and Stefan Rinke and published by CLACSO and Siglo XXI editores in 2022. This is part of an upcoming book about the history of tourism in Nicaragua during the Somoza dictatorship, due to be published by the Historamericana series of the publisher Wissenschaftliche Buchgesellschaft.

Editorial Team

Executive Editors



Dan Slater specializes in the politics and history of enduring dictatorships and emerging democracies, with a regional focus on Southeast Asia. At the University of Michigan, he serves as the Ronald and Eileen Weiser Professor of Emerging Democracies, the Director of the Weiser Center for Emerging Democracies, and

Professor of Political Science. Previously, he served for 12 years on the faculty at the University of Chicago, where he was the Director of the Center for International Social Science Research, Associate Professor in the Department of Political Science, and associate member in the Department of Sociology.



Rob Mickey is Associate Professor of Political Science and Director of Graduate Studies at the University of Michigan. His research focuses on U.S. politics in historical perspective. He is interested in American political development, political parties, racial politics, and policy responses to inequality.

Managing Editor



Derek Groom is an Academic Program Specialist with the Weiser Center for Emerging Democracies. In this role, he manages the programming, administration, and research/outreach activities of WCED. Before coming to U-M, Derek worked in Washington, DC at American Councils for International Education,

administering the Overseas Flagship Programs and Flagship Language Initiatives in Eurasia and Africa. In 2013, Derek completed the Russian Overseas Flagship Program in St. Petersburg, Russia as a Boren Scholar.

Guest Editors



Luciana Chamorro is a Postdoctoral Fellow at WCED. She is a political anthropologist who specializes in Central America and writes on revolution and its afterlives, populist politics, authoritarianism, affect and aesthetics. She is currently preparing a book manuscript titled "Afterlives of Revolution:

Authoritarian Populism and Political Passions in Post-Revolutionary Nicaragua," which examines populist governance and affective attachments to the Sandinista political project after the return of Daniel Ortega to power in 2007. Luciana received her PhD in Anthropology from Columbia University in 2020 and was a Mellon Postdoctoral Research Associate for the "Neoliberalism at the Neopopulist Crossroads" Sawyer Seminar at the University of Arizona for the 2020–2021 academic year.



Kai M. Thaler is Assistant
Professor of Global Studies at the
University of California, Santa
Barbara, and works on conflict
and security, authoritarianism
and democratization, and protest
and repression, focused on Latin
America and Africa. His research has
been published in journals including

Comparative Politics, the Journal of Democracy, and Security Studies, and he has also written commentary about democracy and authoritarianism in Nicaragua and beyond in outlets including Foreign Policy, Latinoamérica 21, the Los Angeles Times, Political Violence at a Glance, and The Washington Post's Monkey Cage.

About Democracy and Autocracy

Democracy and Autocracy is the official newsletter of the American Political Science Association's Democracy and Autocracy section (formerly known as the Comparative Democratization section). First known as CompDem, it has been published three times a year since 2003. In October 2010, the newsletter was renamed APSA-CD and expanded to include substantive articles on democracy, as well as news and notes on the latest developments in the field. In September 2018, it was renamed the Annals of Comparative Democratization to reflect the increasingly high academic content and recognition of the symposia.

About WCED

Housed in the International Institute at the University of Michigan, the Weiser Center for Emerging Democracies (WCED) began operation in September 2008. Named in honor of Ronald and Eileen Weiser and inspired by their time in Slovakia during Ambassador Weiser's service as U.S. Ambassador from 2001–04, WCED promotes scholarship to better understand the conditions and policies that foster the transition from autocratic rule to democratic governance, past and present.



Section News

The following annual Section awards were announced this summer. You can find complete details on the section website:

Juan Linz Prize for Best Dissertation

Winner: **Sasha de Vogel** (Jordan Center for the Advanced Study of Russia, New York University), *Protest, Mobilization, Concessions, and Policy Change in Autocracies.*

Honorable Mention: **Killian Clarke** (Edmund A. Walsh School of Foreign Service at Georgetown University), Overthrowing Revolution: The Emergence and Success of Counterrevolution, 1900–2015.

Best Article Award

Winner: **Agustina S. Paglayan** (University of California, San Diego), "The Non-Democratic Roots of Mass Education: Evidence from 200 Years," *American Political Science Review*, 115:1, 2021.

Honorable Mention: **Pavithra Suryanarayan** (Johns Hopkins) and **Steven White** (Syracuse), "Slavery, Reconstruction, and Bureaucratic Capacity in the American South," *American Political Science Review*, 115:2, 2021.

Honorable Mention: **Amy Catalinac** (New York University) and **Lucia Motolinia** (Washington University in St. Louis), "Geographically Targeted Spending in Mixed–Member Majoritarian Electoral Systems," *World Politics*, 73:4, 2021.

Best Book Award

Winner: **Bryn Rosenfeld** (Cornell), *The Autocratic Middle Class: How State Dependency Reduces the Demand for Democracy* (Princeton University Press).

Honorable Mention: **Michael Albertus** (University of Chicago), *Property Without Rights: Origins and Consequences of the Property Rights Gap* (Cambridge University Press).

Best Field Work Award

Winner: **Kaustav Chakrabarti** (Ashoka University, India), for his dissertation, from Brown University, entitled "Underground Governance: Rules-Based Order by Armed Groups in Northeast India."

Honorable Mention: **Eitan Paul** (PhD candidate at the University of Michigan) for dissertation fieldwork in Indonesia.

Honorable Mention: **Carolyn Barnett** (PhD candidate at Princeton) for dissertation fieldwork in Morocco.

Best Paper Presented at APSA 2021 Award

Winner: Roya Talibova (University of Michigan), "Repression, Military Service, and Insurrection."

Honorable Mention: **Daniel Mattingly** (Yale), "How the Party Commands the Gun."

Leslie E. Anderson (Research Foundation Professor, Political Science, University of Florida) recently published a Spanish version of her book <u>Democratization by Institutions</u> (University of Michigan Press, 2016):

Anderson, Leslie E. 2022. <u>Democratizacion a traves de las instituciones, la</u>. Buenos Aires: Prometeo Libros.

Michael Bernhard (Raymond and Miriam Ehrlich Eminent Scholar Chair in Political Science, University of Florida) coauthored a chapter in the newly published collection from the Varieties of Democracy project:

Bernhard, Michael, and Amanda Edgell. 2022. "Democracy and Social Forces." In *Why Democracies Develop and Decline*, edited by Michael Coppedge, Amanda B. Edgell, Carl Henrik Knudtsen, and Staffan I. Lindberg, 185–214. New York: Cambridge University Press.

James L. Gibson (Sidney W. Souers Professor of Government, Washington University in St. Louis) ranked #35 in the world and #23 in the United States in Research.com's 2022 Ranking of Top 1000 Scientists in the area of Law and Political Science.

Benjamin Goldfrank (Professor, School of Diplomacy and International Relations, Seton Hall University) **recently published the following:**

Goldfrank, Benjamin, and Jared Abbott. 2021. "Scaling-Up and Zooming-Out: Understanding How and When Participatory Institutions Matter." Comparative Politics 53 (4): 735-754.

Goldfrank, Benjamin, and Brian Wampler. 2022. The Rise, Spread, and Decline of Brazil's Participatory Budgeting: The Arc of a Democratic Innovation. New York: Palgrave Macmillan.

Sebnem Gumuscu (Associate Professor of Political Science, Middlebury College) was promoted to associate professor with tenure.

Maiah Jaskoski (recently promoted to Professor of Political Science at Northern Arizona University) has a new book, published on July 1, 2022:

Jaskoski, Maiah. 2022. <u>The Politics of Extraction:</u>
<u>Territorial Rights, Participatory Institutions, and Conflict in Latin America</u>. New York: Oxford University Press.

Anne Meng (recently promoted to Associate Professor of Politics at the University of Virginia) **co-authored the** following article:

Meng, Anne, and Jack Paine. 2022. "Power Sharing and Authoritarian Stability: How Rebel Regimes Solve the Guardianship Dilemma." American Political Science Review, First View: 1–18.

Kelly McMann (Professor of Political Science and Director of International Studies, Case Western Reserve University) published the following policy memo:

McMann, Kelly. 2022. "Bringing About Democracy Without Increasing Corruption: Lessons from Post-Soviet States." Program on New Approaches to Research and Security in Eurasia Policy Memo.

Gerardo L. Munck (Professor of Political Science and International Relations, University of Southern California) published the following two books:

Collier, David, and Gerardo L. Munck (eds.). 2022. Critical Junctures and Historical Legacies: Insights and Methods for Comparative Social Science. Lanham, MD: Rowman & Littlefield. Munck, Gerardo L., and Juan Pablo Luna. 2022. Latin American Politics and Society: A Comparative and Historical Analysis. Cambridge: Cambridge University Press.

Monika Nalepa (Associate Professor of Political Science, University of Chicago) recently published the following article:

Nalepa, Monika, and Grigore Pop-Eleches. 2022. "Infiltration of Religious Organizations as a Strategy of Authoritarian Durability: Causes and Consequences." Journal of Politics 84 (2): 861–873.

Lynette Ong was promoted to full Professor of Political Science at the University of Toronto, a joint appointment at the Department of Political Science and the Munk School of Global Affairs and Public Policy. She also recently published the following book:

Ong, Lynette. 2022. <u>Outsourcing Repression:</u>
<u>Everyday State Power in Contemporary China</u>. Oxford:
Oxford University Press and Columbia University
Weatherhead East Asian Institute.

William M. Reisinger (Professor of Political Science, University of Iowa) received the 2022 International Engagement Teaching Award from the University of Iowa College of Liberal Arts and Sciences and International Programs. His citation is 2/3 down this page. He also has the following recent publications:

Reisinger, William M., Marina Zaloznaya, and Vicki L. Hesli Claypool. 2021. "Popular Legal Attitudes and the Political Order: Comparative Evidence from Georgia, Russia and Ukraine." Europe-Asia Studies 73 (1): 36-59.

Reisinger, William M., and Marina Zaloznaya. 2022. "The Democratic Promise of the Putin Generation? Cultural Legacies, Generational Cohorts, and Democratic Values in Russia." In Russian Studies, Political Science, and Philosophy of Technology, edited by Guoli Liu and Joanna Drzewieniecki, 51–77. Lanham, MD: Lexington Books.

Jillian Schwedler (Professor of Political Science, Hunter College and the Graduate Center, CUNY) **published the following book:**

Schwedler, Jillian. 2022. Protesting Jordan: Geographies of Power and Dissent. Stanford: Stanford University Press.

Fiona Shen-Bayh (Assistant Professor of Government, William & Mary) has a forthcoming book (September 2022) at Cambridge University Press in the Cambridge Studies in Law and Society series. The book is titled Undue Process: Persecution and Punishment in Autocratic Courts. She also recently published the following article:

Choi, Donghyun Danny, J. Andrew Harris, and Fiona Shen-Bayh. 2022. "Ethnic Bias in Judicial Decision Making: Evidence from Criminal Appeals in Kenya." American Political Science Review, First View: 1–14.

Milada Anna Vachudova (Professor of Political Science, UNC Chapel Hill) was awarded a grant from the National Council for Eurasian and East European Research (NCEEER), funded by the U.S. State Department, for the project "Ethnopopulism, Democratic Backsliding and Protest in Post-communist Europe." She has also participated recently in several roundtables on Russia's war against Ukraine and Ukraine's challenge to Europe, including one hosted by the Central European University (CEU), the recording of which is available here.

Sarah Wessel (Associate Fellow, Center for Applied Research in Partnership with the Orient, CARPO, Germany) recently published the following book, part of the series, Routledge Studies on Challenges, Crises and Dissent in World Politics:

Wessel, Sarah. 2022. <u>Revolution, Representation, and Authoritarianism: Beyond Arab Exceptionalism in Egypt</u>. Abingdon: Routledge.

Members of the **Varieties of Democracy (V-Dem) Institute** at the University of Gothenburg published the following policy briefs, working papers, reports, and peer-reviewed articles:

Boese, Vanessa A., Martin Lundstedt, Kelly Morrison, Yuko Sato, and Staffan I. Lindberg. 2022. <u>"State of the World 2021: Autocratization Changing Its Nature?"</u> *Democratization*, Online first, (builds on the Democracy Report 2022).

Boese, Vanessa A., Nazifa Alizada, Martin Lundstedt, Kelly Morrison, Natalia Natsika, Yuko Sato, Hugo Tai, and Staffan I. Lindberg. 2022. <u>Autocratization Changing Nature? Democracy Report 2022.</u> Varieties of Democracy Institute (V-Dem).

Boese, Vanessa A., and Markus Eberhardt. 2022. "Which Institutions Rule? Unbundling the Democracy-Growth Nexus." V-Dem Working Paper 131

Buckley, Noah, Kyle L. Marquardt, Ora John Reuter, and Katerina Tertytchnaya. 2022. "Endogenous Popularity: How Perceptions of Support Affect the Popularity of Authoritarian Regimes." V-Dem Working Paper 132.

Dahlum, Sirianne, Carl Henrik Knutsen, and Valeriya Mechkova. 2022. "Women's Political Empowerment and Economic Growth." World Development, vol. 156: article 105822 (previously V-Dem Working Paper 103).

Edgell, Amanda B., Michael Coppedge, Carl Henrik Knutsen, and Staffan I. Lindberg (eds.) 2022. <u>How</u> <u>Democracies Develop and Decline</u>. Cambridge: Cambridge University Press.

IPCC. 2022. Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [P.R. Shukla, J. Skea, R. Slade, A. Al Khourdajie, R. van Diemen, D. McCollum, M. Pathak, S. Some, P. Vyas, R. Fradera, M. Belkacemi, A. Hasija, G. Lisboa, S. Luz, J. Malley, (eds.)]. Cambridge: Cambridge University Press.

McMann, Kelly M., Brigitte Seim, Daniel Pemstein, Jan Teorell, and Staffan I. Lindberg. 2022. "Assessing Data Quality: An Approach and An Application." Political Analysis 30 (3): 426–449 (earlier version published as V-Dem Working Paper 23).

Povitkina, Marin, and Sverker C. Jagers. 2022. "Environmental Commitments in Different Types of Democracies: The Role of Liberal, Social-Liberal, and Deliberative Politics." Global Environmental Change, vol. 74, article 102523 (previously V-Dem Working Paper 117).

Sigman, Rachel. 2021. "Which Jobs for Which Boys? Party Finance and the Politics of State Job Distribution in Africa." Comparative Political Studies 55 (3).

Weghorst, Keith. 2022. Activist Origins of Political Ambition: Opposition Candidacy in Africa's Electoral Authoritarian Regimes. Cambridge: Cambridge University Press.

Wilson, Matthew C. Juraj Medzihorsky, Seraphine F. Maerz, Patrik Lindenfors, Amanda B. Edgell, Vanessa A. Boese, and Staffan I. Lindberg. 2022. "Episodes of Liberalization in Autocracies: A New Approach to Quantitatively Studying Democratization." Political Science Research and Methods, Online First: 1–20 (earlier versions published as V-Dem Working Paper 97).