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Opinions expressed herein are those of individual authors and do not necessarily reflect the view of the Latin American Studies Association or its officers.

Carta de la presidenta

por **Margarita López Maya** | Universidad Central de Venezuela

El anuncio hecho el 15 de septiembre por parte del presidente de El Salvador, de que se presentará a la reelección, pese a que ello no está contemplado en la constitución de su país, vuelve a colocar en el centro de la opinión pública la temática de cuán débiles son los valores de la democracia en nuestra región y cuán vulnerables sus instituciones. La tentación de pasar por encima de las reglas del juego político está siempre en el escenario regional, por parte de líderes carismáticos que se aprovechan de una realidad plagada de acuciantes problemas de violencia, pobreza, desigualdad, exclusión y déficits económicos para ofrecer un *fast track* que les permite a la final concentrar poder y eternizarse en la presidencia, sin necesariamente solucionar nada.

La pandemia, por su parte, reforzó estas tendencias que venían en curso. Así lo corroboran varias organizaciones que se ocupan de medir la salud de la democracia en el mundo como el *Índice de Democracia*, que anualmente elabora la revista *The Economist*, *V-Dem Institute*, *Idea Internacional*, y el *Índice de Riesgo Democrático* de la Universidad Católica de Chile, entre otras. Las tendencias autoritarias son transversales a las ideologías, y así las tensiones más relevantes que estamos viviendo en el orden sociopolítico son entre autocracias y democracias independientes de los rasgos ideológicos de los actores.

Como ya lo señalamos en el pasado LASA Forum, este contexto nos incentivó a poner en el centro del congreso de 2023 de Vancouver los temas relacionados con la democracia y los DDHH. Bajo el concepto “Pensar, representar y luchar por los derechos”, buscamos impulsar a la membresía a pensar sus disciplinas y ámbitos de trabajo en relación a este tema y todas sus ramificaciones. ¿Cómo contribuimos con nuestras investigaciones a favorecer las tendencias para la convivencia

pacífica, democrática y de justicia social?

¿Cómo fortalecemos principios de tolerancia, pluralismo y respeto a la libertad de pensamiento?

Necesitamos, más y mejor conocimiento

para producir políticas públicas que combatan inequidades,

discriminaciones y violencias. Como comunidad del conocimiento, entendemos que nuestro compromiso con las sociedades, sus actores y gobiernos es el de darles instrumentos cognitivos para comprenderse, organizarse y gobernarse con la mayor libertad, equidad y justicia social posible.



Pensando en todo esto, el centro de este nuestro LASA Forum número dos, posa su mirada analítica sobre uno de los ejes temáticos especiales que aparecen en el programa: “¿Quién manda en América Latina y el Caribe? De los poderes fácticos a la gobernanza criminal”. El dossier coordinado por los profesores David Smilde y Camilo Nieto-Matiz contiene seis artículos de alta calidad académica donde se mira la gobernanza criminal y sus desarrollos más recientes. En grandes espacios urbanos, rurales y hasta carcelarios en países como Brasil, Centroamérica, México y Venezuela, bandas criminales ejercen control sobre los ciudadanos, proveyendo seguridad y otros servicios, y llegando en algunos contextos a tener más poder sobre las autoridades públicas que los votantes. Estos fenómenos despiertan múltiples preguntas importantes, no solo sobre el crimen y la violencia sino sobre la soberanía, la seguridad y la legitimidad. Adicionalmente, como complemento del dossier, incluimos el testimonio desgarrador de uno de los

muchos muchachos encarcelados en El Salvador, delincuente y víctima de estas realidades, recogido por Jenna Knapp, una activista que lleva años trabajando en dichos recintos.

Ya cerrado el período de recepción de propuestas para el congreso, el 8 de septiembre, me es grato informarles que la respuesta dada por nuestra membresía al desafío temático planteado ha sido positiva. Nos llegaron más de 2.000 propuestas. Calculamos que una vez revisados y organizados tendremos en el congreso unas novecientas sesiones entre paneles, talleres, eventos especiales, presentaciones de libros y otras. El carácter híbrido de nuestro congreso facilitará una difusión de sus actividades a los más de 90 países donde tenemos miembros y así mismo, disfrutaremos de un reencuentro en espacios presenciales de discusión, debate, reencuentro de colegas, exhibición de publicaciones, documentales y todo lo que la pandemia nos quitó estos últimos tres años. Quiero aquí expresar en nombre de la asociación nuestra gratitud a todos aquellos de nuestros miembros que generosamente han aceptado dar parte de su tiempo para tareas de revisión, organización y evaluación de estas propuestas. El trabajo como miembros de los distintos jurados, y los presidentes de los más de treinta ejes temáticos (*track chairs*) es crucial para el éxito de nuestro congreso y ha sido por tradición un servicio gratuito que se presta a la asociación como apoyo a su sustentabilidad. Muchas gracias de todo corazón a todos ellos.

Aprovechamos la ocasión para informar y transmitir nuestro contento por la inauguración el pasado 14 de septiembre de la nueva sede de LASA en el 4201 Bigelow Boulevard de la ciudad de Pittsburgh. Propiedad adquirida por LASA en 2019, es un amplio edificio histórico que en el pasado albergó el Heinz History Center de la ciudad. Allí tendremos nuestras oficinas, un auditorio y espacios para sostener reuniones, eventos y desarrollar otras actividades académicas. También en este edificio LASA abrió el Latin American Cultural Center and Museum. LACC es un proyecto aún en pañales, pero que potencialmente podrá servir a nuestra membresía y a la ciudad de Pittsburgh como espacio para la

enseñanza de la diversa, compleja e infinitamente rica cultura de América Latina y el Caribe. Esta propiedad nos independiza de universidades u otras instituciones, y nos procura mayor fortaleza económica como asociación dedicada a los intereses de una membresía dispersa por todo el globo. El Comité Ejecutivo de LASA está creando un subcomité para darle curso a las necesidades del LACC, con miembros del Comité, de la sección Visual Culture y el equipo que se encargó hasta ahora de este proyecto. Los invitamos, particularmente a quienes tienen experiencia en curadurías e interés en asuntos museísticos, que piensen en proyectos para sacarle provecho.

También queremos informarles que una comisión del tren administrativo de LASA se trasladó en agosto a la ciudad de Vancouver para comenzar los contactos necesarios para el trabajo organizativo y logístico de preparar el congreso. Entre los asuntos que desde entonces ocupan nuestra mayor atención es lo concerniente a las visas, una exigencia del gobierno de Canadá para ciudadanos de muchos países de América Latina, el Caribe, y otros países fuera de la región. LASA introdujo inmediatamente la petición a la Cancillería canadiense para el reconocimiento de nuestro congreso como un evento especial y estamos esperando la aprobación para que, quienes necesiten visa lo adjunten a su petición, junto con una carta institucional de LASA que está ya lista, constatando que han cumplido todos los requerimientos para asistir. Con ello esperamos que las visas salgan sin problema. Llevaremos un seguimiento continuo sobre este asunto, y al mismo tiempo conminamos a todos ustedes a no descuidarse y solicitar la visa en la página web de la cancillería de Canadá tan pronto tengan las cartas. Se nos ha advertido que el proceso es sumamente lento y engorroso. Necesitan adelantarse a las demoras de meses que según las experiencias de otros congresos lleva este trámite.

Disfruten este fin de estación, el comienzo en muchos países del nuevo ciclo académico, y estén pendientes de las diversas actividades, entre ellas de este LASA Forum y varios LASA Dialogues, que estamos desarrollando como antesala al congreso de Vancouver. //

Criminal Governance in Latin America: Emerging Agendas

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While Latin America's astronomical rates of violence have actually gone down in most countries in the last couple of years, it is still the most violent region of the globe. What is more, in many cases these declines are not the intended consequences of government policies but result from a process whereby competing criminal networks consolidate into regimes of criminal governance. Often enough, it is criminal groups rather than the state that provide day-to-day security.

As Benjamin Lessing argues in his introductory essay, criminal governance is not the same as corruption or penetration of the state by organized crime. Rather it involves criminal groups imposing basic order directly on nonmembers, such as residents of peripheral neighborhoods. Criminal groups often wield a degree of territorial control in these spaces, but state security forces can usually enter when they want. For residents, both the state and the local criminal group are relevant armed authorities.

In many cases criminal governance regimes not only keep the peace but impart justice and provide other services, often more effectively than official governments. For example, in her case study of criminal governance in Caracas, Verónica Zubillaga shows that in some of these spaces criminal leaders erect tribunals and, incredibly, are even referred to as “ministers” by residents. However, criminal groups are not necessarily the antithesis of state authority. While states may, at times, confront criminal organizations and implement iron-fist policies against crime, they can also benefit from the order that criminal groups provide, sustaining

sympiotic relationships with them that are not well understood using standard conceptions of corruption.

The order created by criminal governance is not confined to urban peripheries or rural areas. Rather, as Marcelo Bergman describes, prisons have been a hotbed of criminal organizations in Latin America. Mass imprisonment coupled with opportunities for illicit rent-seeking have facilitated the emergence of criminal bands within prisons. More importantly, prison-based organizations, in many cases, spread their tentacles beyond the jailhouse walls—competing or even colluding with state authority—and exercise criminal rule on the outside.

Criminal governance presents enormous challenges for governments throughout the region. In many cases they have provided the security and even justice that abusive, corrupt states have not, and in the process they implicitly (or explicitly) challenge the state's legitimacy. The state's most usual response is to combat any threats to its monopoly sovereignty. This, however, often leads to dramatic upswings in violence, as Angélica Durán-Martínez discusses in her essay. Alternatively, states can negotiate with criminal networks, taking advantage of their ability to provide security and avoiding violent conflicts. However, these agreements can be quite unstable and produce dramatic outbreaks of violence or significant worsening of crime and strengthening of criminal networks. Worse yet, it seems that what works in one context does not necessarily work in another.

Citizen groups themselves can develop ways to address state neglect or inefficacy. In their essay based on research in the state of Guerrero, Mexico, Guillermo Trejo and Shannan Mattiace show how Indigenous security initiatives have been able to provide security and prevent the entrance of the criminal groups that would aspire to govern. Their history over the past four decades show how recognition or intervention can facilitate or erode their success.

This is an issue that, on the one hand, pushes us to look with an open mind at basic issues of governance and rights beyond the effective reach of current institutions. On the other hand, it does not fit into breezy assumptions of the natural virtue of grassroots initiatives or the need to automatically recognize popular justice. This type of security comes with strings attached and often ends up facilitating more durable, more powerful, and more sophisticated networks of crime and violence.

Governance by extralegal nonstate actors raises important questions about the nature of sovereignty, security, and legitimacy in Latin America. In Charles Tilly's classic formulation, states began as protection rackets. Is there any potential for aspects of these criminal networks to turn into legitimate local organizations? The history of organized crime in many parts of the world shows paths from illicit to licit business that slowly become functioning parts of legal society. But it is not at all clear that such a teleology is inevitable. We need to understand varying trajectories.

In his article, Eduardo Moncada studies how neighborhoods with similar levels of crime and violence experience different trajectories of citizen mobilization in addressing water scarcity. Drawing on fieldwork conducted in Mexico, Moncada shows how the nature of criminal governance—relations among criminal organizations and between them and the state—shapes communities' ability to deepen democracy from below. If criminal governance has serious consequences for democracy and public security, then it is crucial to ask about the dilemmas and benefits of negotiation. Ideally,

a negotiation process with any criminal group would reduce violence while weakening the group's territorial influence and collusion with political power.

But as Durán-Martínez suggests in her article, this is a rather challenging task, for criminal groups' capacity to reduce violence depends on their level of cohesion and effective capacity to rule. If interested in building a durable peace, policy-makers and leaders should aim for negotiations that not only produce concrete benefits beyond homicide reduction, but also empower civilian actors and victims in the process.

The theme of LASA 2023 is “Pensar, representar y luchar por los derechos” (Thinking, Representing, and Fighting for Rights). Among the most important of these is the right to security. Yet this right is one of the most challenging to guarantee because of its inherent complexity and its nonlinear relationship to the fulfillment of other rights. This dossier brings together statements from leading scholars dedicated to understanding one emerging direction that research on these issues is taking. //

Hiding in Plain Sight: The Puzzling Pervasiveness and Persistence of Criminal Governance

by **Benjamin Lessing** | University of Chicago | blessing@uchicago.edu

Throughout Latin America, from rural zones to the informal neighborhoods of its largest cities, a startling reality hides in plain sight: local criminal organizations govern, as much if not more than the state. At a minimum, they impose rules and restrictions; often they resolve disputes, enforce property rights, and even provide welfare and infrastructure. The state, for its part, may be negligent or distant, but is never entirely absent. Residents retain a form of citizenship, however “low-intensity” (O'Donnell 1993): they can and do vote, obtain licenses and (sometimes) deeds, pay utility bills, use public health services and schools, and receive whatever benefits are on offer. State forces, moreover, can typically enter at will, if not always without violence. Yet when they do, they rarely stay for long. Ask people “Who is in charge here?” and the answer is usually clear: it's the local gang, or *pandilla*, or *milícia*, *facção*, *colectivo*, or cartel, that's who. Residents know it, police know it, politicians know it, and, increasingly, researchers know it.

Criminal governance, as this phenomenon has come to be called, has important consequences at many scales. It shapes the daily lives of tens of millions of Latin Americans, for better and for worse. Gang rule can be violent and unforgiving, but it can also be responsive and effective. It can make marginalized neighborhoods, ironically, places where residents don't need to lock their doors, even if they must also pay extortionate protection fees and taxes on basic commodities. For inmates in overcrowded and violent prisons, it can bring basic physical safety and an end to systematic rape, theft, and assault. In both settings, it can offer critical protection from abuse at the hands of the state. At the same

time, it makes those governed beholden, and forces them to navigate a treacherous and schizophrenic landscape of overlapping criminal and state authorities.

Criminal governance can also bring order to the criminal underworld, delineating turf, settling beefs, and organizing local crews and gangs into larger, often prison-based structures like Brazil's *facções* (factions) or Central America's *maras*. This too has paradoxical effects, pacifying neighborhoods with endemic gang skirmishes while also making possible city- or region-wide criminal conflicts of civil-war intensity. When the criminal underworld becomes highly organized, sometimes into just a handful of groups, macro-level measures of crime and violence depend overwhelmingly on whether these groups are at war. This can give criminal groups an important bargaining chip with elected officials, and leads to (often correct) speculation that sharp drops in homicide rates are the result of government-initiated pacts.

Zooming out even further, as criminal governance becomes an ingrained fact of life in ever-expanding prison systems, urban peripheries, and even some rural areas, it can affect larger sociopolitical processes. It likely plays a key supporting role in urbanization and economic development, which would become unviable if peripheries were permanently anarchic. At the same time, it facilitates ongoing neglect and hardline repression by the state, and stands in the way of true democratic consolidation and universal, full citizenship.

Despite invaluable contributions from scholars across disciplines, including the authors in this dossier, the study of criminal governance is still in its youth. The phenomenon is hard to observe and characterize, not only because it is illegal, and thus often concealed, but also because state officials have incentives to downplay or deny its existence. Ethnography provides the best, and perhaps only, direct observations, though usually only in single settings. In well-studied cases like Rio de Janeiro, Medellín, and El Salvador, such observations slowly aggregate up to rich and nuanced bases of knowledge (e.g., McCann 2006). These in turn have provided indispensable grounding for more recent comparative, experimental, and econometric work. But for the region—and the world—as a whole, the true extent, range of variation, underlying causes, and possible remedies all remain poorly understood. What we can say with confidence is that criminal governance is pervasive, varied, persistent, and puzzling. I consider each of these characteristics in turn, after a brief overview of the concept itself.¹

What Criminal Governance Is, and What It Is Not

First, what it is not: the term *criminal governance* is occasionally used to criticize forms of state governance that authors see as repressive, illegitimate, or illegal (often in terms of international human rights law). It is also frequently conflated with corruption, especially the involvement of state agents in illegal activities, or the penetration of criminal actors into state offices. These usages muddy the water and should be avoided. Criminal governance is carried out by criminal (i.e., criminalized) groups, not state agents, and is logically independent of corruption, a point I return to below.

At its core, criminal governance involves the imposition of rules and restrictions by an armed criminal group. Most commonly, it refers to governance over noncriminal “civilians,”² much

as “rebel governance” refers to insurgents’ rule over noncombatant populations (Arjona, Kasfir, and Mampilly 2015). However, a critical difference with rebels is that criminal organizations also frequently govern illicit markets, criminal activity, and the underworld in general. Governing civilians versus criminals may seem wildly different—the first a shocking incursion into what should be the sole domain of the state, the second a natural or even defining characteristic of organized crime (e.g., Gambetta 1993; Schelling 1971). Criminal groups’ internal governance, something all organizations have, might appear even further off topic. Yet it is useful to include all three in a broad definition of criminal governance, for two reasons. First, the boundaries between members, affiliates, new recruits, their families, and noncriminal “civilians” are porous and hazy. Second, the governing practices and institutions that criminal groups develop at one level often spill over into another.

Although criminal governance is often compared to governance by states and rebels, or lumped in with other forms of nonstate governance (Skarbek 2011), it differs from all of these in at least one critical respect. Scholars of state formation have found organized crime a powerful and vivid metaphor: states can be usefully analyzed as protection rackets (Tilly 1985), “stationary bandits” (Olson 1993), or, in their “primitive” state, essentially “gangs” (Skaperdas and Syropoulos 1997). Yet real protection rackets, illicit firms, and gangs arise in worlds where states already exist and indeed wield great power over criminal groups. For the same reason, criminal governance is fundamentally unlike forms of nonstate governance that arose in truly stateless times and places (e.g., Milgrom, North, and Weingast 1990).

Similarly, while it is sometimes useful to analyze criminal groups together with rebels and insurgents as “nonstate armed actors,” doing so elides a critical fact: criminal groups virtually never establish absolute territorial control and

¹ The next section summarizes the conceptual framework offered in Lessing 2021.

² Strictly speaking, criminal actors are civilians too, of course, but the intended distinction is meaningful, if not always empirically clear.

often do not even come close. Police enter the areas in which they operate all the time—in fact, reducing their exposure to police is one important reason why criminal groups govern in the first place. Rebel and insurgent groups, in contrast, often do establish areas of exclusive territorial control, and it is in these “liberated zones” that rebel governance over civilians most often arises (Arjona, Kasfir, and Mampilly 2015). Moreover, rebel groups govern as part of an explicit project of “competitive state-building” (Kalyvas 2006) ultimately aimed at seceding from or toppling the state and assuming its mantle. Criminal groups do not have such aims, and criminal governance does not constitute an existential threat, or even a thoroughgoing alternative, to state governance.

Rather, criminal governance is by nature *embedded* within a larger sphere of state governance; indeed, embeddedness can be seen as its distinguishing characteristic (Lessing 2021). Sometimes it is physically embedded. Many governing criminal organizations begin as prison gangs, and continue to govern large inmate populations while nonetheless contained, surrounded by, and subject to the coercive force of the state. The urban peripheries where gangs govern typically abut more formal regions with strong state presence, with police often demarcating the frontier. Criminal governance can also be embedded in a metaphorical sense: criminal organizations govern illicit markets, like drug retailing, that only exist *qua* illicit markets because states have enacted and enforced prohibition. Indeed, there can be no “criminal” anything without a state to do the criminalizing (e.g., Feltran 2012; Koivu 2018).

The term *governance* may seem problematic in its own way, since criminal groups generally do not establish a monopoly on the use of force. On the contrary, areas of criminal governance tend to form “duopolies of violence” (Skaperdas and Syropoulos 1997), their subjects caught between the state and the criminal authorities that together order their lives. As such, criminal

governance evades Weberian definitions because it refers to utterly non-Weberian situations. Moreover, these situations are not exceptional and transitory (as a naive reading of Weber might predict), but rather pervasive and persistent, two characteristics to which I now turn.

Criminal governance is pervasive

Accumulated ethnographic and journalistic research has documented criminal governance throughout Latin America, in countless communities both urban (e.g., Arias 2006; Dudley 2020; Feltran 2010; Moncada 2021) and rural (e.g., Blume 2021; Duncan 2015).³ Yet these observations surely constitute but a sample of a larger universe. Precisely how much larger is impossible to say with confidence given the current lack of systematic data, but my coauthors and I (Uribe et al. 2022) have produced a provisional estimate using the 2020 Latinobarómetro survey, which for the first time contained questions related to the issue.

Fully 46 percent of respondents across the 18 countries surveyed reported the presence of “organized crime, armed groups, narco groups, or gangs” in their communities. A follow-up question then asked what roles these groups play, and 13 percent included “control robberies, improve security” or “keep order” among their answers (other options include “extortion” and “use violence”). If these results are, as Latinobarómetro claims, nationally representative, then an astounding 79 million people in Latin America live under some form of criminal governance.

Obviously, these estimates are very rough. Perceptions of crime can be notoriously disconnected from objective reality, and respondents may underreport out of fear and “social-desirability bias,” or overreport if they interpret the questions to be about their entire municipality rather than neighborhood. The questions’ wording may also mean the results include “armed groups” not usually

³ Not to mention the US (Sánchez Jankowski 1991) and even the UK (Campana and Varese 2018).

considered criminal, like guerrillas, although the concentration of governance in large urban versus rural areas, and in countries without active insurgencies, suggests that this is not a major factor.

In any case, at least 5 percent of respondents in every country surveyed reported the presence of a criminal group engaged in governance activities, a surprising finding on its own. Also surprising, governance was relatively high in countries not especially associated with organized crime, like Costa Rica (12 percent) and Ecuador (10 percent). On the other hand, Brazil—home to the world’s most powerful prison gangs and some of the most extensive criminal organizations in the world—was off the charts at 25 percent. This may reflect the spread of its prison-based “factions,” especially Rio’s Comando Vermelho (CV) and São Paulo’s Primeiro Comando da Capital (PCC), to virtually every state, and with them the practice of high-profile prison-orchestrated terror attacks, coupled with their strong identity as governing groups in peripheral communities (Lessing 2022). In a 2021 national survey, 91 percent of Brazilians reported some likelihood of factions in their neighborhood (Fórum Brazil UK 2022).

Criminal governance is varied

These startling figures conceals enormous variation. What criminal governance looks like in practice, how far it extends into what dimensions of daily life, and how it interacts with state authority all vary immensely from country to country, city to city, community to community, and over time. Some organizations impose but a single rule: don’t call the cops; others may regulate residents’ entry and exit, licit commerce, dress, and hairstyles, or even religious practices (Miranda et al. 2022). Many groups ban and punish robbery, theft, and sexual crimes; some provide dispute-resolution services and even limited welfare and infrastructure. One crucial difference among groups is that some demand security fees from local businesses and even tax residents, while others fund their governance

almost entirely from drug retailing or other illicit activities, and demand only residents’ complicity during police incursions.

Criminal groups also vary in how they govern and how well they govern (Magaloni, Franco-Vivanco, and Melo 2020). All criminal groups ultimately rely on coercion (i.e., guns and the willingness to use them) to establish ruling authority, but some lean more on “soft power” and perceived legitimacy, others on punitive and terrorizing violence. In some forms of criminal governance, power is largely personalistic, flowing from charismatic “bosses,” “*donos*,” and “*patrones*,” whose decisions cannot be easily questioned (Hirata and Grillo 2017). In others, power flows more from shared and universal norms, ideals, and procedures, against which individuals’ actions can be judged (Biondi 2016). Finally, some criminal groups—São Paulo’s PCC is the most extreme example—are rather shockingly efficient and efficacious in their governance, capable of producing major shifts in crime rates and other indicators (Lessing and Denyer Willis 2019). Others, tragically reminiscent of weak states, maintain the outward trappings of legitimate authority—founding statues, bylaws, ruling councils, and so on—without providing much effective governance for those under their rule.

Criminal governance is persistent

While it may be too soon to say for places like Ecuador and Costa Rica, in leading cases, criminal governance has proven remarkably persistent.

Perhaps the starkest example is Rio de Janeiro, whose informal favela communities have, almost since their inception at the dawn of the twentieth century, relied on informal local bosses (*donos do morro*) of one sort or another to provide local order (Fischer 2022). At times these were simply local authority figures, or the “bankers” who ran the city’s traditional *jogo do bicho* numbers racket (Misse 2007). Since the 1980s, when the Comando Vermelho expanded from prison to dominate the booming retail drug trade operated from Rio’s favelas, these bosses have been drug lords, figures demonized by the police and political elites and subject to lethal

and increasingly militarized policing (Leeds 1996; Zaluar 1985). Despite nearly 40 years of such brutal state repression and violent rivalries with other criminal groups, the Comando Vermelho today controls more favela territory than any other single armed group and dominates the lucrative retail drug markets of the city's wealthy South Zone.

Similarly, Medellín's low-income barrios have been home to street gangs (*combos*) with local governance capacity since at least the mid-1980s, only briefly substituted by guerrilla-linked urban militias in the early (Martin 2014). Since then, *combos'* provision of governance has steadily grown (Gutiérrez Sanín 2004), most dramatically in the late 1990s, when they were integrated into a citywide militarized hierarchy under the paramilitary leader and international drug trafficker known as Don Berna. A brief *pax monopolista*, known locally as *donbernabilidad* ("Don Bernability"), brought sharp reductions in Medellín's homicide rate but collapsed in the wake of Berna's extradition, sparking a violent war for succession. In spite of this, *combos'* governance only grew stronger, as they turned to protection fees and drug retailing as a primary source of revenue to replace Berna's largesse. A wave of arrests of the city's top crime bosses in 2018–2020 has similarly had little effect on the day-to-day governance that its neighborhood *combos* provide.

Additional cases abound. São Paulo's PCC expanded its rule from the prison system to the city's vast periphery in the early 2000s, coinciding with a transformative drop in its homicide rate from 66 to under 10 per 100,000 (Biderman et al. 2019). Twenty years later, despite (or because of) a steadily rising incarceration rate, the PCC's hegemony in the periphery remains unchallenged, and São Paulo remains Brazil's lowest-homicide state. El Salvador's *maras* subsumed street-level *klikas* into their prison-based structures in the early 2000s, forcing them to systematically extort local businesses, and presumably provide some form governance in return. Their capacity to control violence was made clear in 2011, when a state-negotiated pact brought a 50 percent reduction in homicides

almost overnight (Cruz and Durán-Martínez 2016). Yet even after the pact collapsed and consecutive governments instituted increasingly repressive anti-gang campaigns, the *maras* still retain significant control over homicide rates. So much so, in fact, that President Nayib Bukele was willing to risk his public image as the most brutal hardliner of all by trying to secretly negotiate a pact of his own. Venezuela's *megabandas*, which formed in prison and came to govern significant swathes of slum territory around 2010, survived an astonishingly lethal police onslaught in 2015–2016, emerging strong enough to strike an unusually overt pact with the Maduro government in 2017 (Zubillaga, Hanson, and Sánchez 2022). In a nice touch, the pact was called Zonas de Paz, apparently in reference to the original 2011 *mara* pact in El Salvador.

Criminal governance is puzzling

The phenomenon of criminal governance presents a host of puzzles for researchers to grapple with. The most straightforward may be, Why govern in the first place? From local street crews banding together for a sense of identity and protection to international drug cartels overwhelmingly motivated by profits, it is not obvious why criminal organizations would expend resources on establishing ruling authority over nonmembers. Indeed, if the Latinobarómetro results are any guide, most criminal organizations do not govern civilians. Yet many do, often quite intensively.

One plausible answer is that governance itself is a kind of illicit business line, allowing organizations to charge protection fees, extort businesses, and tax utilities and staples. Taxation of one form or another is a common feature of criminal governance. Indeed, in El Salvador the demands by imprisoned *mara* leaders for extortion profits from street-level affiliates seems to have been the motivation for them to provide what little governance they do. But here another puzzle arises, since many criminal organizations do not appear to tax at all. The contrast is sharpest in Rio, where the Comando Vermelho and rival factions

typically sell drugs but do not tax, while its police-linked *milicias* typically tax while eschewing retail drug trafficking (e.g., Arias and Barnes 2017).

But perhaps the most enduring puzzle concerns the state. If it is the essence of modern states to successfully claim a monopoly on the use of force (Weber 1946), why do so many Latin American states conspicuously fail to do so? The generally urban character of criminal governance adds to the puzzle, since state power presumably emanates outward from the metropole. The obvious answer is that states lack the necessary capacity to eliminate criminal governance, and in some sense this is almost undeniable. Yet the persistence of criminal governance makes this answer unsatisfying. Governing criminal groups have survived brutal and sustained repression by states whose capacity, by most measures, has grown over time. Even if some specific capacity were lacking when criminal governance first arose, why not reorient the necessary resources to acquire it?

Here it is tempting to blame corruption. To be sure, corruption abounds in Latin American states, especially where drug profits are a factor; it would be naive to ignore it. For many criminal organizations, systematic bribe payments are a part of business as usual (e.g., Lessing 2018; Snyder and Durán Martínez 2009). And if officials and agents stand to benefit personally from continued criminal governance, they may have little incentive to fight it.

Yet the personalistic benefits to state agents of criminal governance differ profoundly from those of other illegal activities. Neither the state nor its agents get any inherent benefit from, say, drug trafficking; any benefit comes in the form of bribes, at the expense of the traffickers. In contrast, states and their agents can and do benefit directly from criminal governance, because they share a common interest in order (Lessing 2022). Guards, wardens, and even governors all benefit when gangs pacify prisons, even if it leaves the gang stronger. Police may find they have an easier job if local gangs take on quotidian governance tasks in marginalized communities. Critically, the order criminal groups

provide is, like all order, a public good, with the quality economists call *non-excludability*: once that gang provides it, the state and its agents cannot but benefit from it. This alone could help explain the persistence of criminal governance, with no pact, negotiations, or bribes required.

Conclusion: The Road Ahead

The study of criminal governance thus points to less familiar forms of crime-state relations, a realm of consensus and symbiosis (Adorno and Dias 2016; Denyer Willis 2015), in which the activities of one actor produce, unconsciously at times, benefits for the other (Lessing 2021). Of course, corruption remains a central issue, and research on Latin America's drug wars and criminal groups has made critical progress by developing key concepts like "state-sponsored protection rackets" (Snyder and Durán Martínez 2009), "grey zones" of collusion between state agents and criminal actors (Auyero 2007; Trejo and Ley 2020), and even full-blown "integration" of criminal groups into the machinery of the state (Barnes 2017). Yet these analytic frames alone may fail to capture aspects of the underlying strategic relationship, producing blind spots and misdiagnoses.

As criminal governance becomes entrenched in prisons and peripheries, states become dependent on it not so much for the illicit profits it generates but for the order it provides. The very policies that contribute to criminal governance—hardline drug repression, militarized policing, mass incarceration, and generalized neglect of peripheral communities—are themselves sustained by it. Bringing the study of criminal governance as crime-state symbiosis into our analyses of broader issues like state building, democratic consolidation, and economic development is critical to understanding Latin America today and charting a course for a more just and equitable tomorrow.

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Gobernanza criminal en la Caracas post-Chávez

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La gobernanza criminal en Caracas

La segunda semana de julio de 2021, la zona central oeste de Caracas denominada El Paraíso, vivió tres días de intensas confrontaciones armadas entre las fuerzas policiales y las bandas criminales de una cadena de barrios del sur oeste de la ciudad conocida como La Cota 905.¹

Los enfrentamientos que presenciamos fueron el hito que marcó la ruptura de acuerdos que duraron cuatro años entre las bandas criminales aliadas y representantes del gobierno de Maduro. Fueron también el hito que marcó el fin de la gobernanza criminal más evidente en la ciudad. Dichos acuerdos, que eran un secreto a voces, se habían fraguado en el calor del colapso económico y la conflictividad social y política que tomó la ciudad en 2017, y vinieron después del fracaso de los *Operativos de Liberación del Pueblo*, las operaciones militarizadas anticrimen más violentas que los venezolanos hayamos presenciado en nuestra historia.

Monitor de víctimas, un reconocido registro epidemiológico de muertes violentas, documentó que en Caracas, a partir de 2018, la tasa de homicidio pasó de 40 a 16 homicidios por cien mil habitantes en 2021. Esta disminución fue particularmente marcada en las parroquias de Santa Rosalía y El Paraíso donde se extendían las bandas criminales. A un año de los acuerdos entre las bandas criminales y el gobierno de Maduro, entre 2018 y 2019, las tasas de homicidio descendieron a la mitad en Santa Rosalía al pasar

de 50 a 24 homicidios por cien mil habitantes. En El Paraíso descendieron de 36 a 20 homicidios por cien mil habitantes. Otra parroquia como Petare, tradicionalmente con elevadas tasas de homicidios y presencia de bandas criminales, presentó descensos en sus tasas de homicidio, pero mucho más modestos. En esta parroquia los homicidios disminuyeron de 46 a 42 homicidios por cien mil habitantes.

Una vecina del barrio La Cota 905 con quien conversamos, nos contó: “Aquí no se pierde ni un par de zapatos, ni un teléfono, nada. Aquí no se permite ninguna sinvergüenzura... antes robaban mucho... Es complicado, pero a la vez efectivo. Aquí la gente sabe que si roba algo, lo matan”. De este relato destaquemos algunos procesos que nos interesan para poder afirmar la existencia de la gobernanza criminal: 1) el cambio constatado en el contraste entre el antes y el después; 2) la dominación establecida por la organización criminal que es reconocida y pública; 3) el saber compartido por la comunidad y la claridad de las formas de regulación establecidas; 4) la crueldad de estas reglas y sus sanciones, así como la ambivalencia de la comunidad.

En la Caracas actual, podemos hablar de “gobernanza criminal” (Arias, 2017; Lessing, 2020), puesto que de acuerdo a los testimonios que hemos recogido, las vidas, rutinas y actividades de la población se vieron reguladas por las normas y códigos de los grupos criminales que prevalecieron en estos territorios.

¹ Este ensayo forma parte de una investigación en curso con Rebecca Hanson y Francisco Sánchez. Retoma partes de la discusión presentada en: Zubillaga, Hanson y Antillano, 2021; Zubillaga, Hanson y Sánchez, 2022. El ensayo se basa en entrevistas con miembros de la banda criminal, agentes policiales y vecinos del barrio Cota 905.

En este ensayo describimos y analizamos la mutación de las relaciones entre las bandas criminales y el gobierno de Nicolás Maduro que condujeron al establecimiento de una gobernanza criminal en esta vasta zona de la ciudad que llevó al descenso de crímenes en Caracas. La consolidación de esta gobernanza, que en su momento llamó la atención nacional e internacional por la visibilidad de su poder armado, configuró el ejercicio de una violencia más organizada por el creciente poder y la dominación territorial de las bandas criminales articuladas entre sí y con volátiles relaciones de alianza estratégica y coyuntural con sectores del Estado

Proponemos que la reorganización de los actores armados producto de las políticas de mano dura ha sido fundamental para el establecimiento de la gobernanza criminal. Las políticas de mano dura ocasionaron la alianza de estos grupos para enfrentar al enemigo común. La articulación de estos grupos y la adquisición de control territorial, en un periodo de colapso económico, escasez de alimentos, intensa conflictividad política en la ciudad, y ante el fracaso de las políticas de mano dura, forzó a funcionarios del gobierno a ensayar nuevas aproximaciones con los grupos criminales que les aseguraron el control territorial y el descenso de la violencia. Es el período de consolidación de la gobernanza criminal. Sin embargo, una vez pasado el período de mayor conflictividad política y afianzada la hegemonía autoritaria gubernamental, ante las repetidas provocaciones y ostentación armada del grupo criminal, el gobierno de Maduro optó por un operativo fulminante que forzó la huida y pérdida de control territorial del grupo criminal.

De modo que la gama de relaciones de persecución, confrontación-pactos-confrontación intermitentes con diferentes sectores del Estado (Barnes, 2017), resulta central para comprender el proceso de articulación, soberanía territorial y establecimiento de la gobernanza que detentó este grupo en el territorio y sobre la población. Estas categorías organizarán este texto en lo que sigue.

La persecución y la articulación de las bandas criminales

Podemos ubicar las políticas de persecución y el encarcelamiento masivo (a partir de 2010) como un primer hito que, como en El Salvador (ver Cruz, 2010), originó la alianza entre bandas armadas. Estas bandas, anteriormente involucradas en disputas recurrentes, decidieron constituirse en un frente común ante la guerra al crimen declarada por el gobierno del entonces presidente Hugo Chávez.

Un nuevo fenómeno en Venezuela de bandas criminales con liderazgos claros y con numerosos miembros (Antillano *et al.*) se originó con el encarcelamiento masivo y la pérdida de control de las prisiones por parte del Estado. En las prisiones comenzaron a hacerse visibles las bandas carcelarias con jerarquías y control espacial; el desarrollo de mercados en el interior de las prisiones —comida, drogas, sexo, espacio; el cobro de impuestos entre prisioneros. En el flujo e intercambios entre la cárcel y el barrio, estas nuevas formas organizativas comenzaron a reproducirse en el exterior.

La Cota 905 fue un barrio especialmente propicio, pues muchos de los integrantes de las bandas terminaron en prisión. En medio de los flujos comunicativos entre el barrio, la cárcel y el regreso de los privados de libertad a su barrio, nuevas disciplinas y formas de organización se fueron asentando entre sus miembros. Estos saberes y la guerra decretada por el gobierno que se traducían en un permanente asedio policial originaron un gran encuentro entre los hombres armados pertenecientes a bandas en disputa para realizar un pacto y conformar un frente común.

Esta alianza establecida en 2015 se vio fortalecida por un primer intento de pactos de pacificación con las bandas criminales por parte del viceministro de Seguridad Ciudadana. Esta iniciativa de pacificación del viceministro llevó a declarar una *zona de paz* en la cadena de barrios

en la que se ubica La Cota 905². La propuesta de *zona de paz* implicaba el fin de la persecución policial, la asunción por parte de los integrantes de las bandas del orden en sus comunidades y el compromiso de dedicarse a actividades productivas legales. Sin embargo, a pesar de ser una *zona de paz*, los grupos criminales seguían siendo extorsionados por la policía por un lado y, por otro, no cumplieron con su parte del acuerdo y siguieron implicados en crímenes muy visibles.

La irrupción del operativo militarizado denominado Operativo de Liberación del Pueblo (OLP, por sus siglas) en La Cota 905, el 13 de julio de 2015, tomó a muchos por sorpresa. Ese día murieron 14 personas en manos de la policía y marcó el inicio del violento asedio policial a los vecinos del barrio y una cruenta guerra con el uso de granadas y enfrentamientos armados semanales entre la banda y algunos cuerpos policiales.

Un año y ocho meses después de haber lanzado el operativo, el 31 de marzo de 2017, la Fiscal General de la República denunció que en 2016 fueron asesinadas en Venezuela 21.752 personas. De éstas, 4.667 murieron en manos de las distintas fuerzas del orden. En otras palabras, ese día la Fiscal reveló que ese año el Estado venezolano, en las distintas incursiones de las fuerzas del orden, fue responsable del 21% de las muertes violentas que sucedieron en nuestro país. La tasa de homicidios se ubicó ese año en 70 homicidios por cien mil habitantes, la tasa más elevada en nuestra historia y sólo comparable con El Salvador. Ese mismo día la Fiscal declaró que estábamos presenciando la ruptura del hilo constitucional por la usurpación de funciones de la Asamblea Nacional por parte del Tribunal Supremo de Justicia —declaración que marcó el inicio de un ciclo de protestas que durarían cuatro meses y que cuestionaba fuertemente la legitimidad del gobierno.

Los pactos y la consolidación de la gobernanza criminal

En 2017, en un contexto de colapso económico y escasez de alimentos, de intensa agitación política en las calles y de elecciones de legitimidad cuestionada, las autoridades se atrevieron a buscar otras alternativas, de cara al fracaso de los Operativos de Liberación del Pueblo. Esta vez optaron por los pactos con la gran confederación de bandas criminales. Precisamente, José Miguel Cruz y Angélica Durán-Martínez (2016), refiriéndose a las reducciones de homicidios en El Salvador y Medellín asociadas a pactos entre autoridades y organizaciones criminales, destacan que “es cuando las organizaciones criminales desafían notoriamente la autoridad del Estado y sólo cuando han logrado cierto liderazgo y cohesión internos pueden obligar al Estado a buscar alternativas para reducir la violencia” (Cruz y Durán-Martínez, 2016: 198).

De acuerdo con el testimonio de vecinos, miembros de la banda criminal, agentes policiales y reportes en prensa, el 2017 marcaría el cambio en la política estatal. Marcaría el giro de la confrontación hacia un pacto de pacificación (Zubillaga, Hanson y Antillano, 2021). En estos acuerdos, los funcionarios convinieron el cese del hostigamiento policial de la OLP y el grupo criminal se comprometió a dejar crímenes ostentosos y de mucha violencia, como los homicidios y secuestros. Se comprometió, asimismo, de acuerdo a los entrevistados del grupo criminal, a organizar actividades en sus comunidades para que “la gente estuviera tranquila”, y los barrios no “estuvieran prendidos”. Contarían además con la tolerancia gubernamental para orientar sus actividades económicas al negocio de las drogas. Se confirmó por segunda vez esta área como *zona de paz*. En esta oportunidad, los jefes de la banda criminal decidieron apegarse a los acuerdos. Y los funcionarios, esta vez de altos cargos, decidieron

² Las Zonas de Paz fueron una iniciativa desarrollada por el viceministro de Política Interior y Seguridad Jurídica, José Vicente Rangel Ávalos, a partir de 2013. Para presentar la experiencia, el viceministro utilizó el mismo vocabulario asociado a la tregua con las maras en El Salvador, llevadas a cabo en 2011: “territorios libres de violencia” y “zonas de paz”. Estos pueden ser indicios de que el viceministro se inspiró de la experiencia salvadoreña para concebir su iniciativa en Venezuela (Zubillaga, Hanson y Antillano, 2021).

hacer cumplir estos arreglos, que se extendieron por cuatro años (2017–2021) y favorecieron la soberanía territorial de la confederación de bandas.

La soberanía territorial de las bandas era clara tanto para agentes policiales que entrevistamos como para los vecinos habitantes de estos territorios. Dos agentes policiales expresaron en una entrevista: “Esa zona de paz sí existe, no subimos los policías. Supuestamente los malandros tienen eso tranquilo y cuidan a los ciudadanos, pero la misma policía no puede entrar”. Para los vecinos, las fronteras territoriales se hallaban delimitadas por los puestos de vigilancia o “garitas”. En estos puestos, se encontraban los jóvenes equipados de “binoculares, armas largas y cortas”, en observación permanente, como describió una vecina, quien igualmente comentó que los agentes del orden no podían penetrar.

La banda de crimen organizado, según nuestros diversos entrevistados, constituía una confederación de bandas de 36 sectores aliados, con un nodo central en La Cota 905. Se decía que estaba conformada por al menos 300 hombres. Presentaba jerarquías, una jefatura reconocida llamada Principales o Directiva, un ejército de jóvenes en puestos de vigilancia o garitas (conocidos como “gariteros”), y una división del trabajo por tareas y turnos temporales.

La evidencia de la gobernanza criminal de estos grupos armados en su comunidad se advierte en el reconocimiento y certeza de su capacidad de regular la vida social en su barrio: “ellos [los grupos armados] son la ley”, dicen las vecinas. “Tienen sus reglas, y la gente sabe lo que puede y no puede hacer”.

Este orden de dominación estaba basado en la ostentación de armas. Y también en la implantación de una ley del silencio aplicada a través de castigos públicos y espectaculares, como, por ejemplo, la quema pública de una mujer por haber sido señalada delatora.

De acuerdo a los relatos, la banda criminal imponía las reglas básicas que regían la vida social como la prohibición de robar, de abuso sexual y de violencia doméstica. A propósito de la utilización del concepto de Gobernanza Criminal, es interesante destacar que los vecinos utilizaban el vocabulario de la burocracia estatal para hablar sobre sus funciones de regulación social. Las bandas que formaban parte de esta confederación eran reconocidas como “centros de denuncia”, “tribunales”, “fiscales” y “jueces”, como metafóricamente los denominaban los vecinos. Para los vecinos se trataba de una justicia expedita, o “efectiva”, que se impartía a través de una gradualidad que iba desde las advertencias frente a la falta cometida, los disparos en las manos o los pies o, en última instancia, la muerte.

La banda criminal también se ocupaba de actividades que tenían que ver con el desenvolvimiento de la vida pública de la comunidad. Mantenían un presupuesto comunitario para la celebración de fiestas, juegos deportivos y eventos de la vida común. Las vecinas denominaban a esta jefatura de la banda, siguiendo en clave metafórica con el léxico de la burocracia estatal, “los ministros”, por su capacidad de otorgar dádivas y participar en la distribución de beneficios y servicios sociales. Podríamos decir que se trataba de un *despotismo armado dadivoso* que, por un lado, imponía su dominación a través de la ostentación de armas, la implementación de castigos públicos letales y, por otro, hacía cumplir las normas de la vida social que aportaban tranquilidad a los vecinos, colmándolos con dádivas.

En tiempos de pandemia, esta zona se volvió floreciente para el negocio de la droga, al disfrutar de la tranquilidad de la articulación de las bandas, y al constituirse como una *zona de paz*. En este sentido, en un contexto de restricción económica e inestabilidad política, los acuerdos con los funcionarios garantizaban la tolerancia policial necesaria para el mercado de drogas y el mantenimiento de las rentas. Este mercado producía ingentes recursos sociales con grupos de consumidores y puntos de venta diferenciados de acuerdo a los clientes: desde el crack, para los más pobres, hasta la heroína.

Este negocio boyante constituyó una importante fuente de trabajo y estabilidad para un ejército de jóvenes abandonados a su propia cuenta. Se tenían turnos de trabajo, salarios semanales y distribución de funciones entre los que se contaban los gariteros o vigilantes en los puntos de control y los “laboratorios” en los que se prepara la mercancía, desde el peso hasta el empaque listo para ofrecer al consumidor.

Asimismo, durante la pandemia de Covid-19, en nuestro trabajo de campo documentamos que estos grupos impusieron medidas para el control del confinamiento. Registramos formas de comunicación a través de mensajes de voz para decretar toques de queda. Los grupos criminales tenían también injerencia en el programa oficial de distribución de bolsas de comida conocidos como Clap (Comités Locales de Abastecimiento y Producción), por el vínculo directo y el control sobre los miembros y representantes locales de estos comités. La distribución de alimentos por parte del grupo armado mostraba asimismo cómo la presencia intermitente del Estado contribuía al afianzamiento del poder del grupo armado y expresaba otras formas de asociación entre el Estado y los grupos criminales.

Confrontación, ruptura de acuerdos y caída de la gobernanza criminal

La pandemia que conllevó la militarización de la ciudad por parte del gobierno, y el aislamiento social de la población, contribuyó al aplacamiento de la conflictividad política en la ciudad y al afianzamiento del gobierno de Maduro.

Durante el período de los acuerdos (2017-2021), si bien las invasiones sistemáticas armadas se suspendieron, la confrontación con sectores de la policía nunca dejó de suceder del todo, hasta la ruptura del pacto, en julio de 2021, con el despliegue espectacular de lo que se denominó Operación Gran Cacique Guaicaipuro.

La voluntad de expandirse y ejercer control sobre más territorios por parte de la banda de La Cota 905 contribuyó con su posterior derrota.

Entre 2019 y 2021, la banda pasó de tener confrontaciones esporádicas con ciertos cuerpos policiales, a intentar tomar sectores de barrios aledaños, como el caso de La Vega, un importante barrio del Oeste de la ciudad de Caracas. En uno de sus últimos altercados, la banda tomó posesión de una estación policial en la parte más alta de este barrio, desplazando además a otros actores armados de la zona. Como respuesta a los avances de la banda, en enero de 2021, las Fuerzas de Acción Especial de la Policía (Faes), dirigió un operativo letal en el cual se registraron al menos 14 jóvenes asesinados. Algunos eran miembros de la banda y otros eran jóvenes de la comunidad intervenida.

Los grupos criminales persistían en demostrar su poderío tomando las vías públicas en varias ocasiones, trancando autopistas neurálgicas en la ciudad (la autopista Norte-Sur en Caracas). Estos conflictos comenzaban a anunciar el resquebrajamiento de los acuerdos. Evidenciaban, además, por parte de la confederación criminal, la voluntad de ostentar su poder armado. Esta ostentación comenzaba a traspasar los límites de lo tolerable y a tornarse inaceptable para el gobierno de Maduro. Estas dinámicas se mantendrían hasta julio de 2021, cuando la policía, luego de tres días de enfrentamientos que paralizaron al menos tres municipios de Caracas, consiguió entrar a La Cota 905, dejando al menos 37 hombres muertos. En ese operativo, las fuerzas policiales tomaron el control territorial del barrio, marcando la ruptura del pacto y la escapada de los cabecillas de la banda. Meses después, uno de los líderes de la banda fue muerto en medio de un operativo policial.

Las mujeres que entrevistamos nos narraron cómo vivieron la situación de conflicto armado esos días, con la escucha constante de tiroteos, explosión de granadas, en los que les cortaron la luz, durmieron en el piso y se quedaron sin alimentos.

Días después, en conversaciones con los vecinos, algunos se hallaban ambivalentes con respecto a la salida de la confederación criminal. Una pareja, Mara y Luis lamentaron la salida: “...eran tres días

defendiendo su comunidad. Porque sí estábamos tranquilos. No teníamos gente mala que nos fuera a robar. Tú podías dormir con tu puerta abierta y nadie te iba a robar. Dentro de todo lo malo ellos nos cuidaban. ¿Qué pasa ahora? Ahora no les tenemos respeto a los policías [establecidos en la comunidad después de los operativos militarizados], es rabia como con miedo”.

La ruptura sucedió en un contexto donde el gobierno de Nicolás Maduro se había fortalecido frente a una oposición fragmentada, debilitada y dependiente del apoyo internacional. La protesta política masiva había desaparecido de las calles.

Comentarios finales

En La Cota 905 las políticas de persecución y encarcelamiento masivo motivaron a las bandas en el sector a constituirse en un frente común ante la guerra al crimen declarada por el gobierno. La legitimidad amenazada del gobierno de Maduro, en un contexto de intensa protesta social callejera, y ante el fracaso de los operativos militarizados que se extendieron por dos años y que originaron denuncias sobre el uso sistemático de la violencia ilegítima, llevó a establecer formas de acuerdos con las bandas criminales. En la urgencia de garantizar el orden, estos acuerdos permitieron mantener (aunque sea de manera inconstante) el control social de la conflictividad en los distintos territorios de la ciudad, la disminución de los delitos más vistosos y el acceso a rentas en un contexto de escasez y emergencia humanitaria. En este sentido, la asociación coyuntural con las bandas criminales permitió el alcance de cierta estabilidad territorial contribuyendo perversamente al afianzamiento estatal (Cruz, 2016; Lessing, 2020).

Las gobernanzas criminales emergieron y se establecieron en medio de las volátiles relaciones con sectores del estado: de confrontación, pero también, de alianzas estratégicas a través de pactos. Aunque las confrontaciones intermitentes se mantuvieron, la articulación interna de las bandas y la reducción de la violencia letal policial contribuyeron a disminuir las muertes violentas en estas parroquias, al menos hasta julio de 2021, fecha de ruptura de los acuerdos. Y si bien

las muertes violentas disminuyeron, lo hicieron a costa del brutal despotismo y sometimiento armado de la población en sus territorios.

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El gobierno criminal en el encierro y desde las cárceles

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Comienzo con una anécdota:

En 2012, realizando encuestas en cárceles con internos en reclusión para un estudio sobre seguridad ciudadana coordinado por el PNUD (2013), mantuve varias entrevistas con los directores de las administraciones penitenciarias de seis países de la región con el objeto de solicitar su autorización para realizar las encuestas. En uno de ellos, el director revisó nuestra solicitud y en la entrevista se mostró muy interesado. Me dijo:

“Yo no tengo ningún problema, y si quieres hacer la encuesta, ¡adelante! ¡Ve y pídele autorización a los jefes de las bandas en cada unidad!”

Yo perplejo le pregunté: ¿“Pero no es usted el director del sistema penitenciario al que le debo pedir autorización?”. A lo que me respondió: “Sí, pero yo controlo lo que sucede afuera. Rejas adentro quienes mandan son los líderes de las bandas, y sin su colaboración y asentimiento, nadie te va a responder una encuesta”.

Desde luego conversamos con ellos y luego de su “aprobación” pudimos realizar exitosamente la encuesta. Los líderes de las bandas facilitaron nuestro trabajo.

Fue mi primer encuentro directo con el concepto de gobernanza criminal.

La primera enseñanza que luego confirmarían los datos fue que cuando existen liderazgos consolidados en las cárceles, ningún privado de su libertad hace algo sin la aprobación de ese liderazgo criminal. Su propia seguridad y bienestar no depende de las autoridades

formales de los centros penitenciarios, sino de su sometimiento a los arreglos, a veces brutales, del gobierno interno de las cárceles.

Bandas, pandillas y grupos criminales: La importancia de las cárceles

Las bandas criminales resuelven disputas, patrullan espacios, gravan y recaudan impuestos, y ejercen un monopolio de la violencia. Como en su momento lo sugirió Tilly (1985), los estados modernos pueden ser pensados como sustitutos de gobiernos liderados por organizaciones criminales, y al igual que lo sugiere Olson (1993), estos grupos en algún momento se transforman de bandidos errantes a estacionarios. El criminal es un tipo específico de gobierno.

La idea de gobernanza criminal se ha venido estudiando en América Latina durante los últimos años. El surgimiento de bandas y pandillas poderosas, incluyendo los carteles del narcotráfico, las pandillas centroamericanas (maras) y los grandes grupos criminales en Brasil, han estado ejerciendo un poder significativo sobre personas, espacios y mercados. En general, estos grupos tienen objetivos instrumentales ya que están orientados hacia la obtención de rentas, pero también en muchos casos tienen raíces identitarias y sus miembros persiguen objetivos vinculados a estatus y reivindicaciones ideológicas y sociales.

Muchos de estos gobiernos criminales se originaron o se consolidaron en las cárceles. Las maras centroamericanas tienen un lejano origen en las prisiones de la costa oeste de Estados Unidos. Las poderosas bandas brasileñas como el Comando Vermelho en Río de Janeiro y el PCC (Primeiro Comando da Capital) en San Pablo,

se gestaron en las últimas décadas del siglo pasado en las cárceles de esos dos estados. En los centros de reclusión de Panamá, Costa Rica, Ecuador y Venezuela, se han consolidado grupos que ejercen autoridad y obtienen obediencia por parte de los otros internos y de miembros de la organización fuera de los centros penitenciarios. Aun en Argentina, con poca tradición de pandillerismo letal, la alta violencia en la provincia de Santa Fe es orquestada por una banda desde las cárceles de esa provincia. En resumen, las cárceles de la región han sido generadoras de grupos y de organizaciones que impulsaron el gobierno criminal.

¿Qué explica este marcado crecimiento de bandas criminales? ¿Cómo lo han logrado? ¿Por qué las cárceles emergieron como espacios generadores de estos sendos gobiernos criminales? En los últimos años algunas investigaciones han abordado estas preguntas. La mayoría de estos trabajos se abocan a estudiar un grupo específico o algunos casos (Días y Salla 2013; Biderman et al. 2019; Ley, Mattiace y Trejo 2019; Lima 1991), mientras otros estudios han impulsado un desarrollo teórico para conceptualizar la gobernanza criminal en la región (Arias 2017; Lessing 2021; Skarbek 2020). En todos estos casos, las cárceles han jugado un papel importante en el desarrollo y consolidación de estas bandas. A diferencia de la literatura acerca del crimen organizado que busca entender la lógica de la obtención de ganancias a través de actos delictivos, la gobernanza criminal busca explicar las raíces de la conformación de grupos y líderes que, ya sea a través de violencia explícita o implícita, buscan asegurar obediencia de sujetos, generalmente en pos de objetivos instrumentales. Y más importante aún, estos grupos rivalizan con la autoridad formal del Estado, en ocasiones compitiendo y en otras complementando el despliegue de autoridad, a través de acuerdos implícitos con las autoridades formales o bien reconociendo espacios distintos de poder y legitimidad (Bergman y Fondevila 2021).

En este ensayo me concentro en el gobierno criminal dentro de las cárceles y en aquel ejercido desde las cárceles hacia afuera. Muchas de las

afirmaciones se sustentan en 18 encuestas de internos en reclusión realizadas en 14 países de Latinoamérica y el Caribe que dirigí junto a mi colega Gustavo Fondevila durante la década anterior. Allí se entrevistaron a más de 17,000 internos acerca de su vida en las cárceles y su vinculación con la actividad delictiva.

De acuerdo al análisis de la información recabada de esas encuestas y de otros estudios, se observan algunas características sobresalientes vinculadas al gobierno criminal. Aquí sólo me concentro en cinco conclusiones:

- a. El gran crecimiento carcelario de las últimas décadas impulsó la consolidación de bandas delictivas.
- b. La escasez de bienes y las deficientes condiciones de reclusión alentaron el crecimiento de mercados ilícitos al interior de las cárceles que fueron alimentando y forjando bandas criminales poderosas.
- c. Los incentivos de las administraciones penitenciarias de las grandes unidades priorizaron el mantenimiento del orden interno. Esto generó la profusión de acuerdos formales e informales con líderes de bandas para garantizar cierta paz social dentro de los centros penitenciarios, en una suerte de cooperación implícita.
- d. El vertiginoso crecimiento de los mercados domésticos de drogas (principalmente crack y cocaína) crearon grandes oportunidades de negocios para las pandillas y bandas que en muchos casos lograron establecer hegemonías criminales intra y extra muros.
- e. Los niveles de violencia interna en los centros penitenciarios están en gran parte asociados a la competencia entre bandas por el control de estos mercados. Cuanto mayor es el control hegemónico de una banda, menor es el nivel de violencia observado.

Las cárceles y el tipo de gobierno criminal

Es importante distinguir entre dos tipos de ejercicio de autoridad. El primero es el gobierno de las cárceles, un tema que ya tiene una

tradición de estudios y que se focaliza en el orden interno de las unidades penitenciarias. En estos espacios, emergen líderes o se conforman grupos, generalmente con el propósito de obtener beneficios materiales, ya sea mejores condiciones de reclusión, o utilidades por el control de tráfico de bienes ilícitos dentro de las unidades (control del mercado de drogas y de otros bienes demandados por los reclusos). El segundo tipo de gobierno criminal es el que se ejerce desde las cárceles hacia afuera de las unidades y que es más complejo, ya que presenta el desafío acerca de cómo los líderes encarcelados aseguran la obediencia de quienes están afuera de la cárcel para ejecutar las órdenes que emanan de los líderes apresados.

El gobierno interno

El crecimiento de la población carcelaria en América Latina ha puesto una gran presión a los sistemas penitenciarios de la región. En las cárceles de América Latina habitan hoy casi 2 millones de personas privadas de su libertad (PPL). La población carcelaria se ha duplicado en menos de una década, y se ha triplicado desde los años noventa (UNDP 2013; Vilalta y Fondevila 2019). Sin embargo, este crecimiento no fue acompañado de inversiones y presupuestos para atender este enorme influxo de internos. Como consecuencia, las tasas de sobrepoblación en la región son mayores al 150% (o sea, donde hay capacidad para 100 internos hay 150 encarcelados o más). Los programas de rehabilitación son escasos, y la provisión de alimentos, vestimenta, servicios de higiene, camas, y otros bienes, son deficitarios en la mayoría de los países. Esto alimenta un extraordinario mercado negro de tráfico de bienes que son provistos por familiares o adquiridos ilícitamente. Este mercado negro es la fuente de rencillas y conflictos, y en definitiva quienes se aseguran el control y las rentas de estos tráficos gobiernan la criminalidad interna. En resumen, el crecimiento desatendido del encarcelamiento masivo en la región generó grandes incentivos para la circulación de drogas, bienes de consumo y de higiene, tráfico sexual, etc. monopolizados por bandas delictivas.

Un segundo mercado es el de la protección. Como es sabido, las cárceles son lugares muy inseguros, especialmente en espacios hacinados, mayormente ocupados por jóvenes con antecedentes vinculados a la violencia. En las cárceles circulan armas de fuego, armas blancas y muchas armas de producción casera. En la mayoría de los casos los líderes no necesitan ejercer coerción para asegurar la obediencia y el pago por protección de los internos. Es perfectamente racional para un interno someterse a la protección del líder que le pueda asegurar subsistir en este medio hostil. El pago por esta protección puede ser en dinero, especies, o servicios que ayuden a consolidar el gobierno criminal.

La mayoría de las cárceles de la región son unidades que albergan un gran número de personas privadas de su libertad (esto reduce el costo por interno). Por lo tanto, es muy común encontrar cárceles de 1,000 internos o más (algunas en México exceden los 10,000 PPL). Cada unidad de 1,000 personas constituye un mercado codiciado de tráfico. En las grandes unidades y en aquellas con alto nivel de hacinamiento, es muy poco probable que la autoridad formal logre controlar el orden interno. Quienes logran consolidar ese orden son los líderes de las bandas criminales. Como es sabido, la gobernanza criminal y la formal no son mutuamente excluyentes, sino que pueden ser complementarias (Blattman et al. 2022). En gran parte de América Latina existe una cooperación de hecho entre las autoridades formales y las bandas que controlan el orden interno.

Sin embargo, en ocasiones, este equilibrio se quiebra, y la violencia estalla. Los gobiernos criminales pueden ser amenazados por otros internos que logran constituirse en bandas que desafían la autoridad, produciendo una escalada de violencia. Esto puede derivar en riñas o en guerras abiertas entre bandas. Estos últimos casos suelen llegar a los medios de comunicación porque son extremadamente violentos y con muchos muertos. Los motines o levantamientos también obedecen a una lógica de sublevación de las bandas contra la administración

penitenciaria, generalmente asociada a un quiebre en la cooperación entre las autoridades y los líderes de las bandas.

En resumen, paradójicamente, la violencia en las cárceles crece allí donde hay disputas por el gobierno interno de las unidades. En cambio, donde la gobernanza criminal ejerce el monopolio de la fuerza, tal como lo predice la teoría, la violencia es escasa a pesar de que las condiciones de reclusión pudieran ser muy deficitarias. Al existir un orden criminal hegemónico, no existen incentivos serios para desafiarlo. Algunos actos de violencia performativa sirven para disuadir a potenciales detractores a mantenerse disciplinados. En cambio, la violencia es mayor en las unidades donde no existen liderazgos criminales sólidos. En las encuestas de cárceles de la región los internos que han reportado ser víctimas de violencia suelen estar alojados en unidades sin un claro orden criminal interno.

El gobierno externo

El gobierno criminal de las cárceles no sólo remite a la consolidación de un gobierno para usufructuar privilegios dentro de las prisiones. Los negocios criminales más importantes están fuera de las mismas y en las últimas décadas ciertas bandas han logrado el control de algunos mercados ilícitos ¿Cómo logra gobernar un líder criminal o una pandilla a personas que están fuera de su alcance físico? ¿Cuáles son los mecanismos de “*enforcement*” que aseguran el cumplimiento de órdenes que emanan desde atrás de las rejas? Existen al menos dos hipótesis complementarias.

La primera hipótesis (anticipación) señala que los jóvenes débilmente vinculados a la organización criminal “anticipan” que algún día podrán ser apresados (Skarbek 2011). Si llegara el caso de ser arrestados en un futuro (muy probable) estos jóvenes van a querer estar en “buenos términos” con los líderes de las bandas encerrados, ya que de lo contrario eventualmente su seguridad física dentro de las prisiones pudiera correr peligro. En resumen, la amenaza de una futura coerción

severa ante un eventual arresto funciona como factor disuasivo para obedecer las órdenes de los líderes.

La segunda hipótesis (membresía) enfatiza la afiliación a una banda o grupo ya sea porque esta participación le confiere al miembro de pandilla estatus, ocupación, y el acceso a privilegios, o bien una red de contención con posibles bienes materiales. Este es el caso de las maras centroamericanas y especialmente del PCC que logró en San Pablo establecer una red de comercialización de drogas ilícitas comandada por pandillas carcelarias, pero también a la vez una red de contención y arbitraje de conflictos que genera altos grados de legitimidad y obediencia (Bruneau, Dammert y Skinner 2011; Cruz 2014; Biondi 2016; Lessing y Denyer Willis 2019; Godoy y Paes Manso 2014).

Ya sea por “anticipación” o por “membresía” estos mecanismos han generado un crecimiento significativo del poder de las bandas en las últimas décadas, convirtiendo al gobierno criminal en un actor de primera magnitud en las esferas sociales y políticas de los estados en los que operan. La Mara Salvatrucha en El Salvador, el Comando Vermelho en Río de Janeiro, o los Monos en Argentina son ejemplos claros del poder que estos gobiernos delictivos ejercen y obligan al poder político formal a desarrollar estrategias políticas de contención o de combate de gran calibre. No se trata ya de bandas que procuran usufructuar de las posibles rentas de la vida intramuros, sino de grupos con poder de fuego y penetración territorial que controlan mercados y amenazan el orden social. Para lograr dominio y control externo, algunas bandas desarrollan instrumentos de gestión desde una coerción contenida, la administración de recursos, y sistemas de protección que en su conjunto, como sostienen Lessing y Denyer Willis (2019), buscan generar un sistema de autoridad burocrático-racional, y que en el caso paradigmático del PCC ha sido muy efectivo.

No se ha formulado aún una teoría que explique este gran crecimiento de las bandas criminales. Sin embargo, está claro que el narcotráfico a gran escala y especialmente los crecientes

mercados domésticos de drogas ilícitas fueron generando las oportunidades para un lucrativo negocio criminal. Paradójicamente, las bandas criminales son, en parte, “hijas” de las políticas de prohibición. Muchas de ellas se forjaron en el encierro y crecen precisamente en los centros penitenciarios.

Un semillero de gobernanza criminal

El poder de estas bandas nacidas en las cárceles está asociado a la capacidad de movilizar recursos muy efectivos para disciplinar miembros y expandir sus espacios de acción. Los centros penitenciarios lograron amalgamar al menos dos factores que explican su relativo éxito. En primera medida, las cárceles contribuyeron a la construcción de grupos con identidad propia que trascienden a la de organizaciones criminales que solo buscan la obtención de rentas. Las maras centroamericanas son un claro ejemplo. Segundo, las cárceles han servido para reclutar nuevos miembros, entrenarlos y expandir la influencia de grupos criminales.

Estos dos factores operativos se dieron en contextos macro que favorecieron la expansión de estos gobiernos criminales: 1) El gran crecimiento de mercados ilícitos de productos altamente demandados, y 2) El tipo de políticas punitivas que impulsaron las recientes olas de encarcelamiento masivo.

Los mercados de drogas, los robos a gran escala, así como los delitos de secuestros y las extorsiones, representan una importante fuente de ingresos para las bandas criminales. Lejos de ser triviales, algunos de estos mercados escalan a miles de millones de dólares anuales (ver Bergman y Fondevila 2021, cap. 2). Los liderazgos que se consolidan en la cárcel, junto a socios fuera de ella, todos con armas de fuego y en ciertas ocasiones con la connivencia o al menos negligencia de las autoridades han generado un “combo” que permitió el crecimiento de estas bandas desde las cárceles. Al incrementar sus ganancias y poder de fuego, estos grupos fueron creando estructuras de gobierno criminal, en muchos casos muy exitosos.

Este proceso fue coadyuvado por el crecimiento carcelario de las últimas décadas. Una de las características más destacadas de este crecimiento es que fue impulsado por el flujo más que por el stock, es decir que las cárceles se superpoblaron más por las nuevas admisiones que por PPLs sancionados con condenas más extensas. Si bien la severidad de las penas en la región creció, un análisis de este crecimiento está más asociado a un influjo incesante de nuevos y viejos internos sancionados con penas de 3 ó 4 años de cárcel por haber cometido robos o venta y transporte de drogas. Esta política criminal adoptada por la mayoría de los países de la región ha producido una alta rotación de internos. No solo hay hoy cerca de 2 millones de personas privadas de su libertad, sino que, debido a este tipo de política sancionatoria, se estima que en los últimos 20 años aproximadamente 10 millones de latinoamericanos han pasado por las cárceles de la región. Esta alta rotación ha contribuido a generar lazos y vínculos entre presos que al recuperar su libertad se vinculan a estas bandas criminales y fortalecen su gobierno.

En resumen, el encarcelamiento masivo, en condiciones de reclusión deficitarias, cierta tradición pandilleril, y el aumento de las oportunidades de rentas ilícitas han impulsado la generación de bandas criminales. En ciertos casos (especialmente donde los niveles de encarcelamiento fueron muy significativos, como en Brasil, el triángulo norte centroamericano, o Venezuela) estas bandas lograron trascender el control de las cárceles y proyectar su autoridad hacia sectores y espacios extramuros, convirtiéndose en gobiernos que rivalizan y en ocasiones colaboran con las autoridades formales. Sin embargo, aún es temprano predecir cuál será el futuro de este entramado. Lo que queda muy claro es que la idea popular de que la cárcel separa y aísla a quienes delinquen para proteger del crimen a la sociedad en su conjunto es una falacia. La cárcel y su mundo interior se proyecta y ejerce influencia hacia fuera de las rejas.

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Dilemas y posibilidades de negociar con grupos criminales en América Latina

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Durante la década pasada, debates sobre la pertinencia de negociar con grupos armados “criminales” que no tienen una agenda ideológica, se multiplicaron en América Latina. El reconocimiento del poder y complejidad de estos grupos ha avivado esta discusión, que se aceleró después de la tregua entre las pandillas MS-13 y facciones del Barrio 18 que el gobierno de El Salvador promovió en 2012, y que llevó a una reducción del 50% de los homicidios en un año (Cruz y Durán-Martínez 2016). Si bien esta tregua fue única en muchos sentidos, los procesos de negociación con grupos criminales son más comunes de lo que normalmente asumimos. Los ejemplos incluyen desde los procesos de sometimiento a la justicia de narcotraficantes que el gobierno colombiano implementó en los años noventa —el más famoso de ellos fue el sometimiento a la justicia de Pablo Escobar—, hasta procesos menos conocidos de treguas con pandillas en países como Belice y Ecuador, y esfuerzos comunitarios de mediación (Durán-Martínez 2022b, Felbab-Brown 2020).

Entender estos procesos es difícil en tanto toman formas diversas. Además, los límites son borrosos entre una negociación que se parece a un proceso de paz donde el objetivo principal es negociar públicamente un bien público (como reducir homicidios) a cambio de la provisión de beneficios judiciales o económicos para miembros de grupos, y formas comunes de corrupción que involucran a actores del Estado, o formas de supervivencia que obligan a comunidades a negociar los términos de su vida diaria con actores armados. Pero es necesario entender estos procesos para reflexionar sobre sus desafíos y beneficios potenciales, y sobre cómo los principios de construcción de paz

pueden reducir el impacto de la criminalidad, la violencia, y la gobernanza criminal en América Latina. En este ensayo presento algunas ideas para entender de dónde y cómo surgen estos procesos (especialmente aquellos en donde participa el Estado), qué condiciones explican su impacto, y los desafíos de aplicar principios de negociación y construcción de paz en contextos de violencia criminal.

El origen: ¿Qué lleva a los gobiernos a negociar?

La producción académica reciente sobre la violencia criminal ha mostrado cómo, si bien la debilidad estatal en proveer servicios y proteger a las comunidades es esencial para entender la violencia, no es posible reducir la misma a la ausencia estatal (Arias 2017; Durán Martínez 2022). Los Estados interactúan de diversas maneras con actores criminales, y entre esas interacciones se destacan arreglos de colusión que a veces reducen homicidios. En este contexto, los gobiernos pueden preferir arreglos de corrupción que benefician individualmente a políticos o policías, y que son menos costosos que negociaciones públicas que pueden ser impopulares, implican desafíos legales, y requieren inversiones sostenidas de capital político y recursos económicos si el objetivo real es sostener reducciones de violencia y disminuir el poder de los grupos armados. ¿Cómo puede explicarse entonces que a veces los gobiernos decidan negociar?

En primer lugar, como lo establece la literatura sobre procesos de paz tradicionales en conflictos armados, las decisiones de negociar dependen de balances de poder, especialmente cuando hay

paridad y las dos partes perciben que ninguna le puede ganar a la otra. Pero las negociaciones resultan no sólo del balance objetivo de poder, sino también de si los gobiernos pueden argumentar que negociar es mejor que otras opciones para disminuir los costos reputacionales de negociar con criminales. En algunos sentidos, negociar con criminales puede ser más fácil que negociar con insurgentes porque, aunque su influencia política es palpable, su motivación no es, en principio, controlar públicamente el Estado (Lessing 2020). Pero en otros sentidos es mucho más difícil. Por ejemplo, algunas concesiones se pueden ver como tolerar actividades ilegales, que, como el narcotráfico, han sido parte de cruzadas internacionales por décadas. Las demandas de grupos criminales se podrían implementar más fácilmente porque responden a cálculos de costo-beneficio, pero son menos legítimas. En los años noventa, por ejemplo, el gobierno de Estados Unidos no vio con beneplácito las políticas de sometimiento a la justicia del gobierno colombiano, y décadas más tarde condenó los acercamientos con pandillas salvadoreñas que ha clasificado como terroristas. Por otro lado, los gobiernos pueden ver a grupos criminales como menos confiables y propensos a romper sus promesas en tanto las actividades ilegales y semi-legales que los sostienen no desaparecen con la negociación.

Dado lo anterior, lo que he encontrado en mi investigación es que los gobiernos han decidido negociar cuando la violencia es alta, pero en dos extremos distintos de evolución criminal. Por un lado, los gobiernos pueden negociar con pandillas que si bien violentas, tienen niveles bajos de institucionalización, operando sobre todo en espacios muy locales, y con niveles relativamente bajos de sofisticación organizacional. Esto ocurrió en países como Belice en 1995 y 2011 o durante la legalización de pandillas en Ecuador en 2007. En el otro extremo, los gobiernos pueden verse obligados a negociar cuando los actores armados han alcanzado un control territorial alto, como sucedió en Colombia en los noventa, y en El Salvador en 2012 (Cruz 2019).

Además de estas condiciones objetivas de poder, las negociaciones han surgido cuando ciertos discursos permiten introducir la idea de negociar. Esos discursos generalmente definen la criminalidad y violencia como producto de la marginalidad, o enfatizan el fracaso de la represión en eliminar la violencia. El primer discurso enmarcó los procesos de Ecuador y Belice, y el segundo estuvo presente en El Salvador, o incluso en las propuestas que como candidato presidencial hizo Andrés Manuel López Obrador durante la campaña electoral de México en 2018. En ambos niveles de evolución criminal los gobiernos que han negociado lo han hecho en momentos cuando están más seguros electoralmente.

Finalmente, en los procesos de negociación, locales o nacionales, siempre hay *intermediarios de negociación*, personas que crean puentes entre la sociedad civil, los actores armados y las burocracias estatales. Estos actores son claves para, por un lado, diseminar ideas sobre la negociación entre actores estatales, y por otro, crear puentes que permitan la comunicación. En El Salvador, por ejemplo, actores claves incluían a un sacerdote católico y a un exguerrillero. En Medellín, en los años noventa cuando se institucionalizaron “pactos de no agresión”, los intermediarios eran miembros de la sociedad civil que habían entrado a burocracias estatales y se habían educado en principios de justicia restaurativa y criminología crítica.

Estos ejemplos ilustran cómo el surgimiento de negociaciones depende de condiciones complejas, que no son fáciles de fabricar. En buena parte, la posibilidad de negociar depende de encontrar actores claves para crear puentes, y de “vender” la idea a la opinión pública. Pero estas condiciones no garantizan el éxito del proceso.

¿Qué hace a una negociación exitosa?

No es fácil definir el éxito de una negociación. Las negociaciones generalmente buscan reducir homicidios, pero la violencia letal puede reducirse sin que cambie el poder de los grupos (más aún, puede reducirse a medida que el control

territorial de los grupos armados aumenta), y sin crear condiciones sostenibles de paz y desarrollo. En El Salvador, en 2012, por ejemplo, muchos observadores criticaron la tregua porque, aunque los homicidios se redujeron, otros delitos como la extorsión que afectaba directamente a las comunidades, no lo hicieron. Por ello el verdadero potencial de una negociación depende de la habilidad de moverse más allá de una reducción de homicidios; aunque a su vez la reducción de homicidios es un indicador importante de éxito inicial y del potencial y dificultades para ir más allá.

El éxito de las negociaciones para reducir la violencia letal depende de la cohesión del Estado y de los grupos criminales. La cohesión del Estado implica que actores clave apoyen el diálogo, lo cual a su vez facilita que cumplan sus promesas (por ejemplo, no perseguir a miembros de grupos a menos que incurran en violencia). Por otro lado, los grupos con jerarquías claras son más capaces de monitorear sus promesas de reducción de violencia al ejercer control sobre sus “soldados”. En El Salvador, a principios de los noventa, iniciativas de negociar de la sociedad civil (con algún apoyo del gobierno) no tuvieron un impacto claro en la reducción de la violencia, como ocurrió en 2012, porque el involucramiento del Estado era más bien limitado, y las pandillas no eran estructuras jerárquicas que desde la cárcel podían controlar el comportamiento de sus miembros. Esto cambió en 2012, cuando a pesar de los titubeos del gobierno para aceptar que negociaba, el proceso estaba sancionado desde la presidencia y liderado por el ministro de Seguridad, y las pandillas se habían convertido en organizaciones jerárquicas que controlaban desde la cárcel lo que pasaba en la calle. En Medellín, la cohesión del Estado y de los grupos armados llevó a reducciones claras de violencia en las negociaciones paramilitares de 2003, mientras que la fragmentación de grupos armados y del Estado en múltiples negociaciones y pactos más locales de no agresión tuvieron un impacto menos claro en los noventa. El balance de poder también explica porqué el intento liderado por la Organización de Estados Americanos OEA de replicar la tregua de El Salvador en Honduras en 2013 no fue exitoso: en

Honduras las pandillas eran menos poderosas y estaban inmersas en redes de corrupción y poder armado más complejas que involucraban organizaciones narcotraficantes, lo cual las hacía menos capaces de controlar la violencia.

Esta relación entre los balances de poder y la capacidad de reducción de violencia asociada a una negociación crea con frecuencia una paradoja: los procesos que pueden reducir la violencia de manera clara e inmediata no dependen de que existan estrategias para cambiar los incentivos y comportamientos de quienes están en la base de los grupos armados. En otras palabras, un gobierno puede negociar “desde arriba” con el liderazgo de un grupo, que a su vez puede imponer sus órdenes sobre la base, sin necesariamente involucrarse con esa base para crear una paz más sostenible a través de programas sociales o de justicia restaurativa. A su vez, muchos esfuerzos que empiezan desde abajo pueden ser más efectivos en motivar un cambio de incentivos individuales en el uso de violencia y el involucramiento en delitos al acercarse personalmente a los jóvenes (generalmente hombres jóvenes) y sus historias de vida, pero sin tener un impacto notable en las condiciones generales de violencia.

Una ilustración de esta paradoja se vio claramente en los pactos de no agresión en Medellín en los noventa. En 1993 el gobierno local de Medellín creó una Oficina que se dedicó a llevar adelante pactos de no agresión que consistían en dialogar con miembros de *combos* (pandillas locales) para que evitaran usar violencia letal. La base de estos pactos era el contacto personal entre los mediadores y los miembros de las pandillas, y el diálogo. En entrevistas tanto con mediadores como con miembros de grupos, encontré que para muchos de los últimos este diálogo era clave para que reflexionaran sobre sus propias motivaciones, y para algunos significó que eventualmente salieran de los grupos. Pero estos pactos, si bien reducían violencia en los barrios, no tuvieron un impacto claro en las tasas de homicidios de la ciudad pues en ese momento los grupos armados estaban muy fragmentados. Además, miembros de estos programas han reconocido que los programas

sociales que debían complementar estos pactos no llegaron o llegaron de manera desarticulada. Los pactos tenían el potencial de construir no-violencia desde abajo, pero no podían articularse claramente con otras políticas públicas. Como resultado, el análisis de estos pactos sigue siendo controversial en Medellín, y si bien muchos los ven como una herramienta esencial que mitigó la violencia en la que en ese entonces era la ciudad más violenta del mundo, para otros estos procesos fortalecieron el poder y politizaron aún más a las pandillas y grupos armados.

El potencial y los desafíos de negociar

Desde la perspectiva de construcción de paz, una negociación podría ser exitosa si transforma las condiciones que hacen que muchas personas se involucren en actividades ilícitas y usen la violencia entre ellos y contra las comunidades de las que forman parte. Esto implica, desde lo micro, cambiar las condiciones objetivas de marginación y los incentivos económicos, y motivaciones subjetivas de poder y reconocimiento, que explican la participación en grupos armados. A nivel macro, implicaría cambiar los incentivos de mercados ilícitos y las políticas de drogas”, las conexiones políticas, y las redes de poder que sostienen la criminalidad. Esos son objetivos de alto orden que pocos procesos de paz en el mundo han logrado. Reducir la violencia sin aumentar el control de los grupos armados, o su colusión con el Estado es difícil ya que, en buena parte, disminuir la violencia depende del poder de los grupos para gobernar efectivamente. Así que el objetivo más real sería que estos procesos, incluso si reconocen el poder de grupos armados, creen vías para empoderar a otros actores civiles y víctimas en el proceso. Algunos de los procesos que he estudiado han estado más cerca de este objetivo que otros. En Belice en 1995 y 2011 y en Ecuador, las treguas lograron reducir violencia y empezaron a crear alternativas legales económicas para los miembros de las pandillas. En El Salvador, a pesar de las muchas limitaciones, la tregua creó una oportunidad, si bien corta, de explorar alternativas a políticas de mano dura.

Todo proceso de negociación, incluso en conflictos tradicionales, implica riesgos, requiere voluntad política, es difícil de sostener, y se enfrenta frecuentemente a una opinión pública escéptica. En ese sentido, los desafíos de negociar con actores criminales son similares a los de procesos de paz tradicionales, aunque el riesgo de recurrencia es mayor, dado que incluso cuando una negociación reduce exitosamente el crimen o la violencia, o desmantela a un grupo, dadas las grandes ganancias que existen en mercados ilegales, nunca puede garantizar que otros grupos no surjan a llenar el vacío. No es coincidencia que el riesgo de recurrencia de conflictos tradicionales sea mayor donde las economías ilícitas son más centrales, como ha sucedido en Colombia. En este contexto podría pensarse que negociar es fútil; pero la represión y encarcelación masiva también han fallado, y han contribuido a fortalecer a las organizaciones armadas con costos altos en términos de derechos humanos. Los programas de prevención que existen con frecuencia son inefectivos o chocan con estas políticas represivas. Lo más importante es reconocer que los actores armados negocian su poder constantemente e informalmente, tanto con actores estatales como con civiles y comunidades. Hacer estas negociaciones públicas las puede hacer más transparentes y controlables. Pero el desafío principal es, precisamente, evitar que estas negociaciones se conviertan en lo que en el curso de mis entrevistas muchos han llamado pantomimas o coreografías de gobernabilidad que regulan la violencia sin eliminar o mitigar el poder armado, las actividades ilícitas, o las condiciones socioeconómicas que la subyacen.

Existen así muchos desafíos y riesgos para negociar; el acto de negociar es una pequeña parte de lo que puede hacer exitosos estos procesos. Sin pretender ser exhaustiva, creo que tres desafíos claves se deben tener en cuenta al negociar con actores criminales.

El primer desafío es diseminar hacia arriba (país) y hacia abajo (comunidad) las ganancias de seguridad más allá de la reducción de homicidios. Esto implica determinar otros delitos, comportamientos y formas de violencia

que se pueden reducir con una negociación. También requiere coordinar con otros programas de seguridad y con las comunidades para implementar proyectos que creen alternativas de vida y reduzcan los incentivos que explican porque siempre existen sucesores en las organizaciones, incluso si los líderes abandonan efectivamente sus actividades ilícitas. Esto también implica entender que los programas sociales por sí solos no garantizan el éxito; además de los recursos económicos se requieren puentes de comunicación efectivos con quienes viven en las comunidades y entienden las subjetividades de los y las jóvenes que encuentran en los grupos armados y en las actividades ilícitas una alternativa de vida.

El segundo desafío es crear arreglos que incluyan a la sociedad civil y que reconozcan y mitiguen las áreas grises que existen entre actores estatales, criminales y civiles. He discutido las negociaciones ante todo como una relación entre Estado y grupos armados, pero la sociedad civil es esencial. Muchos de los intermediarios de diálogo que mencioné antes son líderes de la sociedad civil; sin personas que puedan crear puentes de comunicación creíbles y que conozcan las complejidades de moverse entre grupos armados, es difícil iniciar una negociación. Además, muchos procesos de negociación ocurren frecuentemente a nivel local entre civiles y actores armados sin participación del Estado. Esto no es sorprendente dado que la cercanía entre quienes controlan un territorio y quienes viven en él hace que la forma más efectiva de gestionar reducciones de violencia localizadas sea “desde abajo”, como ha ocurrido en barrios de Caracas-Venezuela, donde han sido las madres quienes han iniciado pactos (Zubillaga et al. 2013). En Medellín, los pactos de no agresión empezaron en el seno de organizaciones de la iglesia católica y de ONGs para mitigar el impacto de la violencia.

En muchos casos, estos esfuerzos de mediación civil excluyen a representantes del Estado, bien porque reconocen su corrupción o porque resienten —naturalmente— la represión que constituye la forma más clara de presencia estatal en las comunidades afectadas por la violencia. Esto crea un desafío central para las

negociaciones: la sociedad civil local tiene un conocimiento de terreno profundo, necesario para construir procesos de pacificación, pero los esfuerzos locales de la sociedad civil por sí solos son difíciles de escalar más allá de comunidades pequeñas, pueden moverse en áreas grises de interacción, y requieren de coordinación con el Estado para que sean sostenibles. Muchas veces, la sociedad civil prefiere no involucrarse en procesos que pueden ver como formas de corrupción. Tal desconfianza llevó a que muchas organizaciones sociales de El Salvador que tenían experiencia con pandillas no se involucraran en la tregua de 2012. Si bien sus críticas eran legítimas, su participación podría haber añadido más controles y profundizar el proceso en comunidades.

El tercer gran desafío es controlar la politización de los actores con quienes se negocia. El diálogo reconoce el poder de los grupos armados; esto se ha visto en El Salvador y en los procesos históricos de Medellín. Pero otros procesos también politizan a estos actores —incluido su uso para fines electorales (Albarracín 2018). El desafío es crear procesos que no sólo benefician a los líderes de grupos armados, sino también a los civiles. Incorporar principios de justicia restaurativa, justicia transicional y poner a las víctimas en el centro de los procesos puede mitigar los riesgos morales de dialogar con actores criminales. Pero es necesario reconocer que, si bien hay similitudes entre los procesos de paz tradicionales y los diálogos con actores criminales, una diferencia es que es más difícil identificar una subjetividad política en las bases de estas organizaciones. Un proceso de justicia restaurativa o de verdad con las bases requiere primero un trabajo psicosocial serio que permita a estas bases reconocerse como víctimas y victimarios. Las comunidades en sí mismas pueden no reconocerse como víctimas especialmente cuando un monopolio o la gobernanza criminal regulan efectivamente la violencia letal y otros delitos que afectan a las comunidades. Las comunidades tienen relaciones contradictorias con actores armados.

Como lo muestran los análisis de procesos de paz tradicionales, los acuerdos de paz exitosos dependen, en el corto plazo, del balance de poder entre actores armados —incluyendo al Estado—, que a su vez depende de si existen saboteadores y de que las partes en diálogo tengan la reputación y poder para cumplir sus promesas (Walter 2002). Pero esta aproximación no contempla los desafíos que surgen en contextos locales, y que la literatura sobre construcción de paz reconoce al enfatizar la necesidad de empoderar a comunidades locales en vez de privilegiar esfuerzos desde arriba o impulsados por actores internacionales (Lederach 1998). Estas dos perspectivas analíticas interactúan poco y el énfasis en lo local muchas veces ignora realidades nacionales e internacionales que son claves para construir paz en contextos de violencia. Combinar estas dos perspectivas es esencial en conflictos tradicionales, pero aún más en contextos de violencia criminal, donde los incentivos de los grupos e individuos pueden ser más persistentes que en un conflicto tradicional.

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Dynamics of Indigenous Resistance to Criminal Governance: The CRAC-PC System in Southern Mexico

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It was the early afternoon of July 28, 2022. After seven days of fieldwork in the eastern Indigenous highlands of the southern Mexican state of Guerrero—a region known as La Montaña—on our way to Acapulco we passed through nine security check points along the Pacific coastal highway. Five of these checkpoints were controlled by the UPOEG, a regional self-defense group, and four by the military and National Guard. As we entered Acapulco, news spread that a few hours earlier a parish priest from Iguala had survived an assassination attempt in the city of Chilapa, on the northern edge of La Montaña. Different organized criminal groups (OCGs), including Los Ardillos, have been competing for territorial control for nearly a decade in this microregion. That same day, La Familia Michoacana, an OCG from the neighboring states of Michoacán and the state of Mexico, had ordered hundreds of taxi, bus, and truck drivers to seal the entry points into Arcelia—a northwestern Sierra municipality and a major center of poppy cultivation—to halt a military operation to detain La Familia's local leaders, who have been de facto rulers in Arcelia.¹

Bearing witness to this panoply of military and security forces, OCGs, and armed groups while driving through contested territories was particularly striking after our visit to La Montaña, where there was practically no military or state police presence and where OCGs and other armed groups were not competing for turf. It was as if most of the municipalities of La Montaña had been sealed from outside interference.

The case of La Montaña is particularly puzzling because, since the onset of the Mexican war on drugs in 2006, large portions of Guerrero, like many other Mexican states, have become contested regions in which OCGs and armed groups compete for territorial controls in areas they seek to de facto govern. These villages, towns, urban centers, and municipalities are where OCGs seek to control local governments, populations, and territories and monopolize a wide range of illicit economies beyond poppy cultivation and drug trafficking, including the predatory extraction of human and natural wealth (Trejo and Ley 2020; Moncada 2022). OCGs force families, communities, small and medium-size businesses of all types, bus drivers, and street vendors to pay criminal taxes. They have gained control over formal economies, particularly agricultural production (e.g., avocados and limes), and exploit natural resources (e.g., forests, mining, and water). OCGs first seize control over local elections, eliminate independent candidates and impose loyalists, infiltrate municipal governments and the municipal police, and threaten or kill local journalists, parish priests, social movement leaders, union leaders, or anyone else who defies their rule. In establishing criminal governance, OCGs and armed groups invariably work in tandem with incumbent or former state security forces.

Our research shows that the absence of criminal governance, and the comparatively low levels of organized criminal violence displayed in La

¹ For events on July 28, 2022, see <https://suracapulco.mx/nuestra-portada-de-este-viernes-29-de-julio-de-2022/>.

Montaña, can be largely credited to the CRAC-PC system—a regional Indigenous community police and justice system that by 2022 covered over 20 municipalities from the La Montaña and Costa Chica regions (Ley, Mattiace, and Trejo 2019). A by-product of decades of mobilization for Indigenous rights in the 1980s and 1990s that crystallized in the powerful Consejo Guerrerense 500 Años de Resistencia Indígena, Negra y Popular (CG-500), and of the persistence of village-level Indigenous self-governance institutions, the CRAC-PC system is operated by five Casas de Justicia (CJ) and the Policía Comunitaria (PC). It is a parallel system that operates alongside municipal police forces and the public ministries. Although the CRAC-PC has operated in a legal limbo since its creation in 1995, the federal and state governments reached a *modus vivendi* with the communities of the system: they did not seek to dismantle the system but simply sought to contain its growth. It was not until 2011, with the introduction of Guerrero State Law 701, that the CRAC-PC was constitutionally recognized as an auxiliary police force. Despite this important step, the institutions, rules of justice, jurisdiction, and main functions of the CRAC-PC system remained without a clear legal mandate.

How the CRAC-PC System Works

The PC is a constellation of village-level Indigenous police forces that operate in hundreds of communities from member municipalities. It is a multilingual system that combines four languages: Tu'un savi, Me'phaa, Náhuatl, and Spanish. PC members are elected through community assemblies to serve for two years. Some of them go on to be elected as regional commanders that operate in the five CJs. The CJs are Indigenous public ministries that serve multiple municipalities, where citizens can bring civil cases and PC members bring alleged criminals. CJs are operated by five coordinators who are elected by the regional assemblies of local community authorities. They serve for three years and are responsible for conducting initial investigations and resolving minor civil and criminal cases. For the most extreme cases, such as homicides, sexual violence, or organized criminal actions, CJ coordinators transfer

the cases to regional assemblies, where local community authorities sentence criminals after long deliberations and a show-of-hands vote.

The CRAC-PC system has four unique features. First, local and regional community assemblies are the system's ultimate authority. All PC and CJ members are selected, held accountable, and removed (when necessary) by the assemblies. Second, PC and CJ members do not receive wages and their work is considered community service associated with the cargo system. Third, because the system draws on Indigenous customary practices, there is no jail time. Following principles of restorative justice, criminals are sentenced to community service and reeducation. Sentences range from a few months for minor offenses to up to 25 years for femicides. Criminals rotate among communities doing public service—mostly building or repairing roads, schools, local clinics, and churches—and attend monthly reeducation talks from elders. As one member of El Paraíso CJ shared with us: “public work is educational and humbling” and “together with reeducation talks” helps reintegrate criminals into the community. Finally, because the CRAC-PC system is a key institutional feature of a broader struggle for autonomy and self-determination, PC and CJ members are responsible for protecting not only their territory but also their natural habitat and the communities and families that inhabit it.

The CRAC-PC System and Deterrence of Criminal Governance, 1995–2012

After five waves of fieldwork in the region between 2016 and 2022, we have identified internal and external mechanisms that explain why the CRAC-PC system has succeeded in defying criminal governance and keeping criminal violence at relatively low levels.

Internal mechanisms prevent OCGs and other armed actors from infiltrating and co-opting PC and CJ authorities. Internally, every member of the CRAC-PC is held accountable by community assemblies. Assemblies select members of the community in good standing to serve as PC members and CJ coordinators and keep

them under close scrutiny, sentencing them to community service and reeducation if they breach CRAC-PC internal laws. But beyond mechanisms of accountability, shame and honor associated with the cargo system elicit self-restraint: PC and CJ members want to serve with honor and avoid public shame. If self-restraint fails, however, accountability prevents internal corruption.

External mechanisms also prevent external actors like OCGs and other armed actors from penetrating the communities and the system. Because the system is built on decades of experience in trans-local social movement mobilization, communities have strong but flexible trans-local bonds. These bonds facilitate information sharing across communities and provide the basis for trans-local solidarity. As several PC commanders have shared with us, communication through the trans-local radio system allows communities to let others know when an OCG or an armed group penetrates the region; police forces from other communities are quickly deployed to seal exit options and ambush the criminals. Multiple PC forces and hundreds of communities coordinate their actions to bring criminals to the closest CJ, where they are judged and sentenced by the regional community assembly. This procedure is well known by such groups as Los Ardillos, La Familia Michoacana, Los Rojos, and Guerreros Unidos, and it serves as a deterrent that keeps them away from those CRAC-PC municipalities of La Montaña and Costa Chica.

Data from 2007 to 2012 show that the 11 historic municipalities of the CRAC-PC system experienced significantly lower levels of violence than their most immediate neighbors and other comparable regions, such as Tierra Caliente in northwestern Guerrero (Ley, Mattiace, and Trejo 2019). In the first six years of the war on drugs, the national press reported no significant presence of any OCG in CRAC-PC territory but significant presence of at least one group in 25 percent of CRAC-PC neighbors and in all Tierra Caliente municipalities. Similarly, whereas CRAC-PC municipalities experienced on average 11.8 OCG-

related murders per 100,000 population, the rate was twice as high among its neighbors, and eight times greater in the Tierra Caliente region.

Crisis in the System, 2013–2020

Between 2013 and 2020 the CRAC-PC system underwent significant erosion, and by 2018 it was in crisis (Trejo and Mattiace 2021). The crisis originated from external intervention by the Guerrero state government and multiple attempts to economically co-opt CJ coordinators to bring the CRAC-PC system under state control. These interferences sparked internal divisions within the system and led to internal fragmentation and defections (Sierra 2015; Hernández Navarro and Barrera Hernández 2020). These internal fractures, in turn, enabled criminals sentenced by the CRAC-PC system to circumvent punishment and thus weakened the system and its legitimacy. External government interference, internal divisions, and the politicization of the legal limbo in which the system operates opened important windows of opportunity for criminal organizations that for years have sought to penetrate CRAC-PC territory.

External interference and internal fractures

In 2013, the federal government's attempt to control and co-opt the popular insurrection against the Knights Templar Cartel led by a myriad of self-defense groups in Michoacán negatively impacted Guerrero. Fearing similar uprisings across the country, President Enrique Peña Nieto pressured Guerrero's governor, Ángel Aguirre, to bring the CRAC-PC under state control, too. This meant that the *modus vivendi* between federal and state authorities and the CRAC-PC was broken in 2013 as the state government began a series of direct attempts to divide and co-opt different leading groups of the CRAC-PC, particularly in the San Luis Acatlán CJ, the founding and principal CJ of the CRAC-PC system. Aguirre was able to co-opt Eliseo Villar, the head coordinator of the San Luis CJ, and his followers (Hernández Navarro 2014). Faced with strong internal divisions that almost led to armed conflict between Villar's group and dissidents, the

CRAC-PC removed Villar and new coordinators were elected. In this context of growing internal divisions, however, Bruno Plácido, one of the most distinguished founding leaders of the CRAC-PC in San Luis Acatlán, left the system to create the UPOEG, an alternative community police. Divorced from community assemblies, the UPOEG quickly grew into a self-defense group. Although the San Luis CJ was able to partially mend these fractures, by 2019 deep divisions reemerged when Julián Cortés, a former Catholic catechist and a new coordinator of the San Luis CJ, was assassinated after accusing another coordinator of collusion with OCGs.

Criminal Penetration of the CRAC-PC System

After 2013 there is significant evidence that the external borders of the eleven original municipalities of the CRAC-PC system, which had been successfully guarded by the PC, were breached. Perhaps the most alarming example was a video that the Jalisco New Generation Cartel (CJNG) made public in December 2019 from Cochoapa el Grande, in the heart of La Montaña. The video shows a convoy of heavily armed members of the CJNG announcing their presence in the region to search for two leaders of La Nueva Familia Michoacana who, according to the CJNG, were hiding in Cochoapa. Although the LNFM and the CJNG are immersed in bloody territorial disputes in other regions of the state, including Tierra Caliente, Costa Grande, and Norte, there was no record of their presence in La Montaña. At the same time, in October 2019, social movement leader and human rights defender Arnulfo Cerón was disappeared and later found dead in Tlapa, the largest urban center, located at the northern tip of La Montaña. The disappearance of Cerón made evident a wave of disappearances in Tlapa—with more than 20 cases documented by 2020—and the search for Cerón led to the discovery of clandestine mass graves on the outskirts of Tlapa. Crucially, the corpse of a former mayor of Cochoapa, who

had gone missing several months earlier, was found. These investigations revealed that Tlapa government officials were protecting OCGs that had long sought to penetrate the region and establish local control.

Institutional Erosion of the CRAC-PC System

External interference from the state government and heightened presence of OCGs within CRAC-PC system territory deepened existing internal divisions and weakened the main institutions of the CRAC-PC system—namely the community assemblies, the PC, and the CJs. Evidence of these institutional weaknesses were firmly expressed in a series of ten public fora conducted in selected municipalities by the Guerrero State Congress in coordination with Tlachinollan, the leading human rights organization of La Montaña.²

Community and regional assemblies, which functioned as the main source of authority of the CRAC-PC system, came under attack. Of particular concern was the loss of authority of the community assemblies: specifically noncompliance with assembly decisions. Criminals and delinquents sentenced by regional assemblies persuaded judicial authorities to issue *amparos* (legal complaints). Sheltered by judicial authorities, criminals demanded their immediate release from community service and reeducation. In the midst of the legal limbo in which the CRAC-PC system operates, this generated unusual tension between the CJ and public prosecution offices and between the PC and the state police. Indeed, a widespread complaint by members of the CRAC-PC system is that their Indigenous justice system has been subordinated to ordinary justice institutions. A participant at the 2019 forum held in Marquelia summed up this problem thus: “The justice system of the communities must not be subordinated . . . coordination of the community justice system with the state justice system must be established in the laws.”

² In September and October 2019, the Guerrero State Congress and Tlachinollan conducted ten “Foros de consulta para una reforma constitucional y legal sobre los derechos de los pueblos indígenas y afroamericano en el estado de Guerrero.” Information from these fora come from an internal document, “Concentrado resolutivos finales foros de consulta.”

The PC faced acute challenges in a context marked by the proliferation of armed actors and challenges to the PC's jurisdiction by military and state police forces, which since 2013 have made frequent inroads into the CRAC-PC territory. Participants in the 2019 fora noted the PC's loss of freedom of movement in their own territories, the erosion of relative autonomy from the state, and territorial and jurisdictional conflicts with other armed groups. And despite participants' general support for the PC, there was growing concern about the erosion of community policing practices, in particular about human rights violations. In Malinaltepec, one of the municipalities where the CRAC-PC system had been most successful, one attendee exhorted: "The authenticity of the community police must be rescued, since there are police officers who tarnish the name of the true community police."

Finally, as the community and the regional assemblies weakened, controls over CJ coordinators eroded. In the midst of factional struggles, some coordinators sought to impose their views. Suspicions rose about collusion of some coordinators with OCGs across some of the CJs in the system. In the San Luis Acatlán forum, a participant put it boldly: "In the good old days, the CRAC-PC system benefited the community; now things have changed and the system benefits just a few groups." Several participants demanded external surveillance of the CJ coordinators by new regional bodies linked to the CRAC-PC system. In Ayutla, people requested "advice" and "training" for the CJ coordinators, including training on "the [internal] regulations on how justice should be done."

System Recovery, 2021–2022

In the midst of the pandemic, the CRAC-PC system experienced a surprising rebound for reasons unrelated to COVID. External and internal factors combined to help the system recover some of its initial impetus.

The Supreme Court's decision to reverse a major 2018 reform by which the Guerrero State Congress had changed the constitution to undermine the CRAC-PC system opened opportunities for

internal healing. Under the watch of Governor Héctor Astudillo Flores (PRI), in 2018 reforms were made to the state constitution Article 14 and to Law 701, which had legally protected the CRAC-PC. These reforms subordinated communal institutions to ordinary ones in terms of policing and the exercise of justice, essentially reversing the 2011 legislation. The CJs and municipal authorities from La Montaña and the National Human Rights Commission initiated three different constitutional challenges to reverse these legal changes. As a lawyer from Tlachinollan and a legal adviser to the CRAC-PC system before the Supreme Court shared with us: "The legal battle against the state's legal changes was the only glue that kept the CJs together and the CRAC-PC system alive." Indeed, the Supreme Court's decision to declare the 2018 reforms unconstitutional, on grounds that the constitutional and legislative reform process violated the rights of Indigenous and Afro-descendant peoples to prior, free, informed, and culturally appropriate consent, was a major stimulant for fixing the system.

The selection of a new generation of leaders in the CJs of San Luis Acatlán and El Paraíso (in Ayutla) opened opportunities for renewal. In San Luis, the children of several leaders of the CG-500 movement came of age to lead the system. They had observed firsthand the original spirit and the energy that motivated their predecessors, which helped them restore the broad political goals of the CRAC-PC system. The neighboring municipality of Ayutla, the El Paraíso CJ, which was created in the early 2010s, built on the enduring strength of their community and regional assemblies to elect new charismatic leaders in 2019. The new leadership in El Paraíso and San Luis spearheaded a new era by restoring links with other CJs and encouraging all CJs to reinvigorate community and regional assemblies. This was now possible because the Supreme Court's decision shifted the internal balance of power in the region in favor of Indigenous customary law and institutions, including the community assemblies.

The prospects of a new constitutional controversy in the Supreme Court, after the Guerrero State Congress conducted an express consultation without properly consulting Indigenous communities from La Montaña and Costa Chica, has given new impetus for the continued coordination across CJs that began in 2020. As we learned in our most recent fieldwork interviews, the CJs have recovered their original practices of coordinating and sharing information in monthly meetings. This is a decisive sign of renewal because close trans-local coordination had previously allowed the CRAC-PC system to seal its external frontiers and keep OCGs away from its territories.

Conclusion

After sixteen years of the war on drugs, Mexico continues to find itself in a major security and human rights crisis in which OCGs, in coalition with security officials and subnational government authorities, have taken de facto control over significant portions of the national territory (Trejo and Ley 2020). Amid this crisis, the leftist government of Andrés Manuel López Obrador has opted, like his right-wing predecessors, to surrender public security to the military. Like his predecessors, AMLO claims that the military is the only institutional force capable of restoring order, and that there are no alternatives.

In this essay we have provided extensive evidence showing that the Indigenous community policing and justice system created by the CRAC-PC presents a powerful alternative. While this experience has traits unique to the history of La Montaña and Costa Chica in Guerrero, it shares many institutional and social features with similar Indigenous institutions created in such places as Cherán, Ostula, and Carapan in Michoacán; Azqueltán in Jalisco; and the Tribu Yaqui in Sonora. These are powerful experiences of self-rule that bring together decades of Indigenous social movement mobilization with long-standing local customary institutions and practices (see CIAS 2022). Other invaluable experiences of self-rule emerge from Oaxaca, where municipalities constitutionally ruled by

customary practice institutions since 1995 have become an institutional wall against the spread of OCGs and criminal violence in their communities (Magaloni, Gosztanyi, and Thompson 2021). Rather than stigmatize these experiences as facades of OCGs or of guerrilla groups, Mexican political and social elites should pay closer attention to the mechanics of these Indigenous systems and to the conditions that, against all odds, have allowed them to defy powerful OCGs from conquering their territories and at the same time to develop institutions to guard their territories, habitats, communities, and families.

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Deepening Democracy under Criminal Governance? Comparative Insights from Mexico City

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Is it possible to deepen democracy in territories where criminals govern? Across much of Latin America, populations live and work in places where organized crime intervenes in social, economic, and political life in ways that constrain the quality of democracy (O'Donnell 1993). Far from the assumption that organized crime and democracy are incompatible, however, criminal governance can either limit or enable democratic deepening, depending on the nature of the criminal regime. Much existing literature details the dismal track record of top-down reforms to police (González 2021) and judicial (Magaloni and Rodríguez 2020) institutions that governments pursue to strengthen democracy. But we know surprisingly less about the challenges of trying to deepen democracy from below in such settings. Can marginalized citizens mount and sustain deliberative and participatory democratic processes to address pressing, everyday needs in territories where criminal actors govern?

In this essay I explore how variation in two defining features of criminal regimes—the nature of relations among criminal organizations and between these organizations and the state—impacts the ability of citizens to enact democratic practices collectively from the bottom up. I draw on empirical insights from fieldwork in Mexico City that is part of a broader ongoing research project on the comparative politics of nonstate security provision in the urban Americas. I zoom in on two similar neighborhoods with contrasting experiences in citizen-led efforts to deepen democracy as part of addressing a concern that afflicts many communities in Latin America: limited access to water. In one neighborhood, citizens failed to mobilize around this pressing

issue, whereas in the second, citizens worked collectively to advance deliberation and participation in authoritative local decision-making while maintaining autonomy from traditional clientelist networks. While the two communities have similarly high levels of crime and violence and share important socioeconomic and political features, they differ in the forms of criminal governance that predominate in each.

Criminal Governance and Democracy

How does criminal governance impact democracy? Cross-national survey analyses find that crime and violence are negatively associated with individual-level support for democratic systems, values, and institutions (Carreras 2013). Scholars do identify a positive relationship between crime victimization and nonelectoral forms of political participation, such as engagement in civic associations (Bateson 2012). But the picture gets more complicated once we scale down from the level of entire countries to that of the municipalities and neighborhoods where criminal governance is rooted and shapes everyday life. Survey-based studies in those specific spaces find that crime, violence, and insecurity negatively affect both electoral (Ley 2018) and nonelectoral (Córdova 2019) forms of political participation.

Conceiving of citizens solely as bystanders in contexts of crime and violence overlooks how they respond to and confront criminal actors in ways that also impact democracy. Recent research finds that Indigenous communities in Mexico, for example, use historical institutions of democratic self-governance to stop drug-

trafficking organizations from taking over their territories (Ley, Mattiace, and Trejo 2019). Where Indigenous communities succeed in safeguarding their territories they can sustain their traditional institutions of democratic self-governance. But what about in settings already under the control of criminal actors? Elsewhere I have analyzed the conditions under which victims resist criminal extortion in territories controlled by criminal actors using strategies outside of the rule of law to end, negotiate, or prevent their victimization (Moncada 2021). Strategies of resistance can differ in their intent and social organization, among other features, but all carry complex implications for democracy. For example, victims may engage in individualized negotiations with criminal actors that reduce the rate or level of extortion they must endure but enable criminal actors to retain territorial control. Victims may pursue collective extralegal violence against criminal groups and even target police and politicians colluding with criminals. And in still other cases, victims may threaten or use extralegal violence to shape electoral outcomes and put into power allies sympathetic to citizens' continued use of violent practices that undermine the rule of law. Strategies of resistance to criminal governance can thus challenge core aspects of conventional democracy.

But Latin America is also fertile terrain for experiments in nonconventional forms of democracy (Fung 2011). Decentralization starting in the late twentieth century theoretically gave citizens opportunities to influence local policymaking. And participatory institutions were supposed to enable citizen deliberation to inform local governance. However, in some cases these state-sponsored and top-down reforms also generated incentives for criminal actors to capture subnational territorial units, which were now endowed with economic resources (Eaton 2006) and political power (Arias 2017). But we know less about the ability of citizens to use deliberative and participatory democratic practices to address pressing everyday needs while living under criminal governance.

Criminal Governance and Implications for Deepening Democracy from Below

Criminal governance refers to the enforcement of rules by a criminal organization on its members, other criminal groups, and/or civilians (Lessing 2021). Two features of criminal regimes are the nature of relations among criminal actors and the nature of relations between the criminal actors and the state. Variation along these dimensions have different implications for everyday life (Arias 2017; Magaloni, Franco-Vivanco, and Melo 2020). Here I explore how differences in these dimensions can have contrasting effects on bottom-up efforts to deepen democracy. I focus on a territorial setting where there is a single criminal actor that has collaborative relations with the state, and another territorial setting where there are multiple competing criminal actors that have conflictive relations with the state. The two forms of criminal governance have distinct implications for three aspects of bottom-up efforts to deepen democracy: physical mobility, public display, and social cohesion.

A fundamental prerequisite for deepening democracy is *physical mobility*, which makes possible face-to-face deliberation. Citizens need to be able to travel through streets to gather, discuss, and debate issues in person as part of contributing to localized democratic processes. In these processes citizens can share information, reflect on communal concerns, and arrive at and enact collective decisions (Barber 1984, 151; Fung 2003). Such face-to-face engagement is where citizens develop democratic skills, including how to cooperate, listen to divergent viewpoints, and amend individual preferences for the collective good (Warren 2001, 73), as well as the logistical skills of organizing meetings, developing agendas, and establishing rules of engagement (Putnam, Leonardi, and Nanetti 1993; Verba, Schlozman, and Brady 1995). But face-to-face engagement is only possible when citizens feel safe physically moving through and being in public spaces—a challenge in contexts where the violence and insecurity associated with criminal governance largely take place in public spaces.

Public display refers to citizens making themselves visible as part of deliberation with each other and participation in claims-making processes. Avritzer (2002) refers to this as the “public space” of democratic participation—where communication takes place, both among citizens and between them and actors in political and economic spheres. But a second meaning of “public” is that citizen participation in deliberation and claims making is also freely observable to other actors. This is particularly the case for citizens who organize meetings, encourage neighbors to participate, engage with state authorities, and pursue contentious actions, such as protests intended precisely to garner widespread attention. But public display as a component of deepening democracy from below belies the unstated but widespread rule in territories under criminal rule of maintaining anonymity in everyday life: “*ver, oír, y callar*” (see, hear, and shut up). In settings where even being suspected of engaging in behaviors that might threaten criminal rule can elicit violent punishment by criminal actors, maintaining anonymity is a rational survival strategy, thus generating a barrier to a key aspect of deepening democracy from below.

Social cohesion refers to the bonds of trust within a community that underwrite collective action (Putnam, Leonardi, and Nanetti 1994). Trust enables generalized trust through which citizens are willing to amend individual preferences for the collective good and forego freeriding (Knack and Keefer 1997). But the corrosive effects of violence and insecurity on physical mobility and the dangers associated with public display limit the ability of citizens to build and sustain bonds of trust. Collective mobilization is difficult in settings when citizens distrust fellow community members amid suspicion of possible collusion with criminal actors (Moncada 2021, 32–33).

Higher levels of criminal competition and state-criminal conflict should constrain citizen-led efforts to deepen democracy from below. Increased violence and insecurity as criminals clash over territory and illicit markets while confronting state security forces reduce physical mobility because people fear being in and

traveling through public spaces. The incentives for public display should also decline as citizens will favor keeping out of the spotlight. And criminal competition and state-criminal conflict increase the potential opportunities for citizens to report on the activities of criminal actors to their rivals, as well as to the state. This leads criminal actors to engage in greater monitoring of local populations to detect and punish potential denunciation, including recruiting locals as informants on their neighbors, thus weakening social cohesion and citizens’ ability to coordinate and enact practices to deepen democracy from below.

Mexico City: Shared Neighborhood Concerns and Different Implications for Democracy

Many residents of Mexico City face scarce access to clean water due to several factors, including rapid urban growth, limited wastewater treatment infrastructure, public sector corruption, politicization of the issue, and climate change. But it is poorer communities that are more likely to struggle with dry taps, lower levels of water pressure, and contaminated water sources. These conditions are present in two neighborhoods (*colonias*) in the southeastern part of Mexico City where I have been conducting research. The first neighborhood, which I call “La Yogona,” is in the borough (*alcaldía*) of Tláhuac, and the second, “La Soledad,” is in the adjacent borough of Iztapalapa. The two neighborhoods began as informal settlements in the second half of the twentieth century, have high levels of poverty, histories of supporting the political Left, and the presence of armed criminal groups involved in the illicit drug trade. The communities differ, however, in their responses to water scarcity.

La Yogona’s residents began mobilizing collectively to address water concerns in 2019. They established an informal association that I call “Vecinos Unidos” (United Neighbors), elected a leadership council, appointed a spokesperson, held regular community meetings, and organized protests. Residents purposefully structured their mobilization to deepen democracy from the bottom up, emphasizing citizen deliberation and

participation regarding the steps they would take to collectively address water scarcity. Through their deliberations, residents collectively decided to forego turning to the clientelist networks that had historically offered only temporary and partial access to water and instead make their collective efforts apolitical, by refusing to support political parties or candidates. But without a political patron, this meant that obtaining water necessitated sustained citizen participation. Residents structured their mobilization by designating “coordinators” on each street in La Yogona who worked constantly with their neighbors to keep records on tanker truck deliveries of potable water (*pipas*) to household cisterns and information on how long each household had water running from its taps. This data was then aggregated and shared with another group of residents who produced graphs and tables showing patterns of access to water at the individual street level, which leaders of Vecinos Unidos brought with them to meetings with the city’s water agency to prove that La Yogona was not receiving the amounts of water that authorities claimed to be providing. Engaging in deliberative processes and participating in the monitoring of water deliveries and community-wide meetings required neighbors to physically traverse and occupy public spaces. The number of archives generated through the monitoring practices led neighbors to collectively pool resources to rent a one-room office on a busy thoroughfare in the neighborhood, which was widely known as the headquarters for Vecinos Unidos. Other highly visible acts included blocking busy intersections in La Yogona to bring traffic to a standstill and attract media attention, which Vecinos Unidos used to publicize their claims for access to water. Over time, residents leveraged the cohesion used to advance claims on access to water to collectively address other community concerns, including creating an online marketplace where residents could advertise homemade goods for sale during the COVID-19 pandemic, and collecting and distributing medications to neighbors unable to afford them.

By contrast, and despite facing a similar lack of access to water, residents in La Soledad failed to mobilize in ways that deepened local democracy. The lack of mobilization in La Soledad is particularly striking given that it is geographically adjacent to La Yogona. Yet neighbors in La Soledad opted not to mobilize collectively in a similar fashion, despite the fact that limited access to water negatively affects the community. A woman who helps to run an educational center in La Soledad lamented the difficulty of teaching neighborhood children when the lack of water means that they cannot use the bathroom. She noted that neighbors resort to stealing water from each other, and she was forced to install a lock on the opening to the water cistern on her roof after a supply of water she bought from a private vendor was stolen overnight. Other residents similarly indicated that working with neighbors to address collective concerns is not an option, specifically because they fear for their safety moving through the neighborhood and drawing attention to themselves.

What explains these contrasting responses to similar contexts of limited access to water in adjacent communities that also share important socioeconomic and political features? A focus on contrasting forms of criminal governance can help answer this question.

La Yogona forms part of a set of municipalities in Tláhuac that in 2011 came under the control of the Cartel de Tláhuac (CdT), a drug trafficking organization (DTO) that emerged in Mexico City. The CdT coordinated the distribution chain of illicit drugs traveling north into Mexico City’s neighborhoods and monopolized street-level sales in Tláhuac. It was widely rumored to have collaborative ties to local politicians and police that enabled it to operate as an open secret without needing to use extensive force against residents of the neighborhoods it controlled. For example, one of its leaders, Gregorio Sandoval Hernández, was renowned for using minimal violence to govern the drug trade. A resident remarked that another of the DTO’s leader, Felipe de Jesús Pérez, paid to pave sidewalks and streets, acting like a local “Robin Hood.” The DTO was able to sustain territorial control in this way

for several years and continued to do so, after Federal Police captured or killed several of its leaders between 2017 and 2021, by bequeathing control of the DTO to the children of its leaders. It was during this time of relative order in La Yogona, given limited criminal competition and state-criminal conflict, that neighbors leveraged the lack of violence and insecurity to participate in public meetings where they deliberated on water scarcity, organized publicly visible activities to draw attention to water scarcity (and themselves), and leveraged social cohesion to address other community concerns. Authorities in the city's water agency and city government were forced to respond to the demands of La Yogona's residents and to begin providing stable access to water in the neighborhood.

The contrasting nature of criminal governance in La Soledad has different implications for the ability of residents to address water scarcity. La Soledad has a history of numerous competing street gangs that control the local drug trade. Violent confrontations between gangs over turf from where they sell drugs regularly take place in neighborhood streets and other public spaces. Unlike the CdT, the gangs in La Soledad do not have collaborative relations with state authorities. Police regularly extort gang members by demanding bribes in exchange for not arresting them. Significant police operations against the gangs, however, tend to produce violent battles in the labyrinth of alleyways that crisscross the neighborhood. These conditions lead community members to avoid public spaces for fear of getting caught in the cross fire, meaning they also prefer to remain anonymous in the public sphere. The fragmentation of the neighborhood into multiple armed actors strains social cohesion as residents are unable to trust each other for fear that neighbors might be working with one of the multiple drug gangs that are monitoring local behavior. Water scarcity continues to be a major challenge in La Soledad.

Conclusion

In this essay I argued that the nature of criminal governance influences the ability of marginalized citizens to deepen democracy from below.

Variation in relations among competing criminal actors and between them and the state has implications for physical mobility, public display, and social cohesion—crucial requisites needed to engage in bottom-up projects of deliberative and participatory democracy. I illustrated the effects of criminal governance through a comparison of urban neighborhood-level cases of citizen efforts to address water scarcity in Mexico City, where variation in criminal regimes enabled but also precluded citizen experiments in deepening democracy even in settings of criminal governance.

More broadly, the analysis shows that criminal governance and democracy do not have a zero-sum relation. The two interact with each other in ways that are complex and consequential. Further unpacking this intersection requires disaggregating both the processes of democracy—such as elections, campaigns, institutional legitimacy, and policymaking—as well as the actors involved in democratic politics, including the state, bureaucracies, business, and criminal organizations. Some of the emerging research that I discuss above uses exactly this approach and yields counterintuitive findings that invite rethinking classic understandings of how politics functions in Latin America and much of the developing world. But we also need to consider the role of citizens in the politics of democratic and criminal governance, and particularly to consider whether and how they can deepen democracy in settings of criminal governance.

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From Bad to Worse: Behind the Scenes of El Salvador's "War on Gangs"

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I have an academic background in anthropology and international peace studies, but the most formative schooling I have ever received was the period of four years that I spent alongside young people experiencing incarceration in El Salvador. I had received a Fulbright grant to conduct ten months of research about trauma and resiliency among those incarcerated in El Salvador, but I stayed for eight years. Even so, I still only scratched the surface of all there is to learn from those who so graciously and courageously stepped into their wounds to speak their stories out loud to me, week after week. Nearly all of these young people were in some way gang involved. Those who were not involved before incarceration often become involved once incarcerated, because the structure of the juvenile detention facility itself forces them either to choose gang loyalty or be relegated to small and isolating spaces for the duration of their sentence.

Thanks to the gift of their openness and vulnerability, I was given thousands of windows into the complexity of their lives, the magnitude of their resilience, the depth of their despair, the limits of their agency, and the song of their whispered longings. I spent hundreds of hours sitting at a desk in the patch of earth directly outside their dormitory cell, moving around to follow the shade that the concrete walls would create for us depending on the time of day. These encounters remain the most sacred of my life thus far. One by one, the young people seated in front of me revealed their stories, and I wrote them down verbatim. Our goal was to produce a book of poetry and prose to problematize the

public image of who they were (something other than vermin, cockroaches, monsters, diabolic—as they are most commonly labeled in commentary beneath online news stories).¹ Much of what they shared never made its way into their testimonies, because it would have jeopardized their safety within the structure they were bound to. These stories remained between us and were spoken for the sake of whatever healing is possible when witnessed in their fullness by another, even when still trapped within a situation of the ongoing trauma of being harmed and simultaneously forced to perpetrate a great deal of harm.

When they would articulate a story they did want to share with a wider audience, I would write it all down with them, type it that evening, and return the next day to read it back to them. We'd then proceed to edit it together and co-create an order and a structure to their satisfaction. Such was the case with William, whose tenderness and soft-spoken manner always struck me, given the degree of pain, trauma, and violence that had made up much of his life experience.

In the hundreds of stories I heard, William's story is the rule, rather than the exception, to the extent that his life is riddled with violence and abuse. William emphasizes the themes of violence and abuse carried out by his family, teachers, law enforcement, and himself; but it is important to remember that each of these individuals is operating amidst systemic violence and unresolved historical trauma. I have been hard-pressed to find a single Salvadoran who was not impacted by the US-funded war in El Salvador from 1980 to 1992 that took the lives of over

¹ I would gladly share pdf copies of these compilations that we self-published, entitled "Tras la máscara de un pandillero" and "Duras lecciones," with those interested in reading and sharing this work.

70,000 Salvadorans. Not to mention the impact from the violence that has ensued since, with the gangs' rise to power following their exportation from Los Angeles, when Salvadoran refugees were deported from LA following the war. The Salvadoran state's increasingly repressive, "hardline" policies in response to the violence (with the backing of US funding), has only exacerbated the underlying hurt and oppression at the root of the complex, systemic causes to the current situation of violence and instability.

While William's story was recorded in 2013, it is even more relevant and urgent today than when it was originally recorded. I do not know William's fate. But of the young people's lives that I've been able to keep up with, 38 have been killed, and many more have been re-incarcerated. Though William and most of his peers were recruited into gangs as children, they are written about not as "child soldiers" but as delinquents, gangsters, and terrorists. As such, the treatment they are given by the state with the support (or blind eye) of the international community is one of violence, repression, and extrajudicial killing. While young people like William have indeed inflicted irreparable harm, the state's response to this harm has only exacerbated the situation. Warehousing youth with gang affiliations in detention centers with few opportunities for healing and growth has been equivalent to sending them all to get masters' degrees and PhDs in street smarts and illicit organization. It was not uncommon during my time accompanying these young people in prison that they would be made to collectively murder one of their peers for some transgression he had committed against the gang. This mechanism of violence and control, all while in state custody, served to solidify their belonging to their gang, for fear of internal retribution.

Salvadorans could likely all agree that the levels of violence and gang control in El Salvador have been intolerable, and something needs to be done. However, the response must take into account the complexity of compounded trauma, rather than adding ever increasing layers of fear, violence, and marginalization to the lives of boys such as William.

Unfortunately, President Nayib Bukele's government has done just the opposite. On March 27, 2022, El Salvador's legislative assembly approved a "State of Emergency," temporarily suspending certain fundamental rights such as habeas corpus and the right to legal defense. Since the police are targeting anyone who "directly or indirectly benefit from relationships of any nature" with gangs, and currently have no legal accountability, this has led to a wave of arbitrary arrests. Since the State of Emergency was approved, as of September 15, 2022, more than 52,700 Salvadorans have been arrested (which is 20 percent of people in El Salvador aged 15–30).

I conducted several interviews in August 2022 with those who had managed to be released from this most recent wave of detentions, and each person detailed unthinkable horrors taking place inside of the prisons. Hunger and dehydration are the norm, and people are dying in droves of tuberculosis, kidney failure, COVID, and murder by state officials, though these deaths are not being reported by the state. Each day, people like William who manage to complete their sentences are being handcuffed as soon as they step out of the front doors of the prison, and reprocessed with 40-year sentences, because in March 2022, it was declared a crime punishable with 20–45 years in prison to "belong to a gang."

Yes, something had to be done, but this was not the solution. Though there is a momentary reprieve from gang violence in many communities in El Salvador, people have begun to turn on one another in the atmosphere of mistrust and fear of state authorities, and people are describing it as being a "crime to be on someone's bad side." With a mere accusatory Facebook post, it is now possible to get someone incarcerated overnight by a police force whose official T-shirts state: "Si te corres, solo te morirás cansado" (If you run, you will only die tired). Abuse of power, violence, and machismo have only proven to seed more of each of these in El Salvador's history, and the next iteration will surely be like nothing we've seen yet.

It is an honor to share William's story with you. It is no small thing that it has managed to find its way out of the bars that likely constrain him, if he is still alive. I told him I would try to share his story as widely as I could. He hoped his testimony would contribute to the world, as part of his journey to try to become the "best good person" he could be. When you see images of the mass detentions in Central America and celebrations of the "war against terrorists," remember William, and the complex story of each handcuffed body you see. Imagine their longings, and what they might need to survive, or even thrive. Imagine a way forward that can both take seriously the tremendous grief of those they have harmed, as well as their own experience of harm that led them to the structure that promised them the respect and agency they longed for. Invite others in, and take the first step towards creating this healing pathway you've imagined.

Caged Where My Life Began

William

I was made in prison.

My father spent ten years and five months locked up for two murders. My mom went to prison to visit her uncle and while she was there my dad talked her into being with him. My mom took the risk and put up with him for his whole prison sentence. They made me and my older brother while he was in the big house. My brother was planned though, and I wasn't.

My grandpa always told me since I was little that I was an accident and that I'd be good for nothing my whole life. He told me over and over again that no one in our family wanted me because I was too hyperactive. My whole family told me that I was the black sheep.

For as long as I can remember, my dad beat me every single day. He always fought with my mom and if I looked at him he'd yell, "What are you looking at son of a bitch?" and he'd beat the shit out of me.

When I was five he was teaching me how to tell time on a clock but I couldn't do it. He broke it over my head yelling, "Son of a bitch! Learn this shit!"

I always said to him, "When I'm old I'm gonna become a gangster. They're going to kill me and it's gonna hurt you to see me lying dead." He always just responded, "I hope they kill you son of a bitch!" as he punched and kicked me.

One night when I was only seven, I grabbed a knife to kill him while everyone was asleep. But I wasn't brave enough to do it. Another time I stuffed a bunch of pills in a water bottle and I left it by his bed so that he'd drink it. I stood in the doorway watching that son of a bitch snore. But I didn't know how I'd escape from the house, so I took the bottle away from his bedside.

Aside from my father's abusiveness, my mom favored my brother in our household. She'd buy him more than she'd buy me. I always had to clean everything.

At school everyone looked down on me. My damn life has always been that way. My teachers would kick me because I wouldn't do my homework. I was smart. I always outscored everyone in the PAES.² I came in second place on the municipal level, but since everyone looked down on me, I dropped out of school.

When I was nine my dad left for the United States to help our family out. I was happy when he left. Once he got there, he stopped calling us. My mom's aunt eventually told her that he had another woman and children there. I felt sick thinking about how much of a piece of shit my

² Standardized testing for primary and secondary students in El Salvador.

dad was. It hurt me so much to know that my mom had waited for him for over ten years while he was in jail and he still cheated on her.

When I found out he'd cheated, I thought, "One day my dad is gonna need me and I'm gonna send him to hell." I said that if I saw him I'd kill him right then and there. I joined the gang, and my dad had the nerve to tell my mom that it was her fault I'd joined, when he was the one who never cared for me. He never gave me one piece of advice.

I took out everything I'd suffered with my dad on the shit ton of guys that I killed. Maybe one day someone will take out what they've suffered on me, just as I took out my anger on them. Being in the gang, I started thinking about everything that had happened to me in my damn rejection-filled life. I didn't give a shit if they killed me. So I would go to rival gang territory and kill them. I released some of my anger, but at the same time I felt like what I was doing wasn't good. It was good in the eyes of my gang, but not in God's eyes.

Since I was involved in crime, the police were always after me. They'd steal my bikes, phones, money, and they even took one of my mom's gold chains and her perfume. The judicial system ensures that our lives are as awful as possible. The police are supposedly here to arrest those who commit crimes, but they're more corrupt and unlawful than we are. One time they grabbed me by my house and they dumped me right in the middle of rival gang territory where a bunch of rivals were waiting for me with machetes. I barely escaped alive because they wanted to slice me to death. If they had killed me I wouldn't have cared.

Since my family rejected me, I looked for support from a girlfriend. I found it in Sindy. A few months after having met, we moved in together. I really love her. We did everything together. We bathed

together, slept together, and ate off of the same plate. We both had arrest warrants so we'd run from the police together, too, though she was pregnant with my child.

Shortly after we moved in together some guys carried out a murder in her house and, because she has three brothers who are gang members, the police implicated her. She was arrested and she cried and cried. Since I was still outside, tons of chicks told me to my face that we should make love, but no. I said no to these whores. My woman was locked up and pregnant and if she found out that I was with someone else . . . that could kill her. Instead, I bought her everything she needed.

A few days later, I was arrested for murder. About 20 cops surrounded my block. I ran from them over the rooftops. They finally found me hiding in the water basin of an abandoned house. They beat the shit out of me, as if I were a piñata, trying to get me to tell them where our gang hides guns. They offered to throw me over the border into Guatemala in exchange for information,³ but I didn't tell them anything.

Like it or not, I'm in jail because of my father, that son of a bitch. He told me that he would pay for a lawyer to get me out, but I told him to pay for a lawyer for my lady instead so that she could get out since she's pregnant. Then she could come and visit me here.

My mom wants to sell her land and use the money to send me to the United States⁴ if I get out. Now that I'm locked up they want to help me, but it shouldn't be like that. Everything they do to you when you're little hurts you. We're human beings . . . we feel.

³ Gang members who reveal confidential information to the authorities are often killed by members of their own gang for "snitching." Although they may attempt to hide out in neighboring countries, they are often found and killed. Additionally, gang loyalty is such that gang members will elect years of prison time over protected-witness programs, which themselves are grossly ineffective.

⁴ Immigrating to the US is one of the only ways to "escape" gang life, yet it is incredibly dangerous for gang members, given that the migration pathways are controlled by rival gangs and cartels in Mexico.

I wonder what God's plan is for me here. Maybe they were going to kill me on the outside, or maybe I was going to get more addicted to cigarettes, alcohol, marijuana, crack, or cocaine. . . .

I think to myself, if I wasn't planned but I'm here, God must have sent me to the world for some reason. Maybe to see the mistakes that I've made and then repent.

When I was on the street, I got to the point of wanting to make a deal with the devil. If I was going to be bad, I wanted to be the baddest bad person in the world.

Now I think that if I'm going to be good, I want to try to be the best good person in the world.

Although we always make mistakes, we can try to avoid them.

Maybe that's why God sent me to be locked up.

We don't gain anything by doing bad things, but we gain so much by doing good. If I have this opportunity, I have to take advantage of it. But here in El Salvador there's no way in hell I'll change, surrounded by the same temptations and obstacles as before. My rivals will kill me. The police will charge me with any murder that's committed. . . .

That's why when I get out, I want to go to the US and start a new life. Once I'm out of danger, I can share my story and my pain with other kids and be a support for them so that they don't choose a bad path and a bad mentality. I want to be a good father for my child, since my father was not a good father for me. //

The Ben Kohl Scholarship Fund of the LASA Bolivia Section

by **Linda Farthing**, Coordinator, Ben Kohl Scholarship Fund

After Temple University professor Ben Kohl died in July 2013, LASA's Bolivia Section, spearheaded by then chair Eli Monasterios, approached me about setting up a fund in his memory. I had received a couple of these kinds of requests to honor Ben, and I said yes without much thought, not realizing how the students that this initiative brought to my door would become such a part of my life.

We set up a scholarship committee with section members Nancy Postero, Chris Krueger, Guillermo Delgado, and myself, with backup from the section chair; because I spent more time in Bolivia than any of the others, I became the de facto coordinator. Our first step was to hold wide-ranging conversations about what the scholarship should be for, within the context that it should benefit low-income students with a strong commitment to social and economic justice. Bolivian academics and students repeatedly told us that the biggest obstacle low-income students face is finishing the theses required for them to be awarded their degrees. At a rough estimate, only 15 percent of all public university students graduate.

That decided what the scholarship should focus on. The next challenge was identifying potential recipients. We figured that if we publicly announced the availability of a scholarship we would be inundated with requests, so we opted to contact professors at public universities who could identify students for consideration. In fact, in a country where private scholarships at the university level are almost nonexistent, in many cases we found that the offer of money with no strings attached generated initial suspicion rather than enthusiasm among students; but once they had a look at the Bolivia Section

and LASA's website (in Spanish), these fears diminished. After a false start or two, we finally got underway in 2017.

Hebert Layme was our first student. He is clearly exceptional—already published in local journals with a thesis focused on the participation and inclusion of indigenous peoples in Bolivia's constitutional history from 1967 to 2009. He's the son of a milk delivery driver and a woman with a market stall. "I've loved history since I was a child," Hebert says, "sometimes much to the chagrin of my parents, who both hoped I would become a doctor or lawyer." He adds, "The scholarship enabled me to strengthen my connection to the Aymara indigenous movement and I want my research to help to them in some way."



Hebert Layme speaking at First Latin American Congress on Indigenous History, October 2017.

Hebert and our second scholarship recipient, Edgar Poma, organized Bolivia's first indigenous history conference at the Universidad Publica de El Alto (UPEA) in 2017. Edgar, who had to wait two years to defend his thesis because of internal departmental wrangling, "chose to study history because I find it fascinating, and I want to learn more about Aymara culture." He opted "to study marriage structures in my community Paco in Provincia Camacho. I interviewed community



Edgar Poma

elders about the marriages of their parents, themselves and their children and how they have changed over time.” Both Edgar and Hebert are now teaching at the UPEA and both hope to complete master’s degrees in indigenous history, although the cost is prohibitive for them both.

Neither of these two young men, nor the subsequent three other students from the UPEA, would have come to the committee’s attention without Felix Muruchi Poma, Ben’s and my longtime friend and collaborator (*From the Mines to the Streets: a Bolivian Activist’s Life*, University of Texas, 2011). Felix, who was teaching indigenous history at the UPEA, has a strong commitment to forming the next generation of activists and this translated into active engagement with the scholarship fund.



Jhocelin Caspa and her parents

This relationship enabled other students to get scholarships. After many obstacles in setting up a meeting to defend, last October Jhocelin Caspa became among the first women to earn a history degree from the UPEA.

Her research focuses on women’s participation during the 2003 Gas War in her own neighborhood of Senkata (which was at the heart of the uprising). Victor Mamani, who was working on a thesis on the history of public transport in El Alto, gave up trying to get his thesis defended (he had written most of it) but was able to graduate on the basis of his high marks in his courses (*modalidad de excelencia*) rather than a thesis. This reflected a move in Bolivian public universities away from the thesis requirement, which



Jhocelin Caspa and Victor Mamani

has led to discussion in our committee about whether the scholarship’s focus should change in the future. Victor now heads the transportation division in the department (state/province) of La Paz.

Jhonny Quenta is the only UPEA student who hasn’t finished yet, in large part because of COVID-19 and the ambitious nature of his project, which focuses on primary research about efforts early in the Spanish colonial period in his *ayllu* in the north of Potosí to maintain local control over land. This research has never been done before, and Jhonny has hopes that this kind of investigation can help resolve ongoing boundary conflicts between local *ayllus*.



Jhonny Quenta in the Potosí archives, 2022

When I was in La Paz in May 2022, I met with four of these five students as well as Felix Muruchi and Sara Shields (who generously coordinates students’ monthly payments). The UPEA students spoke passionately about how much the scholarship had enabled the completion of their theses and expressed a willingness to help keep the scholarship going.

The scholarship fund is also active in Santa Cruz. In May, I traveled with another one of our *becadas*, Mónica Guzmán (who successfully completed her thesis on women’s participation in political decision-making in Territorio Indígena Multiétnico 1 in the southern Beni) to the Chiquitanía east of Santa Cruz, where she is researching traditional medicine for a Sucre-based NGO. Mónica is also active in the Museo Guarani, working as the volunteer coordinator of cultural and artistic activities for Guarani and Chiquitana women.



Mónica Guzmán Camiria



Nadia Sandoval

In Santa Cruz, Nadia Sandoval is a current scholarship student writing her thesis about the degree of recourse the Bolivian judicial system offers women who have been sexually assaulted. Dr. Nuria Villanova of American University has been providing her support.

Fausto Vargas is our other active student there. He faced challenges due to COVID-19 and is working in a carpentry shop to support his family



Fausto Vargas in the carpentry shop

but is determined to finish his thesis on cattle ranching, agriculture, and interethnic relations in the Alto y Bajo Isoso (the Chaco region south of Santa Cruz). These students have all received outstanding support from the fund's partner Jose Antonio Montaña, who teaches sociology at the Universidad Autónoma

Gabriel René Moreno (UAGRM) and is a longtime collaborator of Bolivia Section member Derrick Hindery.



Humberto Guarayo

Humberto Guarayo is our first student in Sucre, who is now finishing the final corrections on his thesis (on the design for cooperation and coordination between the legal jurisdiction of the Yamapara nation, the ordinary legal system and the agro-ecological jurisdiction in his home

municipality of Tarabuco). We have also had a student studying environmental engineering in Oruro, Carla Aquino. Carla is now working for the government on industrial and environmental security and is determined to pursue the dream she wrote her thesis about—improving plastics recycling in Oruro. Thanks to contacts through Bolivia Section member Guillermo Delgado,

Professors Dennis Garcia and Rene Nuñez (who sadly died of COVID-19) of the Universidad Técnico de Oruro were instrumental in making Carla's scholarship happen.



Carla Aquino López

Our latest scholarship student is Álvaro Rodríguez Antezana, who is a student of Roxana de Carmen

Abud Rivera and Dr. Roberto Fernández Terán of the Universidad Mayor de San Simón (UMSS) in Cochabamba. Álvaro is just finishing his research on communication and memory practices in the 1980s Movimiento Campesino de Bases (MCB) in the Cochabamba valleys.

The challenges have been many. Aside from student suspicion, we have been mired in departmental infighting, spent hours tracking down students who have fallen off the map, wrestled to get the necessary receipts for LASA accounting, and so on. We also have more male students than female (7 of the 11), another hurdle we are working hard to overcome.

The project would not have happened without considerable collaboration between LASA members and local professors, including Ben's old friend, artist, journalist, and professor Ricardo Rocha Guzmán, who has interviewed scholarship candidates in Cochabamba and Oruro, and my *comadre* Reyna Ayala, who tracked down La Paz students whenever necessary. Aside from the committee, the Bolivia Section presidents Eli Monasterios, Martin Mendoza Botelho, Nuria Villanova, and Ximena Postigo have all played a critical role, as did some 75 donations from section members and Ben's colleagues and family.

For those interested in donating, here is [the link](#). But what we mostly seek by sharing this story is to encourage other LASA sections and members to explore how you can give back as a group to the communities where you do your research. Our initiative is the first of its kind in LASA's history, and we very much hope it won't be the

last, but rather a step in strengthening LASA's commitment to the peoples of Latin America. Bolivia leads the way!

Linda Farthing is a longtime LASA member and an independent scholar and journalist. Her latest book is *Coup: A Story of Violence and Resistance in Bolivia*, coauthored with Thomas Becker (Haymarket, 2021). She has written and edited numerous scholarly articles and books on Latin America as well as writing for *The Guardian*, *The Economist*, *Al Jazeera*, *Americas Quarterly*, and *The Nation*. //

Remembrance of Rosamel Millaman Reinao

by **Charles R. Hale** | University of California, Santa Barbara | crhale@ucsb.edu

Rosamel Millaman Reinao was born in 1953 and left this world well before his time in August 2022. He led his life first and foremost as a *dirigente mapuche*, a commitment galvanized in the early years of the Pinochet dictatorship, when he was a student of anthropology at the Universities of Valparaíso and Concepción. Although Rosamel later carried out doctoral studies at the CUNY Graduate Center, becoming an influential scholar of Mapuche cultural politics and a dedicated teacher at the Catholic University of Temuco, he always thought and acted first as a *militante*—in the rich, expansive, and profoundly humanist sense of that term—and when he moved in academic milieu, he embodied the best tradition of socially and politically committed anthropology. This is a remembrance, not an obituary. Rosamel was a dear friend, colleague, and *compañero*. I want to celebrate his life, to pause in thanks for the bond that we forged, and to reflect on his stellar qualities, which drew us to work together over the past 40 years, and from which we all can draw inspiration.

From the first time I met Rosamel in 1981, in revolutionary Nicaragua, he conveyed clearly the layered tiers of his identity: *dirigente*

mapuche first, and anthropologist a somewhat distant second. This did not mean that he took his academic pursuits less seriously—all to the contrary. At that time, he expressed deep reverence for his doctoral program teachers—Eric Wolf, Leith Mullings, and others—a full-on critical engagement with the subject matter, and a quiet confidence that his anthropological training would play a key role in the Mapuche struggles to which he would soon return. Much later, when I observed Rosamel as a teacher at La Católica, parallel qualities came through: he took high-quality teaching for all, and especially his Mapuche students, as a near-sacred commitment. Still, a political compass always guided his work in academia; he brought to each analytical task a grounded connection to his political experience, with a sense of higher responsibility to the political aspirations of his people. I am sure that meeting and working with Rosamel during that conference in 1981 helped convince me—a young college graduate with a heady desire for political engagement—to apply to graduate school in anthropology. That could well have been the last of our interactions, but we kept crossing paths and finding new reasons to work together.



Rosamel's political formation came from an era that, by the turn of the century, already felt markedly distant; resonance with that era, which over time came laced with mild bemusement, contributed to our bond. (A few years ago, in conversation with Rosamel, I let slip the phrase "*configuración de fuerzas*," and he laughed out loud: "Now *there's* a term I have not heard for a long while.") Rosamel's deep ancestral groundings in Mapuche culture had merged early on with a politics shaped with and by the Chilean left, first under Salvador Allende's short-lived democratic socialist government, and then, in resistance to Pinochet. This made for sharp contradictions from the start. Rosamel never held back in his vigorous, visceral critique of anti-Indigenous racism, not only of the right, but also the racism infused deeply within left political cultures—in Chile and throughout Latin America. When we met in Nicaragua, we bonded over a shared perplexity with the particular Sandinista version of that problem: How could such an inspiring revolution be so disastrously tone-deaf when it came to Black and Indigenous people's visions of liberation? Somehow, Rosamel managed to hold those two disparate strands of cultural-political formation in critical dialogue—not just then, but at successive junctures over the next 40 years. I remember clearly the exhilaration of that first encounter in 1981, and of every one since then. We could critically dissect, strategically engage, and even occasionally laugh about this colossal contradiction.

That quality is perhaps what I valued and gravitated toward most in Rosamel: he never shied away from contradictions, whatever the context. Instead, he made them the subject of analysis, whether in outwardly oriented spaces of Mapuche politics or in more intimate conversation. As is often the case with close friends, it was the latter that strengthened our bonds the most. Rosamel loved the sociability at the margins of work relations—at the *casa de cidra*, over a bottle of wine and barbecued meat around the kitchen table—which opened opportunities for candid recapitulation and repartee. Common topics included the *cabras* (headstrong younger activists, who lacked self-awareness); a *vampira* too persistent in

her pursuit of his approval; the maladies of life as a *ñampiao* (the Mapudungun word for an adventurer who neglected matters at home); particular *wingkas* (non-Mapuche Chileans) who walked the talk of alignment with Mapuche peoples, versus those who only talked. These topics blended easily with the more weighty—often revolving around failures of left-liberal political actors and institutions in their professed "*nuevo trato*" (new regime) after the return to democracy in 1990. Rosamel played a central role in the most comprehensive of these efforts, the *Informe de la Comisión de Verdad Histórica y Nuevo Trato*, only to be arrested, upon the study's conclusion, by the very government that commissioned the work! This and many other experiences engendered profound distrust for successive social democratic governments, and skepticism toward these governments' efforts to draw Mapuche leaders into the fold with superficial gestures of cultural inclusion (this became the topic of an article on which we collaborated). No one escaped Rosamel's critical eye.

Yet somehow, Rosamel always managed to temper his critique with a higher sense of political purpose and a healthy dose of humility. This combination of qualities is what made him so special. Especially in more intimate settings, the lens often turned inward, making sure that we academics did not take ourselves too seriously, reminding us that we could savor the humor—even absurdity—in our political commitments, without abandoning them. This was a constant theme in our final and most substantive collaboration. We served as co-principal investigators of an extensive study framed around the tensions between the forest products certification system (implemented by the Forest Stewardship Council, or FSC) and Mapuche territorial claims. FSC principles stated that no forest company could be certified without proven support for Mapuche territorial rights; yet Mapuche communities throughout southern Chile were locked in intense conflict with FSC-certified forest companies. Working on this project together for three years put us in contact with the very best of the Mapuche movement and with some of its shortcomings,

and it provided ample opportunity for frank self-reflection: What could we hope our analysis would contribute in the face of this immensely complex, multifaceted, historically engrained conflict? Was our own position justified and coherent? Stepping back, there are two features of this collaboration that will always stay with me. First is the reliable wisdom and consistent bearings of Rosamel's political analysis. I did more of the writing but always felt that I learned much more than I gave, since Rosamel ensured that our conclusions had political ground in truth. Second is the sheer pleasure of working together on an academic endeavor with such direct political repercussions. We often laughed quietly at ourselves, and at others, as we struggled to critique FSC certification while using it to open space for Mapuche land claims.

Although there was much that Rosamel probably did not share with me, I am sure that his steady vision and wisdom came in the first instance from his groundings in place, ceremony, daily routines, and spirituality of Mapuche community and culture. For many years Rosamel served in leadership roles in his *lof* (a community called José Jineo Ñanco), which he described with a smile as being "*lleno de ex comunistas*" (the smile signaled both virtue and vice). The *lof* had struggled for years to obtain expanded "reparations" territory from the Chilean government, which they finally achieved in the foothills of the cordillera. Rosamel dreamed of retiring there to work the land. He never learned to drive, and took the 30-minute bus ride to work from his *lof* every day, always leaving the city before the last bus around 8:30 p.m. Because of his widely respected stature as a *dirigente*, he received a constant flow of invitations to the *Nguillatun*—the Mapuche harvest ceremony of prayer, feast and sociability—and accepted many. I accompanied Rosamel and Ximena (his compañera at the time) as their guest in one *Nguillatun*, which moved me on many levels, including the opportunity to see Rosamel in his element: not an ardent participant in the prayer, but fully engaged with the ceremonial sociability, affirming what this meant for the vitality of Mapuche culture. Rosamel held Western and Mapuche medicine in balance, having played a

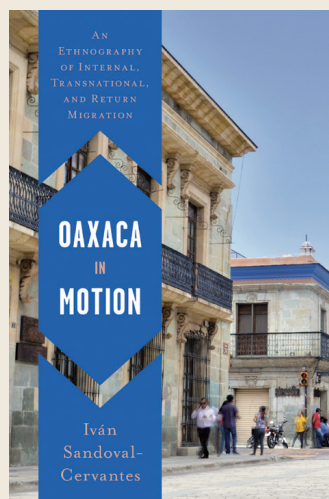
central role in the founding of the iconic Hospital Makewe, an Indigenous medical provider with ongoing support from the state. (In one of my last conversations with Rosamel, he lamented not being able to embrace this balance more fully in the management of his illness). This embodiment of Mapuche cultural values and practices came through most strongly in Rosamel's relations of trust and respect with other Mapuche *dirigentes*. His primary role in our FSC study—one that no one else on our team (or for that matter, few in the country) could have performed—was to interview older-generation Mapuche leaders, many of them "semi-clandestine" or seriously at risk, to garner their views of the lumber companies and the Mapuche struggle. He proudly reported on their receptivity, which often came with the proviso, "I'll do the interview, but only because it is with you."

These groundings are the essence of Rosamel's version of *antropología militante*. His guiding principles, his North Star, came from a *proyecto de vida* and from Mapuche lifeways that are not, and never could be, fully legible in the academic world. He served willingly as a bridge between these worlds, an interpreter of sorts, when he found the political purpose to be sufficiently compelling; and through this role he acquired an influential voice. Yet by his own choice, he never became fully of academia, and he grew weary, at times impatient, with this "bridge" role. I sense that he ultimately opted to remain at the margins because he knew that trying harder to belong would undermine the deeper groundings that gave his life project meaning; and that most likely, the academic world still would not have fully accepted him.

I was drawn to work with Rosamel and grew to love him in deep appreciation of this liminal, at times painful, but also profoundly generative space that he occupied. For those who think of entering their respective academic worlds with life experiences like those of Rosamel: I hope you will always nurture these groundings, give them priority, allow them to guide you and others. Take inspiration from Rosamel, who gleaned what he needed from so-called universal knowledge forms while never letting

their hegemony displace the *otros saberes* that made his home. Those like me, who have found meaning and connection in more distant struggles, can also take inspiration from Rosamel in the need to find our own home, and in the immense pleasure of working with soulmates who engage the contradictions without letting them undermine our commitments, who keep us real with Sisyphean humor, and keep us focused, as Rosamel always did, on touchstone ethical-political values, on the best answers we can muster to the bare truth question, *¿para qué?* //

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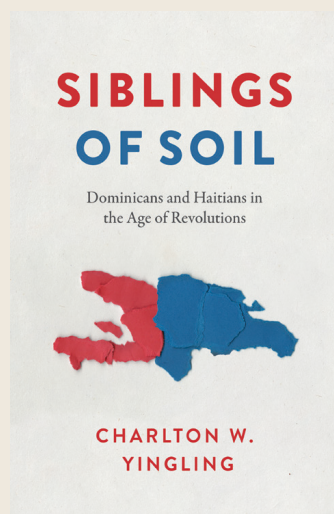
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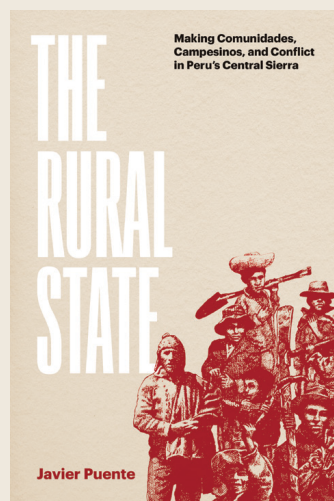


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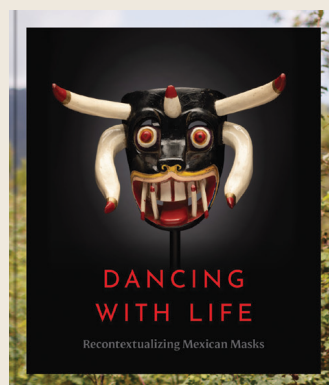


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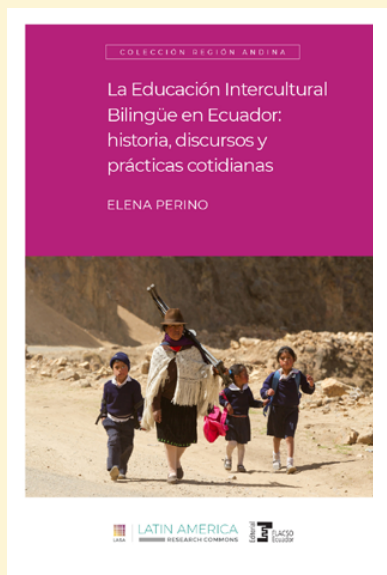
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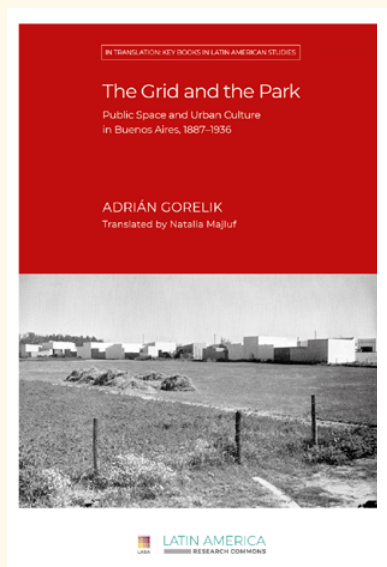
La educación intercultural bilingüe en Ecuador: historia, discursos y prácticas cotidianas,

de Elena Perino

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En 1988 se institucionalizaba en Ecuador el primer modelo educativo bilingüe en Latinoamérica manejado de manera autónoma por un movimiento social indígena. La voluntad era desafiar a las jerarquías del saber y a una sociedad excluyente.

En este libro la autora analiza las razones históricas por las cuales emergió el proyecto de Educación Intercultural Bilingüe (EIB) en Ecuador, sus tensiones, y cómo se aplicó en un Estado que se declara 'intercultural y plurinacional'.



The Grid and the Park. Public Space and Urban Culture in Buenos Aires, 1887-1936,

de Adrián Gorelik

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Since its publication in Spanish in 1998, *The Grid and the Park* not only revitalized studies on the history of Buenos Aires, but also laid the foundation for a specific type of cultural work on the city—an urban perspective for cultural history, as its author would describe it—that has had a sustained impact in Latin America. From Domingo Faustino Sarmiento's figurations of Palermo Park in the mid-nineteenth century to Jorge Luis Borges's discovery of the suburb in the 1920s; from the modernization of the traditional center carried out by Mayor Torcuato de Alvear in the 1880s to the questioning of that centrality by the emergence of the suburban barrio, the book weaves the changing ideas on public space with urban culture to produce a new history of the metropolitan expansion of Buenos Aires, one of the most extensive and dynamic urban centers of the early twentieth century.

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"Nationalism and independence are messy business, often doomed to failure. Perhaps no communities know this better than the Irish and the Puerto Ricans. And no one was more familiar with that fact than Pedro Albizu Campos, the subject of Aoife Rivera Serrano's new work which draws the two cultures together. *The Quickening of Albizu Campos: How Fenianism Galvanized the Last American Liberator* draws a narrative out of a chaotic political landscape that is difficult for contemporary readers to imagine. Yet it is also a poignantly topical story . . . The struggle in which Campos was engaged, and which Serrano illustrates, is born of an intersection of class, race, religion, and nationalism—all of which are given their due in the work.

"It is tempting to silo history into neat categories: Irish, Latin American, Revolutionary. Serrano resists this temptation in favor of the complicated truth. This approach demands greater expertise from historians, bridging multiple fields. It also demands more from readers, making *The Quickening of Albizu Campos* more at home in a graduate syllabus than an undergrad one. Serrano reminds us of the global perspective, and the on-going work of independence. Latino connections to the Irish revolution are well-remembered in Latin America, but often a footnote in Irish Studies programs. Works like *The Quickening* are perhaps most valuable as reminders to Irish Studies scholars that Irish-Latino connections were important on both sides of the hyphen. Serrano and others have been working to address the gap in scholarship around these critically neglected connections . . ."

—DR. CATHAL PRATT, Fordham University

" . . . a well-written and well-documented journey . . . I devoured the book."

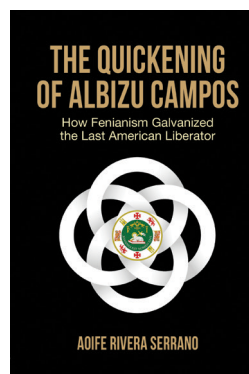
—SUSANNE RAMIREZ DE ARELLANO, journalist and cultural critic

THE QUICKENING OF ALBIZU CAMPOS

How Fenianism Galvanized the Last American Liberator

While the Puerto Rican leader, Pedro Albizu Campos, studied in the United States between 1912 and 1921 his milieu was colored primarily with people, events, and ideas with one thing in common: a free Ireland. During those years much of Irish America was pre-occupied with Ireland's struggle for independence from Britain, and Albizu Campos was in the perfect spot—Cambridge, Massachusetts—to immerse himself in the history of the struggling Celtic island and the dreams of her revolutionary patriots.

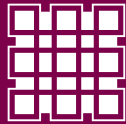
In this brilliant retelling of Albizu's formative years in Harvard and beyond, the author sheds new light on the insurgent education he received from Irish nationalists known as Fenians, and how it seeded the nationalist revolution against the US occupation of Puerto Rico. If you ever wonder why Puerto Rico is not yet annexed as a state, this is the book to read.



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