

# Political Repercussions of Crime and Violence in Latin America

An Essay for the Conference on

*Culture and Peace: Violence, Politics, and Representation in the Americas*

University of Texas at Austin, Law School, March 24-25, 2003

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In subjective perception and objective fact, many Latin American countries have experienced an epidemic of crime and violence during the last decade. Countries as variegated as Argentina, Venezuela, and El Salvador have suffered a tremendous upsurge of crime. As a result, crime now ranks among the most important concerns facing the population in a number of Latin American countries. What are the implications of this crime wave for Latin American politics? Is it likely to shake the stability of the region's still fairly new democracies as more and more people come to clamor for *la mano dura* and thus push their countries back to authoritarian solutions? And will popular responses to this crime wave diminish the quality of democracy as people see the rule of law more and more as an obstacle to effective crime control? For instance, will more and more people take justice into their own hands--and resort to lynch justice?

The present paper explores these important issues in a wide-ranging, yet not deep-reaching--i.e., an essayistic--fashion. My reflections are meant to stimulate discussion and therefore do not shy away from addressing controversial issues and tough trade-offs between competing values. In the "real world," it is unlikely that "all good things go together," especially when a problematic issue like crime is concerned. And it is the obligation of social science not to embellish reality, but to take a clear look at hard facts.

### The Problem: Latin America's Recent Crime Wave

Over the last two decades, many Latin American countries have seen crime and violence increase considerably; in some nations, this upward trajectory has been steep. During the 1980s, homicide rates per 100,000 population rose from 20.5 to 89.5 in Colombia; from 11.5 to 19.7 in Brazil; from 2.1 to 12.6 in Trinidad and Tobago; and from 2.4 to 11.5 in Peru (Ayres 1998: 3). In the 1990s, this upsurge of crime continued. In Venezuela, for instance, rates of homicide per 100,000 population increased from 12.6 in 1990 to 33 in 2000; the increase since 1997, when this rate stood at 19 per 100,000, has been particularly pronounced. In Brazil, rates of homicide increased from 18.6 per 100,000 in 1990 and a low point of 15.6 in 1992 to 25 in 1999. And in Tegucigalpa, Honduras, the murder rate increased from 38.3 per 100,000 in 1995 to 53.9 in 1998

(all data for the 1990s from PAHO 2003).

Inside Latin America, violence is especially widespread in Central America. As Muñoz (2000) reported, “[t]he average murder rate in Central America stands at 58 per 100,000 inhabitants, compared to an average of 30 per 100,000 among 20 other countries on the American continent. Lynching and other forms of murder, violent assault, kidnapping and robbery are all on the rise, especially in El Salvador and Guatemala, which are listed by the Inter-American Development Bank (IDB) among the five most violent countries in the world... Guatemala is one of the world leaders in kidnappings, second only to Colombia” (ibid.).

While these figures and rankings are shocking, they probably underestimate the seriousness of the problem as many crimes go unreported. Given widespread distrust in the police (discussed in greater detail below), many victims refrain from registering infractions.

What are the causes for this upsurge of crime and violence in Latin America? Comparatively speaking, these problems have long been higher in the region than in other areas of the world that have achieved similar levels of economic and social development. Statistical studies suggest that an important reason is the very high level of social inequality prevailing on the subcontinent. Where differences of income and wealth are particularly pronounced, individuals are more likely to resort to illicit forms of redistribution as poorer people find it more legitimate to prey on the better-off. Also, relative deprivation and other social problems tend to be concentrated at the bottom of the social pyramid, leading to a high number of crimes committed by poorer people against equally destitute individuals. Finally, pronounced social inequality tends to undermine the rule of law as elites successfully claim special privileges and trample on formal rules; at the same time, less well-off sectors are often treated as sub-citizens whose rights are not protected (Glaeser, Scheinkman, and Shleifer 2002). Thus, while better-off sectors “get away with murder,” poorer groups lack effective safeguards against infractions on their property rights and physical integrity. For all of these reasons, stark social inequality breeds higher crime.

Yet while the pronounced levels of social inequality in Latin America can account for the

disproportionate crime rates prevailing on the subcontinent, they cannot easily explain the recent upsurge in crime levels. In most countries of the region, the maldistribution of income and wealth has not become substantially worse over the last two decades. While the “neoliberal” reforms enacted during this time period are often said to have aggravated social inequality greatly, the available data show a much more differentiated picture. While maldistribution worsened in several countries, it remained fairly stable in others and actually eased in some nations. And where inequality intensified, it usually did so to a moderate extent. Thus, sharp deterioration has been rare. Finally, countries with significantly worsening income distribution did not necessarily see a substantial increase in crime. For instance, neoliberalism in Chile probably produced one of the sharpest increases in social inequality that the region experienced over the last few decades; the country now ranks at the high end of social maldistribution in Latin America. Nevertheless, crime rates have remained fairly modest and have not increased nearly as much as in other countries, although Chileans--as usual--display great concern about this deterioration. Thus, while increased social inequality may have contributed to the recent crime wave to some extent in some countries, it certainly does not seem to be the root cause of this problem.

A much more likely cause of the crime epidemic in contemporary Latin America are the employment problems resulting from volatile and mediocre growth and from neoliberal reforms such as trade liberalization and state shrinking. These employment problems are particularly pronounced--and especially crime-producing--in the area of youth unemployment. At a time when numerous new job seekers enter the labor market every year, Latin American economies have proven incapable of generating a sufficient number of jobs, especially in the formal sector of the economy. As growth diminished from the 1970s onward and as the debt crisis of the 1980s caused recession or stagnation, formal sectors shrank in most countries of the region. While the informal sector absorbed many of the left-out people, this influx drove down income levels. The harsh neoliberal adjustments of the 1990s exacerbated these tendencies. In particular, a number of market reforms diminished employment, at least in the short run, and the sluggish growth

prevailing after the wave of market reforms hindered the re-absorption of these workers. For instance, trade liberalization induced private businesses to downsize their work force; the privatization of public enterprises caused many dismissals; and the slimming down of the governmental bureaucracy also set free many employees and workers. Neoliberal reform thus intensified the mismatch between available formal-sector jobs and the growing number of people vying for such jobs. As a result, many Latin Americans suffer from problems of unemployment and underemployment. These problems are objectively most pronounced among younger cohorts, who have never “got the foot in the door” of the labor market. Furthermore, these problems dash the youthful optimism of new entrants to the job market. Finally, and most importantly, in all societies, young people are by nature most prone to resorting to crime. Thus, Latin America’s recent crime wave seems to be driven to a considerable extent by the growing problems of youth unemployment and underemployment.

The impact of these factors can be seen in countries that have suffered a drastic economic deterioration and, as a result, a surge in unemployment. For instance, from 1998 onward, Venezuela has had one of the worst growth records in the region and unemployment has reached unprecedented levels of approximately 20 percent of the workforce. At the same time, crime has exploded, especially in the capital Caracas. Similarly, as the Argentine economy collapsed in 2001/02, driving unemployment beyond the 20 percent mark, crime exploded as well--in a country where this problem had traditionally not been pronounced. In sum, economic problems that exacerbate unemployment and underemployment, especially among young people, seem to hold considerable responsibility for the upsurge of crime in contemporary Latin America.

Un- and underemployment also contribute to another scourge that has worsened the crime problem, namely the drug traffic. As U.S. and European consumers of narcotics maintain their high demand for drugs produced in Latin America, the drug trade constitutes a tremendously profitable business. Young people who lack jobs or who have menial work are tempted to get access to the income-earning opportunities entailed in the drug trade. Such involvement socializes them into crime and violence. Furthermore, drug traffickers have boosted the

availability of fire arms in Latin America, making it easier for individuals to commit crimes and turning these crimes more violent. Thus, it seems that the drug traffic, which has flourished in the last two decades and which has spread to ever more countries in the region--partly as a paradoxical result of efforts at control and interdiction--, has contributed substantially to the recent crime wave.

Finally, country-specific factors exacerbate the crime problem in several cases. For instance, the end of civil wars in Central America has entailed efforts to demobilize regular and irregular armed forces. But weak growth and persistent employment problems have made it difficult to re-integrate these combatants into the civilian economy. Therefore, a number of them seems to have turned their experience with violence into their new profession, starting to prey on the population as common criminals or members of gangs. Furthermore, El Salvador has suffered from a dramatic upsurge in violence as the U.S. has expelled Salvadoran gang members to their home country. In a deleterious form of "technology transfer," these individuals brought back home all the bad tricks that they had learned in the U.S. At the same time, the Salvadoran police has been unprepared to deal with this suddenly re-imported problem. For these reasons, Central American countries have seen an exponential growth of crime over the last few years.

One important conclusion emerges from this discussion: The apparent root causes of Latin America's recent crime wave are unlikely to disappear soon. While economic growth might rebound, it will not cause a sustained boom in the foreseeable future. And employment problems are so deep and widespread that many years of sustained growth would be required to bring significant improvement. Furthermore, the nine-headed Hydra of the drug trade has proven extremely resilient to efforts at combating it. Thus, the recent increase in crime is likely to plague the region for years to come. A quick decline seems unlikely.

Latin Americans are therefore concerned about the crime problem and are likely to remain concerned for the foreseeable future. Currently, this issue ranks among the top three priorities in many countries of the subcontinent. For instance, 67 percent of respondents in mid-2002 ranked "lack of security" and "delinquency" as one of the main problems facing the province

of Lima, and 39 percent singled out these issues as the gravest problem. And when asked, if you were provincial mayor of Lima, what would be the first thing you would do for your province, 24 percent named confront delinquency, ahead of the 18 percent who mentioned create jobs. In these answers, crime always topped the list of problems and priorities (Datum 2002, August: 2, 5). In contemporary Venezuela, respondents have consistently ranked crime as one of their top priorities. In a 2000 survey, for instance, this issue appeared as the third most important area for President Chavez to address, after creating employment and re-activating the economy (Datan-lisis 2000: 11). During much of 2001, delinquency actually ranked as people's number one concern (Consultores 21 2001: 14). Even in Chile, delinquency ranked as people's second most important concern; when asked about the three problems to which the government should devote most attention, 34.9% of nominations referred to delinquency, after 49.8% that mentioned poverty, and ahead of 33.5% concerning health and 28.8% each concerning employment and wages (CEP 1997: 45). As these examples show, crime ranks very high among the concerns of the population in Latin America.

### The Crime Problem and Democratic Stability in Latin America

What are the political repercussions of this upsurge in crime and the rising popular concerns with delinquency? Will these problems cause a right-ward turn in Latin America's new democracies as tough law-and-order candidates arise who promise to combat large-scale crime with autocratic and perhaps even authoritarian means? Bermeo (1999) has argued that high crime played a crucial role in the breakdown of democracy in inter-war Europe--more important than economic crisis and other factors that scholars often invoke to account for the rise of fascism and authoritarian rule. Is Latin America at risk of suffering the same fate?

Viewed in this perspective, it is surprising and comforting that at least up to this point, the region has not seen the rise of numerous law-and-order candidates to political prominence and power. With the potential exception of Guatemala's recent presidential election (Seligson forthcoming: 38), few major candidates have run on a tough anti-delinquency platform, and

those who have, have garnered only a small fraction of the vote. For instance, Brazil's Collor used an autocratic anti-crime message in 1994 to finish in third place among a crowded field of contenders, but he attained a mere 8% of the vote; by contrast, Fernando Henrique Cardoso and Luiz Inacio Lula da Silva, who stressed economic and social issues, received far larger vote shares with 54% and 27%, respectively. Similarly, by contrast to the U.S., where proposals such as "three strikes and you are out" swept across the country in a matter of years, proposals to make punishment tougher have not had much political success and electoral payoff in Latin America. For instance, Brazil's Amaral Neto, who for years advocated the institution of the death penalty, won a Congressional seat, but always remained an oddity in his country; he failed to attract a larger following.

Interestingly, other problems that evoked such mass concern did prompt the emergence of candidates who promised to get these difficulties under control and who--once elected--indeed undertook concerted efforts to fulfill this promise. For instance, the hyperinflation erupting in several Latin American countries in the late 1980s led to the election of presidents who enacted neoliberal shock programs designed to restore economic stability, and large sectors of the population supported these costly efforts (Weyland 2002: ch.5). Similarly, the grave guerrilla challenges facing El Salvador in the 1980s, Peru in the late 1980s and early 1990s, and Colombia at the turn of the millennium prompted the election or re-election of leaders who proposed to use *la mano dura* against the insurgents, such as Roberto D'Aubuisson in El Salvador, Alberto Fujimori in Peru, and Alvaro Uribe in Colombia. Thus, even in Latin America's low-quality democracies, where governmental responsiveness to the citizenry is often limited, massive popular concerns about a severe problem afflicting the country sooner or later tend to prompt a response, often by allowing outsiders to emerge in opposition to the established political class, which has proven unwilling or unable to get the worsening problem under control.

By contrast, Latin America's crime wave has not had this effect, at least up to the present moment. Strikingly, even candidates who had proven their effectiveness and efficiency in solving other serious problems, including large-scale guerrilla violence, did not win substantial

electoral pay-offs from efforts to combat common crime. For instance, Peru's autocratic leader Alberto Fujimori had managed to 'decapitate' the brutal Shining Path insurgency in 1992/93, bringing tremendous relief to a population suffering from a profound sense of insecurity; as a result, his presidential popularity had enjoyed a clear boost, at least in the short run. In 1998, Fujimori used the same instruments and recipes that had proven so successful against the Marxist insurgents against common criminals, but the popular response was much more sullen and the president's popularity remained stagnant. Thus, even an experienced fighter of violence did not win much 'political capital' from a determined attack on common delinquency.

Why has the crime issue been so unpromising in political terms? Why has Latin America's crime epidemic not allowed a crop of tough right-wingers to rise to the presidency? One institutional reason for the low prominence of the delinquency issue in national election campaigns is the wave of decentralization that has swept across the region during the last two decades. This movement has in many countries devolved authority and resources to the municipal and state level, relieving the national government of thorny responsibilities. As a result, public safety has been placed even more firmly in the hands of municipal and state governments, leaving federal government intervention only as the last resort. Specifically, many police forces are run by municipal and state governments. Only when the lower levels of the state prove utterly incapable of getting serious problems under control will the federal government intervene, as in the Brazilian state of Alagoas in the mid-1990s; in a similar vein, given the terrible crime problem currently afflicting the state of Rio de Janeiro, the recently inaugurated administration of Luiz In-cio Lula da Silva is about to get involved in a determined effort to restore public safety in that state.

In contemporary Latin America, federal governments do not seem to mind this formal division of responsibilities--because the crime problem has proven so intractable. First, the structural causes of this problem--social inequality, economic stagnation, and large-scale unemployment--are difficult to combat. Economic globalization imposes stringent constraints on governments, making it highly unpromising and counter-productive to pursue expansionary

economic policies or enact extensive public works programs or other artificial employment creation projects. Whereas neoliberalism offered an effective blueprint for quickly ending hyperinflation and thus boosting presidential popularity, it impedes quick solutions to problems of growth and unemployment--precisely because such quick fixes would not be economically sustainable in the era of globalization. Thus, governments find it exceedingly difficult to alleviate the root causes of Latin America's crime wave in the short time frame set by the electoral calendar.

Recommendations to reconstruct Latin America's social fabric, augment its social capital (Ayres 1998), and thus prevent poor, unemployed people from resorting to crime are also not feasible in a short-term perspective. While such measures could have a beneficial long-term effect, this delay in payoff makes them unattractive to politicians, who need to produce quick results in order to be able to claim political credit and parlay it into votes.

These difficulties leave a deterrent and punitive approach as the only strategy that could in principle be viable for combating the region's delinquency wave. Given the understandable reluctance of Latin America's militaries to participate in the unpromising and not very noble task of crime-fighting, the main agents for executing this strategy would be the police and the judicial system. But these agents suffer from a number of important weaknesses that turn them into unpromising instruments for any politician who would consider running on an anti-crime platform and who would then need to fulfill this promise in case of being elected. In fact, the police and the courts are particularly weak links in any effort to diminish delinquency in Latin America.

First, most of Latin America's police forces are under-staffed, under-paid, and easily out-gunned by criminals, especially organized drug gangs that are flush in cash and therefore very well-equipped. Given the tremendous differences between official salaries and the bribes that delinquents, especially drug traffickers, can offer, corruption seems to run high. And given the stark disjuncture between the risks and rewards of promoting public safety, police forces tend not to even try and exercise their authority in the most dangerous areas, such as squatter settlements

controlled by drug gangs. For instance, many of the *favelas* of Rio de Janeiro are essentially extra-territorial zones that the police does not regularly patrol. Thus, police forces face great difficulties to make inroads against delinquents by using the methods they are supposed to apply.

One additional source of frustration for the police is the judicial system, which in many Latin American countries tends to be highly inefficient and arbitrary. In particular, judges may be incompetent, politicized, highly susceptible to lobbying, or outright corrupt. The increase in judicial autonomy that has resulted from democratization has not made it any easier to combat these serious problems and reform Latin American judiciaries. Judges' decisions are therefore often unpredictable. Therefore, criminals--including drug kingpins and terrorists, such as members of Peru's Shining Path guerrilla--can sometimes get a surprising reprieve, receiving very lenient sentences or outright acquittals. Furthermore, members of the socioeconomic elite are in general treated with velvet gloves. As a result, police people who stick out their necks to catch a criminal may see that person quickly go free again. Finally, well-meaning legal rules can provide cover for criminals, making the work of the police harder. For instance, the improved legal protection for minors has induced assailants in Brazil to have a minor hold the handgun used in a robbery and coordinate the attack from the background. In sum, the problems plaguing judicial systems in Latin America have often undermined the results of police work.

Since police forces often fail to see effective results when they apply their officially sanctioned methods, they are tempted to use illicit methods that seem to produce more direct, visible results, namely excessive violence, torture, and the informal death penalty. In fact, police people in many countries are suspected of cooperating with death squads (whose members may have a police or military background) who carry out the worst dirt work by making criminals disappear. Furthermore, the frequent usage of such illicit methods attracts individuals who like applying such brutal methods into the police force. For instance, the opportunity to wield means of coercion in an arbitrary fashion can be used for purposes of blackmail. In fact, a number of police people in Latin America seem to perpetrate the types of crime that they are supposed to combat, such as robberies and even contrast killings. Obviously, the infiltration of criminals into

the police and the very real possibility that police people turn into criminals keeps these forces from being effective instruments for combating crime. Rather than being a part of the solution for Latin America's wave of delinquency, sectors of the police forces in many countries are an important part of the problem itself.

In particular, the citizenry *sees* police people as a major part of the crime problem. Thus, trust in the supposed agents of law and order runs rather low in many Latin American countries. In Ecuador, for instance, only 44% of the population have a reasonable degree of trust in the police (Seligson and Córdova 2002: 108). Victims of crimes are often advised not to go to the police to report their misfortune; not only would the police not do anything, but they may even harass or shake down the victim. As a result, 70.4% of crime victims in Ecuador did not report this event to the police. 58.3% of those respondents mentioned as reason that it would not have done any good (no sirve de nada); 13.6% even claimed that it would have been dangerous (Seligson and Córdova 2002: 119-20). Similarly, when Brazilians were asked in which of seven institutions they trusted the most, the military police was ranked second-lowest (just ahead of Congress) with a meager 4.1% of nominations (CNT/Sensus 2003: 19). And in Peru, the police was fourth-lowest in people's appreciation among thirteen institutions. Only 19% of respondents felt that it was doing a good job; another 49% qualified it as "OK"; yet 31% regarded it as bad (Datum 2002, March: 6).

Due to this widespread distrust, police forces cannot count on the level of community participation that would facilitate the apprehension of criminals and the prevention of crimes. This distrust, and the reluctance of the police to patrol the most crime-ridden areas, makes the police appear as aloof and distant from the concerns of the population. These entrenched sentiments, in turn, would make it difficult to introduce community policing, which in the U.S. contributed to a striking reduction in crime during the 1990s. Thus, innovative strategies to lower delinquency in a non-autocratic fashion would face limited prospects of yielding similar results in Latin America.

For all of these reasons, crime has proven highly intractable in Latin America; politicians

in the region have therefore not made careers out of crime busting. Given the serious problems plaguing the main agents of combating crime, electoral candidates face difficulty in making credible promises on this issue. And even where candidates run on such promises, most of the citizenry fails to have much trust in them. Since the main building blocks of a potential solution to the crime problem, the police and the judiciary, are widely perceived as part of the problem itself, campaigning on this issue is not a very attractive proposition. If Latin American finance ministries, central banks, and the International Monetary Fund had been seen as crucial contributors to hyperinflation, neoliberal recipes for controlling price increases would not have been attractive to Latin American presidents and acceptable to public opinion either!

Paradoxically, thus, the limited capacity of Latin America's new democracies for resolving the crime problem effectively and, in particular, the widespread popular distrust of the main instruments for combating delinquency seem to immunize these civilian competitive regimes against the rise of tough "law-and-order" candidates. Who would believe that a leader who promises to lower crime significantly would actually be able to fulfill her promises?

#### The Problematic Usage of "Self-Help" and Its Sobering Political Implications

While the limited political success of autocratic "law-and-order" candidates is comforting, the serious problems underlying this phenomenon, especially the low capacity of official state agents to combat the crime problem with proper means, has induced more and more Latin Americans to resort to illicit means in order to control delinquency. Given that common people, in particular, cannot rely on the police and the judicial system to provide them with basic safety, they have increasingly taken "justice" into their own hands. But popular justice all too often means lynch justice. As a result, killings of suspects by enraged mobs seem to be on the rise, especially in the less developed countries of the region.

In Haiti, for instance, [e]specially in rural areas where there is little or no police presence, the populace routinely resorts to lynching in the absence of reliable means of legal redress. Angry mobs often killed suspected thieves, bandits, murderers, rapists, and sorcerers,

usually by assault with machetes, stoning, beating, or burning. MICIVIH [the International Civilian Mission in Haiti, OAS/UN, created in 1993] recorded 76 fatalities in 48 separate lynchings during the year 1999. However, the actual number of lynchings probably is far higher given the pervasiveness of the practice in remote rural areas (World Religion and Cultures n.d.). Haiti. Similarly, Guatemala has experienced hundreds of lynchings since the peace accords were signed in 1996... Only a fraction of the lynchings are set off by serious offenses like murder or rape. The United Nations estimates that 40 percent spring from accusations of theft (Gonzalez 2003; see also Seligson forthcoming: 29-33). Even in Venezuela, a country with a much higher level of economic and social development, mob lynching of supposed criminals is a problem. The victims are almost always known criminals who prey on residents of poor neighborhoods (U.S. State Department 1999: 4).

Furthermore, the death squads that operate in many countries and that seem to have links to current or former police and military officials often do the "dirty work" in communities suffering from spiraling crime and violence. Without these illicit efforts to combat crime, mob justice and lynchings may be even more widespread.

Thus, as in the "wild West" of the U.S. during the 19<sup>th</sup> century, the absence of reliable police protection has induced more and more Latin Americans to act on their own and mete out quick punishment against suspected criminals. And as in the U.S. South during the early 20<sup>th</sup> century, where the police deliberately "looks the other way" or clandestinely cooperates with this form of "popular justice" (cf. Griffin 1993), lynch mobs can do their cruel work with a high level of impunity.

Thus, under stress from increasing crime, more and more people seem to transgress norms of legality, civility, and humanity to engage in what they perceive as an "effective" attack on delinquency. Assailed by rising delinquency and left alone by distant, incompetent, and partly corrupted organs of the state, a considerable proportion of the population seems to place such effectiveness above legal and humanitarian norms. In a well-conducted Guatemalan survey, for instance, nearly one-third of the respondents see the lynching of suspected criminals to be an

acceptable form of justice. 29% approve it, and an additional 12% approve it sometimes. Only 49.6% of respondents always reject it (Seligson forthcoming: 33). In a more general vein, 37.7% of survey respondents in Salvador, Brazil, believe they can take justice into their own hands. This figure stands at 38.5% in Caracas, Venezuela; at 41.5% in San José, Costa Rica (!); at 27.8% in Cali, Colombia; and at 21.9% in San Salvador, El Salvador (PAHO 2003).

Since the rule of law is a crucial component of the quality of democracy, this apparently increasing popular tendency to resort to self-help causes concern. If among people who face severe problems, this willingness to transgress norms of legality and humanity were to spread, Latin American democracies may gradually move towards a brutalization that could, in the end, resemble Hobbes' war of all against all. In such a rough environment, democracy is unlikely to flourish. More effective yet fully legal strategies to combat crime are required for stemming these worrisome tendencies.

### Conclusion

This essay has explored the political implications of Latin America's recent crime wave, especially for the stability and quality of democracy. The good news is that the upsurge of delinquency has not triggered the rise of right-wing politicians who garner mass support with a tough law-and-order message. Therefore, no direct threat to the survival of the region's still fragile democracies has emerged. And given that a number of stubborn problems make it difficult for candidates to capitalize on the crime problem, this fascist danger will probably not arise in the foreseeable future.

The bad news is that the very problems that make it unpromising for electoral candidates to capitalize on the crime problem--especially the incapacity of and low trust in the police and judiciary--seem to induce more and more Latin Americans to take justice into their own hands and participate in mob killings of suspected criminals. Furthermore, many citizens condone the extra-judicial killings committed by the police or irregular death squads. Assailed by exploding delinquency, people seem to rank safety and security above civility and human rights. In their

own view, they prefer to save the innocent lives of potential victims by sacrificing the lives of those who--without much investigation and proof--they regard as guilty. This lamentable preference results from the dire crime situation that many people face.

The tendency to advocate tough measures against crime at the expense of norms of civility and humanity is, of course, not specific to Latin America. In the U.S., for instance, the widespread concern about crime prevailing in the early 1990s led to the enactment of simplistic rules such as "three strikes and you're out," under which minor offenses can result in absurdly lengthy prison sentences. And in Europe, the experience of a heinous crime often elicits widespread popular support for the death penalty--but the "enlightened elites" of Europe's established political parties collude by not acting on these popular preferences and by waiting that the popular mood will soften again. Paradoxically, unresponsiveness to "the will of the people" can thus have a salutary effect on the quality of public decisions. A slight imperfection in democratic procedure may sometimes enhance democratic outcomes.

Thus, the normative message that emerges from these reflections is in line with classical political liberalism. People concerned about strengthening the rule of law in Latin America should be cautious about increasing popular involvement and participation in the legal and judicial system. Further "democratization" in this area could give more voice to the popular demand to unleash a full-scale attack on crime, without sufficient concern for norms of civility and humanity. As classical liberals stressed, the effort to strengthen the rule of law and thus enhance the quality of democratic decisions may require caution about extending democracy through intensified popular participation. All good things do *not* seem to go together; more democratic procedures may produce less democratic outcomes. Finding the right balance between these competing values and considerations will remain a quandary for Latin American democrats for years to come.

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