Malicious Peace: Violent Criminal Organizations, National Governments and Truces

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Abstract: Truces among violent criminal organizations, like gangs and organized crime syndicates, which occur with national government support fall into a unique gap between understandings of crime and internal state violence. Recent national level gang truces in Central America and the Caribbean fall into this gap; the truces are designed to lower homicide rates and move some members of criminal groups towards legal activities. However, there is precious little research examining multiple truces in different countries as a group so that lessons may be drawn for other countries suffering from high levels of violence at the hands of criminal organizations. With violent criminal organizations as the main threat to the national security of many states, shedding light on how to reduce extreme levels of violence is vital. Close examination of attempted and implemented truces in Belize, El Salvador, Guatemala, Honduras and Trinidad and Tobago reveals that a constellation of factors leads national governments to be receptive to such agreements and violent criminal groups to accede to them.

Keywords: Gangs, truces, Latin America, Caribbean, violence.

On a Saturday in the spring of 2012, the people of El Salvador were astonished. Nobody was murdered. President Mauricio Funes declared, "we saw not one homicide in the country" (Renteria, 2012). It was the first day in three years that no one found a murder victim. By contrast, the country had become accustomed to finding about fifteen corpses a day; it had the highest homicide rate in Central America and one of the highest in the world outside of an active war zone. Now, the murder rate has been nearly halved.

The sharp decline in homicides has been largely attributed to a government supported truce between EI Salvador's main gangs—Mara Salvatrucha 13 (MS-13) and Barrio 18 (M18). Other countries in Latin America and the Caribbean have also been the sites of similarly negotiated or attempted truces. These countries are challenged by similarly the power and the destructiveness of violent criminal groups to the point of threatening their national security. So severe is the threat to their peace and stability that the region's premier regional organization, the Organization of American States (OAS), has supported these types of truces in ways that are akin to dealing with fighting in civil wars.

Truces among violent criminal organizations, like gangs and organized crime syndicates, which occur with national government support fall into a unique gap between understandings of crime and internal state violence. There is a rich literature on gang truces at the local or street level, which occur due to the participation of municipal governments (Kennedy, 2011; Ordog, et al., 1995; Cotton, 1992). These truces seek to reduce homicides within a particular city or specific neighborhoods. There is also a rich literature on conflict resolution that examines ceasefires between national governments and violent political groups like insurgents and terrorists (Greig and Regan, 2008; Cronin, 2006). These pauses in fighting are meant to move the parties towards larger agreements on the settlement of political issues that underlie the disputes. Recent national level gang truces lie between; they are designed to lower homicide rates and move some members of criminal groups towards legal activities. However, the research examining national level truces between violent criminal organizations are individual case studies that are focused on one country. Precious little research examines multiple truces in different countries as a group so that lessons may be drawn for other countries suffering from high levels of violence at the hands of criminal organizations.

With violent criminal organizations as the main threat to the national security of many states, shedding light on how to reduce extreme levels of violence is vital. Close examination of attempted and implemented truces in Belize, El Salvador, Guatemala, Honduras and Trinidad and Tobago reveals that a constellation of factors leads national governments to be receptive to such agreements and violent criminal groups to accede to them. The governments of Belize, El Salvador and Trinidad and Tobago have had gang truces in place while Guatemala and Honduras recently began to be more responsive to gang overtures for truces. These cases show how four interrelated factors of state

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weakness, domestic political pressures, the scope of the violence, and the core interests of the criminal groups reveal a pattern to national level criminal truces and a range of lessons that can be applied in the contexts of other countries whose security is threatened by violent criminal organizations.

STATE WEAKNESS AFFECTS ANTI-CRIME STRATEGIES

Truces among gangs and organized crime have occurred in weak states whose police, judicial and political systems are compromised by corruption and, at times, deep collusion with the very groups they seek to rein in. While criminal groups often benefit by corrupting state agents, members of government also use criminal groups to further their own ends. This political-criminal nexus runs deep in Belize, El Salvador, Guatemala, Honduras and Trinidad and Tobago where national level truces have been sought. These five countries not only have murder rates that are well above the average in their regions, but have also consistently ranked poor in terms of state strength and corruption (see Table 1).

State weakness and corruption may seem like obvious facets to explain national level criminal truces. After all, weak states are more likely to be permeated by strong criminal organizations whose violence goes unpunished due to corrupt law enforcement and judicial institutions. However, state weakness and corruption are routinely overlooked and downplayed in explanations for why some national governments chose truces over other anticrime strategies.

Governments have typically employed anti-crime strategies that fall into the categories of suppression, prevention, and intervention (Klein and Maxson, 2006). A suppression strategy is composed of traditional police methods of detentions and arrests along with judicial processes of trials and incarceration in an effort to remove criminals from society. A prevention strategy attempts to dissuade at-risk young people in society from joining criminal organizations through public education, community partnerships and diversionary programs. Both suppression and prevention strategies, however, require adequate institutional strength and openness as well as sufficient economic resources and support from civil society to pursue the goal of reducing criminal violence, particularly homicides. Countries that have weak and corrupt institutions are unable to conduct these strategies effectively.

The suppression strategy of "la mano dura " ("iron fist") in El Salvador, Guatemala and Honduras, has included the use of the military to round up gangs and patrol dangerous neighborhoods. In Trinidad and Tobago, the government has declared a number of states of emergency, suspending some constitutional guarantees and using troops, to fight violent crime. The government of Belize passed tough anti-gang laws in an attempt to affect membership and recruitment. Yet, the rates of homicides in these countries were not appreciably lowered. The scale of the gang problem in these countries often overwhelms the minimal institutions of justice. As the Salvadoran Minister of Justice and Public Security declared in 2011, "I can't put 400,000 people in prison" (Whitfield, 2013: 10). Moreover, with these weak states, gangs continue to rely on a network of corrupt police officers, judges and politicians to evade justice, undermining suppression strategies. In Honduras, for example, the nation's attorney general was arrested for corruption while the former police chief was linked to disappearances and extra-judicial murders (Kahn, 2013).

A prevention strategy employed by the government of a weak state is also hobbled; it struggles to compete with the power and influence of violent criminal

Country	UNODC Murder Rate ¹	Fund for Peace State Failure Score ²	Transparency International Corruption Score ³
Belize	41.4	114	111 ⁴
El Salvador	69.2	95	83
Guatemala	38.5	70	123
Honduras	91.6	75	140
Trinidad and Tobago	35.2	125	83

Table 1:

¹United Nations Office on Drugs and Crime report 2013. The average murder rate for Central America is 28.5 and for the Caribbean is 16.9.

²Fund for Peace, Failed State Index 2013. The index groups countries into four categories: sustainable, stable, warning and alert. The five countries in the table are in the "warning" range. URL: http://ffp.statesindex.org/rankings-2013-sortable (Accessed 8 March 2014).

³Transparency International, Corruption Perception Index 2013, the lowest score is 8. URL: http://cpi.transparency.org/cpi2013/results/ (Accessed 8 March 2014). ⁴Belize's score is from 2009. Transparency International has not scored Belize since then due to "insufficient data". See "Belize Excluded from 2013 Corruption Perception Index, News5-Belize, 3 December 2013, URL: http://edition.channel5belize.com/archives/93036 organizations while many community programs aimed at poverty and crime reduction are subject to corruption. Guatemalan communities chronically complain about the misuse of community development funds (World Bank, 2004: 199). The Honduran government was accused of using public funds in patronage schemes ahead of elections in 2013 (Sherwell, 2013). The government of Belize has struggled to find enough money for gang diversion programs. Violent criminal organizations also fill the vacuum in social services and employment that governments in weak states are unable to provide. This also undermines many prevention strategies because segments of society view criminal groups as more legitimate organizations than government agencies. In Trinidad and Tobago, gangs have routinely played the role of broker for citizens who seek government contracts for public projects. The nation's Unemployment Relief Program was found to be "under the control of gangs and expropriated for crime funding; a number of homicides have been traced to URPrelated conflicts" (Katz, 2011: 10).

As a result of the relative ineffectiveness of suppression and prevention strategies, these governments drifted toward a strategy of intervention. Truces are part of an intervention strategy and are logically appealing to governments in weak states. Each government sought to mitigate the violence of criminal organizations by offering their members narrow inducements such as job programs and educational opportunities that may also lead them to enter more legitimate occupations. Other inducements included better treatment of members who are already incarcerated. The El Salvador gang truce included moving incarcerated high level gang leaders to more comfortable prisons with access to cell phones, internet and television. The Belizean truce included gang members being paid by the government for taking on small public works projects.

Unlike suppression and prevention strategies, weak governments in particular found intervention strategies

appealing because they could use minimal resources and did not have to rely on strong institutions. Such truces are more accurately depicted as ceasefires between some of the most powerful groups in these weak states; one journalist of a Salvadoran newspaper described the truce in his country as a "non-aggression pact between criminal bands" (Archibold, 2012).

DOMESTIC POLITICAL PRESSURES INFLUENCE THE RECEPTIVITY OF GOVERNMENTS

Closely related to the factor of weak state institutions is the role of domestic political pressure in truce attempts. As equally overlooked and as equally important as the factor of state weakness is the fact that each of the five countries where national truces have been attempted is a democracy. This fact has significant implications. The high homicide rates in these countries serve not only as an impetus for governments to seek ways to rein in the violence of criminal groups, but the governments' inability to successfully to employ suppression and prevention strategies threatens their political legitimacy. The governments in these countries have made pledges to address the high rates of crime related deaths in their societies. In each of the five countries, the governments were more receptive to gang truces or agreed to them within either approximately two years of an upcoming national election or approximately two years after a national election (see Table 2).

Because these democratically elected governments have each made commitments to reduce criminal violence as part of their campaigns, they have implemented anti-crime strategies to follow through on their promises or have done so to prove that they deserve to be re-elected. The proximity to an election also affects the choice of anti-crime strategies. Not only are suppression and prevention strategies hamstrung by state weakness, both strategies are more long term in nature, meaning that these strategies do little to immediately affect homicide levels.

Table 2:

	National Election	Truce Overtures/Implementation
Belize	March 2012	September 2011
El Salvador	March 2014	March 2012
Guatemala	November 2015	July 2013
Honduras	November 2013	March 2013
Trinidad and Tobago	May 2010	August 2012

Prevention strategies are often distant from violent events. If we invest in children now, it may pay dividends down the road, but that is of little comfort to a community in which young men are dying on the streets today. Similarly, suppression strategies can also be useful if executed well, but many suppression approaches are only triggered after a violent event has occurred. Suppression is sometimes viewed in the same light as closing the barn doors after the horses have already escaped. Thus, intervention strategies like gang truces, which attempt to forestall gang violence in the moment, are very popular (Maguire, 2013).

Therefore, these governments moved towards truces because they offered the best option to reduce killings in the near term, which fulfilled their political promises regarding crime.

SCOPE OF THE VIOLENCE IS AS RELEVANT AS ITS INTENSITY

Another key factor linked to the previously examined factors of domestic political pressures faced by elected governments in weak states is the scope of homicides; it is not as wide as the murder rates in the five countries suggest. Far from being widespread, random acts of violence, the large proportion of gangrelated killings have been of other gang members. This consistent with research that argues is that membership in a gang increases an individual's likelihood of being murdered than non-membership (Katz, et al., 2011; Hughes and Short, 2005; Curry et al., 2002)¹. Moreover, "intergang disputes were significantly more likely to escalate than were intragang disputes....[T]he odds of violence among disputes involving different gangs were more than twice the odds of violence among intragang disputes (Hughes and Short, 2005: 56). At the heart of intergang disputes are confrontations over establishing or maintaining "face"; retaliation for insults or "lack of respect" are "status management" pretexts for violence that are most likely to escalate to murder (Hughes and Short, 2005).

Gang members killing other gang members would appear to involve a narrow segment of society with the

vast majority of law-abiding citizens being spared from becoming murder victims. However, in the five countries examined, a change in the patterns of crime or the occurrence of a specific event broke the norm, making the scope of violence appear as if it was widening and slipping outside of its usual parameters (See Table **3**). The governments responded with suppression strategies, but over time began to be more receptive to truce attempts or overtures.

This pattern of abnormal homicides, followed by government suppression and then overtures for a truce is clear in each of the five cases. In Belize, killings began to spread outside Belize City into more peaceful areas in the beginning of 2011. The government passed tough anti-gang laws in the spring but entered into truce negotiations later in the summer. In El Salvador, the Barrio-18 gang sprayed two city buses with machine gun rounds and set one on fire, killing twenty riders in June 2010. Less than two months later, the government responded with laws that made it illegal to be a member of a gang, but continued to work with the Catholic Church to broker a truce that it ended up supporting the following year. In Honduras, two high-level law enforcement officials were killed in less than two months in the spring of 2013. The government deployed the military deeper into the most violent neighborhoods. Two of the major gangs then reached out to the Catholic church and declared a truce, to which the president responded, "on the part of the government, I am open to any process that can lower the violence" (BBC, 2013). In Trinidad and Tobago, eleven people were murdered, including children, during a weekend in August 2011. The next Monday, the government declared a state of emergency and engaged in mass arrests of over 100 people, but 59 were immediately released and another 42 were detained but not formally arrested. A year later a representative from the Ministry of National Security met with gang leaders to hold talks. The statistical leaps in the types of homicide victims in Guatemala undermined the government's avowed success of its mano dura policy. In the first six months of 2013. transport workers like bus and taxi drivers were being killed at a much higher rate than ever before. Also, women and minors became victims of homicides at an unprecedented level. The government continued to rely on the military and began to expand the use of reserves in regions of the country outside of the capital that were hit hard by gang violence. An OAS representative met with Guatemalan gang leaders in the summer of 2013 in an effort to recreate a

¹(Accessed 15 February 2014).

Table 3:

	Event or Pattern	Truce Attempts/Overtures
Belize	Murders spread outside of Belize City, 31 murders in north and west of country, rise in home invasions in early 2011.	Anti-gang law passed in May 2011, gang truce negotiations in summer 2011
El Salvador	Barrio-18 kill twenty people on two buses in June 2010	Anti-gang law passed in August 2010; government supports Catholic clergy attempts to broker a truce in 2011.
Guatemala	Large leap in deaths of transport workers in the first six months of 2013 combined with sharp rise in the number of murders of women and minors, exceeding the overall upward trend in murders during same period.	1,500 members of the military reserves were deployed to towns in western, south central and eastern Guatemala as part of an initiative known as the Army "Citizen Security Squadrons" on June 14, 2013; OAS attempt to broker gang truce in June 2013; government cautiously supports OAS initiatives
Honduras	Killings of national law enforcement officials: 9 April 2013, the top money laundering prosecutor was shot dead; on 2 May, a leading criminal investigator of car thefts was murdered	Military is deployed to most violent neighborhoods; Honduran gangs declare truce in May 2013; President declares his support the next day.
Trinidad and Tobago	Eleven murders, including children over a weekend in August 2011	State of Emergency declared on the Monday after the eleven murders in August 2011; government send justice minister to respond to truce overtures by gangs in August 2012

Salvadoran style truce. Although the government of Guatemala has been by far the most leery of gang truces, the Secretary of Governance gave measured support by stating that, "we would welcome a pact without the mediation of the Government, planned by people outside the State" (Montenegro, 2013).

With the scope of the violence appearing to expand, particularly in close proximity to an election, the governments were more acutely sensitive to citizen demands to "do something" about criminal groups. Suppression strategies provided the perception that these governments were taking immediate and visible action. However, as time wore on and with weak police and judicial institutions, enduring reductions in homicides did not appear. Thus, governments began to succumb to the allure of truces.

CORE INTERESTS OF CRIMINAL GROUPS ARE UNTOUCHED

While the governments of these five weak democratic states felt pressured to act when the scope of criminal violence seemed to be expanding beyond its usual boundaries, violent criminal groups also had to find it in their interests to reduce the levels of violence that they were employing. Gang leaders who sought truces contended that they were tired of the cycle of violence and wanted a better life for their families. A typical sentiment by gang members seeking a truce has been that "things are getting out of hand" and "I want my son to be a doctor or a cameraman, not a gangster" (Archibold, 2013; BBC, 2013). Truces offered members of violent criminal organizations a sense of security for themselves, their comrades and their families. Their desire for greater security, however, had to be balanced against the core interests of the criminal groups for money and legitimacy.

The result is that the goals of truces have been limited and have not threatened to harm the core interests of these groups. Governments that have supported truces agreed to a large concession-they did not ask the violent criminal groups to disband. Governments backed away from a key goal of a suppression strategy, which is the dismantlement of a criminal group. In El Salvador, "notably absent was any request for the dismantling of gang structures-an absolute red line for the gangs, and one with which the government decided it could live" (Whitfield, 2013: 11). Suppression tactics under tough anti-gang laws were eased-gang members could still be arrested for crimes, but not for merely belonging to a criminal group. In effect, the truces enhanced the security of violent criminal organizations by acquiescing to their continued existence and reducing pressure on them.

In return for the government's concessions, violent criminal groups agreed to concessions of their own. For

example, in El Salvador, gangs agreed to not only reduce killings, but to refrain from recruiting in schools and attacking police and soldiers. However, unlike the belief of one Salvadoran truce negotiator, who proclaimed that under the truce "[gangs] have the right to organize themselves and see the world as they want to see it if they are not committing crimes", gangs did not stop criminal activity that was central to the groups' survival (Whitfield, 2013: 11). Their concessions did not undermine their economic power. Members of these groups still continued commit criminal acts for the generation of illicit profit like drug trafficking, extortion and kidnapping. While the governments that signed on to truces agreed to promote diversionary programs to move some gang members away from illegal activities, illicit profit continued to fill the coffers of criminal groups. Moreover, in these five cases, a portion of gang money is generated from links to transnational criminal organizations that extend outside the borders of these countries. Each of these five countries is part of the hemispheric drug trafficking network and is subject to the influence of Mexican drug cartels. Truces have permitted these associations to continue and may also have strengthened them due to the certainty and stability that a reduction in violence often brings to illicit markets. In other words, peace was good for business.

Beyond the ability to continue drawing profits from participating in illicit markets, truces gave criminal groups greater legitimacy. Government interaction elevated criminal interests to the political realm. This was apparent in Guatemala with the intercession of the OAS, which gave local gangs a larger regional profile and put pressure on the government to participate in mediation efforts in ways that it had previously resisted. In Trinidad and Tobago, the news media often treat gang leaders as though they are community leaders by interviewing them on TV after meetings with politicians (Maguire, 2013:11). Some gang leaders in El Salvador even offered policy recommendations via press conferences in prison-one imprisoned member of MS-13 told a reporter, "we need, like, an affirmative action law here for gang members" (Archibold, 2013). Nor did the truces do much to reduce the power of these groups in providing social services and alternative authority structures within the communities where they operate. On the contrary, the incentives within some truces, such as grants, donations and programs, became "spoils" to be distributed within gangs. Far from being diversionary, these incentives were treated like benefits and created stronger cohesion within these groups. As such, truces acted to consolidate and

reinforce the role and power of violent criminal groups in the societies where they operate.

PATTERNS OF NATIONAL LEVEL GANG TRUCES AND THEIR DRAWBACKS

The four interrelated factors in these five cases reveal a pattern in why national level gang truces emerge as an option for policy makers in weak states threatened by high levels of criminal violence. A trend or an event occurs that triggers a perception within society that criminal violence is breaking out of its normal parameters, placing pressure on a government, which just won an election or will soon face an election, to respond with a suppression strategy. However, because of the state's institutional weakness and corruption, the suppression strategy is largely unsuccessful in bringing down the homicide rate. Truce overtures then become more appealing to the government who, in turn, does not seek to attack the core interests of violent criminal groups. The limited nature of the truce not only leaves the core interests of the violent criminal groups intact, it strengthens and legitimizes them. The result is that criminal groups continue to run their illicit operations but with fewer killings. Meanwhile, the police, the military (in some cases) and courts do not have to step up their operations or engage in wholesale organizational reforms that a suppression strategy would require. Plus, the inducements are limited and do not require access to many economic resources as a prevention strategy entails. In many respects, the government that agrees to a truce relies on violent criminal organizations to police the parameters of their agreement while attempting to promote the conditions for the truce's durability.

This pattern provides a number of lessons for scholars and policy makers who are focused on controlling the levels of violence employed by criminal groups. First, when it comes to dealing with violent criminal organizations, democratically elected governments in weak states have few cards to play. Under pressure to demonstrate their resolve to tackle criminal violence, political leaders in weak states have feeble institutions and limited resources for suppression and prevention strategies. An intervention strategy such as a truce becomes seductive. However, truces are not a cost-free political option. Political leaders come under intense criticism for bargaining with the very criminals they promised to bring to justice under a suppression strategy. Voters themselves are

also torn; they have returned political parties to power that have supported truces.

Second, truces are good for violent criminal groups. Dealing with the criminal income of these groups was not within the parameters of successful truces or those that were attempted. Policy makers, in choosing a truce, must be willing to accept the value of a temporary reduction in violence for the cost of the longterm persistence of a violent criminal group. As mentioned above, democratic governments in weak states have significant constraints on their capacity to affect the levels of criminal violence-in many ways, the truces were a vehicle for political expediency more than they were an option to provide genuine and enduring relief from criminal violence. Additionally, bringing widespread criminal violence to an end is different than dealing with political violence. "It is the nature of engagement with criminal, rather than ideological, actors that the process has no obvious end in sight" (Whitfield, 2013. 17). Disarmament, demobilization and reintegration programs in cases of internal political conflicts are linked to political arrangements for combatants to rejoin society, but they are not tenable for criminal groups. Such programs threaten the core interests of organized criminal groups and would be tantamount to an invitation for them to go out of business.

Third, scholars and policy makers who believe that truces "can help end violent conflict and create the space for addressing underlying structural causes leading to the emergence of armed groups to begin with" must be more sanguine in their hopes (Muggah, Carpenter, McDougal, 2013). Truces have not demonstrated any self-sustaining characteristics over the long term. Once again, state weakness, domestic political pressures, scope of the violence and core criminal interests are powerful dampeners on pressures to tackle societal level drivers of widespread criminality. Addressing underlying social causes requires more resources and state strength than even suppression and prevention strategies, which these five states have shown to be incapable of providing. A truce merely allows for a more benign atmosphere to attempt some measure of these strategies; it does not provide any additional state capacity for dealing with social issues that are much larger and deeper than tackling violent crime. The OAS has expressed a willingness to assist with some efforts at capacity building and some national leaders acknowledge the need to tackle root causes for gang activity. However, truces appear to be

the best vehicle to reducing murderous violence, no matter how fleeting.

Perhaps more ominously, gang truces may become engrained in the fabric of these societies. The pattern of gang truces may emerge as a social cycle-a violent event triggering a crackdown that fails, leading to a brokered ceasefire, which fails, leaving society susceptible to more violence that produces another triggering event. As a way to forecast whether a social cycle will emerge, policy makers and scholars should continue to observe, analyze and assess events to see if this pattern repeats itself over time. The emergence of such a cycle would continue to raise questions in society about justice for victims and the rule of law. The subject of seeking justice for victims of gang homicides and their families, while a legitimate concern, is not something either governments or violent criminal organizations have been willing to address in the short term. Gang truces appear to prove the adage--justice delayed is justice denied.

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