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# CITIZEN SECURITY IN LATIN AMERICA DOCUMENTS, ARTICLES AND BOOKS

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**ABSTRACT:** This is an annotated bibliography of sources focusing on citizen security in Latin America and the Caribbean. It consists of program evaluations and studies, academic papers and articles, policy papers and other relevant subject information.

Sources of this bibliography include WOLA, USAID, RENADE, Amnesty International, the UN agencies, and other donor agencies and non-governmental organizations as well as think-tanks. Academic articles are taken from such journals as *Latin American Politics and Society*, the *Journal of Latin American Studies* and others.

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# CITIZEN SECURITY IN LAC

## BROADER THEMES IN LATIN AMERICA AND THE CARIBBEAN

There is broad documentation relating crime measurement and prevention in developing societies in Central America such as El Salvador. Bilateral and multilateral donor aid democracy-governance programs have existed in the region for decades and as a result, evaluations and assessments are available on best practices. USAID and the United Nations organizations have implemented programs focusing on citizen security, police reform and criminal justice in Central American countries like Guatemala and Costa Rica, as well as South American countries like Bolivia.<sup>1</sup>

One document titled *Themes and debates in public security reform: A manual for civil society* by WOLA, a non-governmental organization, is of particular value because it places police and criminal justice reform in the context of larger socio-political country arenas while leveraging local civil society actors.<sup>2</sup> Other NGO documents rightly emphasize the role of criminal gangs in Central America and how governance programs must address them as social actors in reform efforts at the local and national level.<sup>3</sup> Another academic article actually addresses the gang as an agent to reduce violence in *favelas* in Brazil.<sup>4</sup>

In general, the most popular and well cited program used for governance and rule of law reform is the Red Hook Model introduced in New York City in the 1990s. Red Hook reconciles the “community” and the concept of “justice”<sup>5</sup> and several of its ideas have been replicated across the United States, the United Kingdom and in several developing countries.<sup>6</sup> The U.S. Department of Justice has published guidelines on how community justice programs can be effective tools in reducing local crime and such programs invariably bring in local actors to

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<sup>1</sup> See USAID's *Project: establishing an integrated citizen security policy in Guatemala (POLSEC): UNFIP project no. UDP-GUA-02-246 -- end of project report presented to the United Nations Fund for International Partnerships (UNFIP) and Policia de patrullaje : guía de acción directa*. UN documents include *United Nations Development Programme. 2004. Aportes para la convivencia y la seguridad ciudadana. San Salvador: UNDP* and Nicole Ball. 2002. *Enhancing Security Sector Governance: A Conceptual Framework for UNDP* among others.

<sup>2</sup> See [http://www.wola.org/media/Topical\\_Themes\\_and\\_Debates\\_Criminalinvestigation.pdf](http://www.wola.org/media/Topical_Themes_and_Debates_Criminalinvestigation.pdf)

<sup>3</sup> See *Daring To Care: Community-Based Responses to Youth Gang Violence in Central America and Central American Immigrant Communities in the United States, Youth Gangs in Central America Issues in Human Rights, Effective Policing, Discourses on violence in Costa Rica, El Salvador, and Nicaragua: youth, crime, and the responses of the state and Prevention* and Marlon Carranza and José Simeón Cañas. *Detención o muerte: Hacia dónde van 'los pandilleros' de El Salvador*.

<sup>4</sup> See Arias and Rodrigues.

<sup>5</sup> Berman, Greg and Aubrey Fox. Justice in Red Hook. *The Justice System Journal* 26(1).

<sup>6</sup> See Wolfe, 2008. Community Justice: An International Overview.

play more important functions.<sup>7</sup> Academic studies of governance reform have also focused on local or community policing as a solution to reducing violence in Central America.<sup>8</sup>

## **SOCIAL CONFLICT IN EL SALVADOR**

One specific example, El Salvador, suggests that citizen security is a complex and multi-faceted issue. The literature on broader political stability tends to focus on three main themes: post conflict reconciliation, rule of law and government reform and crime (especially gangs), with the third topic being the most prevalent. There have been at least fifteen academic articles, major policy papers and doctoral theses written on the effects that street-gangs and crime have on political, social and economic stability.

According to data from the Organization of American States (OAS), a typical gang member in Salvador is male, from 10 to 25 years of age (98%), comes from a father-less family (75%) and has experienced intra-family violence (80%).<sup>9</sup> Gangs in El Salvador have their origins in behavior learned in the United States in cities like Los Angeles. Membership in gangs in 2004 was estimated to be from 70,000 – 100,000 in the Central American region, however the numbers may be three times as high.<sup>10</sup> Yet efforts to confront gangs using force might constrain any attempts to reduce human rights abuses, according to one paper, and a balance must be met using rehabilitation rather than outright state-sanctioned violence.<sup>11</sup>

At the same time, El Salvador's years-long civil war during the 1980s created a still-existing post-conflict environment of democracy building. The process of reconciliation was aided greatly by the lack of outside intervention (especially American) into the internal conflict between the state and the FMLN after the Chapultepec Peace Accords in 1992.<sup>12</sup> Both sides of the peace process had the political will and capability to make commitments and avoid any defections in a theoretical context of "ripeness".<sup>13</sup>

International donor agencies have also endeavored to facilitate the peace process via civil society programs such as UNESCO's "Culture of Peace Program for El Salvador", an attempt to inculcate universal values of democratic

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<sup>7</sup> See "Principles of Problem-Solving Justice", "Problem-solving justice in the United States: Common principles" and "Expanding the Use of Problem Solving: The U.S. Department of Justice's Community-Based Problem-Solving Criminal Justice Initiative".

<sup>8</sup> See Dammert, and Malone and Arias and Ungar

<sup>9</sup> OAS Report on Gangs. 2004. Powerpoint.

<sup>10</sup> Youth Gangs in Central America: Issues in Human Rights, Effective Policing, and Prevention". 2006. WOLA. P. 2-3.

<sup>11</sup> Yule, A. 2008. "Investing in Youth for Violence Prevention: Gang Rehabilitation Programs in El Salvador".

<sup>12</sup> Herrera, Michael. 2008. Why Choose Peace? The El Salvador Experience. US Army War College. P. 2.

<sup>13</sup> Pugh, Jeffrey. 2008. "Case Analysis: The Structure of Negotiation: Lessons from El Salvador for Contemporary Conflict Resolution." *Negotiation Journal* 25(1):83-105.

citizenship via local governance actors.<sup>14</sup> On the other hand, the *Programa de Transferencia de Tierras* (PTT) was a post-conflict initiative that reconciled the FMLN with the State to create land reform in a state-market formula that emphasized agriculture as a key tool in a region that was and is ecologically sensitive.<sup>15</sup> Economic development and more income equality will continue to be important in promoting social and political stability especially in the context of the Central American Free Trade Agreement (CAFTA).<sup>16</sup>

### JUVENILE JUSTICE AS A FOCUS

There is also a specific literature focusing on juvenile justice but donor agency literature is limited mainly to evaluations and assessments looking at more general rule of law or police programs. USAID juvenile justice documents covering the Latin American-Caribbean region typically take a youth in post-conflict approach or are interested in the role of gangs in influencing adolescent behavior. In Guatemala, *Fiscaha de Menores* serve as input devices for determining whether accused gang members enter the criminal justice system or enter into alternative rehabilitation courses. Juvenile offenders may be placed in the custody of a relative or even an NGO-sponsored state program rather than pre-trial detention.<sup>17</sup>

In Jamaica, the Family Court is charged with the maintenance of children and overseeing juvenile delinquency, and has jurisdiction in the corporate area of Kingston and St. Andrew along with Montego Bay.<sup>18</sup> Yet Human Rights Watch has criticized the disposition of juvenile offenders here, claiming many were detained improperly or not given access to legal representation.<sup>19</sup> Like many other developing countries, the jail facilities are often harsh and overcrowded with poor lighting and sanitation despite the existence of the Juveniles Act of 1951 that regulates the treatment of juvenile offenders.

In Peru during the 1990s, the Commission on Alternative Systems of Administration of Justice, Conciliation, Mediation and Arbitration declared that existing justice systems were too slow and rigid to deal with increasing crime. The commission applauded the use of juvenile justice judges employing traditional alternative dispute resolution mechanisms in indigenous communities and areas prone to violence.<sup>20</sup>

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<sup>14</sup> Delugan, Robin Maria. 2005. "Peace, Culture, and Governance in Post-Civil War El Salvador (1992–2000)". *Journal of Human Rights* 4:233–249.

<sup>15</sup> de Bremond, A. 2006. "Regenerating conflicted landscapes: Land, environmental governance, and resettlement in post-war El Salvador". Ph.D. diss., UC-Santa Cruz

<sup>16</sup> Spalding, Rose J. 2007. "Civil Society Engagement in Trade Negotiations: CAFTA Opposition Movements in El Salvador". *Latin American Politics & Society* 49(4): 85-114.

<sup>17</sup> "Central American and Mexico Gang Assessment". 2006. USAID. P. 75-76.

<sup>18</sup> Ivelaw L. Griffith. 2001 "Democracy and Governance in Jamaica: An Assessment". USAID.

<sup>19</sup> See Human Rights Watch, "*Nobody's Children: Jamaican Children in Police Detention and Government Institutions*", July 1999.

<sup>20</sup> William E. Davis and Madeleine Crohn. 1996. "Lessons Learned: Experiences With Alternative dispute Resolution". P. 11.

In Nicaragua, shortcomings in the juvenile justice system include insufficient judicial procedures to investigate cases of police brutality, abuse of children, poor institutional monitoring and supervision, a question of whether a child's right to express his/her views in a judicial or administrative procedure is maintained and poor structural conditions in prisons and detention centers for juveniles along with a lack of correctional centers for the rehabilitation of children in conflict with the law.<sup>21</sup>

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<sup>21</sup> "Street children and juvenile justice in Nicaragua." 2004. Casa Alianza Nicaragua and Consortium for street children. P. 14.

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