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VIOLENT CRIME: A COMPARATIVE STUDY OF
HONDURAS AND NICARAGUA

by

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March 2009

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**VIOLENT CRIME: A COMPARATIVE STUDY OF HONDURAS AND
NICARAGUA**

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Submitted in partial fulfillment of the
requirements for the degree of

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This thesis explains variation between contemporary Honduras and Nicaragua in terms of their levels of violent crime. The thesis is driven by an empirical observation: Nicaragua, a country that shares a border with Honduras and where the U.S.-backed Contras waged a civil war against the Sandinista government during much of the 1980s, is considerably less violent than Honduras, which did not undergo civil war. This variation conflicts with expectations in studies of security in Central America that countries that have experienced civil war will, during the post-conflict period, experience higher rates of violent crime than countries that have not. In contrast, this thesis argues that in Nicaragua it was precisely the conclusion of the civil war that drew attention from domestic and international actors who implemented changes that resulted in the demilitarization of internal security, the reduction of weapons in society, and the emergence of social movements that gave ex-combatants voice through non-violent means. Honduras, which did not experience civil war and a subsequent peace process, has seen the circulation of large amounts of weaponry and ongoing military participation in internal security, which has meant human rights abuses and low social capital.

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I. VIOLENT CRIME IN HONDURAS AND NICARAGUA

A. INTRODUCTION

A bus loaded with women and children in the city of Chamelecon, Honduras was sprayed with rifle fire on December 23, 2004. Gang members killed 28 passengers, including six children, to express their displeasure with recent government efforts to fight organized crime.[1] According to the Honduran Police, *Policía Preventiva* and the Public Ministry, *Ministerio Público*, (an institution independent from the three branches of government, designed to defend and to protect the general interest of Honduran society) "during the first three months of 2008, Honduras experienced 1,882 violent deaths, 518 cases more than the previous year, representing an increase of 38 percent."[2] These statistics indicate that Honduras is one of the most dangerous countries in Latin America.[3]

In comparison, Nicaragua, a country that shares a border with Honduras and where the U.S.-backed Contras waged a civil war against the Sandinista government during much of the 1980s, has less incidence of violence than most countries in Central America. The security environment in Nicaragua defies conventional expectations. Paul Collier, Professor of Economics, Oxford University and former director of the Development Research Group at the World Bank calculates that "in the first decade of post-conflict peace, societies face roughly twice the risk of conflict that the pre-conflict risk factors would predict."[4] Post-conflict societies have organizations with residual military capabilities and armaments, are accustomed to violence and most likely

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[1] BBC News, "Bus Massacre Kills 23 in Honduras," *BBC,* December 24, 2004, http://news.bbc.co.uk/2/hi/americas/4124133.stm (accessed November 7, 2008); *Reuters*, "Honduras Gang Members Guilty of Xmas Bus Massacre," *Thomson Reuters*, www.alertnet.org/thenews/newsdesk/N21362073.htm (accessed November 7, 2008).

[2] Honduran Policía Preventiva and the Ministerio Público, *Observatorio de la Violencia: Mortalidad y Otros*, Universidad Nacional Autónoma de Honduras, Edición No. 10, 2008. Translation of the author.

[3] Honduras ranks as a "5," on the Economist Intelligence Unit (EIU) *Level of Violent Crime*, the highest qualitative measurement on the scale versus Nicaragua at "2." See the Global Peace Index at www.visionofhumanity.org/gpi/results/rankings.php (accessed July 3, 2008).

[4] Paul Collier, "Economic Causes of Conflict and their Implications for Policy," *World Bank* (2006): 19.

politically polarized. Additionally, countries without histories of democratic governance, like Nicaragua, face the difficult task of creating institutions from the rubble of authoritarian bureaucracies and are arguably more susceptible to a break down in law enforcement and criminal violence than countries with prior democratic experience.

This thesis argues that three factors explain marked differences in security as measured by homicide rates: Nicaragua, unlike Honduras, is characterized by a relative scarcity of weapons, the existence of social movements that contribute to trust and the incorporation of excluded segments of the general public, and a relatively effective police force. Furthermore, it argues that many of the violence mitigation mechanisms in Nicaragua resulted from the conflict resolution process (The United Nations Observer Group in Central America—ONUCA, November 1989-January 1992) following the Contra War.

The military demobilization of Honduras after the Central American civil wars, on the other hand, was not supervised by an internationally sanctioned observer's group. The incomplete demobilization of the Honduran military allowed it to maintain certain prerogatives, a monopoly on the importation of weapons being of the foremost concern of this thesis. An additional concern is that the Honduran military is constitutionally bound to "cooperate with the National Police in keeping of the public order (Sec. 272)."[5] The militarization of Honduran police forces has resulted in reports of human rights abuses that undermine social capital. It is argued that widespread distrust in the Honduran criminal justice capacity combined with a militia disposition toward law enforcement and national defense resulted in a society struggling to overcome epidemic levels of criminal violence.

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[5] Honduran Constitution, "The Legal Framework," in *A Comparative Atlas of Defense in Latin America*, ed. Juan Ria, 2008th ed. (Red de Seguridad y Defensa de América Latina, 2008), 32.

B. THE IMPORTANCE OF VIOLENT CRIME IN HONDURAS AND NICARAGUA

1. U.S. Security

The importance of Honduras and Nicaragua to the United States is based primarily on proximity. The risk of these states being overrun by drugs, crime, and poverty is arguably of greater concern to the United States than the failure of other countries that do not have access to a land route to its southern border. An inundation of refugees fleeing north from Central America could further destabilize the 2,000 mile-long U.S./Mexican border area with drugs, illegal immigrants and create opportunities for terrorists to enter the country. According to the 2005 U.S. Census, 740,820 Hispanics claim Nicaragua or Honduras as their place of origin.[6] Many of these people are undocumented illegal aliens.

At what point does criminal violence overwhelm a state? Antonio Maria Costa, the Executive Director of the United Nations Office of Crime and Drugs (UNODC), succinctly defines a "failed state" as one that "no longer has a monopoly on the use of force and [whose] citizens no longer trust their leaders and public institutions."[7] In recent years, U.S. foreign policy has focused on weak and failing states as security threats. Neither Nicaragua nor Honduras is listed on the World Bank's catalogue of "Fragile States," but if the illegal drug trade threatens the stability of Mexico, the potential consequences for Nicaragua and Honduras will be enormous.[8] Like Mexico, Nicaragua and Honduras are caught between the region's largest supplier of cocaine (Colombia) and principal drug consumer (the United States) and are threatened by the destabilizing effect of black-market forces that can buy political power. Compared to Mexico, with a 2004 GDP of $676.5 billion, Honduras and Nicaragua are economic

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[6] U.S. Census Bureau, "Hispanic or Latino Origin by Specific Origin," http://factfinder.census.gov/servlet/DTTable?_bm=y&-geo_id=01000US&-ds_name=ACS_2005_EST_G00_&-redoLog=false&-mt_name=ACS_2005_EST_G2000_B03001 (accessed July 1, 2008).

[7] Antonio Maria Costa, Preface to "Crime and Development in Central America: Caught in the Crossfire United Nations Office on Drugs and Crime," 2007.

[8] Liana Sun Wyler, *Weak and Failing States: Evolving Security Threats and U.S. Policy* (CRS Report for Congress, Appendix B: 2007 World Bank Fragile States/Territories, 2007).

lightweights with a combined 2004 GDP of only $11.3 billion.[9] Honduran and Nicaraguan law enforcement capacity is dwarfed by the global trade in illicit drugs, which is estimated to be more than three hundred billion dollars (2003).[10] A conflagration of Central American states, overpowered by criminal elements, fueled either by drug cartels or a security vacuum, could lead to a contraction of Central American economies, lawlessness, humanitarian disaster, and a stampede of refugees overwhelming the U.S. border.

Nicaragua is considered safer than Honduras in terms of violent crime but all states have "perversely privatized" areas, i.e., areas where the "public dimension of the state" have evaporated or never existed.[11] As Robert H. Holden makes clear in his book *Armies without Nations*, "[s]tate institutions operate within—and typically dominate—the field of state power but they seldom monopolize it. The boundaries of the field of state power, constituted not so much by structural borders but by fluid relationships, vary over time and space."[12]

The inability of Honduran leaders to control violent crime perpetrated in their territory is an indication that the country has lost the confidence of its citizens and is in danger of further instability. As John Robb points out in a *Brave New War*, "[m]ost of the United States' recent 'wars…' Afghanistan, Somalia, and Kosovo—were actually interventions within unstable states, rather than a conventional war against them."[13] Theodore Leggett, a lead researcher for the UNODC adds that "[t]echnology and

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[9] CEPAL, Comisión Económica para América Latina y el Caribe, *Anuario Estadístico de América Latina y El Caribe,* 2005, http://websie.eclac.cl/anuario_estadistico/anuario_2005/ (accessed August 1, 2008).

[10] United Nations Office of Drugs and Crime, *World Drug Report 2005* (New York, N.Y.: United Nations Publications, 2005).

[11] Guillermo O'Donnell, "On the State, Democratization and Some Conceptual Problems: A Latin American View with Glances at some Postcommunist Countries," *World Development* 21, no. 8 (1993): 1359.

[12] Robert H. Holden, *Armies without Nations: Public Violence and State Formation in Central America, 1821-1960* (New York: Oxford University Press, 2004), 11.

[13] John Robb, *Brave New War: The Next Stage of Terrorism and the End of Globalization* (Hoboken, New Jersey: John Wiley and Sons, 2007), 26.

globalization have made it possible for even the most marginalized groups to pose a threat to the most powerful."[14]   The potential threat to the United States from the implosion of Mexico or any Central American country should not be underestimated.

2.   Socioeconomic Ties

In addition to its relevance for security, crime and violence also affect relations with Honduras and Nicaragua in that they deter investing in the area and discourage citizens from moving to these countries. The State Department (DoS) reports that "U.S.-Honduran ties are…strengthened by numerous private sector contacts, with an average of between 80,000 and 110,000 U.S. citizens visiting Honduras annually and about 15,000 Americans residing there. More than 150 American companies operate in Honduras."[15] Likewise the DoS reports that, "[t]here are over 100 companies operating in Nicaragua with some relation to a U.S. company, either wholly or partly owned subsidiaries, franchisees, or exclusive distributors of U.S. products. The largest are in energy, financial services, apparel, manufacturing, and fisheries."[16]

The administration of George Bush (1989-93), concerned with the prospect of failed states in the Americas and Caribbean, requested $1.1 billion for FY2008-2009 to fund the Mérida Initiative—a special program to combat narcotrafficking, transnational youth crime and terrorism in Mexico and Central America.[17]   Congressional review of the initiative led to an increase in the amount of aid requested for Central America, Haiti and the Dominican Republic from $50 million in FY 2008 to $100 million in FY 2009.[18] According to a 2009 DoS press release regarding the initiative, the $465 million that the

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[14] Theodore Leggett, *Crime and Development in Central America: Caught in the Crossfire* (United Nations Office on Drugs and Crime, 2007), 11.

[15] Bureau of Western Hemisphere Affairs, "Background Note: Honduras," U.S. State Department, www.state.gov/r/pa/ei/bgn/1922.htm (accessed November 14, 2008).

[16] Bureau of Western Hemisphere Affairs, "Background Note: Nicaragua," U.S. State Department, www.state.gov/r/pa/ei/bgn/1850.htm (accessed January 5, 2009).

[17] Colleen W. Cook, Rebecca G. Rush and Clare R. Seelke, *Merida Initiative: Proposed U.S. Anticrime and Counterdrug Assistance for Mexico and Central America* (Congress Research Service, 2008).

[18] Ibid., 3.

U.S. Congress appropriated in mid-2008, "has already paid dividends in the form of increased arrests of major traffickers, record seizures of weapons, and reduced flows of drugs, guns and cash across borders."[19]

3. Enlightened Self-Interest

Ascertaining the causes of Honduran internal security degradation is in the best interest of the United States. Enlightened self-interest is not altruism. It is sewn into the fiber of the international governing body; the "Charter of the United Nations" conveys that:

> To practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples, have resolved to combine our efforts to accomplish these aims.[20]

There is a strong incentive, therefore, to formulate a strategy for securing the region by determining the causes of violent crime in Honduras and the reasons for relative less violence in Nicaragua. This thesis seeks to analyze the violence plaguing Honduras and identify those policies that contributed to better public security in Nicaragua.

C.   LITERATURE REVIEW: AN OVERVIEW

1.   Causes of Violent Crime in Central America

The 2007 UNODC report by Theodore Leggett, *Crime and Development in Central America: Caught in the Crossfire,* is the most recent and comprehensive study of crime in Central America. It attempts to explain crime and violence in the region but does not account for the variation in homicide rates between Nicaragua and Honduras. Its general findings are applicable, however, to the two countries of this study.

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[19] U.S. State Department, "Western Hemisphere and Caribbean: Common Values, Shared Interests: The United States and its Promise in the Western Hemisphere," *State Department Documents and Publications*, 2009.

[20] United Nations, "Charter of the United Nations," www.un.org/aboutun/charter/ (accessed October 24, 2008).

Additionally, Leggett aggregates variables broadly employed to explain violence. This review is organized in accordance with those variables and brings subject matter to either expand or challenge Leggett's assertions. The UNODC report offers five explanations for Central America's vulnerability to crime and discusses how crime is hindering the region's development. The five Central American vulnerabilities are as follows: 1) Geographical 2) Demographic, social, and economic 3) Limited criminal justice capacity 4) Displacement and deportation, and 5) A history of conflict and authoritarianism.[21]

a.   *Geographical Explanation*

First, Leggett's geographical argument for Central America's vulnerability to crime is due to its "misfortune of being placed between drug supply and drug demand."[22] Many scholars agree that there is a direct link between drug trafficking and criminal violence. Michael Shifter, vice president for policy at the Inter-American Dialogue (IAD), represents the conventional view that drug trafficking is responsible for the increase in violence. In his article for the journal *Current History*, he asserts that "[t]he politically motivated violence that wracked Central America in the 1980s has been replaced by burgeoning criminality at many levels, including transnational and local, much of it a product of illegal drug trafficking."[23] Max Manwaring from the Strategic Studies Institute warns that "[d]rug trafficking and mercenary activities become group rather than individual activities, and the gangs exploit both violence and technology to control their competition and absorb new markets."[24]

In addition to drugs, the proximity of Honduras and Nicaragua to the United States makes them a corridor for the trafficking of firearms and people. The Mérida Initiative includes provisions for ion scanners and canine units for Mexico and

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[21] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 12-44.

[22] Ibid., 25.

[23] Michael Shifter, "Latin America's Drug Problem," *Current History* 106, no. 697 (February 2007): 61.

[24] Max G. Manwaring, "A Contemporary Challenge to State Sovereignty: Gangs and Other Illicit Transnational Criminal Organizations in Central America, El Salvador, Mexico, Jamaica and Brazil," *Strategic Studies Institute* (2007): 19.

Central America to interdict drugs, arms, cash and persons.[25]   An unintended consequence of the globalization of labor has been an upsurge in the number of cases of coerced servitude. According to the State Department's *Trafficking in Persons Report*, "in FY 2006, HHS [Health and Human Services] certified 234 foreign victims of human trafficking from a remarkably diverse array of countries. Primary sources in FY 2006 of victims were El Salvador (62), Mexico (47), Republic of Korea (20), and Honduras (17)." Honduras is classified as a "Tier 2 Watch List" country on the Trafficking Victims Protection Act's (TVPA) minimum standards ranking "for its failure to show evidence of increasing efforts to combat human trafficking, particularly in terms of providing increased assistance to victims. In addition, the absolute number of trafficking victims in the country is very significant."[26] In "Honduran-U.S. Relations," Mark P. Sullivan puts government and NGO estimates at 10,000 victims trafficked, mostly internally, in Honduras.[27] Nicaragua is a "Tier 2" country and not on the "Watch List," meaning that it does not "fully comply with the TVPA's minimum standards but is making significant efforts to bring themselves into compliance with those standards."[28]

The geographical explanation hinges on the disparity of economies between the United States and Central America. The amount of money to be made in the U.S. black-market increases violent crime because participants do not resolve differences through standard nonviolent mechanisms, i.e., courts of law. Additionally, combating illicit trade diverts criminal justice resources from deterrence of violent crime.

b.   *Demographic, Economic and Social Explanations*

Leggett examines demographic, social, and economic vulnerabilities to account for high levels of violent crime in Central America. According to his study "most street crime is committed by young men between the ages of 15 and 24, often

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[25] States News Service, "The Mérida Initiative: Proactive Border Security," *Newswire*, December 1, 2008.

[26] U.S. State Department, *Trafficking in Persons Report* (Office for the Under Secretary for Democracy and Global Affairs and Bureau of Public Affairs, 2007), 112.

[27] Mark P. Sullivan, *Honduran-U.S. Relations*, CRS Report for Congress (December 2007).

[28] Ibid., 29.

against their peers. The higher the share this demographic group comprises of the population, the greater the number of potential perpetrators and victims in the society, all other things being equal.

First, violent crime is often attributed to economic factors. According to Leggett, "studies of the correlates of crime have found that the distribution of wealth in a society is actually more significant than raw poverty in predicting violence levels. It has been argued that stark wealth disparities provide criminals with both a justification (addressing social injustice) and an opportunity (wealth to steal) for their activities."[29]

Second, social violence, which Johan M. G van der Dennen, a researcher at the University of Groningen, defines as "the use of physical means by a social unit to deter, to punish, or to demonstrate superiority," has also been submitted as underlying violent crime in Central America.[30] Reinforcing Leggett's concern for the social causes of violent crime, Caroline Moser and Cathy McIlwaine argue in "Violence in a Post-Conflict Context," that "[t]he complex relationship between violence and poverty has been widely debated. However, social exclusion—the process through which individuals or groups are excluded from full participation in the society in which they live—may be a more useful concept because it involves a more dynamic and multidimensional conceptualization of deprivation."[31] In "Fractured Cities, Second-Class Citizenship and Urban Violence," Kees Koonings and Dirk Kruijt make the causal link between social exclusion, (what they call a "failure of citizenship"), to "urban poverty, insecurity and violence."[32] They make the connection by stating that violence "seems to be the standard integration mechanism [into a society] of the poor and underprivileged."[33]

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[29] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 12.

[30] Johan M. G. van der Dennen, "Theories of Political and Social Violence," 2005, http://rechten.eldoc.ub.rug.nl/FILES/departments/Algemeen/overigepublicaties/2005enouder/A-VIOL/A-VIOL.pdf (accessed February 2, 2009).

[31] Caroline Moser and Cathy McIlwaine, *Violence in a Post-Conflict Context: Urban Poor Perceptions from Guatemala* (Washington, D.C.: The World Bank, 2001), 15.

[32] Kees Koonings and Dirk Kruijt, "Fractured Cities, Second-Class Citizenship and Urban Violence," in *Fractured Cities: Social Exclusion, Urban Violence and Contested Spaces in Latin America*, ed. Kees Koonings and Dirk Kruijt (London, New York: Zed Books, 2007), 12.

[33] Ibid., 21.

Ethnicity must be examined as a motivational factor due to its pervasiveness throughout history and the world. In *Ethnic Groups in Conflict*, Donald L. Horowitz attests to the dimensions of ethnically inspired violence:

> Ethnic violence since World War II has claimed more than ten million lives, and in the last two decades ethnic conflict has become especially widespread. Ethnicity is at the center of politics in country after country, a potential source of challenges to the cohesion of states and of international tension.[34]

Leggett rejects ethnicity as a vulnerability to crime because of "the extent of intermarriage in Central America."[35]

c.   *Limited Criminal Justice Capacity*

Leggett's third reason for run-away crime rates focuses on Central American governments' ability to force compliance of the law. He writes that:

> The citizenry, large portions of which may have traditionally regarded the law enforcement apparatus as the enemy, also needs time to learn to trust and cooperate with those charged with protecting them. Lingering suspicions teamed with transitional hiccoughs may strain this trust relationship. Corruption can derail it altogether.[36]

The justice and morality void left by state incapacity is often filled by vigilantes, gangs and other local power brokers. These modern day "*caudillos*" or strongmen are not always content to merely lord over their respective areas and often push out violently resulting in clashes with the state. Where the state tries to co-opt these forces, its legitimacy is called into question and the rule of law is reduced to an arbitrary standard of local preferences.

d.   *Displacement and Deportation*

A significant Central American diaspora resulted in the United States from the Central American civil wars of the 1980s and 90s. Leggett writes that "[t]here is a

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[34] Donald L. Horowitz, *Ethnic Groups in Conflict* 2nd ed. (University of California Press, 2000), xv.

[35] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 27.

[36] Ibid., 29.

widely held belief in both Central America and the Caribbean that recent crime troubles can be tied directly to criminal deportees."[37] According to *Prensa Latina*, "20,500 Hondurans have been deported" from the United States to Honduras since January 2008 and "1.1 million since 2000."[38] Many policymakers in Central America believe that the deportation of large groups of illegal immigrants, many with criminal backgrounds, overwhelms their justice capacity and further destabilizes the region.[39]

e. A History of Conflict and Authoritarianism

Leggett includes psychological trauma, warlike mindset, loss of state capacity and legitimacy, and police militarization as legacies of war.[40] He suggests that "violence can become 'normalized' in communities where many people were exposed to brutality, and may be tacitly accepted as a legitimate way of settling disputes, particularly where the state continues to be viewed as incompetent, corrupt, or biased."[41]

2. Conclusion

The UNODC report attempts to capture broad aspects of the Central American crime problem but does not analyze cross-country variation in manifestations of violence and possible causes of violent crime. The result is a list of conditions that contribute to the problem of violence without being sufficient to account for the differences in homicide rates between Nicaragua and Honduras. This thesis is in response to the shortcomings of Leggett's UNODC report and will compare Honduras and Nicaragua to more accurately determine the factors that explain violent crime in the former and relative peace in the later.

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[37] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 41.

[38] "Most Honduran Emigrants in US Deported," *Prensa Latina* www.plenglish.com.mx/article.asp?ID=%7B114E4426-FDE6-4984-B023-2BC760CF758C%7D&language=EN (accessed November 11, 2008).

[39] Clare Ribando Seelke, "Gangs in Central America," *Congressional Research Service (CRS)* (2008): 7-8.

[40] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 34-35.

[41] Ibid., 34.

D.   RESEARCH DESIGN

This thesis is a comparative study of Nicaragua and Honduras beginning with the Central American wars of the 1980s to determine what can account for different levels of violence manifest in both countries today. "Violence," is often divided between two causal motives: politically inspired and socially inspired. War is the ultimate (although not only) political expression of violence. An examination of war is justified in a treatise on violence because as Holden contends, "the state has undoubtedly constituted the main arena within which the killing [during the twentieth century] took place, as the agents of states both contend and collaborate with their competitors and associates, both internal and external."[42] He continues by describing national separatist movements that operate "outside the state apparatus itself" and seek "political and military power" in order "to make their own state or control some space within the state."[43]

In a "Rationalist Explanations for War," James Fearon lists five reasons generally accepted by scholars (which he rejects as insufficient) for why countries go to war. The causes of war as detailed by Fearon are, "(1) anarchy; (2) expected benefits greater than expected costs; (3) rational preventive war; (4) rational miscalculation due to lack of information; and (5) rational miscalculation or disagreement about relative power."[44] Fearon's list is useful in describing the causes of wars between nations like the 1969 "Football War" between El Salvador and Honduras where, in this instance, both sides may have expected greater benefit than costs. This kind of war is the exception in Central America; in the pan-America isthmus, civil war and rebellion are historically more common than war between two or more countries. Honduras is unique in that it avoided civil war beginning in the late 1970s and concluding in the early 1990s while its neighbors were engulfed by it.

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[42] Holden, *Armies without Nations: Public Violence and State Formation in Central America, 1821-1960*, 11.

[43] Ibid.

[44] James D. Fearon, "Rationalist Explanations for War, *International Organization* 49, no. 3 (Summer 1995): 379-414, 381.

In *Violence in Developing Countries,* Christopher Cramer points out that statistics on violence must be viewed critically. He explains that with regard to "political violence, armed conflict or even some forms of inter-personal or 'social' violence:"

> [T]he evidence on the incidence of, intensity of, and trends in violent conflict is typically unreliable. To find reliable data for social science research in most fields is hard enough, and especially so in poorer countries. Violence compounds the problem. Tattered and untrustworthy data affect the accumulation of case study material on individual countries, and compromise even more endeavors to make comparisons between cases.[45]

Cramer identifies a range of problems with homicide reports including "errors accumulating in the police recording process, crimes reported to but not recorded by police…variations between countries in definitions of particular crimes, variations in levels of reporting and traditions of policing, and variations in the accessibility of the police."[46] Comparing violence across countries compounds the difficulties associated with different cultures, reporting systems, and incentives to portray a country as secure for businesses or tourist friendly. With regard to the complexity of cross-country comparisons of homicide and criminal violence, Leggett writes that both the UNODC and Interpol conduct crime trends surveys that are designed to "standardize definitions of each crime type" but where data from both organizations are available on the same region, "they often disagree."[47] Additional problems relate to legitimate and illegitimate applications of violence.

Despite the problems listed above, the UNODC report states that "[i]ntentional homicide figures are generally considered the most reliable indicator of the violent crime situation in the country, since, unlike crimes like robbery and assault, most intentional homicides come to the attention of the police."[48] The "United Nations Survey of Crime Trends and Operations of Criminal Justice Systems" goes further stating that "homicide

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[45] Christopher Cramer, *Violence in Developing Countries: War, Memory, Progress* (Bloomington and Indianapolis: Indiana University Press, 2007), 81.

[46] Ibid., 82-83.

[47] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 52, 94.

[48] Ibid., 15.

levels from different countries provide a relatively reliable source of comparison [of global crime trends]." And that "homicide is generally regarded as a good proxy for broader levels of violent crime."[49] This thesis utilizes intentional homicide figures as the most reliable measure of criminal violence in Honduras and Nicaragua. The intent is to evaluate homicide rates in order to identify the underlying cause of higher percentages of criminal violence in Honduras.

Focusing solely on homicides, however, does not completely depict the violent reality in Honduras. The number of violent deaths per 100,000 for Honduras in 1999 was 41 compared to 43 in 2006—hardly indicative of a sudden "explosion" in violent crime as many sources purport.[50] Sebastian Huhn, Anika Oettler and Peter Peetz writing for the German Institute of Global and Area Studies (GIGA) question the validity of reports that declare that the "levels of violence in Central America are as high as, or even higher than at the times of state terror, insurgent action and war of the 1970s and 1980s."[51] They argue that "the 'real' level of criminal violence is mostly unknown."[52] Regardless of the temporal onset of increasing bloodshed, the Honduran people suffer disproportionately from criminal violence today relative to global trends. The difference in homicide rates in Nicaragua and Honduras serve as a gauge to determine the dimension of the problem with other statistics on violent crime utilized as applicable. By determining the factors that allowed for relatively less violence in Nicaragua, the likelihood that Honduras can reduce violent crime is increased.

The thesis began by outlining the dimensions of the problem of criminal violence in Central America. The question of why Honduran society is more violent than Nicaraguan was presented and the importance of Central American violence to U.S. national interests detailed. The second chapter contests conventional explanations for

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[49] Mark Shaw, Jan van Dijk, and Wolfgang Rhomberg, "Determining Trends in Global Crime and Justice: An Overview of Results from the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems," *Forum on Crime and Society* 3, nos. 1 and 2 (December 2003): 35-63, 40.

[50] CEPAL, Número de Víctimas y Tasas de Homicidios Dolosos en Honduras (1999 –2006), www.ocavi.com/docs_files/file_384.pdf (accessed December 31, 2008).

[51] Sebastian Huhn, Anika Oettler, and Peter Peetz, *Exploding Crime? Topic Management in Central American Newspaper* (Hamburg, Germany: GIGA, 2006), 5.

[52] Ibid.

different crime levels in Nicaragua and Honduras. The third chapter compares the availability of weapons, police responses and the emergence of social movements in Nicaragua at the end of the civil war to explain the marked differences in security compared to Honduras. The fourth chapter emphasizes the importance of key differences between the countries and advocates policies to stabilize Honduras. Factors determined to contribute to the favorable security environment in Nicaragua serve as the basis for recommendations.

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II.   EXPLANATIONS FOR DIVERGENT LEVELS OF VIOLENCE IN HONDURAS AND NICARAGUA

A.   INTRODUCTION

This chapter offers explanations for the emergence and persistence of violence in various contexts. Theories that fail to account for key differences regarding homicide rates in Honduran society and that of its neighbors (particularly Nicaragua with other countries used occasionally for comparison) are challenged. This review evaluates existing hypotheses for overall high crime in the Central American triangle (Guatemala, El Salvador, Honduras) in order to discern which factors contribute to high levels of violence in Honduras and relatively less violence in Nicaragua. Honduras and Nicaragua are compared in order to highlight differences that help explain their current security environments.

Is Nicaragua substantially less violent than Honduras? Godnick, et al. writes, "there is probably an under-reporting of armed violence [in Nicaragua]. This under-reporting may partially explain the homicide figures, which are low by regional standards, i.e., well below Nicaragua's northern Central American neighbors and only moderately above those of Costa Rica."[53] Oettler asks to what degree is criminal violence "overshadowed by elite discourse of Nicaragua being a safe country?"[54] Huhn, et al. lends credence to Oettler's concern. Their study of the two leading newspapers in Nicaragua exposed a bias toward reporting news geared to the majority of their readers, "the Managua of the wealthy."[55] They generalize that "violent crime is portrayed as a problem being generated and situated in the exterior."[56]

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[53] William Godnick, Robert Muggah, and Camilla Waszink, *Stray Bullets: The Impact of Small Arms Misuse in Central America* (Geneva, Switzerland: Graduate Institute of International Studies, 2002), 25.

[54] Anika Oettler, "Discourses on Violence in Costa Rica, El Salvador and Nicaragua: National Patterns of Attention and Cross-Border Discursive Nodes," *German Institute of Global and Area Studies*, 2007, www.giga-hamburg.de/workingpapers (accessed October 4, 2008), 14.

[55] Huhn, Oettler, and Peetz, *Exploding Crime? Topic Management in Central American,* Newspaper, 22.

[56] Ibid., 23.

Perhaps violent crime is underreported in Nicaragua but unlike Honduras, it did participate in the UNODC biannual crime trends survey (CTS) which was designed to overcome difficulties of cross-country analysis of homicide rates. Honduras was the only Central American country that did not participate in the CTS. This failure to participate may be an indication of an overwhelmed security apparatus. Leggett suggests that unstable countries "are not able to provide reliable statistics, and it is precisely in these areas that the problems are likely to be the worst."[57] The "*Observatorio de la Violencia*," a report from the Honduran Police and Public Ministry contradicts the rationale that they are simply unable to provide detailed statistics. On a quarterly basis, the report documents homicides and "violent deaths" in the country. Another plausible explanation is that the Honduran government is covering up civil rights abuses and does not want an independent assessment of homicides. In *Honduras Again Validates its Banana Republic Status*, Gena Goodman-Campbell maintains that there is a gap between law enforcement and the protection of civil rights in Honduras. She states that the police are implicated in the death squads responsible for "extra-judicial execution of street children" and that "anti-gang measures and the 2001 Police and Social Order Law have made law enforcement less accountable, facilitating the detainment of suspected gang members by violence-prone police. Discrimination, unlawful detention and multiple police abuses occur as a result."[58]

Nicaragua is relatively less violent than Honduras. Less violent should not be interpreted as an indication of an innate culture of peace, however. Nicaragua, like Honduras, suffers from police abuse, lengthy pretrial detentions, overcrowded prisons and so on, the difference is in degree. There are various ways to measure the outcome of criminal activity and violence in a society. In polls conducted by the World Bank designed to reveal barriers to conducting business, 39% of Nicaraguan business firms ranked crime as a serious obstacle.[59] Leggett puts this percentage in context reporting

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[57] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 52.

[58] Gena Goodman-Campbell, "Honduras Again Validates its Banana Republic Status," in Council on Hemispheric Affairs [database online] 2004, www.coha.org/2004/12/honduras-again-validates-its-banana-republic-status/ (accessed February 19, 2009).

[59] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 18.

that the figure is "higher than in countries in which the crime problem is widely recognized, such as Nigeria (36%)."[60] Although Nicaragua does indeed have a serious problem with violent crime it pales in comparison to that of Honduras. From the same World Bank poll, 61% of Honduran businesses rank crime as a serious impediment to commerce.[61] Leggett again uses Africa to put this percentage into perspective relating that Honduras had "the third highest rate recorded (after Kenya)" out of 53 nations covered.[62]

According to newspaper reports, Nicaraguan women suffer domestic violence to a much greater extent than the world average. In a 2005 report for the Nicaraguan newspaper *La Prensa*, Roberto Solis writes that "Nicaragua could end the year with more than 11,000 cases of domestic violence…a rate of 190 (mostly women) per 100,000 inhabitants."[63] He considers this level of violence to be a scourge reporting, "the World Health Organization (WHO) considers 10 cases of domestic violence per 100,000 a public health problem. In Nicaragua we surpassed that figure by a multiple of 19."[64] Despite these statistics on domestic violence and the business environment, intentional homicide statistics are generally regarded as the best indicator of widespread levels of violence in cross-country studies.[65] Available statistics consistently show Honduras having a higher rate of intentional homicide than Nicaragua. The 2005 homicide rate in Nicaragua was just eight homicides, compared to 41 in Honduras, per 100,000 people.[66] Nicaragua is ranked as the 60th most peaceful country out of 140 on the Global Peace

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[60] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 18.

[61] Ibid.

[62] Ibid.

[63] Roberto Solis, "Violencia en Nicaragua a Paso de Gigante." *La Prensa*, 2005, www.laprensa.com.ni/archivo/2008/diciembre/13/noticias/nacionales/300386.shtml (accessed January 30, 2009). Translation of the author.

[64] Ibid.

[65] See footnote 45; United Nations Survey of Crime Trends and Operations of Criminal Justice Systems.

[66] Seelke, "Gangs in Central America," 2.

Index for 2008.[67] The United States and Honduras by comparison are ranked 97 and 104, respectively, on the same index. Based on the latest information, this paper concludes that Honduras does suffer more from violent crime and murder than Nicaragua.

B.   GEOGRAPHY AND CRIMINAL VIOLENCE

1.   Drug Trafficking

The argument that drug trafficking is responsible for run-away violence is linked to the hypothesis that Central America serves as a drug corridor between Colombia and the United States. The argument inevitably leads from drug smuggling to a myriad of destabilizing forces. Max Manwaring, from the Strategic Studies Institute, demonstrates this chain of logic: "Over the past several years, many decision-makers, policymakers, and opinion leaders seem to have been consistently surprised at the chaos, violence, and governmental degradation that stems from the destabilizing activities of gangs and their drug-trafficking allies."[68] Michael Shifter states that many of the countries of Central America and the Caribbean "have weak states and are struggling to deal with severe strains that often stem from the drug trade."[69] Despite Shifter's respected position at the IAD and the resources and regional connections at his disposal, he makes no attempt to substantiate his claim, and his article contains no citation whatsoever.

This causal link between drugs and violence is challenged by research that suggests the drug trade mostly bypasses Central America. Maureen Meyer, in collaboration with the Washington Office on Latin America (WOLA), explains that in the mid-1980s, "major interdiction efforts by the United States effectively closed off Florida as an entry point for Colombian cocaine."[70] Rather than delivering a crippling blow to the illicit drug trade, the blockade had the perverse effect of empowering Mexican drug-cartels. She indicates that "[i]t is estimated that 70% of all drugs that enter the United

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[67] Global Peace Index, "Global Peace Index Rankings," www.visionofhumanity.org/gpi/results/rankings/2008/ (accessed July 3, 2008).

[68] Max G. Manwaring, *Street Gangs: The New Urban Insurgency* (Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2005).

[69] Shifter, "Latin America's Drug Problem," 61.

[70] Maureen Meyer, *At a Crossroads: Drug Trafficking, Violence and the Mexican State* (Washington Office on Latin America, 2007), 2.

States pass through the hands of at least one of these organizations [the Gulf, Sinaloa/Federation and Tijuana cartels]. They control the flow of drugs within Mexico, as well as the transport of cocaine from South America."[71] Most studies on drug trafficking suggest that Honduras and Nicaragua are only transit points for drug traffickers and ones that are not used with great frequency. The *2007 World Drug Report*, for example, documents that:

> The share of large seizures in national seizure totals highlight the fact that, while smaller scale trafficking does take place, the backbone of the market remains in the hands of more sophisticated operators. For example, in 2004, more than 25 percent of the cocaine seized in Honduras came from just one maritime seizure, while 42 percent of that seized in Nicaragua came from two major seizures on the Atlantic Coast.[72]

While it is true that Honduras leads the region in the number of state nationals arrested for drug trafficking in the United States,[73] it is most likely that these were low-level "mules" transporting illicit drugs because they had nothing much to lose. A recent news report concerning drug seizures and arrests in Peru states that "[o]ver three-quarters of Peruvian 'mules' are poor or unemployed."[74] That Honduras has the most arrests for drug smuggling is a greater indication of its level of poverty than a sign of local control of transnational drug routes. A responsible approach to the possible linkage of drug trafficking and violent crime comes from Marcelo S. Bergman, a Professor at the *Centro de Investigación y Docencia Económicas* (CIDE) in Mexico City. Bergman only allows that "[i]t is widely assumed that a dramatic surge in drugs and firearms accounts for the rise in criminality in the region, but the most we can say is that these variables are highly correlated."[75]

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[71] Meyer, *At a Crossroads: Drug Trafficking, Violence and the Mexican State*, 3.

[72] United Nations, United Nations Office of Drugs and Crime, *World Drug Report*, 2007, www.unodc.org/pdf/research/wdr07/WDR_2007.pdf (accessed February 7, 2009).

[73] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 63.

[74] Ángel Páez, "Peru: Poverty Provides Growing Number of 'Drug Mules,'" *Inter Press Service News Agency*, February 20, 2008, http://ipsnews.net/news.asp?idnews=41264 (accessed November 11, 2008).

[75] Marcelo S. Bergman, "Crime and Citizen Security in Latin America: The Challenges for New Scholarship," *Latin American Research Review* 41, no. 2 (June 2006): 13.

The preponderance of data suggests that the Mexican and Colombian cartels control the drug trade and that Honduras and Nicaragua are only minor players. Admiral Stavridis, Commander of U.S. Southern Command, warns, however, that "narcotraffickers continuously adjust their operations to adapt to law enforcement efforts by developing new trafficking routes and consumer markets."[76] Regardless of the extent of trafficking through Central America, drugs can have an enormous impact on small, poor countries. Bergman relates that "for violence the most consistent predictors of victimization are gender, age, and education, as well as proximity to drugs and alcohol."[77] The majority of Honduran gang members (65%) admitted to "always or sometimes" consuming drugs in interviews conducted by Demoscopía S.A., whereas 100% of Hondurans not affiliated with gangs answered that they "never or almost never use drugs." In Nicaragua, only 29% of gang members and 4% of non-members admitted to frequent drug use.[78] Not all violent crime is committed by gang-members. If the survey is to be believed, the violence committed by ordinary citizens in Honduras is done so while sober. The link between drugs and violence is tenuous.

2.   Human Trafficking

According to the State Department's *Trafficking in Persons Report,* "violence and abuse are at the core of trafficking for prostitution."[79] Although competition to control human trafficking may resemble the fight to control any territory or illicit trade and result in homicides between factions, the victims of human trafficking usually suffer an extreme form of non-lethal social exclusion and abuse. Violence as an instrument to coerce servitude may not be reflected in homicide rates because the value of the trade results from continued exploitation. This thesis argues that slavery and human trafficking are manifestations of violence, however, and not causes of violence. The trafficking in

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[76] Jim Stavridis, *U.S. Southern Command 2008 Posture Statement*, 2008.

[77] Bergman, "Crime and Citizen Security in Latin America: The Challenges for New Scholarship," 216.

[78] S. A. Demoscopía, *Maras and Youth Gangs, Community and Police in Central America* (Costa Rica: Agencia Sueca de Cooperación para el Desarrollo Internacional, 2008), 17.

[79] U.S. State Department, 33.

humans, while particularly vile, is a form of criminal violence that results from the incapacity of the state to protect marginalized citizens and the failure of social networks to account for the most vulnerable of its members.

3.   The Weapon's Trade

Although this thesis argues that the availability of weapons in Honduras and their relative scarcity in Nicaragua is a central reason for the difference in homicide rates, the proposition that the trade in weapons is the cause of violent crime is challenged. The geographic argument would suggest that economic disparities provide opportunities for Central America to manufacture cheap weapons and smuggle them into the United States. This is certainly not the case. Manuel Roig-Franzai reports for the *Washington Post*, that 2,000 U.S. weapons cross into Mexico each day[80] and according to Lora Lumpe, in collaboration with the "Peace Research Institute," "by all available evidence, the United States has been the leading source of small arms supply to Central America since the 1950s and continues to be so today."[81] Contestation for control of the weapon's trade cannot account for criminal violence in Honduras.

C.   DISPLACEMENT AND DEPORTATION

While the links between migration and violent crime are subject to considerable debate, Leggett concedes, "there can be little doubt that the arrival of those fleeing war can be a major source of social strain in areas unprepared to receive them."[82] He explains that the danger of hosting displaced people is that they often arrive "traumatized and culturally disoriented with little money and no local connections."[83] They compete with the local population for resources and jobs, and as a result, often confront xenophobic exclusion and even violence from their hosts. Moreover, migrants and

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[80] Manuel Roig-Franzai, *U.S. Guns behind Cartel Killings in Mexico* in Washington Post Foreign Service [database online] 2007, www.washingtonpost.com (accessed March 2, 2009).

[81] Lora Lumpe, *The U.S. Arms Central America: Past and Present* in Peace Research Institute [database online] Oslo, 1999, www.prio.no/NISAT/Publications/The-US-Arms-Central-AmericaPast-and-Present/ (accessed March 2, 2009).

[82] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 39.

[83] Ibid.

refugees often become more cohesive and mobilize as a defensive measure. Leggett warns that over time, "defensive formations may mutate into predatory gangs, and cycles of conflict may become entrenched unless interventions are made.[84] Honduras and Costa Rica were unique to the region in being recipients of displaced people from other countries though internal displacement appeared frequently throughout the region. Causal links between displaced populations and the incursion of criminality, however, cannot account for Costa Rica's relatively low level (6.2 per 100,000) of intentional homicide.[85]

There is a significant Honduran diaspora in Los Angeles, California (approximated at 36,576 Honduran nationals) which is renowned for its gang activity and culture.[86] But their representation in Los Angeles is nearly identical to that of Nicaragua which has 37,731 nationals living in the city.[87] According to the U.S. State Department, "[a]n estimated 1 million Hondurans reside in the United States, 600,000 of whom are believed to be undocumented.[88] Collier warns that the danger of diasporas depends on the size of the displaced population in a rich country. He calculates that "[i]f the country has an unusually large American [U.S.] diaspora its chances of conflict are 36%. If it has an unusually small diaspora its chances of conflict are only 6%."[89] The reason for this trend, according to Collier, is that "diasporas sometimes harbor rather romanticized attachments to their group of origin," and they are "much richer than the people in their country of origin and so can afford to finance vengeance." Most importantly, the displaced populations do not have to suffer the consequences of renewed conflict because they are not the ones taking up arms and are not living in the country.[90]

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[84] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 39.

[85] Seelke, "Gangs in Central America," 2.

[86] Mumford Institute, "Nicaraguan/Honduran/Salvadoran Population Total." *University of Albany*, www.s4.brown.edu/cen2000/HispanicPop/HspSort/nicSort.htm (accessed July 6, 2008).

[87] Ibid.

[88] Bureau of Western Hemisphere Affairs, www.state.gov/r/pa/ei/bgn/1922.htm (accessed November 14, 2008).

[89] Collier, "Economic Causes of Conflict and their Implications for Policy," 6.

[90] Ibid., 15.

Remittances to Central America do not appear to finance rebel organizations like Collier details; however, Heidrun Zinecker, from the "Peace Research Institute Frankfurt," hypothesizes that remittances "create economic structures, which for reasons of deprivation or frustration suggest the use of violence as a way of accessing the market to those who do not receive remittances."[91] Zinecker is essentially making a structural argument (that inequality is more important than widespread poverty in predicting levels of violence) and saying that the unequal distribution of remittances formed a new economic stratification between those who receive remittances and those who do not.

The vast majority of illegal immigrants entering the United States do so for economic opportunities. Close to a fifth, however, are deported for violent crime. In a Capitol Hill Hearing, Allison Parker, a senior researcher for the U.S. Human Rights Watch program, testified that recently released Immigration and Customs Enforcement (ICE) data for 2005 shows "that 64.6 percent of immigrants were deported for non-violent offenses, including nonviolent theft offenses; 20.9 percent were deported for offenses involving violence against people; and 14.7 percent were deported for unspecified 'other' crimes."[92] Leggett continues, "Honduras, which has a relatively small Census population in the United States, produces a disproportionately large deportee population."[93] If 20% of the 1.1 million people deported from the United States to Honduras since 2000 were convicted for violent crime that equates to 220,000 violent offenders entering the country in a period of just five years. With regard to Nicaraguan deportees, Leggett writes that it "is greatly under-represented, receiving only 345 criminal deportees in 2005."[94] He cautions deriving too much significance from these ratios, however, citing that "they are based on census data and may capture differing shares of the undocumented population between national groups."[95]

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[91] Heidrun Zinecker, *From Exodus to Exitus: Causes of Post-War Violence in El Salvador* (Peace Research Institute Frankfurt, 80, 2007), 10.

[92] Allison Parker, *Deportees in Latin America*, Western Hemisphere, House Foreign Affairs, 2007.

[93] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 42.

[94] Ibid.

[95] Ibid.

Although there is no evidence that the Honduran diaspora is financing gangs as a form of rebel subversion, its recent history of "displacement and deportation" is significantly different from that of Nicaragua. Leggett concludes, "it is clear that deportees have had a major affect on Central American gang culture, but it is less clear whether they are responsible for recent increases in crime rates."

The relationship between the advent of gangs in Central America and deportation is also subject to debate. In *SAIS Review*, Cordula Strocka argues that youth gangs existed in Central America before the era of large-scale migration to the United States in the 1980s and the widespread deportations that followed. Although she concedes that U.S. gang culture has influenced Latin American gangs, she points out that return migration and globalization have had enormous impacts on Latin American culture in general. She argues that although *maras* have adopted violent techniques used by U.S. youth gangs such as drive-by shootings, high-casualty gang warfare, and so on, that in Peru, for example, youth gangs have tended to adopt the non-violent aspects of North American youth culture, including hairstyles and outfits.[96] In sum, her thesis is that "youth gangs in Latin America *originated* independently from their counterparts in the United States, but the contemporary *manifestations* of Latin American gangs are clearly influenced by U.S. street gangs and Anglo-American youth culture."[97]

Gangs in the United States and those in Honduras diffused culturally with regard to outward manifestation of gang affiliation (clothes, tattoos) and violent behavior. They engage in high-visibility violence that is sensational and generates considerable alarm but represents only a small percentage of the total violence exhibited in Honduras. This thesis argues that most acts of violence in Honduras results from distrust in the state's criminal justice capacity resulting in vigilantism.

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[96] Cordula Strocka, "Youth Gangs in Latin America," *SAIS Review* XXVI, no. 2 (Summer-Fall 2006): 138.

[97] Ibid.

D.   DEMOGRAPHICS AND CRIMINAL VIOLENCE

Demographic factors are not sufficient to explain the pervasiveness of violent crime in Honduras. José Miguel Cruz, director of the Institute of Public Opinion at the University of Central America, disagrees; he speculates that a high percentage of youth in the population may explain high gang activity and violent crime in Central American.[98] Although Leggett entertains the possibility of a link between demographics and violence, his statistics show that Honduras and Nicaragua are virtually identical concerning the percentage of young men in their populations. In both countries, 11% of the population is comprised of men between the ages of 15 and 24.[99] This age group is considered to be the most violent segment of society based on crime statistics.[100] Since the percentages are the same, it is likely that there are other reasons why one group is more violent than the other. Beyond percentages of age groups, some academics point to the percentages of unwanted births, births to broken homes or disadvantaged socioeconomic groups.[101] In *Understanding High Crime Rates in Latin America*, Soares and Naritomi reference studies that show that "the legalization of abortion in the U.S. was one of the main reasons behind the reduction in crime rates observed in the 1990s" and that a similar argument "has been applied to the context of developing countries, specifically to the case of Brazil, to suggest that the increase in crime rates starting in the end of the 20th century was the result of reductions in child mortality rates in the low socioeconomic strata 20 years beforehand."[102] A sign that demographic factors are insufficient to explain the crime rate comes from research that according to Leggett "indicates that less than 5% of all crime in the country is committed by people under 18 years of age. This demographic constitutes a large share of *mara* membership."[103]

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[98] José Miguel Cruz, "Street Gangs in Central America," *San Salvador: UCA* (2007): 21.

[99] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 13 (graph).

[100] Ibid., 12.

[101] Rodrigo R. Soares and Joana Naritomi, *Understanding High Crime Rates in Latin America: The Role of Social and Policy Factors* (Harvard University: Instituto Fernando Henrique Cardoso, 2007), 16.

[102] Ibid., 16.

[103] Ibid.

Concerning demographic ethnicity, Richard H. Shultz and Andrea J. Dew observe in their book *Insurgents, Terrorists and Militias*, that "conflict specialists underscore the forces of ethnicity, ethno-nationalism, religious fundamentalism, and communalism" as factors that contribute to understanding "why internal wars were growing in number and intensity [in the 1990s]."[104] Ethnic and religious tensions may be the causes of much of the violent strife throughout the world but it is unlikely that they motivate violence in Honduras. According to the CIA "World Factbook," Honduras is relatively homogenous ethnically with 90% of the population being identified as "*mestizo* (mixed Amerindian and European)," and 97% listed as Roman Catholic.[105] In comparison, Nicaragua is more diverse with only 69% of the population recognized as *mestizo* and less than 60% of the population classified as Roman Catholic.[106] The danger of ethnicity is described by Shultz and Dew as manipulation "by elites from various disadvantaged groups who wish to achieve their own political objectives."[107] Although ethnicity and religion cannot be completely ruled out as motives for violence, it is more likely that some other factor is responsible for run-away violence in Honduras.

Violent crime is often attributed to structural conditions, i.e., poverty and inequality. Economic decline and unemployment are common legacies of war torn societies. Collier calculates that "[b]y the end of the typical war the economy is about 15% poorer than it would otherwise have been, and mortality is much higher, mainly due to disease triggered by movements of refugees and the collapse of public health systems, rather than combat deaths."[108] The end of hostilities often leaves many combatants on both sides armed, destitute and with no viable skills beyond military competencies, a

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[104] Richard H. Shultz and Andrea J. Dew, *Insurgents, Terrorists and Militias: The Warriors of Contemporary Combat* (New York: Colombia University Press, 2006), 29.

[105] CIA, "World Factbook," www.cia.gov/library/publications/the-world-factbook/geos/ho.html#People (accessed August 20, 2008).

[106] Ibid.

[107] Shultz and Dew, *Insurgents, Terrorists and Militias: The Warriors of Contemporary Combat*, 32.

[108] Collier, "Economic Causes of Conflict and their Implications for Policy," 16.

dangerous combination. In his book *The Bottom Billion*, Collier describes a "conflict trap" where slow economic growth or decline following warfare fuel a vicious cycle of more fighting and continued decline.[109]

Calculations in *Economics of Development* by Dwight H. Perkins, Steven Radelet, and David L. Lindauer of the Gini coefficient (used by economists to describe a country's distribution of income) places Nicaragua in the range of "medium" inequality and Honduras on the list of countries with "high" inequality.[110] However, other calculations of the Gini coefficient contradict Perkins' findings. Estimates in "The Political Effects of Inequality in Latin America" by Robert Kaufman show that wealth is slightly less equally distributed in Nicaragua (54.1) than Honduras (53.0).[111] Given the similarity of the two countries, inequality in wealth distribution does not appear to be useful in explaining the difference in levels of violence.

The causes of violent crime and the contemporary gang problem in Central America have been attributed to marginalized youth who find opportunity in criminal activities such as drug trafficking, smuggling, money laundering, human trafficking, extortion, and murder.[112] This characterization is challenged by 2002 unemployment statistics for young men that indicate that there is a significantly higher incidence of unemployment in Nicaragua (20%) compared to Honduras (7%).[113] The wild variation in employment statistics between Honduras and Nicaragua over time and between studies brings into question the accuracy of the figures. Zachary Karabell, a business reporter for "Newsweek," asserts that even statistics from the U.S. Bureau of Labor "aren't an objective measure of reality; they are simply a best approximation created by smart

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[109] Paul Collier, *The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done About It* (Oxford University Press, 2007), 17-21; "Economic Causes of Conflict and their Implications for Policy," *World Bank*, 2006.

[110] Dwight H. Perkins, Steven Radelet, and David L. Lindauer, *Economics of Development* 6th ed. (USA: W.W. Norton & Co., 2006).

[111] Robert Kaufman, "The Politics of Inequality in Latin America: Some Inconvenient Facts," *Princeton University*, 2007.

[112] Seelke, "Gangs in Central America," 5.

[113] CEPAL, http://websie.eclac.cl/anuario_estadistico/anuario_2005/ (accessed August 18, 2008).

people working for government agencies."[114] The similarities between the two country's economies make it unlikely that structural factors are solely responsible for violence in Honduras.

E. GANGS AND CRIMINAL VIOLENCE

There is currently a great deal of alarmist hyperbole regarding youth gangs in the literature of "violent crime in Central America." Manwaring, who holds the General Douglas MacArthur Chair and is a Professor of Military Strategy at the U.S. Army War College, may be the most salient example of exaggerated journalism regarding the youth gang phenomena. In his article "A Contemporary Challenge to State Sovereignty: Gangs and Other Illicit Transnational Criminal Organizations in Central America, El Salvador, Mexico, Jamaica and Brazil," he posits the possibility of a "new type of war" against "first-, second-, and third-generation street gangs" whose "objective is to neutralize, control, or depose governments to ensure self-determined (nondemocratic) ends."[115] He believes that gangs "contribute to the evolutionary state failure process by which the state loses the capacity and/or the will to perform its fundamental governance and security functions."[116] He continues down a slippery slope conjecturing that: "Over time, the weaknesses inherent in its inability to perform the business of the state are likely to lead to the eventual erosion of its authority and legitimacy. In the end, the state cannot control its national territory or the people in it."[117]

At the other extreme, Strockaargues that "the proportion of violent crimes committed by youth gangs is far smaller than commonly claimed."[118] She blames the media for transforming young males into scapegoats, disproportionately crediting them for the majority of violence and crime. She maintains that:

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[114] Zachary Karabell, How Bad is it Really? *Newsweek*, February 6, 2009, www.newsweek.com/id/183558 (accessed February 20, 2009).

[115] Manwaring, *Contemporary Challenge to State Sovereignty: Gangs and Other Illicit Transnational Criminal Organizations in Central America, El Salvador, Mexico, Jamaica and Brazil*, vii.

[116] Ibid., 11.

[117] Ibid.

[118] Strocka, "Youth Gangs in Latin America," 133.

[T]he high visibility of gang-related crime and violence, resulting largely from sensationalized and disproportionate media coverage [is responsible for misperceptions]. Visibility is critical in shaping levels of tolerance, fear, and insecurity. In much of Latin America, street battles, armed assaults, and robberies committed by youth gangs attract considerable attention. In contrast, other forms of violence, such as domestic violence or child abuse, are less visible and therefore do not resonate as forcefully in the public's consciousness.[119]

Although she does not mention the physical appearance of the *maras*, it supports her theory of high visibility. Many of the gang members are marked with an extravagant amount of diabolic-looking tattoos, to include permanently marking their faces. As Robin Fox so eloquently elaborated in the journal, *The National Interest*, humans have the "imaginative and intellectual equipment of a terrestrial primate, evolved to be, among other things, especially sensitive to differences, and warlike about dealing with them."[120] The menacing appearance of youth gang members may have as much to do with their infamy as their actual deeds.

With regard to the link between gangs and transnational drug trafficking, Nielan Barnes, in collaboration with the Center for Inter-American Studies and Programs at the *InstitutoTecnológico Autónomo de México* and the Ford and Kellogg Foundations, finds that "while gang-related violence [in Central America] is a problem it is not tightly linked to narco-traffic and organized crime."[121] He bases his findings on scholarship conducted by a research network with links to universities and NGOs throughout Central America and Mexico that shows that "while a growing and complex problem, the transnational and criminal nature of youth gangs is quite limited."[122] Contrary to a high portion of local

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[119] Strocka, "Youth Gangs in Latin America," 140.

[120] Robin Fox, "Fatal Attraction War and Human Nature," *The National Interest* (Winter 1992/93): 9.

[121] Nielan Barnes, "A Comparative Analysis of Transnational Youth Gangs in Central America, Mexico and the United States," *New York: American Sociological Association* (2007): 3.

[122] Ibid., 1.

and international perceptions, he states that "only a small minority of gang members in El Salvador, Honduras and Guatemala, possess transnational ties with other gang members, or ties with organized crime and/or narco-trafficking."[123]

Information regarding gang violence is notoriously unreliable but Leggett often treats estimates as if they were incontrovertible facts without delving into their origin. He cites OAS estimates, for example, that approximate the number of gangs and membership levels in each of the isthmus countries without giving any indication as to their reliability or methods used for calculation. Dr. Thomas Bruneau, Distinguished Professor of National Security Affairs at the Naval Postgraduate School and leading expert on Central American gangs, disclosed in an interview that research on gangs is so problematic that estimates of the number of gangs are often devised through such dubious means as analyzing graffiti. Apparently researchers, concerned for safety and understandably reluctant to address gangs directly, divine their numbers by counting what appear to be the names of gangs in the scrawl of spray paint on public walls and other surfaces.

The decentralized leadership of *Mara Salvatrucha,* MS-13 and other Central American gangs combined with sensational journalism resulting from the Christmas bus attack in Honduras and high-profile murders in the United States makes objective analysis difficult. What is certain, however, is that gangs are perceived as a serious threat to public security. A survey conducted by Instituto Universitario de Opinion Publica (IUDOP), found that 91% of El Salvadorans interviewed believed *maras* were a big problem.[124] Prior to the 2005 presidential elections in Honduras, "STRATFOR" reported that "[r]ampant violence perpetrated by youth gangs—or maras—has become the most important campaign issue, replacing economic and social issues."[125]

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[123] Barnes, "A Comparative Analysis of Transnational Youth Gangs in Central America, Mexico and the United States," 2.

[124] Harold Sibaja, Enrique Roig, Christina del Castillo, Patty Galdamez, and Marlon Carranza, *Central America and Mexico Gang Assessment* (USAID, Annex 1: El Salvador Profile, 2006).

[125] STRATFOR, "Honduras: Choosing between Anti-Gang Policies," 2005, www.stratfor.com/honduras_choosing_between_anti_gang_policies (accessed March 5, 2009).

Koonings and Kruijt suggest that social exclusion or citizenship without citizen's rights or duties, is key to understanding the gang problem in Central America.[126] Cruz examines education as a socialization instrument and suggests that a lack of schooling is another explanation for the upsurge of gangs.[127] Leggett, along the same line, surmises that "the most at-risk group [for committing crime] are young people who are neither in school nor at work."[128] He reports that "[i]n a national household survey of Honduras, a large share of the teenagers polled said that they neither work nor attended school, including 20% of the 13 to 15 year-olds and 28% of the 16 to 18 year-olds."[129] Despite poor attendance rates in Honduras, it appears that schools in Nicaragua are no better and perhaps worse. Josefina Vijil, in a report for *Revista Envío* indicates, "21 out of every 100 children" drop out of the first grade in Nicaragua "and never come back."[130] She continues that "[j]ust 50% of the children who enroll in primary school go all the way through the sixth grade."[131] UNESCO uses literacy rates as one factor to calculate their *Education for All Development Index* (EDI).[132] Literacy rates in Honduras according to the CIA "World Factbook" are 80%. This rate compares to just 67.5% in Nicaragua,[133] an indication that the two countries have poor education systems and that this factor cannot account for the different levels of violence.

Attributing the prevalence of violence to the share of youth in the population of Honduras appears to be a case of "observational selection" where cases of youth violence

[126] Kooning and Kruijt, "Fractured Cities, Second-Class Citizenship and Urban Violence," 8.

[127] Cruz, "Street Gangs in Central America," 21.

[128] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 29.

[129] Ibid.

[130] Josefina Vijil, "Our Education System is Increasing Poverty and Inequality," *Revista Envío* (May 2008): 322, www.envio.org.ni/articulo/3779 (accessed September 13, 2008).

[131] Ibid.

[132] UNESCO, "Education for all Global Monitoring Report," http://portal.unesco.org/education/en/ev.php-URL_ID=43385&URL_DO=DO_TOPIC&URL_SECTION=201.html (accessed August 20, 2008).

[133] CIA, "World Factbook," www.cia.gov/library/publications/the-world-factbook/ (accessed August 20, 2008).

are extrapolated to infer causation of the preponderance of cases. The comparison to Nicaragua illustrates that this associate of youth with crime is inconsistent and fails to explain the difference in levels of violence between Honduras and Nicaragua.

F.   CRIMINAL JUSTICE CAPACITY

High levels of impunity encourage violence. The problem is not just an issue of resources. Leggett maintains that Nicaragua is "arguably the second safest country in Central America," even though it has the "least law enforcement capacity…in terms of raw numbers."[134] Honduras on the other hand spends a large percentage of its national income on criminal justice but according to Leggett "fields a level of coverage not much better than Haiti."[135] According to a 2004 *Latinobarometro* survey, 66% of Hondurans (the highest percentage in the region) believe their government is winning the war on crime but statistics sharply contradict their optimism.[136] Effective police action and efficient courts are vital to curbing violence but as the *Latinobarometro* survey proves, what constitutes successful measures to enact justice is often poorly understood. This thesis will examine in greater detail the criminal justice system in Nicaragua to determine what aspects have been most important in reducing violence.

G.   A HISTORY OF CONFLICT AND AUTHORITARIANISM

According to Cameron G. Thies, in his article "Public Violence and State Building in Central America," the kind of wars a country experience shapes its government and national character. Thies applies "bellicist theory" or the role played by war in state building, to explain the weakness of political institutions and authority in Central America. He contends that bellicist theory expects wars to strengthen states by forcing them to mobilize and extract resources from their populations.[137] Extraction in its most familiar form is collecting taxes but it may involve deficit spending, or even

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[134] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 30.

[135] Ibid.

[136] Ibid.

[137] Cameron G. Thies, "Public Violence and State Building in Central America," *Comparative Political Studies* 39, no. 10 (December 2006): 1263-81, 1263.

nationalization of property. Thies maintains that the process of developing institutions in order to "extract" from the polity enhances "the autonomy and capacity of the state over time… [and] eventually produces nations and a sense of communal identity."[138] According to the theory, civil and interstate wars (as opposed to international wars) do not contribute to strong extractive institutions. Since the preponderance of wars and large-scale military actions in Central America have been against internal foes, Thies concludes that armed conflict did not contribute to the development of a strong sense of shared national identity.[139]

Although international wars have been infrequent in Central America, violence has been profuse. To determine the extent of violence in the region and to overcome cross-country differences in reporting violent crime, the United Nations conducts biannual crime trend surveys (CTS). The latest CTS data shows that "El Salvador and Guatemala rank among the most dangerous nations in the world for which standardized data are available."[140] That these countries are torn by criminal violence with homicide rates well above world averages is hardly surprising given the fact that both countries experienced civil wars in the 1980s that did not end until 1992 and 1996, respectively. Post-conflict countries are widely regarded as breeding grounds for violent crime. Leggett writes: "Violence can become 'normalized' in communities where many people were exposed to brutality, and may be tacitly accepted as a legitimate way of settling disputes, particularly where the conflict resolution mechanisms of the state are viewed as incompetent, corrupt, or biased."[141] High crime rates and violence are empirically linked with post-conflict societies that often have caches of left over weaponry, a government accustomed to resolving crises through brutal responses and communities characterized by distrust rather than cooperation. While post-conflict explanations may account for the situations in Guatemala and El Salvador, they are insufficient to explain the divergent

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[138] Thies, "Public Violence and State Building in Central America," 1263.

[139] Ibid., 1265.

[140] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 53.

[141] Ibid., 14.

rates of violent crime in Honduras and Nicaragua. In the 1980s and 1990s, Honduras was not consumed by a civil war like its neighbors yet it has been plagued by high homicide rates in the past decades.

Thomas Hobbes contemplated that "during the time men live without a common power to keep them in awe, they are in that condition which is called war; and such a war, as is of every man, against every man."[142] Hobbes' work can be interpreted as linking a weak central government with a failed public security apparatus to an "atomized" society characterized by a dearth of social capital. A paper by the Institute for the Study of Labor suggests that "higher levels of social capital are associated with lower crime rates" and that "[s]ocial capital indicators explain about 10 percent of the observed variance in crime."[143] But in a study by Luis Rosero-Bixby, Andrea Collado, both from the University of Costa Rica and Mitchell A. Seligson from Vanderbilt University designed to measure "trust and community participation" in Central America, entitled "Social Capital, Urban Settings and Demographic Behavior in Latin America," they found that Hondurans had more confidence in their neighbors than did the relatively low crime countries of Nicaragua or Panama respectively.[144] These results conflicted with logical expectations and forced the authors to acknowledge that social capital is "an abstraction and a relatively new concept" and that "there is no consensus on how to measure it objectively."[145] Although there was a robust correlation between urbanization and social capital across-countries—rural areas consistently exhibited more trust than urban areas—this correlation conflicts with the hypothesis that "atomization" leads to crime considering that Honduras is less urban than either Nicaragua or Panama.[146]

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[142] Thomas Hobbes, "The State and Nature of War," Chap. II, in *Conflict after the Cold War*, ed. Richard K. Betts, 3rd ed. (Pearson Education, 2008), 66-67.

[143] I. Semih Akçomak, and Baster Weel, "The Impact of Social Capital on Crime: Evidence from the Netherlands," Bonn, Germany, 3603 (2008): 1.

[144] Luis Rosero-Bixby, Andrea Collado, and Mitchell A. Seligson, *Social Capital, Urban Settings and Demographic Behavior in Latin America* (Costa Rica: Universidad de Costa Rica, 2005), 10.

[145] Ibid., 6. The survey question put to some 12,000 adults from the six Central American countries which was designed to measure "trust" asked: "Now talking about the people from around here, would you say the people from your community are very trustworthy, somewhat trustworthy, little trustworthy or not at all trustworthy," 8.

[146] Marcela Cerrutti and Rodolfo Bertoncello, *Urbanization and Internal Migration Patterns in Latin America* (Argentina: Centro de Estudios de Población, 2003), 4.

Socially inspired violence is described by Marc W. Chernick in the book *What Justice? Whose Justice?*, as "intrafamilial violence and feuds, as well as violence against unwanted social sectors, including thieves, prostitutes, and homosexuals."[147] He refers to case studies of other countries to help explain widespread violence in Colombia noting that "data suggest a causal relation between political violence and crime and other forms of violence" and offers the examples of South Africa and El Salvador where "violence actually increased after the peace settlements in the 1990s, because political violence had weakened the legal state."[148] Chernick's work shows that there is a fine line between politically inspired violence and socially inspired violence with the former often decomposing into the latter.[149]

This thesis argues that "post-conflict" explanations have merit in elucidating the causes of violence currently manifest in Honduras if the definition of a post-conflict society is expanded to incorporate the situation in Honduras during the 1980s. True, Honduras did not experience a civil war but it did host a foreign army, did receive large influxes of weapons, did suffer displaced people along its borders, did endure death squads, and did experience a militarization of its civilian government. Additionally, Collier deduces that:

> [A] lot of the costs [of civil war] accrue to neighboring countries: both economic decline and disease spread across borders. Because the typical country has around three neighbors, all of whom are affected, the total cost to neighbors is about as large as the cost to the country itself. One implication is that most of the costs of a war accrue to either the future or to neighbors and so are not taken into account by those who start them.[150]

Either the security situation that exists in Honduras today is independent of the turmoil of the Central American civil wars or the concept of what constitutes a post-conflict society must be expanded to incorporate Honduras.

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[147] Marc W. Chernick, "Colombia," in *What Justice? Whose Justice? Fighting for Fairness in Latin America*, ed. Susan Eva Eckstein, Timothy P. Wickham-Crowley (University of California Press, 2003), 201.

[148] Ibid., 210.

[149] Ibid., 201; He acknowledges that "[t]he correlation between political violence and other forms of violence needs to be studied further."

[150] Collier, *Economic Causes of Conflict and their Implications for Policy*, 16.

Zinecker states that violent crime in Honduras "has nothing whatsoever to do with civil wars, revolutions or other armed conflicts."[151] His dismissal of a post-conflict explanation does not address the availability of weapons which others believe to be a direct legacy of the Central American civil wars. Although Honduras is often excluded from the list of post-conflict societies, the Contra war was fought primarily along its border with Nicaragua. William Godnick, et al., directly contradict Zinecker's assessment in *Stray Bullets: The Impact of Small Arms Misuse in Central America* writing:

> Available data suggests that social violence and armed criminality are on the rise in the aftermath of the conflicts that have plagued most countries of the region. In the early twenty-first century, politicized factions that fought in the 1980s are giving way to criminal gangs and organized civilian militia groups that are taking advantage of left-over military-style weapons, including grenades. Disenfranchised ex-combatants and unemployed or otherwise marginalized male youths are easily recruited into such groups.[152]

Additionally, Godnick et al. maintain that "[a]t least until July 2001, Central American authorities continued to find abandoned or hidden arsenals—remnants of civil wars— especially near San Salvador in El Salvador and Managua in Nicaragua. Military assault rifles and grenades continue to spread throughout society."[153]

Leggett includes psychological dimension to the list of causes of belligerence in post-conflict societies writing: "Violence can become 'normalized' in communities where many people were exposed to brutality, and may be tacitly accepted as a legitimate way of settling disputes, particularly where the conflict resolution mechanisms of the state are viewed as incompetent, corrupt, or biased."[154] Although psychological dimensions may have a supporting role in the current levels of criminal violence it is

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[151] Heidrun Zinecker, *Violence in a Homeostatic System--the Case of Honduras* (Peace Research Institute Frankfurt, 2008), 3.

[152] Godnick, Muggah, and Waszink, *Stray Bullets: The Impact of Small Arms Misuse in Central America*, vii.

[153] Ibid., 15.

[154] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 14.

difficult to measure social capital and the results of the study by Rosero-Bixby, et al. are somewhat inexplicable with the more dangerous Honduran society exhibiting more "trust" than the less dangerous Nicaragua and Panama.[155]

H.   CONCLUSION

Douglas Kincaid relates in "Demilitarization and Security in El Salvador and Guatemala*,"* that the analytical task for scholars of the region has traditionally been to "identify the mix of variables that might simultaneously explain Costa Rica's democratic stability, Nicaragua's revolution, civil war in El Salvador that was not quite a revolution, Guatemala's insurgency and repression that was not quite a civil war, and none of the above in Honduras."[156]   Identifying such a formula is beyond the scope of this thesis. Certainly drugs, gangs, poverty, and unemployment aggravate an already overburdened criminal justice system but these issues are symptoms of a sick society and not the overall cause of high levels of violence in the Central American triangle.

Subsequent sections compare the availability of weapons, police responses, and the emergence of social movements to explain the substantially different levels of violence in Nicaragua and Honduras. The manner in which the Central American civil wars ended—internationally monitored demobilization, disarmament and reintegration (DDR) in Nicaragua compared to withdrawal and neglect in Honduras—begins to explain the ready availability of illicit weaponry, social exclusion, and human rights abuses in Honduras.

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[155] Rosero-Bixby, Collado, and Seligson, 10; Figure 2.

[156] A. Douglas Kincaid, "Demilitarization and Security in El Salvador and Guatemala: Convergences of Success and Crisis," *Journal of Interamerican Studies and World Affairs* 42, no. 4 (Winter 2000): 39.

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III. VIOLENCE AND SECURITY

A. POST-CONFLICT EXPLANATION FOR NICARAGUAN SECURITY

1. International Oversight

The international community's focus on Nicaragua during the Contra War surged toward the end of hostilities and not only made disarmament possible but paid dividends toward efforts to decrease weapons in what was a thoroughly militarized country. The International Support and Verification Commission (CIAV) was established in a collaborative effort between the United Nations and Organization of American States (OAS) in August of 1989 to assist in the voluntary demobilization and resettlement of the Contra rebels.[157] During an emergency summit in San Isidro, Costa Rica in December 1989, representatives from the five Central American governments demanded that all remaining U.S. aid to the Contras be transferred to CIAV and requested that the United Nations Observer Group in Central America (ONUCA) expand its mandate from monitoring aid and sanctuary given to opposition groups to supervising cease-fires and separating combatants.[158] The newly elected Bush administration, eager to distance itself from the Iran-Contra scandal, was amenable to these demands.

The election of Violeta Chamorro as president of Nicaragua in 1990 marked not only the end of the Sandinista Revolution but indeed the end of the Contra War. The victory for democracy negated the ideological *raison d'état* of the Contra insurgency. Subsequently there were 22,000 Contras, 72,000 members of the Sandinista Popular Army (EPS) and 5,100 members of the Ministry of the Interior (MINT) demobilized—a total that exceeded the number of Nicaraguans employed in agriculture, industry and commerce combined in 1991.[159] UN Secretary General Pérez de Cuéllar successfully

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[157] Denise Spencer, *Demobilization and Reintegration in Central America* (Germany: Bonn International Center for Conversion, 1997), 17.

[158] William Goodfellow and James Morrell, "From Contadora to Esquipulas," in *Revolution and Counterrevolution in Nicaragua*, ed. Thomas Walker, Chap. 17 (San Francisco: Westview Press, 1991), 369-394, 390.

[159] Deena I. Abu-Laghod, "Failed Buyout: Land Rights for Contra Veterans in Postwar Nicaragua," *Latin American Perspectives* 27, no. 3 (2000): 32-61, www.jstor.org/stable/2634080 (accessed April 27, 2008).

petitioned the Security Council to deploy an infantry battalion to Nicaragua under the auspices of ONUCA to provide security for demobilization centers and oversee weapons disposal.[160]

2.   Demobilization, Disarmament, and Reintegration (DDR)

Many scholars deem the DDR effort under Chamorro a failure because the administration did not keep its land promises to ex-combatants, but this thesis argues that the forces were successfully reintegrated. Although soldiers from both sides of the Contra War rearmed in order to press their claims against the government and caused a great deal of instability in the countryside, the rearmed soldiers did not destabilize the peace in the short run nor did they contribute significantly to crime rates in the medium to long run. This outcome stands in stark contrast to instances of failed reintegration of demobilized soldiers and police in Honduras and other countries like Bosnia, East Timor, Haiti and so on, where violent crime has increased and plagued societies emerging from conflict.

The re-polarization of marginalized soldiers along economic lines was defused by the Chamorro administration's dual policy of incorporating sectors most likely to threaten the state and military subjugation of more radical elements that resorted to violence. Ultimately, the problem of the destitute ex-combatants—the *Contras* (or *Recontras*) and the marginalized former soldiers from the *Ejército Popular Sandinista* or EPS (*Las Recompas*), as well as a third insurgency on the part of peasants comprised from both armies (called the "*Revueltos*," Spanish for scrambled) was addressed. Despite the poorly managed DDR process, the ex-combatants were eventually reintegrated into post-1990 Nicaraguan politics or re-incorporated into Nicaraguan society more generally. Moreover, the contributions to social capital by NGOs that proliferated at the end of the conflict filled the void in government services created as neoliberal reforms took effect. The role of NGOs and social networks are considered in greater detail in section C. 3.

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[160] Brian D. Smith and William J. Durch, "UN Observer Group in Central America," Chap. 24, in *The Evolution of UN Peacekeeping*, ed. William J. Durch (USA: St. Martin's Press, 1993), 436-463, 445.

3.   Reform of the Military and Police in Nicaragua

From 1989-1996, all the countries of Central America, to include Costa Rica and Panama, reduced their militaries. The transformation of the military in Nicaragua from a coercive apparatus of the Sandinistas to a security organization subordinate to the legitimate control of the civilian government was not foreordained. In *Repression, Resistance, and Democratic Transition in Central America*, Richard Stahler-Sholk writes of the turmoil surrounding the electoral defeat of the Sandinistas: "The suspension of armed conflict and introduction of competitive elections did not resolve the structural causes of revolution, including highly unequal distribution of land and wealth and concentrations of unaccountable power in the hands of elites and their representative agents."[161]   The reintegration of former combatants into civil-society was less than successful because of unrealistic promises of land distribution, a bad economy, and delays in receiving foreign aid.

The Nicaraguan police were ill equipped to handle the precipitous rise in post-conflict criminal violence as groups of former soldiers rearmed. In *Comparative Peace Processes in Latin America*, Rose J. Spalding describes the situation:

> Those few who remained in the police force were badly equipped for the job. The scarcity of resources for an overburdened police force plus the general weakness of the court system meant that arrests were low and convictions were rare. This gap between victimization and conviction fostered vigilante actions and a privatization of the justice system, particularly in the interior parts of the country where state penetration was weak. The result was a spiral of violence that the state had difficulty controlling and that threatened the country's already fragile peace.[162]

In spite of this unpromising beginning, Nicaraguan civil-military relations improved dramatically during Chamorro's administration. Ruhl surmises that elites were kept in check and the military controlled through "domestic political pressure, the influence of the United States, and pragmatic military [to include the police]

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[161] Richard Stahler-Sholk, "External Actors: Other States," in *Repression, Resistance, and Democratic Transition in Central America*, ed. Thomas W. Walker and Ariel C. Armony (Wilmington, Delaware: Scholarly Resources, 2000), 133-164, 140.

[162] Rose J. Spalding, "From Low-Intensity War to Low-Intensity Peace," in *Comparative Peace Process in Latin America*, ed. Cynthia J. Arnson (U.S.A.: Stanford University Press, 1999), 52.

leadership."[163] The EPS, which heretofore had complete legal autonomy from civilian authority, severed its ties to the Sandinista National Liberation Front (FSLN), and accepted the legitimacy of Chamorro's presidency. It proved its nonpartisanship by working to contain pro-Sandinista labor strikes and fighting former EPS soldiers (Recompas). The break between the military and police was demonstrated during Arnoldo Alemán's presidency (1997-2002), when the military refused the president's request that they assist the police in suppressing public disturbances. The military's senior leadership cited constitutional limitations on the use of military force in a law enforcement capacity.[164]

The Nicaraguan National Police (NNP) was born from the Sandinista Police. In "Discourses on Violence in Costa Rica, El Salvador and Nicaragua," José Luis Rocha, a researcher for the Jesuit Service for Migrants of Central America (SJM) speculates that the Nicaraguan state overcame loyalty issues regarding its coercive forces through personal connections at the highest echelons of the police force to both the traditional elites and the FSLN Approximately half of the police leadership were members of the traditional elite who became involved in law enforcement after the Sandinista Revolution and continued working in this capacity even after the election of Chamorro. This element responded to concerns of the elites with regard to civilian security. According to Rocha, they perceived citizen security as "one of the national priorities that contribute to the attraction of foreign investment."[165] With the end of the Sandinista revolution and the political fragmentation of the executive and legislative bodies, the NNP, according to Rocha, was forced to seek legitimacy through "its battle against the rising crime rate, protection of the private sector, and support for governmental decisions."[166] Concern for investment and by extension for security coincided with the interests of the Nicaraguan state and presumably strengthened its coercive capacity.

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[163] Mark J. Ruhl, "Civil-Military Relations in Post-Sandinista Nicaragua," *Armed Forces and Society* 30, no. 1 (Fall 2003): 119.

[164] Ibid., 126.

[165] José Luis Rocha, *The Political Economy of Nicaragua's Institutional and Organizational Framework for Dealing with Youth Violence* (London: Crisis State Research Center, 2005), 65.

[166] Ibid., 2.

The other half of police leadership was what Rocha called "the *Sandinismo* faction" who attended to the FSLN's base of support.[167] Rocha credits this faction with the NNP's unique approach to youth gangs. Specifically, he believes that the FSLN's strategy was "to keep close contact with the groups that have proven to be valuable in supporting student and transportation strikes. The proximity to youth gangs and the possibility to involve them in riots is essential for Daniel Ortega's project to govern from below by mobilizing the party's social base."[168] Although Rocha attributes the elite/FSLN amalgam of police leadership with the transformation of the organization from a counterinsurgency group to a law enforcement apparatus, he ultimately criticizes it for perpetuating a mentality of "human rights versus citizen security," clientelism, and corruption.[169]

While Rocha's criticisms are not without foundation, compared to its neighbors the NNP has performed admirably. It has kept homicide rates almost equal to Panama with a force of just 163 police per 100,000 citizens compared to Panama's 500 per 100,000.[170] Additionally, the NNP has an 81% "clearance rate"—the percentage of crimes that result in a suspect being identified—versus just 44% for El Salvador and 7% for Guatemala.[171] For the above reasons, Leggett maintains, "Nicaragua's police and prison system are regarded by some experts as the best in the region."[172]

4.   **Social Movements and the Church**

In "Dilemmas of Democratization in Latin America," Terry Karl writes, "elite factions and social movements seem to play the key role in bringing about the demise of authoritarian rule…and business associations, trade unions, and state agencies become

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[167] Rocha, *The Political Economy of Nicaragua's Institutional and Organizational Framework for Dealing with Youth Violence,* 4.

[168] Ibid.

[169] Ibid.

[170] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 30.

[171] Ibid., 31.

[172] Ibid., 30.

major determinants of the type of democracy that is eventually consolidated."[173] In "A Study of Civil Society in Nicaragua," Axel Borchgrevink calls the years 1979-1990 in Nicaraguan history the "revolutionary decade" which he describes as a "period of popular organization *par excellence.*"[174] During this time, the FSLN's focus on popular participation helped mobilize the Nicaraguan people in order to implement social policies and development efforts. Hundreds of thousands of Nicaraguans were members of organizations created under FSLN auspices such as the farmers' organization (UNAG) and the workers' confederation (CST). One of the largest examples of organized civil society were the CDSes [*Comités de Defensa Sandinista*], which claimed 600,000 members in the mid-eighties, while the other organizations together totaled around 250,000 members. These movements formed the organizational structure for many of the impressive revolutionary efforts within health and education, such as vaccination and literacy campaigns.[175] Spalding notes, "[a] host of organizations and programs in Nicaragua emerged in the post-war period to promote the development and broad dissemination of conflict mediation skills."[176] Between 1990 and 1997, there were over 1,600 NGOs granted legal status in Nicaragua.[177]

The proliferation of social movements that recognized the dangers of social exclusion contributed to divergent outcomes in the rates of criminal violence between Nicaragua and Honduras. The "social capital," defined as "the relationship of trust, social networks, civic and voluntary organizations that have been found to be related to differences in democratic practices, poverty, equity and general government performance,"[178] fostered by social movements was a factor that prevented the rampant

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[173] Terry Lynn Karl, "Dilemmas of Democratization in Latin America," *Comparative Politics* 23, no. 1 (October 1990): 6.

[174] Axel Borchgrevink, "A Study of Civil Society in Nicaragua," *Norwegian Institute of International Affairs* (2006): 18.

[175] Ibid.

[176] Spalding, "From Low-Intensity War to Low-Intensity Peace," 52.

[177] Borchgrevink, "A Study of Civil Society in Nicaragua," 22.

[178] Nancy Brune, Thomas Bossert, Diana Bowser, and Freddy Solis, *Building Social Capital through Human Capital Development Programs in Rural Nicaragua: An Evaluation of MSH Management and Leadership Programs in Waslala and Pantasma* (Management and Leadership Project, Harvard School of Public Health, 2005).

spread of violence on the scale of that in Honduras, El Salvador and Guatemala. Borchgrevink highlights the fact that many of the social movements "fulfill the watchdog functions toward the state," while others serve as social safety-nets.[179] Rocha, in an article for *Revista Envío*, describes the Nicaraguan organization CEPREV or the Violence Prevention Center, as a group that tackles "the culture of violence" by transcending "the merely informative and aim[s] to treat psychological issues such as human relations, maternity, paternity, gender and machismo, contributing to people's emotional growth."[180]

Borchgrevink excludes the influence of religious groups from his study on Nicaraguan civil society arguing that the "report's conclusions would not have been significantly different if we had included the religious organizations."[181] His dismissive attitude toward the unique influence of religion on Nicaragua's present day governance is surprising considering the role the Catholic Church played during demobilization following the Contra War and its place within the Chamorro administration. In *Nicaragua without Illusions*, Andrew J. Stein writes that "Church officials have seen a legitimate role for themselves to guide and shape public debate; and even though the Chamorro period was one of relative less conflict than the 1980s, bishops were very assertive on a number of issues." According to Stein, the foremost issue for religious leaders was reversing Sandinista educational policies. They attributed increased manifestations of "hatred, cruelty, ambition, injustice, and criminality" to "years of atheistic education and a systematic and persistent campaign against Catholic morality." The church worked to reverse the influence of the Sandinistas' secular agenda but more

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[179] Brune, Bossert, Bowser, and Solis, *Building Social Capital through Human Capital Development Programs in Rural Nicaragua: An Evaluation of MSH Management and Leadership Programs in Waslala and Pantasma*, 59.

[180] José Luis Rocha, "Nicaragua--from Telescopic to Microscopic: Three Youth Gang Members Speak," *Revista Envío,* September 29, 2007.

[181] Borchgrevink, "A Study of Civil Society in Nicaragua," 14.

importantly, it championed social causes affecting the poor, government transparency, and accountability for past human rights abuses as it continued to monitor the drawdown of military forces.[182]

According to Andres Perez-Baltodano in "Unholy Alliance," despite "the rapid expansion of Protestantism" in Nicaragua, the Catholic Church "continues to exercise enormous influence in a country whose political culture is dominated by a predominantly religious vision of politics and power."[183] However, the effectiveness of Church efforts (Catholic and Evangelical) to impede violent crime is unclear. Barnes writes that Church "prevention programs can sometimes be highly sectarian and so may generate fragmentation of gang prevention and rehabilitation programs instead of promoting the reconciliation and the coordination of efforts to avoid the practices of violence, drug consumption and delinquency in the long term."[184] He indicates that "Sectarianism is also generated by competition for scarce resources; many programs are small and resource-challenged and unable to respond to the magnitude of need."[185]

5.   Availability of Weapons

The National Security Act of 1947 authorizes the U.S. President to secretly arm covert military operations provided that they are vital to national security. In 1981, President Reagan used this provision to provide covert support for paramilitary operations against the Sandinistas and delivered millions of dollars' worth of arms and ammunition to the Contras. The majority of the weapons were Soviet-type manufacture confiscated from PLO forces by the Israelis in 1982-1984 and transferred to the CIA through clandestine channels. By utilizing Soviet weapons, the Contras could draw on ammunition captured from the Sandinista army and the United States had plausible deniability with regard to the entire operation. Although the exact number of weapons

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[182] Andrew J. Stein, "The Church," in *Nicaragua without Illusions: Regime Transition and Structural Adjustment in the 1990s*, ed. Thomas W. Walker (Delaware: Scholarly Resources, 1997), 235-247, 240.

[183] Andres Perez-Baltodano, "Unholy Alliance," in *Undoing Democracy: The Politics of Electoral Caudillismo*, ed. David Close and Kalowatie Deonandan (Lexington Books, 2004), 87-99 98.

[184] Barnes, "A Comparative Analysis of Transnational Youth Gangs in Central America, Mexico and the United States," 10.

[185] Ibid.

the CIA supplied is unknown, a memorandum addressed to former CIA director William Casey in 1984, suggests that it was substantial. According to NISAT, the memorandum discusses "a pending delivery of 10,000 Kalashnikov AKM assault rifles, 200 RPG-7 rocket launchers, 200 60 mm mortars, 50 82 mm mortars, 60 12.7 mm machine guns, 50 SA-7 portable surface-to-air missiles [Man-Portable Air Defense Systems—MANPADs], and related ammunition."[186]

Smith and Durch write that, "[t]oward the end of June [1990], the Contras turned in their best weapons—shoulder-fired surface-to-air missiles (119 altogether)."[187] But in "Breaking the Cycle of Violence," Alexander Chloros, et al. points out that "since the Contras did not provide detailed information regarding exact numbers of weapons and war-related material in their possession, it is difficult to assess what percentage of arms were collected and destroyed."[188] Although the number of weapons imported into Nicaragua may never be known, the United Nations Institute for Disarmament Research (UNIDIR), an autonomous institute within the United Nations that conducts research on disarmament and security, provides the following table of weapons destroyed by ONUCA from April 10 to June 29, 1990.

Table 1.   Weapons collected and destroyed in Nicaragua and Honduras[189]

Weapon Type	Nicaragua	Honduras	Total
Small arms	14,408	512	14,290
Heavy machine guns	2	2	4
Mortars (includes light arms and medium mortars)	106	28	134
Grenade launchers (includes RPG-7s and LAWs)	1,182	83	1,265
Grenades	740	570	1,310

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[186] Lumpe, 1999, www.prio.no/NISAT/Publications/The-US-Arms-Central-AmericaPast-and-Present/.= (accessed March 2, 2009).

[187] Smith and Durch, "UN Observer Group in Central America," 455.

[188] Alexander Chloros, Joel Johnston, Kathern Joseph, and Rachel Stohl, "Breaking the Cycle of Violence: Light Weapons Destruction in Central America," *Basic Papers* no. 24 (December 1997), www.basicint.org/pubs/Papers/BP24.htm (accessed August 9, 2008).

[189] Ibid., 3.

Weapon Type	Nicaragua	Honduras	Total
Mines	134	4	138
Missiles	82	30	112
Total	**16,654**	**1,229**	**17,883**

It is not uncommon for weapons to remain in hidden caches following the end of hostilities as bargaining chips or due to a lack of confidence in the peace process. A stock pile of anti-aircraft weapons by the Nicaraguan army resulted in the United States suspending military assistance to the country. The State Department reported in 2003 that Nicaraguan President Enrique Bolaños assured U.S. leaders that Nicaragua would destroy all of its MANPADS.[190] Although many were destroyed, "Jane's Intelligence Review," reported in March 2005 that the discovery of 1,000 remaining black market MANPADS in Nicaragua reinforced anxieties about weapons proliferation in Central America.[191] A 2008 report in the Nicaraguan newspaper "Prensa Latina" by Ludwin Loáisiga López quotes current Nicaraguan President Daniel Ortega justifying the need for the weapons in case of an air assault by Colombia over the disputed San Andres Island.[192] Although U.S. military aid was restored after assurances from the Nicaraguan military that the missiles were adequately secure, the United States continues to seek their destruction.

MANPADS are conspicuous weapons used by militaries; their continued presence in Nicaragua is not indicative of the weapons used to commit violent crime. The *Honduran Policía Preventiva* and the *Ministerio Publico*, do not differentiate between pistols and rifles in their quarterly reports on violence but they do separate homicides committed with "*las armas de fuego,*"—firearms, from homicides committed with bladed weapons, strangulations and so on. According to the report, firearms were used in 77.8%

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[190] Rose Linkins, *Protecting Global Aviation: Keeping Nicaraguan Man-Portable Air Defense Systems out of the Hands of Terrorists*, U.S. State Department, 2005, http://2002-2009-fpc.state.gov/48602.htm (March 7, 2009).

[191] Jane's Intelligence Review, "Nicaraguan Army Resists Destruction of MANPADs, COUNTRY RISK WATCH," 2005, www.janes.com/articles/Janes-Intelligence-Review-2005/Nicaraguan-army-resists-destruction-of-MANPADs.html (accessed March 3, 2009).

[192] Ludwin Loáisiga López, "Millones tras misiles SAM-7," *La Prensa*, August 2, 2008.

of the cases of homicide in Honduras between January and March of 2008.[193] The first indication that Nicaraguan attitudes toward firearms are substantially different from its neighbors and that advances have been made in reducing their availability comes from international treaties on disarmament. While other Central American countries have signed the "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons," Nicaragua ratified the treaty in 2000—Guatemala, El Salvador and Honduras have yet to do so.[194] Furthermore, unlike Nicaragua, Honduras never ratified the "Inter-American Convention on Transparency in Conventional Weapons Acquisitions," and although Nicaragua and Honduras signed the "Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other related Materials" on the same day, Nicaragua ratified the treaty in 1999, five years before Honduras.[195] Section III. B. 4. covers the availability of firearms in Honduras in greater detail.

B.   POST-CONFLICT EXPLANATION FOR RAMPANT VIOLENCE IN HONDURAS

1.   An Absence of International Oversight

International attention, specifically post-conflict institutional reconstruction, and societal rehabilitation in Nicaragua and the lack of such programs in Honduras explain to some degree why Honduras has a high incidence of criminal violence today. The generally favorable security environment in Nicaragua is a result of concerted local, national and international efforts to control the number of weapons circulating in country and to subordinate the police and armed forces to civilian control. Additionally, the rapid increase in the number of social movements following the counterrevolution in Nicaragua was instrumental in dealing with post-conflict problems such as unemployment, displaced persons, and social exclusion.

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[193] Honduran Policía Preventiva and the Ministerio Publico 2008, 3.

[194] RESDAL, "Red de Seguridad y Defensa de América Latina, The Countries," in *A Comparative Atlas of Defense in Latin America*, ed. Marcela Donadio (Argentina, Open Society Institution and CCMR, 2008), 194, 206, 218, 244.

[195] Ibid., 218, 244.

Inversely, the problem of violent crime in Honduras is related to the availability of weapons, the lack of social capital and the ineffectiveness of police forces—all post-conflict legacies. Because Honduras was not considered a post-conflict society, its military was not disarmed under the auspices of an internationally sanctioned inspections organization, and its police were neither inspected by the international community nor pressured to reform to the same degree as in Nicaragua. Yet Honduras suffered many of the same problems as Nicaragua resulting from its unique role in the civil wars taking place all along its borders. Grass root organizations were occupied with reforming the military and did not organize around social issues to the extent of Nicaraguan groups.

Honduras, over the same time period as Nicaragua (1989-1996), demobilized only 2,000 people from their 20,000 man armed forces.[196] The incomplete subordination of the Honduran armed forces (which until late 1997 were responsible for internal security *and* police functions) led to a breakdown in law enforcement and distrust in government institutions. Disaffected citizens ultimately contributed to the spiraling effect of high levels of violent crime by privatizing security and frequently resorting to vigilante justice.

2. The Honduran Military Past to Present

An examination of the military's foundation is necessary in order to understand why Honduran society suffers proportionately from violence compared to global averages—the Honduran Constitution of 1957 is the obvious starting point. According to Barry and Norsworthy:

> The Constitution of 1957 eliminated civilian authority over the military, transferring ultimate control of the institution to the chief of the armed forces who was given the right to disobey presidential orders that he considered unconstitutional. This formal authority provided legal basis for political independence and autonomous institutional development of the military and set the stage for its subsequent incursions into all areas of national affairs. This process has been facilitated by the traditional atomization and weakness of the Honduran political parties, state, and oligarchy. In much of the countryside, local military commanders wield more influence than civilian authorities. In many remote areas the army is

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[196] Spencer, *Demobilization and Reintegration in Central America*, 4, Table 1.

the only representative of the central government. At the national level the military established itself as the ultimate arbiter of disputes between rival political, social, and economic forces.[197]

Efforts to reign-in the military and gain control of police forces by creating a "Liberal *Guardia Civil,*" resulted in a military coup in 1963, military government (with a respite of civilian rule 1971-1972) until 1982, and the dissolution of the *Guardia Civil* in favor of a new national police force, the *Cuerpo Especial de Seguridad* (CES). The police forces were transferred to military-controlled defense ministries with military officers occupying senior positions of command. Kincaid writes that "at the outset of the period of authoritarian military regimes, Central America was already characterized by policies that prioritized the security of the national state over public security, or, more accurately, that identified public security with the security of the state."[198] Ruhl writes that the CES "became the fourth branch of the armed forces and played an important role in silencing opponents of the authoritarian government."[199]

In 1982, a new constitution was completed and Honduras ended ten years of military rule with the inauguration of civilian president Roberto Suazo Córdova. Norsworthy and Barry write that the Honduran military retained "the essential elements" of its autonomy from civilian authority in the new constitution which allowed it to enter into "all areas of national affairs."[200] The restoration of civilian rule in 1982 coincided with the Reagan administration's counterrevolutionary efforts to overthrow the Sandinista government in Nicaragua. Honduras was utilized as a staging area and safe zone for the U.S.-backed Contra rebels to launch attacks into northern Nicaragua. The

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[197] Tom Barry and Kent Norsworthy, *Honduras: A Country Guide* (Albuquerque, New Mexico: The Inter-Hemispheric Education Resource Center, 1990), 36.

[198] Kincaid, "Demilitarization and Security in El Salvador and Guatemala: Convergences of Success and Crisis," 41-42.

[199] Mark J. Ruhl, "Redefining Civil-Military Relations in Honduras," *Journal of Interamerican Studies & World Affairs* 38, (Spring 1996): 36.

[200] Kent Norsworthy and Tom Barry, *Inside Honduras*, 2nd ed. (Albuquerque, New Mexico: Resource Center Press, 1994), 42.

increase in U.S. military aid to the Honduran armed forces strengthened them significantly relative to the civilian government and allowed the military to pursue its own political agenda, relatively unimpeded.

In *Altered States: Security and Demilitarization in Central America,* Adam Isacson writes that even though the armed forces in Honduras "expanded less than those of its neighbors in the 1980s, they nonetheless doubled in size and improved markedly in equipment, training, and weaponry."[201] Mark P. Sullivan, in a 2006 Congressional Research Service (CRS) Report for Congress states that "[i]n the 1980s, the United States provided about $1.6 billion in economic and military aid [to Honduras] as the country struggled amid the region's civil conflicts."[202]   The military's power grew proportionately resulting in a country dominated by its armed forces and only nominally democratic. The danger to state-society relations vis-à-vis the strengthening of a weak government's military capabilities with foreign capital is that the military may become independent from the society it ostensibly serves. The Honduran armed forces in the 1980s had free reign to define their defense posture. The military prepared to defend against "internal subversion," and to contain Guatemalan, El Salvadoran or Nicaraguan revolutionary forces from entering the country. The focus on internal security is alleged to have degenerated into paranoid death squads like Battalion 3/16, a secret Honduran military unit blamed for the disappearance of leftist activists, including students, teachers, unionists, and suspected guerrillas. Until the early 1990s, the Honduran government and civil-society were too weak to contest the military's power.

a.   The Challenge to Military Authority

With the end of the Contra-Sandinista war and the transition to President William Clinton's administration in the United States, perceptions of national security threats from Central America changed and brought an end to the large military-aid programs that dominated the U.S. approach in the 1980s. Military assistance in the form

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[201] Adam Isacson, *Altered States: Security and Demilitarization in Central America* (Center for International Policy and the Arias Foundation for Peace and Human Progress, 1997), 62.

[202] Mark P. Sullivan, *Honduras: Political and Economic Situation and U.S. Relations* (CRS Report for Congress, 2006), 4.

of grants or loans to Central American states stopped except for some counter-narcotics programs.[203]   Around the same time, the Honduran military came under siege from human rights activists. In 1991, the case of an 18-year-old student named Riccy Mabel Martinez, who was raped and murdered, allegedly by high-ranking military officer gained national attention and was a pivotal moment that changed the power dynamics between the government and the military. The ghastliness of the crime and sympathy for the victim galvanized Honduran society to the point that the military, which heretofore had been insulated with impunity, was unable to shield its personnel from civil authorities and was forced to turn over the accused officers to civilian courts. Ruhl writes that when the armed forces submitted to the public's will, "fear of the military, the source of its power over civil society, gradually began to dissipate."[204]

In December 1992, in response to public outcry concerning the military's involvement in human rights abuses and criminal activity, Rafael Leonardo Callejas (Honduran President from 1990 to 1994), appointed Leo Valladares, a respected professor of law and a human rights activist, to the new post of Human Rights Commissioner. Valladares uncovered information that implicated the Directorate of National Investigations (*Dirección Nacional de Investigaciones* or DNI), which acted like a secret police, and the *Fuerza de Seguridad Publica* (FUSEP) in a series of unsolved homicides and other serious crimes that further damaged the military's reputation.[205] In 1994, Carlos Roberto Reina became President of Honduras promising to reform the country's largely autonomous armed forces. He reduced the military budget from $50 million in 1993 to $35 million in 1996 as Honduras continued the neoliberal reforms of the prior administration and adjusted to the post-cold war reality of declining

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[203] Isacson, *Altered States: Security and Demilitarization in Central America*, 154.

[204] Ruhl, "Redefining Civil-Military Relations in Honduras," 45.

[205] Ibid.

international importance.[206] In "War Transitions and the New Civilian Security in Latin America," Charles T. Call documents the extent of Honduran demilitarization during this period:

> By 1996 the size of the Honduran Armed Forces dropped from roughly 20,000 to an estimated 12,500, the smallest in Central America outside of Belize, and its budget dropped from $59 million in 1990 to $35 million in 1996. The U.S. drastically reduced its military aid from almost $500 million during the 1980s to less than $1 million per year from 1994 to 1997. These events significantly weakened the material and political base of Honduras' armed forces.[207]

Reina tempered his confrontational rhetoric toward the military with prudent acts designed to placate its leaders. He won concessions from the military, implemented civil-military reforms, and asserted his constitutional right to command the armed forces. Additionally, he excluded the armed forces from policy decisions on non-security-related issues and reduced their role in foreign policy. According to Ruhl, the ending of obligatory military service, despite determined opposition by the military, was Reina's most popular achievement.[208] The military's power was further eroded by the disbanding of the DNI, the creation of a civilian controlled Public Ministry, and the ratification of a constitutional amendment mandating the transfer of the police to civilian control.[209] Additionally, the military lost control of the Merchant Marine, HONDUTEL—Honduras' telecommunications system—and the Department of Immigration.[210] On December 16, 1996, a constitutional amendment stripped the military of its domestic police function

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[206] Mark J. Ruhl, "Honduras: Militarism and Democratization in Troubled Waters," Chap. 3, in *Repression, Resistance and Democratic Transition in Central America*, ed. Thomas W. Walker and Ariel C. Armony (U.S.A.: Scholarly Resources Inc., 2000), 47-66, 58; Isacson, 10.

[207] Charles T. Call, "War Transitions and the New Civilian Security in Latin America," *Comparative Politics* 35, no. 1 (October 2002): 14.

[208] Ruhl, "Redefining Civil-Military Relations in Honduras," 48.

[209] Ibid., 38.

[210] Ibid., 41.

and transferred it to civilian control. Call describes Honduras' degree of success in "civilization of an internal security system without a war transition" an "empirical anomaly."[211]

Others question the degree to which the Honduran military is subordinated to civilian control. In *Rethinking Military Politics*, Alfred Stepan creates a framework for categorizing civil-military relationships. He refers to "military prerogatives" as control of state enterprises that allows for "latent independent structural power," and dubs the ability of a military to resist the edicts of a democratic government "contestation."[212] The reduction in the Honduran military's power resulting from constitutional changes and demobilization did not end a moderate to high degree of contestation. While the Honduran military accepted many of the Reina administration's reforms, a 1997 report for the Research Directorate of the Immigration and Refugee Board of Canada (IRB) claims that it contested "budget cuts and the prosecution of armed forces' personnel for past human rights abuses."[213] According to testimony from Valladares, the army continued to employ its intelligence organizations "to blackmail and control some political sectors," frustrating investigations into human-rights abuses allegedly committed by the military.[214]

Because the military continues to control the *Instituto de Previsión Militar* (IPM) or military-pension institute, it maintains a high degree of autonomy. According to the IPM's website, it runs the country's armory, an international finance corporation (COFINTER S.A.), a mortuary business with multiple locations (Funerales San Miguel Arcangel S.A. de C.V.), a real estate company (Administradora de Valores e Inmuebles S.A.), the Honduran military academy (Liceo Militar del Norte), and most troubling from the stand point of separating domestic law enforcement from military prerogatives, a

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[211] Ruhl, "Redefining Civil-Military Relations in Honduras," 13.

[212] Alfred Stepan, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton University Press, 1988), 98.

[213] Research Directorate of the Immigration and Refugee Board of Canada, "Honduras: Changes in the Armed Forces," www.irb-cisr.gc.ca/en/research/ndp/ref/index_e.htm?docid=164&cid=0&sec=TOC (accessed October 29, 2008).

[214] Central American Update, *Honduras: Civil-Military Friction Continues*, June 28, 1997, www.us.net/cip/970704.txt (accessed January 22, 2009).

private security firm (SECORP).[215]   Military autonomy combined with prerogatives corresponds to a "near untenable position for democratic leaders" in Stepan's framework.[216]   He warns that a polity in this position is in danger of "a breakdown of democracy."[217]

Holden criticizes Stepan for representing the military as "a somewhat separated or even alien body."[218]   He argues that by stressing the benefit of civilian control of the military, civil-society's innocence concerning violence is exaggerated. He cautions historians studying violence to "draw into their research civilian bureaucrats, professional politicians, judges and their collaborators (within or outside the institutional boundaries of the state) and various contenders for state power, including self-proclaimed popular liberators, whose armies could only claim they had better reasons than others to kill."   He concludes that democratization is not sufficient to overcome a "culture of violence" which he defines as "the family, school, social relations and communications media" that reinforce other manifestations of violence.[219]

In the introduction to the book *Who Guards the Guardians and How*, Bruneau affirms that in a democratic country, civil-military relations "involve ongoing conflict, negotiation, and compromise between those who hold power by virtue of free and fair elections and the organizations to which society has granted a monopoly on the means of violence."[220]   Although the concentration of power in the hands of the military without a system of checks and balances is dangerous, the focus on the subordination of the military and police forces in Honduras without greater regard for the effectiveness of the criminal justice system and defense of the rule of law resulted in disillusionment with democracy and high incidents of violent crime. Violent crime increased in anticipation of

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[215] Instituto de Previsión Militar, "Nuestras Empresas," www.grupoipm.hn/empresas.html (accessed (November 7, 2008).

[216] Stepan, *Rethinking Military Politics: Brazil and the Southern Cone*, 101.

[217] Ibid., 102.

[218] Holden, *Armies without Nations: Public Violence and State Formation in Central America, 1821-1960*, 252.

[219] Ibid., 24, 17.

[220] Thomas C. Bruneau, "Introduction," in *Who Guards the Guardians and How*, ed. Thomas C. Bruneau and Scott D. Tollefson (Austin: University of Texas Press, 2006).

the transfer of military leadership to civilian authorities. Call explains that "[c]ivilianized internal security can coexist with human rights abuses, politicized policing, ethnic exclusion, corruption, and private justice" and that "significant demilitarization does not guarantee the eradication of state torture, extralegal killings, and other violations of the law and due process."[221]

b. *The Breakdown in Law Enforcement*

Isacson writes that violence in Honduras began increasing noticeable around 1994. He continues: "Honduran military officers state that attempts to demilitarize the police and to reduce the security forces are responsible for the growth of crime. However, as in Guatemala, many blame rising crime on a military reaction to recent losses in power and prestige."[222] Human rights activists, the business community, and religious leaders responded that former and present members of the armed forces were behind the crime wave. The IRB report compiled cases of suspected military involvement in kidnappings, assaults, rapes and even holdups. It speculated that military involvement in crime was not only a result of unemployment and crimes of opportunity by destitute former soldiers but that crime was part of a plan to justify the reconstitution of the armed forces to their prior strength.

In a 1997 interview with the Honduran newspaper *Diario Tiempo,* Dr. Ramón Custodio López accused the armed forces of kidnappings and assaults.[223] He went further to say that the military continued to operate death squads like Battalion 3-16, suspected of disappearing "at least 184 people during the 1980s."[224] In an apparent case of retaliation, "Amnesty International" documents that: "At the beginning of April 1998,

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[221] Call, "War Transitions and the New Civilian Security in Latin America," 15-16.

[222] Isacson, *Altered States: Security and Demilitarization in Central America,* 136-137.

[223] Research Directorate of the IRB of Canada, 1997, www.irb-cisr.gc.ca/en/research/ndp/ref/index_e.htm?docid=164&cid=0&sec=REF (accessed October 29, 2008).

[224] Central American Update.

the head of the Armed Forces in Honduras, General Hung Pacheco, requested a court…to order the arrest of Ramón Custodio."[225]   The general accused Custodio of forging documents implicating him in the "disappearance" of a student.[226]

As the May 1998 deadline approached for transferring the Honduran national police from military to civilian authority, Valladares and others accused elements of the armed forces with increasing human rights abuses and conspiring with organized crime in order to foment chaos and impede the transfer. [227] In January of 2001, the Honduran Committee for the Defense of Human Rights reported that more than 1,000 street children were murdered in the preceding year by death squads backed by the police.[228] Amongst allegations that the military and police were complicit in murder, the inauguration of Ricardo Maduro Joest as President of Honduras in 2002 marked a shift in Honduran civil-military relations. Maduro's first act in office was to deploy a joint police-military force to widen neighborhood patrols in the ongoing fight against the country's massive crime and gang problem.[229] Maduro's focus on crime was personal; he lost a son in 1997 to a botched kidnapping attempt. His government passed reforms to the penal code that allowed the prosecution of individuals up to 30 years for "illicit association," or membership in a youth gang.[230] The legislation had the unintended consequence of further overwhelming the country's prison system and granting the police *carte blanche* to use excessive force and engage in extra-judicial actions.

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[225] Amnesty International., Honduras: Further Information on Fear for the Safety of Ramon Custodio, Human Rights Defender, 1998, www.amnesty.org/en/library/info/AMR37/006/1998/en (accessed February 6, 2009).

[226] Ibid.

[227] Research Directorate of the IRB of Canada 1997, www.irb-cisr.gc.ca/en/research/ndp/ref/index_e.htm?docid=164&cid=0&sec=TOC (accessed October 29, 2008).

[228] Timeline: Honduras, *BBC News*, 2008, http://news.bbc.co.uk/1/hi/world/americas/country_profiles/1225471.stm#top (accessed March. 6, 2009).

[229] U.S. State Department, "Background Notes: Honduras," in State Department Documents and Publications [database online], (accessed February 27, 2009).

[230] Michael Lettieri, "Honduras Can't Vote Away the Past," *Council on Hemispheric Affairs*, 2005.

3.   Social Movements and the Church

The chronicle of social movements in Honduras is quite different from Nicaragua. Popular organizations were repressed by the police and military beginning with peasant groups in the 1960s and continuing to at least the late 1980s.[231]   Notwithstanding government oppression there was a "meteoric rise in the number of NGOs operating in Honduras" in the 1980s according to Tom Barry but unlike Nicaragua, the increase in these organizations was "almost totally attributable to [the U.S. Agency for International Development] AID."[232]   He asserts that USAID did not promote pluralism and that most its development funds went to groups focused on "entrepreneurship, export production, or paternalistic community development."   He laments that "grass-roots peasant associations, militant trade unions, progressive development organizations, and human-rights groups," were excluded from funding.[233]

Hondurans did organize around human rights but the focus was on curtailing the autonomy of the military. According to Ruhl, with the exception of the *Comité de la Defensa de los Derechos Humanos* (CODEH), Honduran citizens did not challenge the military until a more open political climate began to emerge in the wake of the Cold War in the 1990s. During this time, students, unions, business associations, human rights organizations, and the Catholic Church mounted a unified political attack on the armed forces as fears of reprisals subsided.[234]

The Freedom House survey *Countries at the Crossroads 2007*, reports that "[t]he status of civil society in Honduras remains tenuous. While social movements and other groups are allowed to operate, they complain of onerous registration requirements and government interference in their work."[235] The lack of support for social movements in Honduras is striking. Compared to Nicaragua, where according to Zalaquett and

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[231] Tom Barry, *Central America Inside Out* (New York: Grove Weidenfeld, 1991), 312-314.

[232] Ibid., 322.

[233] Barry, *Central America Inside Out*, 322.

[234] Ruhl, "Redefining Civil-Military Relations in Honduras," 43.

[235] Orlando Perez, *Countries at the Crossroads 2007: Honduras* (Washington, D.C.: Freedom House, 2007), www.freedomhouse.org/uploads/ccr/country-7191-8.pdf (accessed January 30, 2009).

Wheelock, from their 2004 study of Nicaraguan police reports for the *Arias Foundation for Peace and Human Progress*, "the [1998] National Assembly and the President of Nicaragua" sought to arrest the general trends of youth violence and delinquency by implementing "the Youth and Children's Code (Law 287) regulating comprehensive protection for children and adolescents through families, society, the government, and private organizations."[236] Additionally, article 70 of the Code seeks to mitigate the danger of miscreants by preventing "store owners and the general public from selling firearms, explosive devices, clasp knives, knives in general or any sharp object to children and adolescents."[237]

Quite the opposite situation exists in Honduras where according to Raudales; judges from the *Juzgado de Letras de la Niñez* (Honduras Children's Court) determined that a direct relationship exists between "social risk and youth crime… [but] the system provides no alternative to put an end to the resulting chain of youth crime."[238] Instead, Honduras implemented "a wide legislative reform program to expand government power and restrict a number of basic rights" in order to "criminalize youth by identifying *maras* as the major source of crime and, thus, the number-one enemies of the Honduran population."[239] Cruz states that the result of draconian programs designed to oppress gangs "was that the gangs redesigned their modus operandi, reorganized themselves into more hierarchical, vertically rigid, and violent structure, and began to recognize gang leadership, which led to formal contact with other gangs and with organized crime as well."[240]

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[236] Mónica Zalaquett, and Mónica Wheelock, "Nicaragua," Chap. VI, in *The Face of Urban Violence in Central America*, 1st ed. (Costa Rica: Arias Foundation, 2006), 209-276, 221.

[237] Ibid., 221.

[238] Magda Raudales, "Honduras," Chap. V, in *The Face of Urban Violence in Central America*, 1st ed. (Costa Rica: Arias Foundation, 2006), 171-208, 174.

[239] Ibid., 180, 178.

[240] Cruz, "Street Gangs in Central America," 18.

4.   Availability of Weapons

Evidence suggests that weapons are less available in Nicaragua than in Honduras and that this may account for differences in homicide rates. Because Honduras did not suffer a civil war, the disarmament efforts of ONUCA were aimed at the Contra rebels operating inside Honduras and not the Honduran military. In the wake of the Iran-Contra scandal it was revealed that Israel and other countries were supplying weapons to the Contras through Honduran territory, the extent of which is not known but the trade was characterized as an "arms supermarket."[241] The disparity of weapons destroyed in the two countries combined with the fact that the Contras operated and were supplied in Honduras suggests that the United Nations effort to disarm the insurgents was not only incomplete but also disproportionate.

Honduras continued to amass a stockpile of weapons even after the Esquipulas Peace Accords that ended the Central American Civil Wars. From 1991-1999, Honduras spent $230 million importing weapons compared to Nicaragua's $170 million (Table 2).[242]

Table 2.   Importing of Weapons: Arms Imports in Millions of Dollars

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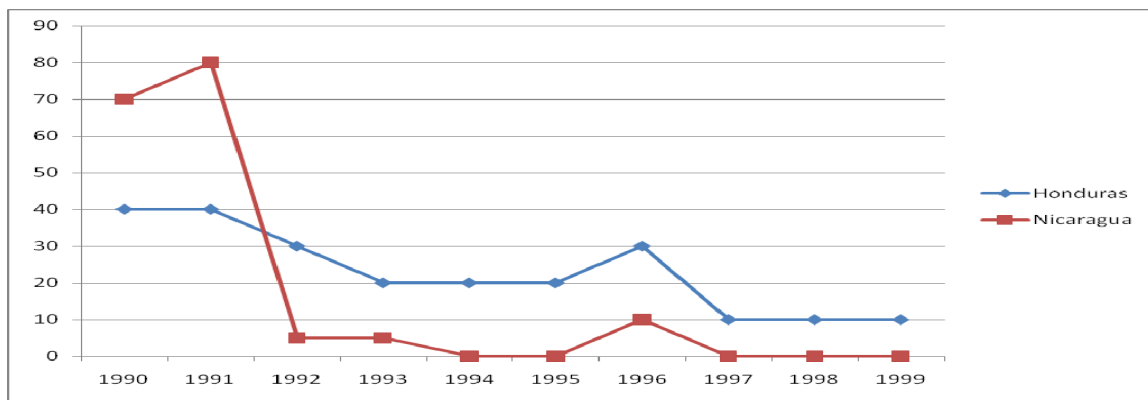
[241] Barry and Kent Norsworthy, *Honduras: A Country Guide,* 133.

[242] U.S. Department of State Bureau of Verification and Compliance, World Military Expenditures and Arms Transfers, 1999, www.state.gov/t/vci/rls/rpt/wmeat/1999_2000/index.htm (accessed February 15, 2009).

According to the Norwegian Initiative on Small Arms Transfers (NISAT), between 2000 and 2006, Honduras imported $10,742,575 worth of Small Arms and Light Weapons (SALW), parts, and ammunition compared to Nicaragua at $7,152,717. NISAT tabulated its data based on custom's information provided by the individual Latin American and Caribbean countries. The information is subject to underreporting and misreporting but gives a general indication of the difference in SALW trade between the two countries.[243]

The Honduran military controls the sale of all weapons entering the country through the national armory. It has an incentive to sell weapons rather than control their distribution. Leggett corroborates that in Honduras, "the Military Pension Institute has a monopoly on firearms retailing in the country, and high ranking military officers have been implicated in several arms trafficking scandals."[244] Reina Rivera, the president of the Centre for Research and Promotion of Human Rights (CIPRODEH) in Honduras maintains that "[a] high percentage of the country's economy is spent on weaponry: between 2000 and 2003 more than $22 million was spent on the importation of arms and ammunition [estimate conflicts with the NISAT report]."[245] Furthermore, she states that "between the years 1979 to 1999 the national armory reported sales of 88,337 weapons, mostly handguns, pistols, rifles and shotguns, and between the years 2004 to 2005 they sold some 10,266 firearms."[246] The number of weapons sold through the armory may pale in comparison to the illegal trafficking of arms. Rivera claims that some authorities estimate the number of weapons illegal purchased in Honduras to be around 600,000.[247]

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[243] Norwegian Initiative on Small Arms Transfer, "The Balance in Balance: Exports and Imports of Small Arms and Light Weapons (SALW), Parts, and Ammunition in Latin America and the Caribbean 2000-2006," *En La Mira: The Latin American Small Arms Watch* 3, no. 23 (August 2008).

[244] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 68.

[245] Reina Rivera, *Taller cuatro-nacional* "*Honduras, Nicaragua, Costa Rica y Panamá: Tráfico y control de armas de fuego,*" Tegucigalpa, Honduras: Fundación Arias, 2006, www.arias.or.cr/download/cuatrinacionalreporte.pdf Translation of the author (accessed November 27, 2008).

[246] Ibid.

[247] Ibid.

Firearms were implicated in 71% of homicides in Honduras from 1995-1999.[248] A study of Tegucigalpa by Julieta Castellanos, a professor of Sociology at the Universidad Autónoma de Honduras, found that 82% of homicides committed in that city involved firearms.[249] A parallel study of Nicaragua by Elivra Cuadra and Maribel Padilla, for the *Centro de Estudios Internacionales* found that "[t]he number of crime cases involving firearms is not significant in relation to total cases."[250] Zalaquett and Wheelock report that sharp weapons, home-made arms and contusive weapons are more likely to be employed during an assault than firearms.[251] The use of improvised weapons is an indication that firearms are not readily available in Nicaragua.

The destruction of arms following the end of the Contra War partially accounts for the difference in the type of weapons utilized in the two countries. Leggett confirms that "[o]ver 100,000 firearms were destroyed in that country [Nicaragua] following the cessation of hostilities."[252] The Nicaraguan government capitalized on progress made toward disarming the Contras and Sandinistas and continues to offer periodic weapon buy-back programs. In February of 2005 they passed *Ley* (Law) 510, which regulates firearms, explosives and munitions and establishes harsh penalties for the illegal traffic and use of weapons.[253] The law instituted two government run foundries where 12,752 firearms in police custody were destroyed in 2007.[254] The disarmament process continues to reduce the availability of firearms—a Nicaraguan National Police report

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[248] Raudales, "Honduras," 176, Table 3.

[249] Julieta Castellanos, *Honduras: Police Undergoing Purge as Crime Rate Soars* (NotiCen: Central American and Caribbean Affairs, 2000), www.allbusiness.com/central-america/623747-1.html (accessed January 21, 2009).

[250] Elvira Cuadra and Maribel Padilla, *Estadisticas sobre Violencia y Armas de Fuego, Nicaragua 2000-2002* (Centro de Estudios Internacionales (CEI), February 2003).

[251] Zalaquett and Wheelock, "Nicaragua," 226.

[252] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 68.

[253] Ministerio de Gobernación, República de Nicaragua, "Nicaraguan Report before the Second Ministerial Conference on International Cooperation against Terrorism and Organized Transnational Crime," www.migob.gob.ni/ver_notaprensa.php?id=2283 (accessed July 26, 2008).

[254] Ibid.

proudly boasts that on May 7, 2008 a weapons buy-back program destroyed 1,397 weapons of various types and that Nicaragua "is the first Central American country to accomplish a voluntary weapons buy-back event consistent with Law 510."[255]

Tensions between the United States and Nicaragua have been growing since the election of Daniel Ortega in 2007. In addition to the MANPAD issue, Nicaragua re-established diplomatic ties with Russia and plans to update its military arsenal with Russian assistance.[256] Nevertheless, progress with regard to weapons destruction continues. In an article for "*La Prensa*," Eduardo Cruz Sánchez, confirms that since 2005, Nicaragua has destroyed 12 thousand 996 weapons with the support of private enterprise and the United Nations Development Program (UNDP).[257] Rivera explains that unlike in Nicaragua, "[t]he regulation of weapons is a relatively new activity in Honduras. The effort is considered weak because the government has failed to achieve an effective policy on the possession and use of weapons in the country, whether held by individuals (including those for private security) or for use by the military and police."[258] The availability of weapons combined with a high level of impunity and what the Honduran Department of Forensic Medicine of the Corte Suprema de Justicia (CSJ) describes as "imbedded customs of revenge, conflicts between criminal bands and drunken brawls" have led to high rates of homicide.[259]

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[255] Tamara G. Downs, "Policia Nacional Continua La Destrucción de Armas," *Vision Policial*. www.policia.gob.ni/cedoc/ (accessed May 11, 2008).

[256] Agence France Presse – English, Russia to Help Nicaragua Revamp its Military, *Agence France Presse*, September 25, 2008.

[257] Eduardo Cruz Sánchez, "Millones de Armas Ilegales en el Istmo," *La Prensa*, January 14, 2009, sec Noticias Nacionales.

[258] Rivera, *Taller cuatro-nacional "Honduras, Nicaragua, Costa Rica y Panamá: Tráfico y control de armas de fuego.*"

[259] Castellanos, *Honduras: Police Undergoing Purge as Crime Rate Soars*.

C. SECURITY AND VIOLENCE

1. Police Operations

The most evident expression of government policies against violent crime are police operations. In "Sustainable Development in Central America: The Challenges of Violence, Injustice and Insecurity," Charles Call writes that:

> Police in many countries (Nicaragua and Costa Rica are exceptions) continue to patrol mainly in large groups in the back of pick-up trucks, rather than circulating and interacting with members of a specific beat. High levels of violent crime together with extremely high on-duty death rates for police officers have contributed to a sense of distrust among Salvadoran, Guatemalan, and Honduran police toward the population.[260]

Consistent with this military approach to law enforcement, in January 2008, Honduran police and army troops conducted high-profile operations in the main towns of almost all of the country's 18 departments to reduce violent crime.[261] The Honduran operation was designed to show that criminal violence can be countered with force. Many critics worry, however, that military responses to crime often result in human rights violations and actually strengthen gangs and organized crime.

Lainie Reisman, the Director of the Inter-American Coalition for the Prevention of Violence, represents this concern for human rights in the face of militarized law enforcement:

> In El Salvador, Honduras, and to some extent the United States, tough legislation has been passed targeting gang members through illicit association laws, mandatory minimum sentencing for young offenders, use of the death sentence for gang-related offenses, prosecution of juveniles as adults for gang-related crimes, and gang-racketeering laws.[262]

She continues: "Anti-gang initiatives have become mired in controversy. Human rights and service organizations in the region recognize that gang violence is a very serious

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[260] Charles T. Call, *Sustainable Development in Central America: The Challenges of Violence, Injustice and Insecurity* (Hamburg: Institut für Iberoamerika-Kunde, 2000), 19.

[261] "Maras Pose Greater Threat than Ever," *LatinNews*, February 2008, www.latinnews.com/lwr/LWR16755.asp?instance=13&mode=print (accessed November 7, 2008).

[262] Lainie Reisman, "Breaking the Vicious Cycle: Responding to Central American Youth Gang Violence," *SAIS Review* XXVI, no. 2 (Summer-Fall 2006): 147-52, 148.

problem but also note that gangs are now blamed for virtually all crime, leading to an increase in human rights and due process violations."[263] In "Central America: Why Do So Many Civilians Have Firearms?," Cruz worries that "Hard Hand and Zero Tolerance programs that have dominated security policies in Honduras and El Salvador…have insisted on promoting a type of civic participation based on vigilance and spying on neighbors rather than resolving problems through community dialogue."[264] Strocka traces the implementation of these repressive polices back to New York City's "zero tolerance" approach in the 1990s and finds tough-on-crime campaigns to be "largely ineffective, if not counterproductive." She concludes, "despite repressive government action, violence has been escalating at an alarming rate in all of Latin America."[265]

Custodio was elected as the National Commissioner of Human Rights by the Honduran National Congress in March of 2002, succeeding Valladares. During his administration, 68 prisoners died in a jail at El Porvenir, on Honduras's north coast. According to "New York Times" reporter Tim Weiner, "[a]n independent investigation concluded that 51 of the dead at El Porvenir had been executed –shot, stabbed, beaten or burned to death—by the state police, soldiers, guards and prisoners working as trusties."[266] In 2004, another 103 prisoners, most believed to be gang members, were burned to death or died of smoke inhalation in a severely overcrowded prison in San Pedro Sula, Honduras. In response, humanitarian organizations like Committee of Families of the Disappeared and *Casa Alianza* blamed the government for the prison deaths asserting that systematic abuses have resulted from policies that focus solely on the detention or elimination of gang members without regard for rehabilitation.[267] From

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[263] Reisman, "Breaking the Vicious Cycle: Responding to Central American Youth Gang Violence," 148.

[264] José Miguel Cruz, "Central America: Why do so Many Civilians have Firearms?" *Revista Envío,* December 2005, no. 293, www.envio.org.ni/articulo/3156 (accessed September 13, 2008).

[265] Strocka, "Youth Gangs in Latin America," 141.

[266] Tim Weiner, "At Least 100 are Killed in a Prison Fire in Honduras," *The New York Times*, May 18, 2004, sec A.

[267] "103 Dead in Honduras Prison Fire," *CBS News*, May 17, 2004.

2005 to 2006, Custodio served as president of the Central American Council of Human Rights Commissioners where he continued to lash out at Honduran police for "carrying out…unwarranted executions of presumed *mareros*."[268]

The situation in Nicaragua, in contrast, is less antagonistic. Barnes writes that "because of the relative lack of availability of arms (guns) in Nicaragua and the work of community-based police, youth gangs are less violent than are gangs in the Northern Triangle [of Central America]."[269] Oettler examines Nicaraguans' favorable impressions as to the state of security in their country and suggests that if there is a general consensus that a country is secure (even if that perception is shaped by elite discourse) then aggressive tactics by police would be deemed unnecessary by the majority of the populace.[270]

2.   Politically Inspired Murders

The U.S. State Department (DoS) *2008 Human Rights Report: Honduras* states that "[w]hile observers linked some killings to high-profile targets, such as environmentalists, labor leaders, attorneys, and politicians, to organized crime and narcotics traffickers, other cases were apparently politically motivated."[271] To date, intimidation and retaliation are the *modus operandi* of Honduran politics. In September of 2008, Luis Javier Santos, former Regional Coordinator in the Anti-Corruption Section of the Public Prosecutor's Office was gunned down after indicting the mayor of San Pedro Sula with embezzlement. Santos had repeatedly petitioned authorities to provide

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[268] Eytan Starkman, "Honduras' Operacion Trueno: An Audacious Proposal that must be Reformed and Renovated," *Council on Hemispheric Affairs*, 2006.

[269] Barnes, "A Comparative Analysis of Transnational Youth Gangs in Central America, Mexico and the United States," 4.

[270] Oettler, "Discourses on Violence in Costa Rica, El Salvador and Nicaragua: National Patterns of Attention and Cross-Border Discursive Nodes," 14-15.

[271] Bureau of Democracy, Human Rights, and Labor, *2008 Human Rights Report: Honduras* (U.S. State Department, 2009).

for his security but despite being assigned a bodyguard, he was shot four times driving home from work.[272] There were 17 legal professionals killed in Honduras as of July 2008 (before Santos' murder) according to the DoS report.[273]

The Honduran Ministry of Security reported that there were 268 police officers prosecuted "for offenses ranging from abuse of authority to drug trafficking, rape, and homicide."[274] Most disturbing, the DoS report details how two plainclothes National Police officers were caught with a list entitled "dangerous," with the names of 130 leaders from civil society. The paper was an apparent "hit-list," and had the name Altagracia Fuentes, a slain labor leader, crossed-out and marked "dead" in the column.[275] In contrast, the DoS *2008 Human Rights Report* for Nicaragua states, "The government or its agents did not commit any politically motivated killings."[276]

3.   The Privatization of Security

The collective action of Honduran civil-society and the state perpetuated a culture of violence and vigilantism. Cruz asserts that in Honduras:

> [T]he use of firearms is part of a system of values and norms in which arms are socially acceptable and to some degree admired. This relationship to weapons in turn responds to a cultural system that permits, accepts and values the use of force and violence as part of the way members of a community relate to each other. It is, in other words, a culture that promotes violence.[277]

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[272] Amnesty International, *Honduras: Luis Javier Santos*, 2008, www2.amnesty.se/uaonnet.nsf/senastezope/ (accessed February 27 2009).

[273] Bureau of Democracy, Human Rights, and Labor 2009, 3.

[274] Ibid., 8.

[275] Ibid.

[276] Bureau of Democracy, Human Rights, and Labor, *2008 Human Rights Report: Nicaragua*.

[277] Cruz, "Central America: Why Do So Many Civilians have Firearms?"

But he offers little explanation for the origin of this attitude toward weapons and violence in general other than to say that, "[w]hether this fondness for firearms is recent or born out of the development or perhaps even the end of the military conflict is up for debate."[278]

A culture of violence can be born out of distrust in state security institutions. In Honduras, the increase in crime coupled with a lack of confidence in the organizations designed to defend and protect appear to have created a vicious feedback loop breaking the "social contract" between state and civil-society. Holden calls civil-society in general "the incubator of public violence," and contends that states and militaries initiate violence which generates a violent response.[279] In other words, violence breeds violence and neither the state nor civil-society is solely responsible for high homicide rates, rather, the tension and dynamics between these two cleavages is often at the center of violent crime.

The mindset that Honduran society is responsible for its own safety is at the foundation of the government. The constitution declares, "every Honduran citizen is obliged to defend the Fatherland" and encourages "the people," to rise up "in defense of the constitution."[280] The Nicaraguan constitution, in contrast, emphasizes "friendship and solidarity among the people and the reciprocity among the States," and declares aggression, for a multitude of reasons, to be "inhibited and prohibited."[281] The Honduran Constitution's emphasis on self-protection is similar to the importance given to militias in the Second Amendment of the U.S. Constitution. The obvious difference is that Honduras transitioned relatively late to democracy. Karl states, "[d]uring regime transitions, all political calculations and interactions are highly uncertain."[282] The absence of predictability can lead individuals to privatize security.

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[278] Cruz, "Central America: Why Do So Many Civilians have Firearms?"

[279] Holden, *Armies without Nations: Public Violence and State Formation in Central America, 1821-1960*, 22, 18.

[280] Honduran Constitution as extrapolated from RESDAL 2008, 32.

[281] Nicaraguan Constitution, 2008, "The Legal Framework," in *A Comparative Atlas of Defense in Latin America*, ed. Juan Rial, 2008th ed. (Red de Seguridad y Defensa de América Latina), 33.

[282] Karl, "Dilemmas of Democratization in Latin America," 6.

Koonings and Kruijt follow the transformation of Central American militaries during the 1990s into a "shadow presence." According to Koonings and Kruijt, the withdrawal of military government has been accompanied by "private vigilantism" which they characterize as:

> [P]rivate police, privately paid street guardians in the middle-class and even the working-class metropolitan districts, private citizens' *serenazgos* (nightwatch committees or private protection squads), special forces in the financial sector recruited from former police forces or the army, extra-legal task forces, paramilitary commandos, death squads, and so on.[283]

Honduran President Manuel Zelaya Rosales (2006-present) is attempting to mitigate criminal violence by co-opting the trend toward private security. His efforts may worsen an already bad situation. His initiative to combine the police, armed services and private security into one security body, called Operation Thunder (*Operación Trueno*), is the latest version of the failed policy of utilizing the military to perform police operations. According to Eytan Starkman, writing for the Council on Hemispheric Affairs (COHA), Zelaya intends to curtail crime by utilizing private security forces whose trustworthiness is questionable.[284] Goodnick et al. report that in October 2000, the Honduran Ministry of Defense ordered "all private security companies to turn in machine guns, sub-machine guns, assault rifles, and semi-automatic pistols" obtained illegally.[285] "The first company to comply" continues the report, "turned in 33 illegal weapons and others followed suit."[286] Starkman worries about the "many ex-military and ex-police officers who were dishonorably discharged or fired from their former institutions for rogue behavior… [and] then almost immediately hired by private security companies."[287]

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[283] Koonings and Kruijt, "Fractured Cities, Second-Class Citizenship and Urban Violence," 15.

[284] Eytan Starkman, "Honduras' *Operación Trueno*: An Audacious Proposal That Must Be Reformed and Renovated," 2006, www.coha.org/2006/10/honduras%e2%80%99-operacion-trueno-an-audacious-proposal-that-must-be-reformed-and-renovated/ (accessed January 3, 2009).

[285] Godnick, Muggah, and Waszink, *Stray Bullets: The Impact of Small Arms Misuse in Central America*, 24.

[286] Ibid.

[287] Starkman, "Honduras' *Operación Trueno*: An Audacious Proposal That Must Be Reformed and Renovated"

The privatization of security challenges the common perception of the state as the dominant force in society. Nation-states normally have constitutions that formalize rules that were legislated through adversarial review whereas private security may try to enforce a moral code that does not recognize nor tolerate diversity. Questions of accountability, the overlap of public and private security and jurisdiction can diminish the legitimacy of state government. An essential problem with privatized security is that it is often difficult to distinguish between vigilantism and crime. In order for a homicide to be deemed "self-defense," for example, the defendant must prove to a jury that they acted in congruence with the level of the threat and that the threat was "current, immediate, and unavoidable."[288] Failure to convince the jury results in a criminal indictment for murder.

Kees and Kooning ask how long can the outsourcing of law enforcement to non-state actors maintain the existing economic, social and political order in Latin America.[289] Their question assumes an order that Holden argues never existed. He believes that the formation of the Central American states was characterized by "improvisation" or the requirement that governments "attract and keep collaborators—above all, those without which the government was impossible, the *fuerzas armadas* or 'armies without nations.'"[290] Honduras will continue to exhibit high rates of criminal violence unless the government can assert sovereignty, dominate the legitimate use of force and coerce its constituency to obey the rule of law.

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[288] Brandon Oto, "Use of Force: Lethal v. Non-Lethal," 2005, www.useofforce.us/2lethal/ (accessed February 28, 2009).

[289] Koonings and Kruijt, "Fractured Cities, Second-Class Citizenship and Urban Violence," 21.

[290] Holden, *Armies without Nations: Public Violence and State Formation in Central America, 1821-1960*, 26.

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IV.   CONCLUSION

A.   POLICE, GUNS AND SOCIAL MOVEMENTS: NICARAGUA

In her 1996 autobiography, *Dreams of the Heart*, Violeta Chamorro related that:

Since 1990 violence has been in steady decline. But it is by no means eradicated. There is great poverty. There is still a lot of social tension. People blame my administration. But government is not entirely to blame. Poverty, unemployment, and violence are things we must combat together.[291]

A year later, the Nicaraguan philosopher Alejandro Serrano Caldera wrote critically of the continued violence in his country comparing it to a roulette wheel where "violence is recurrent with some spaces in which the shooting stops and temporary political arrangements arise which, inadequate in their scope and spurious in their intentions, open the way once again to violence and the culture of confrontation and the bullet."[292] On Nicaragua's uncertain, "roulette wheel" path to democracy it managed to reduce the number of weapons circulating within its cities, develop social movements that incorporate otherwise excluded segments of society and reform the police force from a political tool of the FSLN party to a functioning organization that discourages crime. These three factors are principally responsible for the transformation of Nicaragua from a "culture of confrontation and the bullet" to a country that exhibits less criminal violence than almost anywhere else in Central America.

The Chamorro administration's concentration on economic stabilization and the integration of Nicaragua into the world market often came at the expense of social programs the Sandinista Revolution had inspired. Fortunately, international sympathy for the objectives of the revolution led donors to support the rise in social movements taking

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[291] Violeta Barrios de Chamorro, Sonia Cruz de Baltodano and Guido Fernandez, *Dreams of the Heart* (New York: Simon & Schuster, 1996), 324.

[292] Alejandro Serrano Caldera, "En Busca de la Nación," in History and Violence in Nicaragua (Managua: Instituto de Investigaciones y Acción Social—Universidad Politécnica de Nicaragua y UNESCO, 1997), 14.

place during this time. Domestic and international civil society organizations, religious groups, and the media have played an invaluable, "ombudsman" role, in protecting human rights and deterring violence in Nicaragua.

The bifurcation of the highest echelons of the Nicaraguan National Police, between networks of traditional economic elites and members of the FSLN (another revolutionary legacy), resulted in a sort of duality of law enforcement. The twin pillars of law enforcement correspond to the dichotomy of Nicaragua's polarized society. The NNP serves the traditional elites by concentrating on citizen security with the ultimate goal of projecting an image of Nicaragua as a safe place for foreign companies and individuals to invest capital. This unique relationship between the state and the traditional oligarchy that according to Oettler, "exercise political influence via informal channels and the media" has brought into question the veracity of reports that claim Nicaragua exhibits minimal criminal violence.[293] These concerns are allayed, in large part, by objective research by the United Nations and Interpol that show Nicaragua to have the lowest homicide rates in the region after Costa Rica.

In her memoir, Chamorro wrote of the political advantage of having Daniel Ortega "assume the leadership of the enraged masses."[294] She professed that "it gave us a central figure to negotiate with and not a cornucopia of warlords each with his own agenda…given the power he has over the masses, he could have been worse."[295] Ortega and the FSLN's representation of the "economic have-nots," (if nothing more than "lip service") is somewhat unique in Central America and lends further credence to the hypothesis that social exclusion and "second class citizenship" are at the core of expressions of criminal violence. The FSLN segment of the National Police leadership, administering to their party's social base, recognized the disadvantages of "zero-tolerance" policies and opted instead for rehabilitative programs.[296]

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[293] Oettler, "Discourses on Violence in Costa Rica, El Salvador and Nicaragua: National Patterns of Attention and Cross-Border Discursive Nodes," 9.

[294] Chamorro, Baltodano and Fernandez, *Dreams of the Heart*, 324.

[295] Ibid.

[296] Rocha, *The Political Economy of Nicaragua's Institutional and Organizational Framework for Dealing with Youth Violence*, 5.

Finally, the weapons buy-back program in Nicaragua is a good example of a deterrence measure that is non-confrontational and utilizes information rather than coercion to affect enforcement. It seeks to educate the at-risk segments of society as to the consequences of violating weapons laws and then offers a way to avoid prosecution. Gun buy-back programs have been criticized for rewarding criminals for possession of illegal weapons and driving the illicit weapon trade by liquidating old and obsolete weapons to purchase new ones. These problems can be surmounted, however. To disrupt market forces Nicaragua offers to buy-back weapons at irregular intervals with specific end dates. The impression of amnesty is problematic but considering the already high-levels of impunity throughout Latin America, the benefit of eliminating weapons that perpetuate violence may outweigh the often unsuccessful prosecution of justice.

B.   POLICE, GUNS AND SOCIAL MOVEMENTS: HONDURAS

Crime and corruption undermine democracy by destroying the relationship of trust between political leaders and their constituents. Police in a democratic society must solicit community interaction and not rely on intimidation as in authoritarian regimes. In his book *The Lesser Evil,* Michael Ignatieff prescribes "open government" as a panacea for sick societies. He explains that:

> Democratic peoples will not lend assistance to authorities unless they believe in the system they are defending. No strategy against terror is sustainable without public assistance and cooperation, without eyes that detect risks, ears that hear threats, and the willingness to report to authorities.[297]

Unfortunately, the Honduran polity continues to accept "tough on crime" rhetoric and support the illiberal security policies of "mano dura" first implemented during the Maduro administration. Current Honduran President Zelaya continues the failed policies of Maduro rather than attempting a different approach. He increased military participation in traditional police actions implementing "Operation Thunder," despite ongoing allegations of human rights abuses by security forces. Leggett writes that

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[297] Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror* (Princeton University Press, 2004), 154.

"saturation patrols," like Operation Thunder, "might suppress street crime in a narrowly defined geographic area for a period of time, but they do nothing about the causes of that crime."[298]

The Honduran constitution's concern for citizen participation in national defense may make the issue of firearm destruction as contentious as gun control laws in the United States. It is reasonable to assume that the large number of guns in Honduras reflects a strong demand for ownership among the people. However, the presence of firearms can turn a violent encounter into a deadly encounter and for this reason, it is argued that the relative scarcity of firearms in Nicaragua has resulted in lower homicide rates.

Lastly, while civil-society organizations are allowed to operate in Honduras, they are not as effective or as numerous as Nicaragua because social movements did not mobilize as they did subsequent the end of the Sandinista Revolution. Raudales characterizes the initiatives of civil-society organizations in Honduras as "scattered and sometimes illogical."[299] And Freedom House complains that "with the exception of some business groups, the [Honduran] government has generally exhibited little inclination to take the views of civil society into account when formulating policy."[300]

C.   RECOMMENDATIONS

Joanna Mateo, who was at the time the Senior Policy Analyst for "The Western Hemisphere Security Analysis Center (WHEMSAC)," makes the case that USSOUTHCOM could potentially have a positive role in combating the *maras* in Honduras. She bases her assessment on a four day trip to Honduras where she spoke with "a number of [unnamed] individuals involved in addressing the gangs issue…"[301] She reports that most of these individuals "were receptive to the idea of some level of DoD involvement in the issue," and some even remarked that "Honduras would be the

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[298] Leggett, *Crime and Development in Central America: Caught in the Crossfire*, 80.

[299] Raudales, "Honduras," 202.

[300] Perez, *Countries at the Crossroads 2007: Honduras*, 5.

[301] Joanna Mateo, *Gang Violence in Central America: The Case of Honduras* (Florida International University: Western Hemisphere Security Analysis Center, 2008a).

best-suited of the countries in...[Central America] for U.S. military personnel to offer assistance to anti-gang initiatives…due to the positive image Hondurans have of their own military…[and] also because of history, where in countries such as El Salvador or Guatemala, memories of civil conflict and U.S. involvement in those conflicts have left a less-positive view of U.S. forces."[302]

Despite generally good relations between the two countries, in 1988, university students attacked and burned U.S. embassy offices after Juan Ramon Matta Ballesteros, was extradited to the United States on drug trafficking and murder charges. No one disputed Matta's guilt; students were protesting what they perceived to be U.S. disdain for Honduran laws that forbade the extradition of its citizens for crimes committed in another country. James LeMoyne, writing for "The New York Times," captures the irony of the moment: "That someone suspected of drug trafficking and murder could become a symbol of Honduran nationalism is one of the bizarre twists of Central America's politics."[303] The continued presence of U.S. troops at Soto Cano Air Base at Comayagua, Honduras, periodically inspires a broad coalition of groups to protest the perceived affront to Honduran sovereignty. Issues of nationalism can, at times, outweigh concerns for law and order.

To suggest that the United States should involve its military in anti-gang initiatives in Honduras is reckless. Past efforts to collaborate with Latin American militaries have been mired in controversy. Furthermore, approaches to violent crime that focus exclusively on deterrence without social programs that target the underlying sources of violence and offer ways to integrate excluded segments into society are likely to result in human rights abuses, greater organization on behalf of gangs, and continued bloodshed.

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[302] Mateo, *Gang Violence in Central America: The Case of Honduras*, 13.

[303] James LeMoyne, "Stark anti-Americanism in Honduras," *The New York Times*, April 9, 1988.

The United States gave approximately $196 million to Honduras in foreign aid in FY 2005-2008.[304] The *Congressional Research Service* reports that an additional $12.4 million has been requested for Honduras under the Mérida Initiative for 2009.[305] The DoS has leverage to push Honduras to demilitarize its police force and emulate the community-based rehabilitation responses to violent crime implemented by its southern neighbors. Additionally, the United States must stop the illegal flow of firearms crossing into Mexico through Arizona and Texas (the United States dominates the international arms market and U.S.-origin weapons can be found throughout the world) and should advocate that Honduras make aggressive efforts to purge the country of firearms. Because any effort to legislate against firearm ownership may provoke a backlash and motivate unarmed citizens to buy a weapon before they become scarce, buy-back programs should be voluntary and compliment strict sentencing guidelines for illegal possession of a firearm. New arms regulations should be coupled with the widest possible dissemination of the legal details through all available media outlets.

The militarization of law enforcement will not reduce violent crime. The United States should pressure the Honduran government to support (monetarily and politically) civil-society organizations that offer rehabilitative services to disadvantaged groups. Additionally, programs and laws should be designed and implemented to reduce the number of firearms in the country. Finally, the police must be reformed with a greater regard for human rights. These recommendations, implemented incrementally and with a system to measure progress, will reduce violent crime in Honduras and help stabilize the region.

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[304] Sullivan, *Honduran-U.S. Relations*, 8.

[305] Cook, Rush and Seelke, *Merida Initiative: Proposed U.S. Anticrime and Counterdrug Assistance for Mexico and Central America*, 3.

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