

RIGHT ON CRIME?  
Conservative Party Politics and *Mano Dura*  
Policies in El Salvador

*Alisha C. Holland*  
*Harvard University*

The Mano Dura initiative—and its support by 95% of voters—signifies an immediate opportunity for the party to link itself with a winning theme. The tremendous support for this initiative will allow ARENA to reach voters in all parties in the best condition.

—National Executive Committee (*Consejo Ejecutivo Nacional, COENA*),  
Nationalist Republican Alliance (*Alianza Republicana Nacionalista, ARENA*)

Now everyone is a gang member, or a terrorist, or a narcotrafficker. . . . [M]aybe next they will go back to just being Communists.

—Judge *Aída Luz Santos de Escobar*

*Abstract: Despite a growing literature on the left in Latin America, few studies have considered the fate of the right. This article examines a highly successful conservative party, the Nationalist Republican Alliance (ARENA), which held power for close to two decades in El Salvador. The ARENA party used mano dura policies—defined by the introduction of discretionary crimes, diluted due process guarantees, and military participation in policing—to boost its support among constituencies plagued by crime. Two key factors prompted ARENA party strategists to emphasize security. First, a credible electoral threat existed from a leftist party hesitant to resort to harsh security measures. Second, factional divisions drove party strategy. Business elites who formed the core of the ARENA party refused to abandon unpopular economic reforms. Mano dura policies allowed the party to maintain support from traditional elites and their rural bases without reversals to its economic program. Party centralization facilitated the programmatic shift.*

Conservative political parties in Latin America have floundered at the ballot box. Yet until late, El Salvador bucked this trend. The conservative Nationalist Republican Alliance (*Alianza Republicana Nacionalista, ARENA*) weathered criticism through demilitarization and economic liberalization to secure four consecutive presidencies. While much of Latin America moved left, how did the right maintain power in El Salvador for nearly two decades? Conservative victories are particularly striking given El Salvador's revolutionary legacy and yawning income disparities.

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This article argues that ARENA exploited popular frustration with crime to secure electoral majorities and unite the party. Given escalating crime across Latin America, public security may prove an important campaign issue for conservative parties that lose their economic and moral appeal. Crime is a rare issue of national importance that cuts across class and ideological lines. However, the question of how conservative parties in the region use public security issues has received little attention, although it is a key puzzle for scholars interested in the political repercussions of rising crime. Through a case study of postwar El Salvador, this article examines the process by which conservative political elites decide to politicize crime through the promotion of *mano dura* ("strong-handed") policies.

While rising crime rates and citizen concern place security on the political agenda, this article underscores the importance of electoral and organizational incentives to explain when parties politicize crime. The central argument is that decisions to implement punitive policies hinge on both inter- and intraparty competition. First, conservative party leaders are more likely to implement *mano dura* policies when the left resists militarized security policies and defends individual rights. Second, party strategists emphasize crime when economic policy divisions rack the right. Citizen security, a valence issue that plays to the right's roots in the defense of social order, can buttress internal party cohesion.

In El Salvador, ARENA politicized crime when it faced a strengthening left that opposed *mano dura* policies and a fragmenting right that benefited unevenly from market reforms. It pursued technocratic security reforms when these conditions eased. This article is the first to trace internal party debates on criminal justice policy. It draws on dozens of firsthand interviews with party members and policy makers, as well as party documents and newspaper reports. It underscores that ARENA's centralized internal direction permitted party leaders to redefine the cleavage around which politics was oriented from class and wartime affiliations to public security. This article builds on research on how parties' organizational structures and power struggles shape their responses to external challenges (Panebianco 1988; Levitsky 1998; Kitschelt 1994). It also contributes to a limited literature on conservative parties in Latin America (Chalmers 1992; Gibson 1996; Middlebrook 2000; Luna and Rovira Kaltwasser forthcoming).

This article proceeds in four sections. The first section proposes a more precise definition of *mano dura* policies defined by three elements: the introduction of discretionary crimes, suspension of procedural rights, and military involvement in policing. The second offers a brief literature review and the theoretical argument. The third develops the argument through an analysis of *mano dura* policies in postwar El Salvador. Finally, the conclusion reflects on the recent political convergence on crime policy in Central America.

#### DEFINING MANO DURA POLICIES

As crime rates have edged up across Latin America, political parties have differentiated their positions on criminal justice policy. Beyond proposals for longer prison sentences and more police on the streets, what is often called penal populism, politicians have pushed *mano dura* policies. *Mano dura* policies represent

a more radical trend, in which institutional weakness is used to undermine core tenets of “third wave” justice reforms. Colloquially, *mano dura* refers broadly to repression or an “iron fist.” The literature in political science and sociology uses the term as shorthand for a variety of concepts: informal police brutality (Pereira and Ungar 2006; Brinks 2003), politicians with authoritarian tendencies (Chevigny 2003), illiberal or nondemocratic political preferences (Pérez 2003; Seligson 2003; Malone 2010), and extrajudicial retribution committed by citizens (Godoy 2006; Goldstein et al. 2007). Public opinion surveys, such as Americas Barometer, operationalize *mano dura* as a preference for decisive leadership as opposed to participatory decision making. This article proposes a more precise conceptualization of *mano dura* policies as a trio of criminal justice reforms that promote discretionary crimes, constrict due process rights, and involve the military in policing. *Mano dura* policies are formal measures that open the door to informal police abuse. These policy reforms have formed core electoral proposals in El Salvador, Guatemala, Honduras, Costa Rica, and Panama. This section develops the concept and applies it to the case of El Salvador.

First, *mano dura* policies introduce discretionary crimes, meaning laws that allow police to arrest suspected criminals on subjective evidence. The most prominent contemporary examples are associational laws like those passed in El Salvador and Honduras that ban gang membership as determined by appearance and affect alone.<sup>1</sup> Another class of discretionary crimes, long the norm in Latin America, penalizes minor offences like loitering, public nuisance, and vagrancy. The Honduran Law of Police and Social Coexistence allows police to detain “vagrabonds,” defined ambiguously as people who have no “licit purpose” in a neighborhood. The Salvadoran Anti-Maras Law likewise grants the police the power to detain anyone “found wandering about without an identity document . . . without justified cause.” Such vague laws allow the police almost unlimited discretion as to who and what conduct qualifies as criminal. International judicial reform projects encouraged Latin American governments to convert most minor offences into civil misdemeanors to avoid police abuse and prison overcrowding. *Mano dura* policies reverse the trend by imposing criminal penalties for minor offences.

Governments pass discretionary laws on the grounds that identifiable criminals exist in society, but they are not detained due to legal constraints. As the former legal adviser to the police in El Salvador lamented after the Supreme Court found antigang legislation unconstitutional, “Today, I look at a gang member, I see the scars that show he has killed five people, and I can’t do anything. We, as police, can’t do anything. That’s why we need this [antigang] legislation.”<sup>2</sup> Mass detentions, though with near-immediate release, are the likely by-product of dis-

1. In El Salvador, the Anti-Maras Law (Decree No. 158, 2003) makes gang membership punishable by a prison term of two to five years and allows punishment of people who identify themselves with gangs through tattoos, signs, or meeting locations. In Honduras, legislators amended the criminal code to criminalize “illicit association” and to allow police to detain individuals on the basis of tattoos, insignia, and other characteristics suggesting gang membership (Decree No. 117, 2003).

2. José Posada Sánchez, interview by author, San Salvador, August 9, 2006.

cretionary crime statutes and a source of their political appeal. The police gain license to sweep poor neighborhoods. The Salvadoran antigang law resulted in the arrest of twenty thousand suspected gang members in a single year of operation, 84 percent of whom were released without charge (Fundación de Estudios para la Aplicación del Derecho 2005).

Second, the expansion of crimes under *mano dura* policies occurs in tandem with a reduction in procedural rights guarantees for suspects. Criminal procedure reforms promoted by international donors in the 1990s demarcated strict limits on pretrial detentions, banned extrajudicial confessions, limited unauthorized searches and seizures, established protections for minors, and increased evidentiary standards. *Mano dura* policies can undercut these hard-won, though fragile, reforms. In this respect, *mano dura* policies diverge from their inspiration, North American “zero tolerance” policies (Ungar 2009, 95). Zero-tolerance policies stress targeting petty crimes, but on paper they maintain (or augment) individual rights protections and police oversight. In New York City, for example, the police increased training and improved complaint procedures and detainee processing. These safeguards did not stop abuse (Chevigny 1995). Nonetheless, *mano dura* policies differ in that they erode procedural guarantees *de jure* rather than *de facto*.

Politicians claim that collective security requires relaxed individual rights. Alluding to El Salvador’s criminal procedure code, President Francisco Flores pitched *mano dura* policies as a “counterweight to the passive and protectionist attitude toward criminals caused by a set of laws that protect criminals over citizens.”<sup>3</sup> Honduran top officials likewise have criticized the “guaranteeist” nature of criminal procedures (Cáliz 2006, 38). The complaint is one of institutional fit: weak judiciaries cannot convict “criminals” with the legal protections afforded in advanced democracies.

A final defining feature of *mano dura* policies is the use of the military in internal security functions. The involvement of the armed forces in domestic security is a departure from efforts to segregate military and civilian affairs. Reforms that accompanied democratic transitions tried to curtail military involvement in domestic security through the establishment of civilian police forces and command, legislative oversight, and police doctrines that emphasize the protection of citizens (Call 2002, 7). Most countries in the region have constitutional provisions that allow troops to buttress civilian forces during national crises as a temporary measure to reassert control. The ambiguity, and the distinctive use of the military under *mano dura* policies, comes when the armed forces assume a more permanent role in the control of organized, gang, or common crime. The Salvadoran Constitution, for example, bars the use of the military for internal security except under exceptional circumstances to maintain “internal peace, tranquility, and public security” until “order is reestablished.” The emergency can last for no more than six months, after which point legislation must be passed. Despite legal limitations, the military has participated in joint urban security patrols from

3. “Mensaje presidencial,” *La Prensa Gráfica*, July 24, 2003.

2001 until the present, moving toward what Call (2002, 6) labels a “permanent supplemental mission.” The Guatemalan Peace Accords similarly state that the military no longer has responsibility for internal security, but the army regularly buttresses police patrols.

Turning from the concept to preview the case, El Salvador illustrates the historical use, repeal, and regress to *mano dura* policies. During most of the twentieth century, the Salvadoran state relied on discretionary arrests, shoddy due process rights, and military control of internal security. A social defense law (*Ley de Estado Peligroso*), passed in 1953, criminalized misdemeanors and authorized broad police powers. At the war’s end, the UN Observer Mission in El Salvador (1993, 115) found arbitrary police detentions for misdemeanors such as vagrancy, “known thief,” and public drunkenness the “central problem involving violations of the right to liberty.” Courts accepted extrajudicial confessions, held suspects without charge, limited access to counsel, and abrogated habeas corpus during frequent states of emergency. Suspects detained as alleged subversives or terrorists often languished in prison without charge or access to counsel (Popkin 2000, 27–35). The military directed internal security. Forces were commanded and staffed entirely by active-duty officers and were oriented toward defending the state from counterinsurgent threats. For instance, the National Guard was explicitly charged with the suppression of labor and communist unrest (Amaya 2006, 132–133).

The 1992 Chapultepec Accords ended the civil war and aimed to demilitarize Salvadoran society. Given past abuses, Farabundo Martí National Liberation Front (*Frente Farabundo Martí para la Liberación Nacional*, FMLN) negotiators insisted on the creation of a new police force subordinate to civilian authorities. Accords detailed procedures for the police’s creation, composition, and control. Much less concrete changes occurred to judicial institutions and criminal law (for a detailed analysis of the police reforms, see Call 2003; Stanley 2003; for the comparative neglect of judicial reforms, see Popkin 2000). Not until 1998 did the government implement a new criminal code and criminal procedure code, as recommended by the Truth Commission. Key reforms established strict limits on pretrial detention, separate procedures for juvenile offenders, a prohibition on extrajudicial confessions, and fines for misdemeanors (Popkin 2000, 218–235). *Mano dura* policies were not continuations of wartime policies; they halted and later overturned reforms that had international backing and domestic legitimacy as part of the peace agreements. Moves away from *mano dura* policies, however, were short lived, giving reforms little time to consolidate and shift informal institutional practices.

In the postwar period, El Salvador pursued two sets of *mano dura* policies, considered in greater detail here. In 1996, the legislature passed emergency measures to expedite legal procedures against criminals, to increase penalties for serious and minor crimes, to allow troops to join rural police patrols, to permit juveniles to serve in adult prisons, and to establish criminal penalties for “illicit association.” The changes undermined reforms that were the backbone of judicial reform projects. Donors criticized them doggedly. The emergency law constituted

the first *mano dura* policy in postwar El Salvador, although it was repealed within months. In 2003, the Salvadoran legislature passed another comprehensive set of *mano dura* policies. Most notably, these policies criminalized gang membership (amended to “illicit association” in 2004 to skirt legal objections), relied on joint military-police sweeps, and broadened powers to arrest and detain suspects. This article focuses on these consequential sets of reforms, glossing over many other minor reforms.

#### EXPLAINING MANO DURA POLICIES

Having defined *mano dura* policies, the logical question is why they have emerged. A review of the literature on crime control suggests three main explanations based on crime rates, public opinion, and partisan ideology. This article shows how these factors shape the choices of party actors. The focus, however, is on the strategy and agency of the conservative party. Electoral threats and internal party divisions shape when conservative parties politicize crime.

First, the explanation of *mano dura* policies that looks to crime rates alone is insufficient. A rise in crime and violence may compel states to resort to drastic security policies. *Mano dura* policies have emerged in countries with high rates of common and organized crime, even by dim regional standards. In El Salvador, more than sixty thousand homicides have occurred since the war’s end, compared to seventy-five thousand war deaths (in a country of five million people). More than ten homicides occurred per day in 2011. But fluctuations in the crime rate cannot account for patterns of policy implementation across space and time. In advanced democracies, incarceration rates and sentencing policies bear little relation to crime trends (Nelken 2011, 11–14). In Latin America, high-crime countries, such as Brazil, Colombia, and Venezuela, largely have avoided national-level *mano dura* policies. Comparatively low-crime countries like Costa Rica, Peru, Argentina, and Chile have contemplated elements of *mano dura* policies. Across time, this explanation also falls flat in El Salvador. Figure 1 illustrates that El Salvador resorted to *mano dura* policies when homicide rates, the most reliable proxy for crime, eased. Although crime encourages politicians, the media, and citizens to place security on the agenda, additional factors are needed to gain leverage on when and how crime becomes politicized.

A second explanation centers on concern about crime. Actual and perceived crime rates are often out of sync. Crime fears may respond to changes in media coverage or in the quality of violence, such as the rise of criminal gangs (like the Central American *maras*) or public killings. In developed countries, politicians have been found to increase incarceration in response to citizen fears, regardless of crime trends (Peffley and Hurwitz 2010, 140–146). But there are often disconnects between opinion and action. Public opinion, for example, was more punitive than policy in the United States and United Kingdom until the 1960s (Garland 2002, 51). Moreover, theories that link public preferences to policy outcomes often gloss over an endogeneity problem: political decisions also sculpt crime fears. Oliver (1998) shows that, controlling for the crime and unemployment rate,



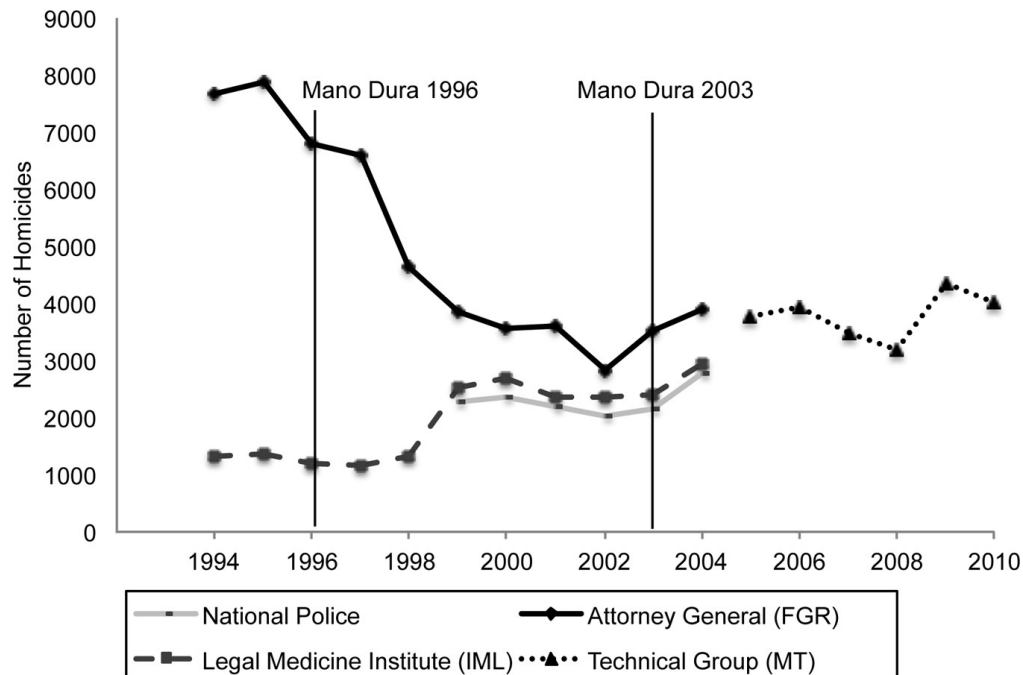


Figure 1 Homicides in El Salvador, 1994–2010

Source: Homicide data compiled from the Fiscalía General de la República (FGR), Instituto de Medicina Legal (IML), Policía Nacional Civil (PNC), and Mesa Técnica (MT).

Note: IML data only include the metropolitan area before 1999.

American concern about crime lags the president's attention to the issue, not vice versa. Beckett (1999) similarly argues that public opinion followed, rather than led, American political mobilizations around crime. The data, though noisy, suggest analogous patterns in El Salvador. Citizens consistently have named crime as one of the country's most pressing problems since the 1990s. However, figure 2 illustrates that public preoccupation with crime reaches its apex after politicians advocate *mano dura* policies.

Crime fears also do not translate neatly into policy preferences. Latin American public opinion surveys suggest that crime concerns and victimization are associated with greater support for authoritarian government, due process restrictions, vigilante justice, and police action at the margin of the law (Pérez 2003; Seligson 2003; Malone 2010; Bateson 2012). Yet support may be inflated by questions that ask whether respondents approve of punitive policy options. In the United States, when questions are reframed to ask citizens what they consider the most effective approach to crime prevention, diverse answers emerge (Peffley and Hurwitz 2010, 173). Likewise, a plurality of Salvadorans in the 1990s blamed structural conditions for crime. They supported strict laws but believed those laws would not reduce crime. Only as politicians focused on the failings of legal reforms did citizens begin to believe that laws could improve security (Amaya 2006, 137; Cruz

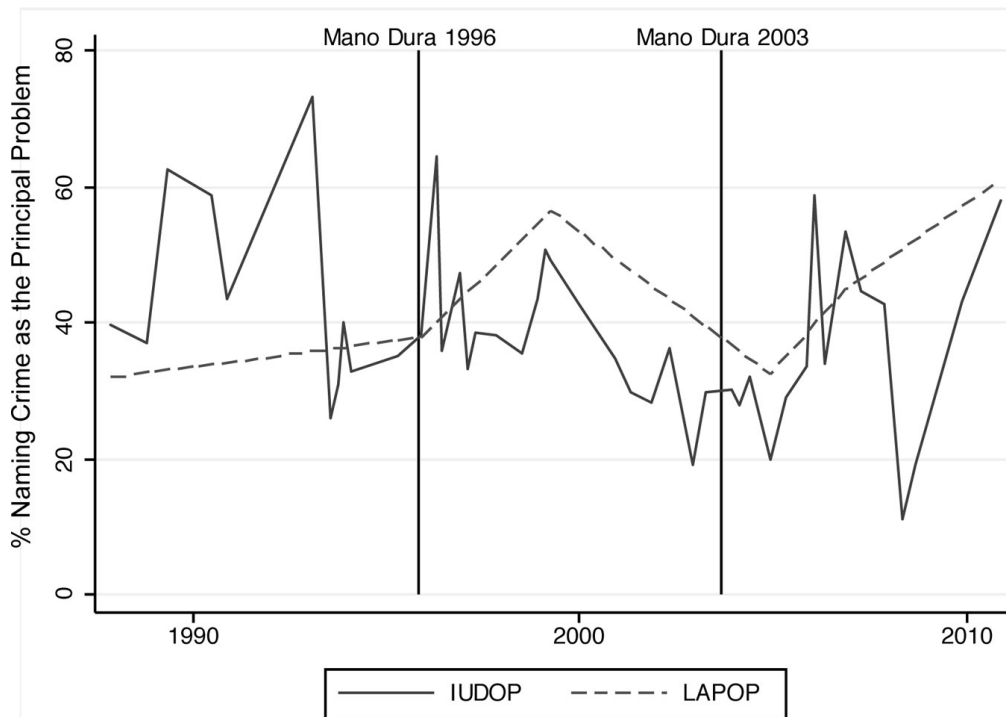


Figure 2 Perceptions of crime as a problem in El Salvador, 1987–2010

Source: Compiled from IUDOP and LAPOP: "In your opinion, what is the principal problem that faces El Salvador?"

2006, 165). Political actors can mediate how citizen insecurity translates into policy preferences.

Third, penal policies are often traced to partisan ideology. The most basic argument posits that conservative politicians favor and implement punitive approaches to crime on the basis of ideological principle. Beckett and Western (2001, 54) find, for example, that imprisonment rates are higher in US states with greater Republican legislative representation. A variant on this approach asserts that conservative politicians use punitive crime policies to control orthogonal social issues, such as race, immigration, and inequality. In the American context, incarceration policies disproportionately harmed black communities and thus played to conservative anxiety about racial integration in the 1960s (Weaver 2007, 230; Beckett and Sasson 2000, 58–68). Wacquant (2003) views *mano dura* policies as disguised ways to demonize and control the poor. Yet theories that focus on conservative issue displacement offer imprecise predictions about how social anxiety translates into crime policy. They also imply that repressive policies meet with opposition from the marginalized group and cleave the electorate on these social boundaries. This article contributes to the literature by showing how conservative parties strategically politicize crime to build crosscutting electoral coalitions.



It is precisely the appeal to lower-class voters—who also suffer the policy consequences—that leads the right to use *mano dura* policies.

Security platforms can help conservative parties resolve their fundamental democratic dilemma. Conservative parties generally draw their core constituencies, meaning “those sectors of society that are most important to its political agenda and resources,” from the upper strata of society (Gibson 1996, 7). The upper strata are by definition in the minority, so conservative parties must construct cross-class coalitions without alienating their core constituency. Ideologically, the right resists state action to correct market inequalities, which creates a structural bind in unequal countries where the poor are expected to favor redistribution (Luna and Rovira Kaltwasser forthcoming). Rising secularism, Soviet collapse, and neoliberal economic policies have discredited many conservative programmatic appeals. The need to expand the right’s natural constituency creates incentives to orient programmatic competition away from distributive politics.

Law and order offers an attractive route for conservative parties to forge programmatic linkages for two main reasons.<sup>4</sup> First, security is a salient issue that transcends class and ideology. Across Latin America, the proportion of citizens that name crime as the most serious national problem is similar irrespective of political ideology (Wiesehomeier and Doyle forthcoming). Crime concerns socio-economic groups in roughly equal proportions (Latin American Public Opinion Project [LAPOP] 2006). Moreover, Bateson (2012) shows that crime victims participate more in politics than comparable nonvictims, which makes them a key segment of the electorate. Security appeals thus counter distributive cleavages that favor the left and mobilize voters.

Second, conservative parties have a comparative advantage in touting their security credentials. Crime can be viewed as a valence issue in which parties advertise their unique competence to achieve shared security goals. Parties born of military regimes can invoke memories of a period of less common crime (albeit one with more political violence). They can draw on language, figures, and founding myths from periods of authoritarian control to lend credibility to claims that they will provide security at all costs. Crime thus provides an opportunity to revive party brands by applying old tropes about “social order” to new threats. Admittedly, the challenge is to invoke historical credentials without alienating moderate voters. But the right successfully has marshaled the popularity of *mano dura* policies among voters as evidence of their “democratic” nature.

Coalition incentives and brand advantages, however, predict the frequent resort to crime on the campaign trail by the right. An empirical paradox arises in that many Latin American conservative parties have delayed, resisted, or oscillated in politicizing public security (Weyland 2003, 9). Two main factors help explain when conservative parties politicize crime. First, although crime is in many

4. This article focuses on the programmatic adaptation of the right while largely ignoring the party’s particularistic linkage strategies. The emphasis stems from the empirical fact that party leaders prioritized programmatic adaptation and the normative claim that programmatic linkages improve the quality of democracy (Kitschelt et al. 2010, 21–22). Nonetheless, clientelism remains a way to secure support for the left and right, particularly at the subnational level.

ways a valence issue, the operational pursuit of security requires policy choices. The political utility of *mano dura* policies depends on the left's position. Conservative parties are more likely to take issue ownership and politicize crime when the left defends individual rights and civilian policing. As Yashar (2011, 202–205) sketches, the majority of leftist parties have played a reactive role in citizen security policy. Faced with an opponent without a convincing counterproposal, the right positions itself as a responsive party. The left is caricatured as obstructionist because of its defense of human rights (voiced by politicians or civil society groups). However, the left's willingness to sacrifice civil liberties and call on the military has varied over time, which partially explains the right's calculations about the electoral utility of security appeals.

Second, internal party politics shape crime policies. Conservative elites can face internal pressure to abandon market reforms. Elites dependent on protected industries or on clientelistic linkages suffer under policies that open markets and shrink state bureaucracies. Internal fissures over economic issues make the politicization of crime more likely, as a way to satisfy dissident factions and rearticulate linkages to low-income bases. In particular, competition from the far right within (or outside) a conservative party can push strategists to buttress party unity through its security agenda. Notably, although the incentives to adapt come from electoral challenges and party schisms, the capacity of parties to reconfigure their programmatic agenda may depend on their internal structure. Centralization of decision making and limited ties to pluralist groups increase leaders' ability to strategize and broker compromises, particularly on issues other than economic policy.

As the following section develops empirically, this article integrates theories focused on objective and subjective crime trends into a party-centered model of crime policy. Party leaders act in an environment of crime and citizen frustration, but their strategic choices depend on electoral threats and intraparty conflict. Although the focus is a single-country case, changes in party conflict and competition are traced across time to increase the number of observations.

#### THE WINNING STRATEGY IN EL SALVADOR

At the core of *mano dura* policies lies the ARENA party. Electoral calculations compelled the party to adapt its programmatic agenda. First, ARENA turned to *mano dura* policies when it faced challenges from the hard right within and then outside the party. In particular, ARENA lost the support of traditional agro-export elites and rural voters as it implemented a neoliberal economic agenda. In 1997, *mano dura* policies were designed to mollify traditional elites and rural voters. In 2003, *mano dura* policies helped counter the growing strength of the rival conservative party, the National Conciliation Party (Partido de Conciliación Nacional, PCN). Second, the growing cohesion and popularity of the left—evidenced by strong showings of the reformed FMLN in legislative and municipal elections—pressured ARENA to find new issues to attract urban and poor voters. *Mano dura* policies provided a rare way to connect to poor voters skeptical of the party's distributive promises. The FMLN's criticism of *mano dura* policies gave

ARENA a programmatic advantage. This section teases out how ARENA's centralized leadership designed these strategic appeals.

By the end of the civil war in 1992, ARENA had developed into a formidable political party with a broad political base, strong internal discipline, and sophisticated public relations. Support for democratization expanded the appeal of the party and patronage networks penetrated the countryside. The ARENA party united a diverse political constituency: agrarian elites, urban middle-class sectors, modernizing business elites, small-business owners, and rural voters. Rural voters and urban middle-class groups formed the strongest party supporters, and the party was weakest in the urban informal sector (Wood 2000a, 246–249). In the 1994 founding elections ARENA won by a comfortable margin, taking 68 percent of the second-round presidential vote and thirty-nine of eighty-four legislative seats.

Beginning in the 1997 municipal and legislative elections, ARENA elites began to use crime as an electoral issue. A fierce crime wave accompanied the democratic transition. The civil war had ravaged rural communities, primarily in the north and east of the country. Only 5 percent of human rights abuses reported to the Truth Commission occurred in major cities. In the immediate aftermath of war, much of the violence reflected these patterns and the interior registered the highest homicide rates (Cruz, Trigueros, and González 1999, 19). Criminal groups evolved from former guerrilla, military, and civil defense units, exploiting the availability of arms and limited territorial coverage of the newly formed police. At the same time, ARENA's popularity plummeted from a peak of 60 percent during the transition to around 30 percent. A surge in inflation, unemployment, crime, and rumors of a coup contributed to a sense of poor governance. Figure 3 shows ARENA's declining legislative and municipal control. The 1997 legislative election represented an important juncture as the first truly contested race in Salvadoran politics.

Internally, ARENA was divided. Tensions between a modernizing business sector and traditional agricultural oligarchs had emerged in the 1960s and intensified during the war. In the postwar period, factional conflict erupted along two major axes: economic and criminal justice policy. First, structural shifts in the economy saw the urban financial and business sector gain economic and political power. Wood (2000b) argues that the power shift toward modernizing elites was pivotal to ARENA's transformation and the war's resolution. President Alfredo Cristiani, who led the government into peace negotiations, represented the party's modernizing business segment associated with neoliberal economic policies. With the Chilean experience in mind, the business-oriented flank pushed the overvaluation of exchange rates, privatization, deregulation, and weak capital controls. Peace boosted growth, although the benefits concentrated in the financial industries and service sector. Meanwhile, traditional elites tied to agricultural export crops like coffee suffered precipitous declines in exports. They complained that ARENA's policies favored urban business sectors and that the "financial oligarchy" (or "mercantile right") dominated party decisions (Moreno 1997).<sup>5</sup>

5. Alfredo Mena Lagos, former COENA member and former head of the Presidential Commission for State Modernization, interview by author, San Salvador, August 6, 2006.

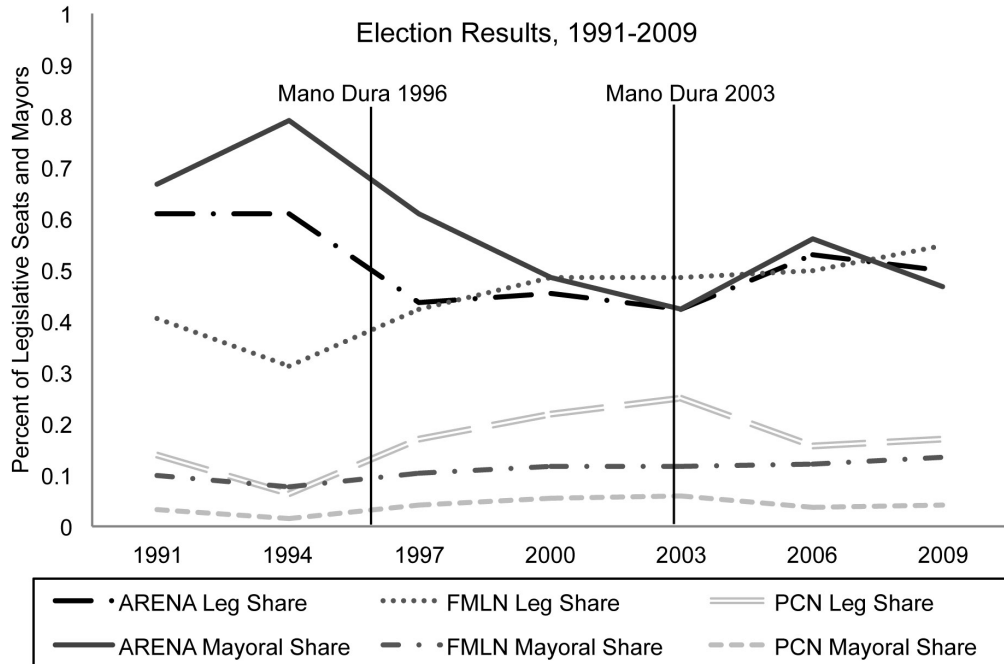


Figure 3 Legislative and mayoral election results, by party, 1991–2009

Source: Tribunal Supremo Electoral de El Salvador.

A second point of contention was criminal justice reform. During the peace negotiations, ARENA and FMLN negotiators had agreed on a series of limited reforms meant to promote greater judicial independence and professionalism. Yet the revisions were partial. The United Nations designated passage of criminal justice legislation as an outstanding commitment to the peace accords. Business elites tended to support judicial reforms to foment investor confidence and, for a minority, to complete the democratic transition. Objections to judicial reforms came from traditional agrarian elites. The traditional faction contended that legal reforms offered excessive guarantees to criminal suspects and compromised citizen security. One of the most prominent traditional elites, former Supreme Court President Gabriel Gutiérrez Castro, berated the “permissive” reforms as “dangerous constraints” on police action (Popkin 2000, 223).

The internal schism was unusual for ARENA, which is a highly centralized and historically cohesive party.<sup>6</sup> The National Executive Committee (COENA), a body of fifteen members, directs decisions about campaign strategy, ideology, and candidates. As a former ARENA senator explains, “COENA had the final word on what posters you used, what slogans and songs you had, and what the party stood for.”<sup>7</sup> Other than the business and agricultural associations that form the

6. The party’s leadership centralization has become a liability of late. Complaints about limited participation and the monopolization of party control by sitting presidents led to the formation of a new conservative party (Gran Alianza por la Unidad Nacional, GANA) in 2009.

7. Carlos Coto Guzmán, interview by author, San Salvador, July 14, 2009.

party's core, pluralist groups do not constrain the party. Vertical party networks, structured through departmental directors, ensure territorial diffusion of committee decisions. Given its power, postwar factional struggles translated into intense battles for control of COENA and thus the party.

To influence bids for party control, traditional elites leveraged popular mobilization over a rural crime wave. In March 1996, the Committee in Defense of Usulután, a group formed by merchants, industrialists, and large landowners, led protests. Usulután, in the east of the country, faced a serious wave of kidnappings and extortions following the war. More than a decade of wartime mobilization in Usulután had left behind a network of civic organizations. Civil society groups launched a commercial strike that paralyzed business and catalyzed stoppages in other secondary cities.

Traditional ARENA elites appeared at the crime rallies. Elites attempted to use popular support to enhance their bargaining position within ARENA before legislative and municipal elections. Although many shared popular anxiety about crime, they also linked security demands to their broader discontent over economic policy and party direction. For example, Senator Orlando de Sola, a critic of the business faction's dominance, summarized the dual critiques: "The financial sector continues to receive goodies, privatization of state industries, economic protections, and judicial reforms, while the rest of the population debates poverty and unemployment, all part of the boiling pot of crime. We, as a party, need to start talking about these big issues and stop letting the interests of the financial sector dominate."<sup>8</sup> Politicians encouraged protesters to demand military participation in policing and harsher laws to fight crime. The maneuvering was intended to shift policy and political power to traditional elites.<sup>9</sup>

Party documents indicate that the strategy of agrarian elites to emphasize crime worked to shift the party's focus. In particular, leaders calculated that an emphasis on security would help retain support among rural voters. For example, a memo from the executive committee argues for a shift in platform: "The events of March 1996 show that we have marginalized and neglected a major segment of the population. The leadership demonstrated by Gutiérrez Castro in addressing these sentiments should provide an example to all party members and signal a new direction for the party to maintain the support of voters outside the capital."<sup>10</sup>

With impending elections, President Armando Calderón Sol convened a meeting of party leaders to draft anticrime measures. The legislature passed emergency measures that eroded legal protections, allowed the military to join police patrols, and increased penalties for minor offences. ARENA legislators unanimously approved the *mano dura* legislation. The swift reaction of COENA and uniform party support underscore ARENA's high levels of discipline. Nonethe-

8. "Derecha mercantilista tiene el suficiente poder económico para controlar al aparato político," *El Diario de Hoy*, August 26, 1997.

9. Alfredo Mena Lagos, interview.

10. COENA, "Apuntes sobre el proceso electoral," San Salvador, April 23, 1996.

less, the consensus reached cannot be taken for granted. Business elites remained focused on pending legal reforms and business associations questioned “populist” measures.<sup>11</sup> Then UN secretary-general Boutros Boutros-Ghali observed that the law “constituted a retrocession in the presumption of innocence, the non-retroactive character of criminal law, extrajudicial confessions, and treatment of juvenile offenders.”<sup>12</sup> The United Nations, the US Agency for International Development, and the World Bank counseled against the measures and threatened to withdraw aid. Ultimately, the legislation straddled factional preferences: it went beyond the desires of business in rejecting international advice, but it stopped short of the demands of traditional elites. The traditional faction had pushed for a social defense law that would ban “antisocial, immoral or harmful behavior.” But in August 1996, the Supreme Court, which had gained significant independence and faced international scrutiny, declared the emergency measures unconstitutional. ARENA shelved proposals for social control measures.

With the repeal of the emergency provisions, business elites were unable to accommodate the preferences of hard-line party members. A major fracture ensued. More than one hundred members and a third of ARENA’s legislators left for the party’s historical ally, the PCN. Defectors complained that decisions were centralized in the hands of financial elites, that economic policy ignored agriculture, and that judicial reforms failed to consider the crime affecting ordinary Salvadorans. The PCN designed a popular platform that pledged greater attention to crime, unemployment, and the rural sector (Acevedo 1998, 211–213).

ARENA maintained its focus on crime through the 1997 legislative campaigns. Calderón Sol designed a rural crime strategy in conjunction with landowners in October 1996. Joint military and police patrols deployed to the countryside. ARENA candidates mobilized rural voters in favor of the plan, and it received strong backing in rural areas (Instituto Universitario de Opinión Pública [IUDOP] 1997). In contrast, FMLN legislators largely avoided a confrontation over public security and divided internally. Some FMLN members emphasized that increased social spending would address the causes of crime and consolidation of institutional reforms would lower the crime rate.<sup>13</sup> Other FMLN leaders, most notably former commander Joaquín Villalobos, backed *mano dura* policies and questioned the suitability of due process protections for an “immature” democracy (Zilberg 2011, 169–170). Civil society organizations associated with the left

11. For example, the Salvadoran Chamber of Commerce, an organization with strong ties to moderate ARENA elites, proposed calm in seeking a “joint, rational resolution” to the crime problem. The National Association of Private Enterprise (ANEP), the most prominent private business association, remained neutral on the matter. In its commentary, the Salvadoran Foundation for Economic and Social Development, a private conservative think tank with close ties to the financial elite, complained that the law used “public complaints” to make complex decisions about judicial reforms (Fundación Salvadoreña para el Desarrollo Económico y Social 1996).

12. “No pide mano dura contra el crimen: Boutros Ghali,” *La Prensa Gráfica*, March 27, 1996.

13. Lorena Peña Mendoza, FMLN senator, interview by author, July 17, 2009; former FMLN legislative aide, interview by author, San Salvador, July 11, 2009. Peña and a group of fourteen FMLN legislators even boycotted a session of Congress in June 1996 to protest the government’s handling of crime policy and poverty relief.



also denounced the law as unconstitutional and as a political manipulation of citizen fears.<sup>14</sup>

The emergency measures interrupted progress toward judicial reform. Nonetheless, the legislature implemented an overhauled criminal code and criminal procedure code in line with international recommendations in 1998. With elections two years off and mounting donor pressure, ARENA supported the reforms. Top security officials denounced the reforms immediately. Minister of Public Security Hugo Barrera called the codes “the principal problem in public security because they provide excessive protections to criminals.”<sup>15</sup> Then national police chief Rodrigo Ávila attributed 40 percent of crimes to inadequate legal provisions, despite rising convictions under the reformed laws. He decried the laws as “completely foreign to the reality that this country lives.”<sup>16</sup>

In October 1998, business groups staged a general strike in protest of soaring crime. The strike culminated in the presentation of a bill to reform thirty articles of the newly minted criminal code. The government praised the action and even pressured broadcasters to carry the demonstrations live.<sup>17</sup> However, ARENA did not repeal the criminal code as protesters demanded. Popular pressure alone did not budge criminal justice policy.

ARENA's turn away from *mano dura* policies can be explained by the electoral context. The far right remained disorganized, and the left ran an extreme candidate. The polarization allowed ARENA to stake out a moderate platform that avoided the ire of international donors and wooed centrist voters. ARENA selected an academic and party outsider, Francisco Flores, as its candidate. Flores ran on the platform “Alliance for the Future,” which included a security flank that emphasized prevention, community policing, social rehabilitation, and improvements in the efficiency of security institutions.<sup>18</sup> More broadly, the party emphasized its moderation. Then COENA president Cristiani explained, “This election will move ARENA past the war with broad citizen alliances, while the FMLN remains stuck in the past.”<sup>19</sup> Indeed, the FMLN was mired in discussions of how revolution, socialism, and popular participation fit with party politics (Zamora 2003, 133). The party selected guerrilla commander Facundo Guardado as its presidential candidate. Guardado garnered little support outside party ranks. The FMLN proposed state modernization, economic reform, and zero-tolerance policing, which gave ARENA little edge on security issues.<sup>20</sup> A former ARENA senator explained that the party “had no reason to politicize [crime] before the election,” given an extremist opponent who “tried to be tough” on crime.<sup>21</sup> Director of ideology for ARENA, Walter Araujo, who had supported the initial criminal

14. “Repudian ley de emergencia contra delincuencia,” *AFP*, March 30, 1996.

15. “Aquí se protege más a los delincuentes: Hugo Barrera,” *La Prensa Gráfica*, May 1, 1999.

16. “Nuestras leyes son blandengues,” *La Prensa Gráfica*, January 1, 2000.

17. “Cristiani y la estrategia,” *El Diario de Hoy*, September 20, 1998.

18. “ARENA y sus alianzas en el interior,” *La Prensa Gráfica*, February 1, 1999; “Los ejes del plan,” *La Prensa Gráfica*, June 3, 1999.

19. “Cristiani y la estrategia.”

20. “FMLN revela plan de gobierno,” *La Prensa Gráfica*, February 16, 1999.

21. Arturo Argumendo, interview by author, San Salvador, August 4, 2006.

code reforms, declared that the party would not “move backwards” by reversing criminal code reforms.<sup>22</sup> ARENA had a wide margin to maneuver, with a lead of twenty percentage points over an extreme leftist candidate willing to ramp up security. The party thus defended criminal justice reforms in the face of popular pressure.

The Flores administration initially followed a technocratic approach to crime control. Government officials cooperated with the United States to establish a community policing system and to digitize crime databases. The government also strengthened accountability mechanisms for public security entities and invested in criminal investigations (Popkin 2000, 192). Flores (2005) emphasized the need to deepen, not reverse, judicial reforms. Flores did, however, increase the use of the military and deploy joint patrols to urban areas. As a member of the executive branch’s legal reform team explained, “Before ARENA started to think about elections, the concern was to reduce crime through a comprehensive approach: better police, more social programs, more international cooperation. It is much easier to attack the law and ignore the economic and institutional factors that underlie crime.”<sup>23</sup> Public concern about crime dropped (IUDOP 2001). Meanwhile, citizens’ outrage with dollarization and economic strains caused by two powerful earthquakes brought distributive politics to the fore.

The FMLN’s gathering electoral strength prompted ARENA to shift tactics. The FMLN increasingly projected a centrist image and made gains in municipal and legislative elections. In a true first, the FMLN won the popular vote in the 2003 legislative elections. Its “common front against neoliberalism” platform resonated with voters disillusioned with the government’s economic policy. Convinced that the right had lost ground because it failed to appeal to the downtrodden, ARENA strategists needed an issue that resonated across classes.<sup>24</sup> Also, ARENA faced increasing competition from its traditional ally, the PCN, which gained among rural voters through its pledges to support agriculture and stiffer criminal laws. Faced with the threat of defeat in the 2004 presidential elections, party leaders united to revitalize ARENA.

The ARENA party leaders proposed a new electoral strategy. First, COENA criticized the Flores administration for failing to attend to a broader social agenda. The need for business elites to grant economic concessions became inescapable. Flores introduced a host of popular measures that he had eschewed for most of his tenure, including agricultural subsidies, public health insurance, electricity market regulation, and other favors to special-interest groups. The policies showed substantial moderation and aimed to reverse the party’s tumbling popularity on distributive issues.

Second, the committee sought to broaden ARENA’s electoral appeal, particularly to rural voters who had defected to the PCN and poor voters attracted to the FMLN’s economic agenda. While responding to genuine frustration with crime, party strategists specifically designed their appeals to gain votes both from the

22. “Reformas,” *Proceso*, May 12, 1999.

23. Delmer Rodríguez, interview by author, San Salvador, April 14, 2009.

24. Francisco Zavala, interview by author, San Salvador, July 19, 2009.

far right and left through *mano dura* policies. The PCN had staked its campaign on two issues: public security and agricultural policy. Impending discussions for the Central American Free Trade Agreement shelved the latter, but ARENA could regain votes and even lure PCN elites back into the party folds by tackling crime and reorganizing the party structure. Indeed, the PCN failed to gain sufficient support in the 2004 elections to maintain its party registration. A handful of prominent elites returned to the ARENA folds. Second, ARENA had steadily lost support among urban voters to the FMLN's agenda. Security was a rare issue that could compete with the FMLN's social platform that promised jobs, free health care, and increased education budgets. By 2004, crime was largely an urban phenomenon, and civil war violence explained less than 5 percent of the variation in homicide rates. Antonio Salaverria, then-COENA president, summed up the combination of economic moderation and *mano dura* policies: "All former ARENA voters, and even those who never cast a ballot for the party, should find something appealing about the new look."<sup>25</sup>

ARENA selected another party outsider to promote its moderate profile. Antonio Saca was a popular sports newscaster without political experience. COENA directed the party apparatus to mobilize support of *mano dura* policies before elections. First, President Flores introduced Plan Mano Dura in July 2003 to highlight its immediate results—thousands of detentions—before the election. Second, ARENA launched a publicity campaign. COENA exhorted members "to collect signatures from citizens who reside in communities where [Plan Mano Dura] is in effect, which thank the President for the plan and ask for the deployment of the Armed Forces and ask the Legislative Assembly to approve the legal reforms of the President."<sup>26</sup> Finally, ARENA leaders portrayed the FMLN and its defense of civil liberties as the constraint on security improvements. President Flores promised to "fight until we overcome all obstacles thrown up by politicians and judges who are protecting these criminals" (*El Faro* 2003).<sup>27</sup> As FMLN Senator Marta Lilian Coto notes, "Flores and Saca campaigned heavily to make legislators, and particularly FMLN legislators, look irresponsible [on crime] and to make ARENA look like the voice of the people."<sup>28</sup>

Indeed, FMLN senators denounced the law as a constitutional abuse and electoral manipulation. The legislative faction called the clause that appearance merits arrest an undemocratic "judicial barbarity" that "not even military dictators of the 1970s would have come up with" (León 2003). However, compared with the government's bellicose tones, the FMLN's security proposal—to invest in youth crime-prevention programs and implement existing laws—seemed stale. The FMLN's criticism and vague proposals allowed ARENA to attack the left as uncommitted to security. Party head Calderón Sol admitted that ARENA attempted

25. "La renovación de ARENA," *El Diario de Hoy*, September 22, 2003.

26. "Esta es nuestra oportunidad: País seguro," internal party memo, excerpts reprinted in *La Prensa Gráfica* and *Diario CoLatino*, August 13, 2003. Similarly, President Flores asked citizens in a televised address to "ask Congress to modify the legal framework" that he blamed for the increase in crime. "Mensaje presidencial."

27. "Debates sobre Plan Mano Dura," *El Faro*, October 31, 2003.

28. Marta Lilian Coto, interview by author, San Salvador, August 23, 2006.

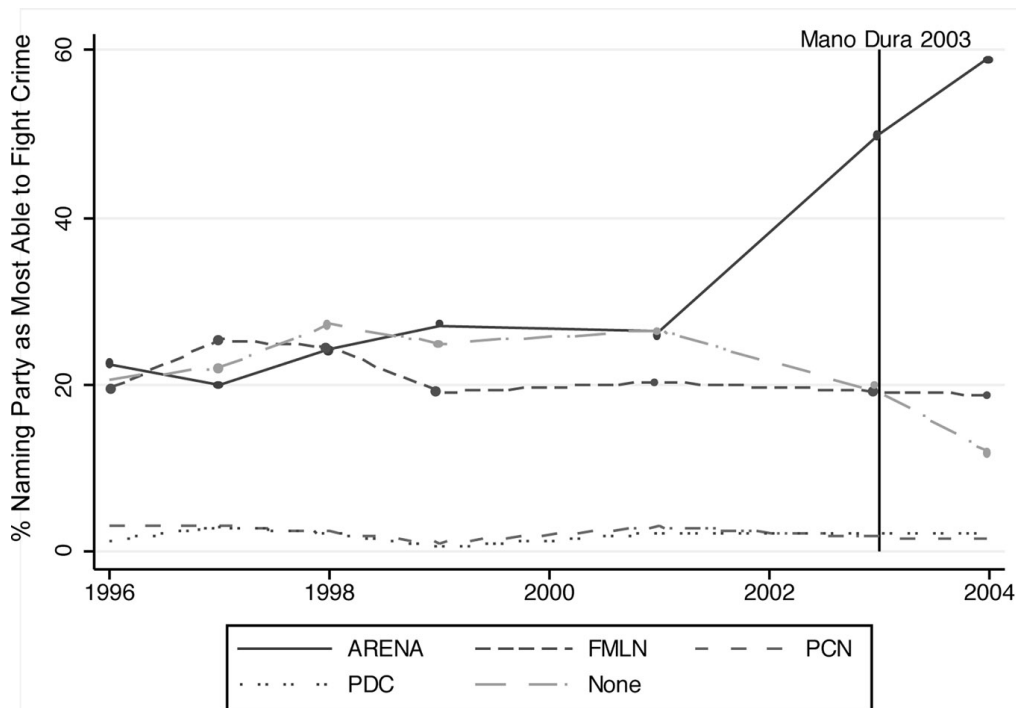


Figure 4 Perceptions of the party most able to fight crime

Source: IUDOP (1996–2004).

to polarize security positions: “Crime was deliberately politicized by us from a party perspective” (Zinecker 2007, 11).

What is striking is how effectively ARENA’s campaign changed perceptions. Throughout the 1990s, the electorate divided evenly on which major political party, FMLN or ARENA, was capable of combating crime (figure 4). Many believed that no party could reduce crime because it stemmed from structural problems. This skepticism changed with Plan Mano Dura. Around half of voters came to view ARENA as the party prepared to tackle crime. In contrast, the party’s overall credentials to reduce poverty showed minimal gains (IUDOP 2003). ARENA had campaigned intensely that the party had a “human face” and would increase social spending. Propaganda transformed the party’s image on public security but not social policy.

In part, ARENA’s security agenda gained credibility because of the party’s history and ideology. Even as ARENA attempted to “open up” to new members and overhaul its structure, leaders of ARENA envisioned the crime initiative as “a return to its roots.”<sup>29</sup> The party used images of Roberto D’Aubuisson, the party founder widely associated with assassinations by death squads, in the campaign. As one ARENA candidate put it, “I think that the [party] heads thought about

29. Antonio Salaverria, interview by author, San Salvador, August 8, 2006.

the possible controversy, but thought it would help the party unite and mobilize militants. Some people in the party are hugely energized by the revival of D'Aubuisson's image. . . . [F]or the new generation, he emphasizes the party's strength, that ARENA always has privileged security over disorder and that makes us distinct from the FMLN."<sup>30</sup>

To further emphasize the divide, ARENA aired commercials portraying the FMLN presidential candidate Schafik Handal as a revolutionary fighter who orchestrated acts of violence. Rather than spur a backlash in reviving civil war associations, ARENA trounced its opponents in the 2004 presidential elections. The FMLN failed to gain votes for the first time in a decade. ARENA took 58 percent of the vote, compared to 36 percent for the FMLN.

Survey data suggest that ARENA's security platform helped secure electoral victory. Support for ARENA in the presidential elections was six and twelve percentage points higher among individuals who considered crime and gangs, respectively, the most pressing national problems (LAPOP 2004, 2006).<sup>31</sup> Polls of vote intention show more dramatic differences: 44 percent of individuals who thought that crime was the worst problem confronting El Salvador planned to vote for Saca, whereas only 17 percent backed Handal (Raudales 2004, 153). ARENA won with a lower-class coalition: the poorest quintile backed ARENA by twenty-four percentage points more than the richest quintile (LAPOP 2004, 2006). At the municipal level, ordinary least squares regressions of ARENA's 2004 vote share suggest that the party gained votes, compared to the 1999 presidential election, in municipalities with high homicide and poverty rates.<sup>32</sup>

To be sure, crime was not the only campaign issue. Particularly in the final stages, ARENA sowed fear that an FMLN victory would endanger relations with the United States, disrupt remittance flows, and stir conflict. The group most sensitive to these threats—the quarter of the population that receives remittances—did support ARENA by five percentage points more than nonrecipients, although the difference shrinks when controlling for income (LAPOP 2004; Uang 2009, 14). The party also exploited its resource advantages to bombard voters with negative advertisements and link to voters through clientelism (for a description of the party's manipulative campaign tactics, see Wolf 2009). But these tactics differed little from legislative campaigns in which ARENA failed to translate its disproportionate finances into electoral victory.

Several lessons emerge. Most important, this article stresses that party elites directed the shift to *mano dura* policies, particularly when faced with electoral and organizational threats. Decision-making power was concentrated in the hands of an elite committee, which allowed flexibility in changing party strategy. Elites

30. ARENA mayoral candidate for Ilopango, interview by author, San Salvador, July 12, 2009.

31. Logistic regressions controlling for socioeconomic characteristics show that concern about crime remains a robust predictor of support for ARENA (Uang 2009, 12).

32. Little weight is placed on these regression results because crime data are unreliable and key control variables are unavailable at the municipal level. Notably, these results hold for changes in the vote, not the level of support. For instance, ARENA long has performed poorly in the heavily populated secondary cities around the capital that concentrate gang violence. Although ARENA's performance improved, it still struggled in these sectors.

did not simply respond to citizen frustrations, as shown by ARENA's decision not to push *mano dura* policies after protests in 1998. Rather, the schisms within the right and challenges from the left encouraged ARENA to politicize crime. The party's wartime history made this adaptation credible. In short, an analysis of patterns of party politics sheds greater light on the contours of criminal justice policy than crime rates and fears alone.

#### CONVERGENCE ON CRIME?

Given ARENA's electoral gains with *mano dura* policies, one puzzle is why the party failed to leverage crime to its advantage in the 2009 presidential election. ARENA selected Rodrigo Ávila, the two-time police chief nicknamed "Attila," as its candidate. But the FMLN eked out a victory. One possible explanation is that the party suffered the downside of a public security strategy: delivering results is a challenge. Homicide rates increased during Saca's tenure. *Mano dura* policies produced counterproductive results because they targeted the visible signs of gang membership and pushed criminals underground. As the former police subdirector admitted, "[The gangs] now involve networks of criminals, of civilians that physically no longer have the traditional forms of identification. It makes [police] work much harder."<sup>33</sup> *Mano dura* policies also swelled prison populations and segregated gang members in special prisons, thereby reifying gang loyalties. As such, ARENA could claim few improvements or new ideas for citizen security. Negative policy evaluations, however, overstate public rejection of *mano dura* policies. The majority of voters (67 percent, down from 87 percent in 2004) still supported *mano dura* policies and believed they helped control crime (IUDOP 2008).

A more persuasive explanation comes from the left's adaptation. The FMLN made two astute calculations on security policy. First, the FMLN adopted a security plan developed by a bipartisan commission on crime. Prominent businesspeople and ARENA senators endorsed the commission's recommendations, but Saca shelved the report. The FMLN pounced on the opportunity to embrace a consensus security plan. Second, the FMLN advocated a comprehensive strategy of crime control that included greater attention to the socioeconomic roots of crime. It trumpeted conservative support for prevention, particularly from evangelical and business leaders. Worried about crime's toll on the economy, even the president of the largest business association, the National Association of Private Enterprise (Asociación Nacional de la Empresa Privada, ANEP), recognized, "*Mano Dura* failed because not everything can be repression. The government was very weak with prevention programs."<sup>34</sup> ARENA lost the ability to cast the moderate FMLN candidate, Mauricio Funes, as a threat to security. In addition, the 2009 financial crisis coincided with the apex of the campaign season and rejiggered issue salience. The left disparaged Ávila as a unidimensional ex-police candidate who could not manage the financial turmoil. ARENA's *mano dura* policies proved

33. José Luis Tobar Prieto, interview by author, San Salvador, August 14, 2006.

34. Raúl Melara Morán, interview by author, San Salvador, June 15, 2009.



electorally unsuccessful in a campaign centered on the economy and against a moderate opponent.

In office, the FMLN has continued to fold crime into distributive politics, but it also has retained many *mano dura* policies. The FMLN has relied on the military and passed legislation to criminalize gang membership nearly identical to that which the party decried in 2003. More radically, the FMLN's murky role in prison transfers and a truce negotiated between the *maras* before 2012 legislative elections suggests that the left also toys with legal norms for electoral gain. This convergence has sapped the right of much of its advantage on law and order.

Across Latin America, as memories of the military rule fade and the popularity of *mano dura* policies becomes clear, leftist parties have abandoned core propositions of the democratic transition and embraced *mano dura* policies. Moreover, leftist politicians have forged persuasive platforms that combine *mano dura* policies with an emphasis on the socioeconomic contributors to crime. To sketch some illustrations, Guatemalan President Álvaro Colom promised harsh actions against crime in the 2007 elections, just as his right-wing challenger proposed. But Colom also stressed the likely social origins—high unemployment, inequality, and poor education—of Guatemala's criminal wave and the need to invest in prevention. In the election of Colom, Isaacs (2010, 114) concludes that Guatemalan voters rejected heavy-handed approaches to violence associated with former general Otto Pérez Molina. But Colom combined *mano dura* policies with prevention (and Pérez Molina rallied to win the presidency in 2011). Similarly, Honduran Liberal Party candidate Manuel Zelaya touted harsh anticrime policies in 2005: he proposed to double the number of police, maintain military patrols, and jail murderers for life. Yet unlike the losing National Party candidate Porfirio Lobo, Zelaya also emphasized the need to rehabilitate gang members, boost social spending, and “transcend” a repressive approach to crime control. In 2010, Laura Chinchilla won the Costa Rican presidency on the center-left National Liberation Party ticket with promises of more social expenditures, but also more police, special expedited courts with fewer procedural checks, and prosecution of discretionary crimes. These victories for left-leaning candidates cannot be attributed to a single issue. Rather, the point is that the left can challenge the right's advantage on security through an emphasis on the socioeconomic determinants of crime and a willingness to take a hard-line approach.

In conclusion, much of the literature on crime in Latin America concentrates on how public insecurity threatens the quality and stability of democracy in the region. Indeed, a central dilemma for the region's democracies is how to fight crime vigorously without eroding civil and political rights central to liberal democratic governance. A focus on democratic quality, however, ignores how crime has become a central part of electoral democracy. Further work is needed on how political parties are forging new linkages to voters based on crime policies, how this relates to parties' organizational structure and historical legacies, and how likely parties' strategic choices are to create lasting bases for programmatic party competition. Although Central American party systems continue to carry the stamp of historical wartime cleavages, the dimensions underlying party interactions may be transformed by the enormous security challenges. Whether conservative

party politicians continue to leverage crime fears to reinvigorate their electoral prospects and how the left will respond remain open questions. In stressing the role of divisions within the right, this article suggests a need for scholars to pay closer attention to how the cleavages and bargaining within political parties affect strategies. The need to look inside parties is particularly great as conservative parties struggle to redefine their programmatic agenda in an era of citizen insecurities and a strong left.

## REFERENCES

- Acevedo, Carlos  
1998 "Las limitaciones del sistema de partidos para enfrentar los problemas fundamentales del país." In *Las elecciones de 1997: Un paseo más en la transición democrática*, edited by Héctor Dada Hirezi, 195–238. San Salvador: Facultad Latinoamericana de Ciencias Sociales.
- Amaya, Edgardo Alberto  
2006 "Security Policies in El Salvador, 1992–2002." In *Public Security and Police Reform in the Americas*, edited by John Bailey and Lucía Dammert, 132–148. Pittsburgh, PA: University of Pittsburgh Press.
- Bateson, Regina  
2012 "Crime Victimization and Political Participation." *American Political Science Review* 106 (3): 570–587.
- Beckett, Katherine  
1999 *Making Crime Pay: Law and Order in Contemporary American Politics*. New York: Oxford University Press.
- Beckett, Katherine, and Theodore Sasson  
2000 *The Politics of Injustice: Crime and Punishment in America*. Thousand Oaks, CA: Pine Forge Press.
- Beckett, Katherine, and Bruce Western  
2001 "Governing Social Marginality: Welfare, Incarceration, and the Transformation of State Policy." *Punishment and Society* 3 (1): 43–59.
- Cálix, J. Álvaro  
2006 *Hacia un enfoque progresista de la seguridad ciudadana: Situación y desafíos en el caso hondureño*. Tegucigalpa: Guardabarranco.
- Call, Charles T.  
2002 "War Transitions and the New Civilian Security in Latin America." *Comparative Politics* 35 (1): 1–20.  
2003 "Democratisation, War and State-Building: Constructing the Rule of Law in El Salvador." *Journal of Latin American Studies* 35:827–862.
- Chalmers, Douglas A., Maria do Carmo Campello de Souza, and Atilio A. Borón  
1992 *The Right and Democracy in Latin America*. New York: Praeger.
- Chevigny, Paul  
1995 *Edge of the Knife: Police Violence in the Americas*. New York: New Press.  
2003 "The Populism of Fear: Politics of Crime in the Americas." *Punishment and Society* 5 (1): 77–96.
- Cruz, José Miguel  
2006 "Violence, Citizen Insecurity, and Elite Maneuvering in El Salvador." In *Public Security and Police Reform in the Americas*, edited by John Bailey and Lucía Dammert, 148–168. Pittsburgh, PA: University of Pittsburgh Press.
- Cruz, José Miguel, Álvaro Trigueros, and Francisco González  
1999 *The Social and Economic Factors Associated with Crime in El Salvador*. San Salvador: World Bank and Instituto Universitario de Opinión Pública.
- Flores, Francisco  
2005 "Sacrificing Popularity Is Key to Good Management." Address to conference "Desafíos para una Sociedad de Libertades en el Siglo XXI," Libertad y Desarrollo, Santiago, Chile, June 3.

- Fundación de Estudios para la Aplicación del Derecho  
 2005 *Informe anual sobre justicia penal juvenil: El Salvador 2004*. San Salvador: Fundación de Estudios para la Aplicación del Derecho.
- Fundación Salvadoreña para el Desarrollo Económico y Social  
 1996 "Comentarios al proyecto de Ley de Emergencia contra la Delincuencia," May.
- Garland, David  
 2002 *The Culture of Control: Crime and Social Order in Contemporary Society*. Chicago: University of Chicago Press.
- Gibson, Edward L.  
 1996 *Class and Conservative Parties: Argentina in Comparative Perspective*. Baltimore, MD: Johns Hopkins University Press.
- Godoy, Angelina Snodgrass  
 2006 *Popular Injustice: Violence, Community, and Law in Latin America*. Stanford, CA: Stanford University Press.
- Goldstein, Daniel, Gloria Achá, Eric Hinojosa, and Theo Roncken  
 2007 "La Mano Dura and the Violence of Civil Society in Bolivia." *Social Analysis* 51 (2): 43–63.
- Isaacs, Anita  
 2010 "Guatemala on the Brink." *Journal of Democracy* 21 (2): 108–122.
- IUDOP (Instituto Universitario de Opinión Pública)  
 1987–2010 Annual public opinion surveys, December. <http://uca.edu.sv/publica/iudop>.
- Kitschelt, Herbert  
 1994 *The Transformation of European Social Democracy*. Cambridge: Cambridge University Press.
- Kitschelt, Herbert, Kirk Hawkins, Guillermo Rosas, and Elizabeth Zechmeister  
 2010 "Patterns of Programmatic Party Competition in Latin America." In *Latin American Party Systems*, edited by Herbert Kitschelt, Kirk A. Hawkins, Juan Pablo Luna, Guillermo Rosas, and Elizabeth J. Zechmeister, 14–58. Cambridge: Cambridge University Press.
- LAPOP (Latin American Public Opinion Project)  
 1995–2010 Americas Barometer, El Salvador 1995, 1999, 2004, 2006, 2008, 2010. <http://www.vanderbilt.edu/lapop/el-salvador.php>.
- León, Osvaldo  
 2003 "FMLN apunta al poder." *América Latina en Movimiento* 376, October 14. <http://alainet.org/active/5455&lang=es>.
- Levitsky, Steven  
 1998 "Crisis, Party Adaptation, and Regime Stability in Argentina." *Party Politics* 4 (3): 445–471.
- Luna, Juan Pablo, and Cristóbal Rovira Kaltwasser  
 Forthcoming *Bringing the Right Back In: The Politics of Conservative Strength amidst Latin America's Turn to the Left*.
- Malone, Mary Fran  
 2010 "Does Dirty Harry Have the Answer? Citizen Support for the Rule of Law in Central America." *Public Integrity* 13 (1): 59–80.
- Middlebrook, Kevin J., ed.  
 2000 *Conservative Parties, the Right, and Democracy in Latin America*. Baltimore, MD: Johns Hopkins University Press.
- Moreno, Ismael  
 1997 "El fin de ARENA y el futuro del FMLN." *Revista Envío* 187 (October): article 325. <http://www.envio.org.ni/articulo/325>.
- Nelken, David  
 2011 *Comparative Criminal Justice and Globalization*. New York: Ashgate.
- Oliver, Willard  
 1998 "Presidential Rhetoric on Crime and Public Opinion." *Criminal Justice Review* 23 (2): 139–160.
- Panebianco, Angelo  
 1988 *Political Parties: Organization and Power*. New York: Cambridge University Press.

- Pereira, Anthony, and Mark Ungar  
 2006 "The Persistence of Mano Dura: Authoritarian Legacies and Policing in Brazil and the Southern Cone." In *Authoritarian Legacies in Southern Europe and Latin America*, edited by Paola Cesarini and Katherine Hite, 263–304. South Bend, IN: University of Notre Dame Press.
- Pérez, Orlando  
 2003 "Democratic Legitimacy and Public Insecurity: Crime and Democracy in El Salvador and Guatemala." *Political Science Quarterly* 118 (4): 627–644.
- Popkin, Margaret  
 2000 *Peace without Justice: Obstacles to Building the Rule of Law in El Salvador*. University Park: Pennsylvania State University Press.
- Raudales, Walter  
 2004 *Opinión pública y percepción*. San Salvador: Editorial Universidad Francisco Gavidia.
- Seligson, Mitchell  
 2003 "Public Support for Due Process Rights: The Case of Guatemala." *Journal of the Southwest* 45 (4): 557–594.
- Stanley, William  
 2003 "Building New Police Forces in El Salvador and Guatemala." *International Peacekeeping* 6 (4): 113–134.
- Uang, Randy Sunwin  
 2009 "Conservative Electoral Coalitions in El Salvador." Paper presented at the 2009 Latin American Studies Association Congress, Rio de Janeiro, June 11–14.
- Ungar, Mark  
 2009 "La Mano Dura: Current Dilemmas in Latin American Police Reform." In *Criminality, Public Security, and the Challenge to Democracy in Latin America*, edited by Marcelo Bergman and Laurence Whitehead, 93–118. South Bend, IN: University of Notre Dame Press.
- UN Observer Mission in El Salvador  
 1993 "Report of the Director of the Human Rights Division of ONUSAL." Sixth Human Rights Report, UN Doc. A/47/912, S/25521, April 5.
- Wacquant, Loïc  
 2003 "Toward a Dictatorship over the Poor." *Punishment and Society* 5 (2): 197–205.
- Weyland, Kurt  
 2003 "Political Repercussions of Crime and Violence in Latin America." Paper presented at the University of Texas at Austin, March 24–25.
- Wiesehomeier, Nina, and David Doyle  
 Forthcoming "Profiling the Electorate: Ideology and Attitudes of Right-Wing Voters." In *Bringing the Right Back In: The Politics of Conservative Strength amidst Latin America's Turn to the Left*, edited by Juan Pablo Luna and Cristóbal Rovira Kaltwasser.
- Wolf, Sonja  
 2009 "Subverting Democracy: Elite Rule and the Limits to Political Participation in Post-War El Salvador." *Journal of Latin American Studies* 41 (3): 429–465.
- Wood, Elisabeth  
 2000a "Elite Representation in El Salvador." In *Conservative Parties, the Right, and Democracy in Latin America*, edited by Kevin Middlebrook, 223–254. Baltimore, MD: Johns Hopkins University Press.  
 2000b *Forging Democracy from Below*. New York: Cambridge University Press.
- Yashar, Deborah  
 2011 "The Left and Citizenship Rights." In *The Resurgence of the Latin American Left*, edited by Steven Levitsky and Kenneth Roberts, 184–210. Baltimore, MD: Johns Hopkins University Press.
- Zamora, Rubén  
 2003 *La izquierda partidaria salvadoreña: Entre la identidad y el poder*. San Salvador: Facultad Latinoamericana de Ciencias Sociales.
- Zilberg, Elana  
 2011 *Space of Detention: The Making of a Transnational Gang Crisis between Los Angeles and San Salvador*. Durham, NC: Duke University Press.