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## Anti-gang policies and gang responses in the Northern Triangle

### The evolution of the gang phenomenon in Central America

Wim Savenije, Chris van der Borgh | July 03, 2014

During the past decade, gangs have become a powerful and violent presence in El Salvador, Guatemala and Honduras, the 'Northern Triangle' of Central America. <sup>1</sup> The particular evolution of the gang phenomenon has been deeply shaped by a series of reactions and adaptations to ill-developed security policies <sup>2</sup> that have been unable to tackle the underlying causes of gang emergence and growth <sup>3</sup>. These anti-gang policies have varied from ignoring the gangs, tough 'mano dura'-style police interventions, to the facilitation of a truce between the main gangs.

### The Northern Triangle trilogy

This article is part of a trilogy on the security threats facing the Northern Triangle, that includes Honduras, El Salvador and Guatemala. These countries are challenged by the highest levels of youth violence in the world, the highest homicide rates, powerful drug trading groups, weak institutions and political crime. The influx of migrants in the United States reflects the instability in Central-American countries, as people flee to escape violence and poor living conditions. Many national, regional and international strategies have been developed to combat the region's biggest threats in an integrated way, but often they have been counterproductive.

This trilogy therefore address each of the problems separately - the drug trade, gang wars and corruption - in order to untangle their causal relationship. All three articles present an overview of the security problems and their causes, the different strategies that have been developed to counter the proliferation of drugs, gangs and corruption, and evaluate their success.

### About the author



**Wim  
Savenije**

Wim Savenije is researcher and lecturer with the department of Social and Political Anthropology...

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The article on the relationship between [drugs and violence](#), by Pien Metaal and Liza ten Velde of the Transnational Institute, untangles the relationship between the drug industry and high homicide rates for more effective violence reducing policies. The article on [illicit networks](#) by Ivan Briscoe of the Clingendael Institute sheds light on the intertwined structures of patrimonial relationships and the development of the state after the civil wars in the Northern Triangle, creating a criminal complexion of governments. And this article on anti-gang policies and gang responses by Chris van der Borgh of the University of Utrecht and Wim Savenije of the Facultad Latinoamericana de Ciencias Sociales, set out the gang phenomenon and how its evolution has been shaped by ineffective policies.



**Chris van der Borgh**

Chris van der Borgh is assistant professor at the Centre for Conflict Studies at Utrecht Universi...

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From a network of relatively small, autonomous and loosely connected local street chapters, the Mara Salvatrucha (MS) and 18<sup>th</sup> Street Gang (18St) have developed into groups of violent entrepreneurs <sup>4</sup>, controlling local neighbourhoods and generating income principally through extortion, as well as being involved in the local drug trade. In the last decade their locus of control has moved from the streets to prisons. Far from being homogeneous and static entities, both gangs consists of various groups, each with their own interests. Therefore security policies have the potential to intervene in internal relations and dynamics linked to contentious issues, like power, profits and status. Focusing on the unifying and fragmenting trends within gangs, the first section of this article discusses the zero-tolerance policies that have been dominant over the past 15 years, while the second section looks at efforts to reduce gang violence in El Salvador by facilitating a truce. Since the emergence of gang problems in Central America in the 1990s, governments have been unable to stimulate processes that fragment and weaken the gangs, and their security policies have often rather tended to unify and strengthen the gang structure and organization.

## Origins and development: poverty, marginalization and the United States

The MS and 18St gangs have their roots in the streets of Los Angeles. During the 1960s and 1970s, migrant youths of Meso-American origin formed and joined street gangs to protect themselves from discrimination and being beaten up by similar youths. Some joined one of the many existing gangs, including the 18<sup>th</sup> Street Gang predominantly formed by youths of Mexican origin <sup>5</sup>. In the 1980s, Salvadoran youths became involved in these street dynamics, eventually founding a group that later became known as the Mara Salvatrucha. Youths from Guatemala and Honduras followed suit in joining the gangs roaming the streets of Los Angeles' migrant neighbourhoods. In the 1990s, many gang members were deported back to Central America after being arrested, and founded gang chapters or 'cliques' (clikas) in their native countries/ <sup>6</sup>

## Security policies: From negligence to zero tolerance.

### *Ignoring the growing gang or 'mara' phenomenon (1992 - 2002)*

In the first decade, the authorities and politicians ignored the new and growing gang phenomenon, which was largely a problem of poor and marginal neighbourhoods. Violent confrontations between the gangs were treated as tragic incidents, and there was no clear plan or security policy to confront the budding problem. One of the first efforts to install a special framework to confront gang violence occurred in 1996 with the passing of a transitional emergency law against delinquency and organized crime in El Salvador. <sup>7</sup> The law stated that anyone participating in a group or organization whose objective was to commit offences would face one to three years in prison. The same sentence would apply to gang members who participated in fights, even if it was not possible to identify those responsible for causing injuries. <sup>8</sup> The intention to persecute gang members for belonging to a delinquent group became something of a general model that would be reiterated in the region in the decade that followed.

Enforcement of the law, however, was rather lax and in 1997 it was declared unconstitutional. It therefore had no real impact on the gang situation in the country. Over the next few years there were few gang-oriented social or security policies and the phenomenon continued to establish itself firmly in the Northern Triangle.

### ***Strong hand ('mano dura' style) (2002 - 2013)***

The gangs became a hot political topic in the Central American region in 2002 when Honduran president Maduro launched Operation Tolerancia Cero, followed a year later by Operation Libertad, both of which were designed to clamp down on gang members (Gutiérrez Rivera, 2009; Andino Mencía, 2005). In keeping with the police and military raids in gang-infested neighbourhoods and the widespread arrest of suspected members, the penal law was changed so that being a gang member could be punished by three to six years in prison. El Salvador followed suit when President Flores' Mano Dura plan ordered the National Civic Police (PNC) and the Armed Forces of El Salvador (FAES) to confront the gangs, and urged the National Assembly to pass a proposed anti-gang law (Ley Antimaras).<sup>9</sup> Although Guatemala adopted similar rhetoric, it never adopted a special anti-gang law nor did it engage in the same kind of intense anti-gang security operations as its neighbours.<sup>10</sup>

What all these security policies had in common was that the police, usually with help from military forces, entered poor and marginalized neighbourhoods with a gang presence in force, looking for youths with baggy clothes, tattoos or gathering in small groups. With a few exceptions, the police have not been very apt at establishing the relations of trust with the local population necessary for severely disrupting criminal activities and dismantling gang structures.<sup>11</sup> Gutiérrez Rivera<sup>12</sup> aptly observed that in gang-dominated neighbourhoods the security forces are "almost foreign, acting alone in unfamiliar territory".<sup>13</sup> So when they found someone acting or dressing strangely, they arrested them on suspicion of being gang members.<sup>14</sup> However, because of a clear lack of evidence, most of the youths were freed relatively quickly by the public prosecutors.<sup>15</sup> In El Salvador, the Prosecutor's Office (Fiscalía General de la República [FGR]) came in for criticism because they often refused accept the legal grounds for the arrests and felt obliged to acquit the suspects.<sup>16</sup>

### **Renewed military involvement in public security maintenance**

From 2002 onwards, the military have increasingly become involved in the fight against gangs.<sup>17</sup> This implied a break with the trend started after the end of the civil wars in Guatemala and El Salvador, in which the military in the Northern Triangle were largely withdrawn - although not completely - from public security duties and new civil police institutions were created. Responsibility for internal security was transferred to the police while the military, with their reputation severely damaged by accusations of human right abuses<sup>18</sup>, was consigned to their barracks. Only in exceptional circumstances were the armed forces permitted to intervene in public security.

The military, however, became visible on the streets again in all three Northern Triangle countries, with joint police and military patrols a common sight in popular neighbourhoods. But it did not stop there. In October 2009 in El Salvador, President Funes authorized exclusive military units to patrol designated urban areas with the mandate to stop and search persons and vehicles, to arrest presumed delinquents and hand them over to the police.<sup>19</sup> President Lobo of Honduras signed a decree in December 2011 giving the military the authority to conduct "patrols, raids, arrests and violent actions against citizens who disturb the law".<sup>20</sup>

The renewed presence of the military has generated significant concern in civil society and academic circles, which see this as an apparent re-militarization of public security in the region.<sup>21</sup> Ill-trained for public security tasks, the military clearly cannot do much more than preventive patrolling or forcefully backing up police operations. Indeed, their relative ineffectiveness in confronting ordinary and organized crime provokes disquiet even in military circles, especially in Guatemala and El Salvador, about this involvement in public security tasks.<sup>22</sup>

Their lack of training in public security tasks can easily engender practices disrespectful of human rights or provoke episodes that go badly wrong. In urban areas with a strong gang presence, prejudices intermingled with fear of violent encounters, the relationship between the security forces and the population, especially youths, can rapidly deteriorate. In effect, the participation of the military in preventing violence has meant little more than simply hoping that their visible presence and the arrests they make will deter violent or criminal acts. Despite general public approval of military involvement in public security, the temporary reduction in gang violence that has occurred in some of the neighbourhoods they patrol and the diminished feelings of insecurity among certain sectors of the population (mainly the middle class), local gang and delinquent structures remain mostly intact.

### **Gang reactions: the counterproductive aspects of tough security policies**

The underlying idea of the 'mano dura' policies, inasmuch as they existed, was that by locking up gang members, the police would disband the gangs. The sub-director of the PNC of El Salvador, commissioner Pedro González, avowed this belief succinctly by stating that they were hunting down gang leaders so that "the other members would look for something different to

do".<sup>23</sup> In Honduras the intended logic was similar, with massive arrests aimed at communicating to gang members and delinquents that the government was watching them. However, lack of evidence resulted in a large group of youths entering and leaving the legal system like passing through a revolving door. Among the detainees, however, were also gang members who already had legal cases pending against them. These mostly hard-core gangsters were kept in prison, augmenting the population in an already overcrowded prison system.<sup>24</sup> This latter group included leaders of local cliques who got to know each other in detention and reformed gang structures from inside jail.

The prime focus on capturing and incarcerating gang members has not only failed to secure the streets, but also helped to transform the prison system into the headquarters or central meeting point of many of the gang networks in the Northern Triangle<sup>25</sup>, and gang cliques and their activities are now largely controlled by incarcerated gang members. Indeed, local gang members own respect and obedience to the imprisoned leaders. Not complying with the demands and orders of the latter can be costly: they are frequently killed by their comrades.<sup>26</sup>

When the prisons became a central intersection of gang relations, the relatively autonomous and loosely connected cliques in the neighbourhoods started to organize themselves in different fractions - known as 'programs' (MS) or 'tribus' (18St) - consisting of local cliques established into geographically and hierarchically more integrated structures. In time a national leadership structure ('ranfla nacional') also emerged. The gang structures became more cohesive, but the other side of the coin was that deadly internal purges linked to power conflicts between incarcerated leaders and those in the neighbourhoods became notorious. All in all, the gangs never became totally unified or homogeneous.

In 2010, for instance, the 18St in El Salvador was split into three conflicting fractions<sup>27</sup>, and their members were condemned by the gang structure in Los Angeles for becoming fractured as a result.<sup>28</sup> The MS was also becoming more and more divided between different fractions or 'programs', consisting of various local cliques sometimes geographically distant from each other. The police even claimed that some programs maintained direct links with cliques outside the country, especial in the United States.<sup>29</sup> The individual programs, however, used to go their own way without taking too much account of the other programs or cliques. Some cliques have acquired profitable business activities and have become more focused on generating income and securing a niche in the illegal market, than being preoccupied with the gang as a whole. At the same time, others resent the lack of solidarity from their richer brothers or challenge part of their illegal activities and income.

Control over the streets from inside the prison system also has its problems. The cliques in the neighbourhoods do not always obey or take account of orders from inside. These conflicts are not only about power, but also concern control over income from illegal gang activities, like extortion or drug dealing and trafficking.

The process of surviving 'mano dura'-style security policies led to professionalization of the gangs' involvement in criminal activities (Savenije, 2009), to a certain extent due to demands to financially support the growing number of incarcerated members and their families. The gangs resorted more and more to extortion of local businesses and public transport companies and they soon became specialized in these practices, although some cliques have also become seriously involved in the drug trade.<sup>30</sup> The more profits these incomes generated for the local cliques or programs, the higher the stakes were in the conflicts over the illegal activities.

### **A new strategy in El Salvador: facilitation of peace talks between the gangs**

Towards the end of 2011, a new strategy addressing the gang problem was implemented in El Salvador. The new Minister for Justice and Public Security, Munguia Payés, who took office in November 2011, decided to take the enduring power of the gangs more seriously, and based his security policies on what he saw as an inescapable reality. He argued that the gangs were responsible for 90% of homicides in El Salvador,<sup>31</sup> and decided to turn to the imprisoned leaders in order to try to broker a truce between the gangs. Attempting to evade the political costs of starting direct talks with the gangs, he gave the task of initiating a secret dialogue with and between the imprisoned gang leaders to a close associate, ex guerrillero Raul Mijango, and to the army bishop Monsignor Colindres.<sup>32</sup>

The leaders agreed to stop the violence between them and so to reduce the homicides. As an important confidence-building move and an important step in facilitating the truce, 30 gang leaders were transferred from the high security prison in Zacatecoluca to several low security prisons.<sup>33</sup> This gave them the opportunity not only to interact freely with the imprisoned rank and file of the gangs, but also to communicate and enforce the truce on the streets.<sup>34</sup> The leaders held their word and

within days the murder rate fell from around 14 to just under four homicides a day.<sup>35</sup> The leaders demonstrated not only that they were effectively in charge of the gangs, but the reduction also indicated that the gangs were indeed responsible for a large proportion of the astonishing high homicide rate in the country.<sup>36</sup>

Talks continued between the facilitators and the gang leaders and were conducted to a next phase, known as 'Municipalities Free from Violence'. The basic idea was to bring the truce to the municipal level and create a process of pacification where gang members would not only cease hostilities between them, but would also reduce their criminal practices, including homicides, extortion, robbery, assault, would allow free passage to local residents, handover their arms, etc..<sup>37</sup>

The process however became stuck in June 2013, after a new Minister of Justice and Public Security, Ricardo Perdomo, took office.<sup>38</sup> He publicly distanced himself from the process, seeing it mostly as a ploy by the gangs to protect their interests in the drugs trade, but the threat of an increase in homicides rates effectively held him back from denouncing the truce and sending the gang leaders back to Zacatecoluca prison. He left however the sole responsibility for its implementation to the true facilitators, the gang leaders, and municipalities, without offering any support and even restricting access and communication with the gang leaders.<sup>39</sup>

## Gang reactions: renewed cohesion and burgeoning resistance

The process of the truce fomented the unifying trends within gangs. It stimulated their cohesion around a more defined leadership by facilitating an older generation of incarcerated leaders to take control. As result of their being moved to low security facilities, they were able to communicate with their homeboys, not only in jail, but even more importantly, in the neighbourhoods. Initially based on their reputation as a veteran generation of leaders who cared about the gangs as a whole, they convinced the homeboys on the street to comply with the truce. Those who did not comply, faced severe sanctions. The power of violence was the way the older generation imposed itself on the streets.

Although the fragmenting trends were weakened, resistance remained. For instance, some cliques of a breakaway fraction of the 18St -the 'Revolutionaries'- are not committed to the truce<sup>40</sup>, and other leaders do not stick to it unconditionally. Even more worrying, younger homeboys continue to see rival gang members as legitimate targets and the use of violence against them as a valid way to gain respect and status.<sup>41</sup> Inside the gangs, therefore, there are various forms of contention, not only about power and autonomy but also about how to gain respect as a gang member. Furthermore, the previous conflicts about illegal markets have not disappeared completely.

## No easy solutions

While the stakes are high in security terms, it has proved to be extremely complex for governments to deal with the gang issue. The short overview presented above shows that security policies in the Northern Triangle have boosted the evolution of the gangs rather than stopped it. Apart from negligence, the answers have usually been to look for quick fixes to a complex phenomenon, focusing on short-term security solutions at the expense of trying to tackle the causes of the gang emergence and growth. Without a policy that addresses the social and economic roots of the problem, this generates the risk that the short-term security policies reinforce the gangs.

The repressive anti-gang policies have not diminished gang power or lessened the attraction they exert over young kids in marginal neighbourhoods. Within such a context, the government's effort to open a dialogue with the gang, while unpopular and risky, seems one of the few viable options open to changing the security situation in the Northern Triangle. However, dialogues with gangs are extremely difficult to explain to the larger public and zero tolerance policies and discourses remain the most popular option.

There is clearly a link between the strong unifying and fragmenting trends in the gang development and national security policies. Ironically, the unifying processes seem mainly reactions to the 'mano-dura' style policies in the region and the truce facilitated by the Salvadoran government; while the fragmenting influences are usually related to internal dynamics like competing power claims and illegal commercial interests of different factions. The Northern Triangle countries have not been able to elaborate consistent long-term strategies to deal with the gangs and do not seem to contemplate the potential but plausible unintended consequences of their policies. The ill-developed and short-term security policies in the region have been no match for the gangs' enormous capability to adapt to new situations.

There is no easy solution to the gang phenomenon in Central America. A more integrated long-term security policy, combining social prevention and rehabilitation efforts with consistent law enforcement strategies is essential, but very difficult to develop. A

dialogue with the gangs about how to create new opportunities for their members and families should be part of the process, but strong yet coherent law enforcement strategies to confront those that opt to continue with violent and delinquent gang activities will also be crucial.

## Co-readers

Ana Glenda Tager, Latin American Regional Director at Interpeace.

Dennis Rodgers, Professor of Urban Social and Political Research at the University of Glasgow

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## Footnotes

- 1. There are also gangs in Nicaragua, but these are different from the ones in the Northern Triangle. See for an analysis and explanation: Rocha, J.L. (2006). *Mareros y pandilleros: ¿Nuevos insurgentes, criminales?* *Envío*, 293: 39-51; and Rodgers, D. (2012). Nicaragua's gangs: Historical legacy or contemporary symptom? *NACLA Report on the Americas*, 45(1): 66-69.
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