

Critical Debates

Crime and the Construction of Political Order in Latin America

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Enrique Desmond Arias, *Criminal Enterprises and Governance in Latin America and the Caribbean*. Cambridge: Cambridge University Press, 2018. Figures, tables, bibliography, index, 301 pp.; hardcover \$99.99, paperback \$31.99, ebook \$26.00.

Karina Biondi, *Sharing This Walk: An Ethnography of Prison Life and the PCC in Brazil*. Edited and translated by John F. Collins. Chapel Hill: University of North Carolina Press, 2016. Map, notes, bibliography, index, 222 pp.; hardcover \$75.00, paperback \$24.95, ebook \$23.99.

Lila Caimari, *While the City Sleeps: A History of Pistoleros, Policemen, and the Crime Beat in Buenos Aires Before Perón*. Berkeley: University of California Press, 2016. Images, charts, maps, bibliography, index, 248 pp.; hardcover \$85.00, paperback \$29.95, ebook \$29.95.

Markus-Michael Müller, *The Punitive City: Privatized Policing and Protection in Neoliberal Mexico*. London: Zed Books, 2016. Bibliography, index, 191 pp.; hardcover \$95.00, paperback \$34.95.

For more than two decades, a growing body of research has sought to explain the causes and consequences of insecurity and violence in Latin America. While studies have examined a wealth of structural, societal, and individual-level factors from the perspective of multiple disciplines, many share a common assumption. Following the tradition of Evans et al. (1985), a substantial subset of the literature sees the state as the architect of political order. From this perspective, state capacity—as understood by a long line of authors, from Huntington (1968) to O'Donnell (1993) and Munck (2003)—is one of the main, if not the primary, determinants of patterns of crime and policing in the region.

Although the state's failure to claim the monopoly on the use of force clearly contributes to the persistence of crime, a growing number of scholars, including Goldstein and Arias (2010) and Auyero et al. (2015), show that state-centric accounts obscure a wide range of state and nonstate actors involved in the production and control of violence. From cases of collaboration between armed actors and state officials to arrangements between communities and authorities, there is

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mounting evidence that the construction of political order in Latin America defies neat divisions between state and society.

The four books discussed in this review address the questions of whether and how crime and ideas of crime shape political order. While the studies differ in their methods and focus—the first set emphasizing the role of criminal groups and the second that of policing—they all depart from foundational state-centric accounts. By examining the link between state-society dynamics and broader patterns of violence, policing, and notions of public order in Latin America and the Caribbean, these scholars break new ground. The goal in this essay is to synthesize their findings while taking each piece on its own terms.

ARMED REGIMES

In *Criminal Enterprises and Governance in Latin America and the Caribbean*, Enrique Desmond Arias shows how microlevel political regimes generated by armed actors affect governance. He posits three questions: what effect do urban gangs have on the politics of neighborhoods, cities, and countries? What implications does this effect have for understanding the origins, persistence, and impact of armed violence in Latin America? And how do the ongoing local governance roles of armed actors affect efforts to control crime? (2). To answer these questions, he relies on nested neighborhood-level comparisons, using data from interviews conducted between 2006 and 2016 with residents and community leaders in three pairs of neighborhoods with varying armed structures in Medellín, Kingston, and Rio de Janeiro.

Arias contends that violence in Latin America is the product of complex political and social choices involving different types of armed actors, rather than a reflection of the breakdown of state power or conflicts between criminal groups and the state (11). In chapter 1, Arias introduces two variables that are at the heart of his argument. The first is “armed consolidation,” which reflects the power of armed groups and the cooperative or competitive nature of their relationships with other organizations (21). The second variable is “state engagement,” which refers to the strength and cooperative versus competitive nature of the relationships between armed and state actors (22). The argument is that depending on their degree of armed consolidation and state engagement, armed organizations can create localized political regimes, which have different effects on the group’s activities in security, civil society, elections, and governance. Arias proposes four categories of “armed dominance,” which vary with the level of consolidation and engagement: criminal disorder (low-low), divided governance (high-low), collaborative governance (high-high), and tiered governance (low-high).

Arias makes the case that microlevel armed regimes emerge in poor neighborhoods as the result of shifts in policy and illicit opportunity structures. In chapter 2, he shows that modes of incorporation of the poor into the political system have shaped the configuration of regimes. In Medellín, given that changing groups of armed actors brought the poor into contact with the political system, consolidation was not possible, which often resulted in criminal disorder and divided governance.

In Kingston, party organizations historically involved in criminal activities encouraged partisan modes of political incorporation, frequently resulting, especially in times of partisan divisions, in tiered governance. In Rio, the government used institutional modes of incorporation to encourage the formation of resident associations, which facilitated the consolidation of gangs and the emergence of collaborative governance.

Arias provides a nuanced account of these patterns in chapter 3, where he tracks the evolution of armed regimes in each of the six neighborhoods in the study. A key finding is that armed consolidation facilitates gang-state cooperation (collaborative governance), leading to low levels of violence. In turn, disorganized gang structures are conducive to weak gang-state relations (criminal disorder), leading to a high incidence of violence.

In the second half of the book, Arias turns to analyzing the impact of armed regimes on security politics, civil society, elections, and governance. Starting with security, he finds that unconsolidated groups are less able to enforce local order or mediate conflicts than gangs that have stronger contacts with police (chapter 4). Using a wealth of examples, Arias demonstrates that the effect of armed control on security politics changes depending on the type of armed regime. In comparison, however, his analysis of the effect of armed regimes on civil society activities is more tenuous (chapter 5). The argument is that due to criminal organizations' incapacity to control civic activity, civic mobilization is higher in neighborhoods with criminal disorder and tiered governance. Although the evidence maps nicely to Arias's argument, he does not discuss whether factors traditionally associated with social mobilization, such as political opportunities, cultural shifts, or emotions, rather than the type of armed regime, are behind these patterns.

The final part of the book (chapters 6 and 7) includes an analysis of the impact of armed dominance on elections and policymaking. Arias provides convincing evidence that the quality of the relationship between armed actors and the state shapes nomination, campaigning, voting processes, and the provision of public goods at the neighborhood level. The breadth of tactics used by criminal organizations in the political sphere makes it clear that without an acknowledgment of state-society interactions in this realm, accounts of electoral and policy outcomes are incomplete. Among the many contributions of this book, one of the most important is Arias's empirically based framework. He not only shows that violence and criminal groups play a role in democracy and governance but also presents a parsimonious model to account for local dynamics. While the validity and predictive power of the model ought to be tested, that would be a worthwhile enterprise.

There are two shortcomings, or invitations for further research, in the book. First, although Arias contends that the type of armed dominance, rather than state fragility, explains patterns of violence and governance at the local level, he does not provide direct evidence that state capacity is indeed irrelevant. Despite the recognition that the state is composed of a wealth of actors, ranging from security personnel to the bureaucracy, in the analysis the state is unitary, and seems to vary only in terms of its willingness to cooperate with or oppose criminal groups.

Second, although Arias's model hinges on the expectation that armed actors are distinguishable from other groups, seek territorial control, and organize hierarchically (19–20), it is unclear whether this always holds true. Interestingly, Karina Biondi's study evaluates the validity of these assumptions for one of the largest gangs of São Paulo.

A COMMAND WITHOUT COMMANDERS

Biondi presents a thorough study of the Primeiro Comando da Capital (PCC). The Brazilian government considers the PCC a criminal organization; it controls approximately 90 percent of the prisons and has a presence in most urban areas of the state of São Paulo (3). While the press refers to it as a gang, Biondi chooses the term *collectivity*.

Over the course of six years, during which her husband was incarcerated, Biondi researched various sites in São Paulo where the PCC was active. Biondi's primary goal in the book is to understand the "politics of the PCC," which she associates with the "discipline of the PCC." The discipline is not a rigorous code of conduct but a strategy connected to the Command's aspiration to establish a "peace between thieves" (105) and the "dignified serving of one's sentence" in better prison conditions (73). In the discipline, Biondi explains, many prescriptions and imperatives are blended into improvised actions.

One of the central puzzles Biondi seeks to understand is that although Brothers (baptized members of the PCC) pursue the consolidation of the "discipline," such consolidation would involve the construction of top-down power structures that they inherently oppose, hence the absence of "commanders" in the Command. This paradox, according to Biondi, challenges models of social structure in modernist anthropology and other disciplines. Thinking about the PCC as a group presupposes that it occupies a territory and possesses a cluster of members molded by coercive forces external to them (24), assumptions that do not hold in light of the evidence presented in this study.

At least three lines of argument emerge throughout the book's loosely knit chapters. The first is a critique of the assumption that the PCC is a vertically structured business with purely economic interests and a hierarchical structure with a clear chain of command (40). Even if, in its early years, the PCC was led by its founding members, Biondi shows that the PCC no longer exercises power hierarchically. Although elements of compulsion are ever-present, membership in the PCC involves the recognition that all prisoners are equals. Biondi presents extensive evidence of non-hierarchical arrangements within the Command: the transitional nature of all political positions (62–63), the practice of not sharing the names of people in positions of authority (72), and the use of the term *consequences* rather than *punishment* when it comes to dealing with violations of accepted codes (80). She also shows that even edicts coming from Towers (Brothers in a position of authority) are reflections of collective desires rather than enforceable directives (82).

Therefore, it is not surprising that members of the general population and prisoners do not describe their relationship with the PCC as one of domination but as the act of “running alongside” the Command (67).

Another line of argument in the book concerns the territoriality of the PCC. Biondi shows that although there are networks of Brothers inside and outside prisons, they do not occupy specific territories. Contrary to state-centric interpretations, in the PCC “there is no sovereign and no subjects but rather only the collision of forces that arise immanently within the association itself” (130), which produces a certain nonterritorial autonomy that Biondi calls transcendence (141).

One way the Command’s nonterritorial autonomy manifests itself is through edicts by the Towers. Biondi shows that these communications are not laws but guidelines, incorporated depending on “particular localized communal rhythms” (70). For instance, looking at the effect of a series of PCC communications ordering the killing of military police officers during a crisis in 2012, Biondi shows that Brothers residing in different neighborhoods of São Paulo had different interpretations of the communiqués. Far from making a monolithic unit, the “PCC movement” behaved not as a group of people coming together to realize a common goal but as various “minor movements,” which made borders undiscernible and traditional notions of territoriality obsolete (152–63).

In the third line of argument, Biondi examines prison politics, specifically the assumption that the relationship between inmates and state officials in prisons controlled by the PCC is based on the exchange of favors. She makes the case that although Brothers may act as intermediaries in moments of crisis, agreements in the realm of the Command are inherently provisional. The PCC’s relationship with officials is the result of Brothers’ choice to unexpectedly deploy heterodox strategies, ranging from agreements to attacks, rebellions, and escape attempts. Most of the time, the choice of strategy depends on chance and the context-dependent survival instincts of those connected to the PCC (118). The element of randomness, according to Biondi, points to the shortcomings of arguments of prison politics based on competition over resources (75).

Biondi’s ethnography successfully presents an account of the politics of the PCC while providing the reader with enough details to assess the validity of her claims. Her critique of widely held assumptions about organized crime in regard to the PCC is exceptionally compelling. Although Biondi is not at all concerned about issues of generalizability, her book raises the question of whether frequently held assumptions about criminal organizations, armed groups, and so-called gangs in other contexts are equally flawed.

The book is weaker in regard to one of Biondi’s less developed arguments. Although she states that she is interested in describing rather than explaining the PCC (163), she does make the case that the expansion of the PCC, instead of state policies, caused a significant decline in homicides inside and outside São Paulo’s prisons from 1999 to 2009 (3). While worth exploring, this argument is not truly addressed, and seems to exceed the scope of the book.

NEOLIBERALISM, DEMOCRATIZATION, AND PENAL STATE FORMATION

While Arias and Biondi highlight the role of criminal groups in the construction of political order, the second set of studies in this review focuses on that of policing. In his book, Markus-Michael Müller seeks to explain Mexico City's transformation into a "punitive city," where top-down, zero-tolerance policies, bottom-up citizens' demand for more police presence, and the proliferation of "self-help security" have made the poor the target of a war (8). Drawing on interviews conducted between 2006 and 2011, field notes, information from media, and government and NGO reports, Müller contends that Mexico City's transformation is not a natural response to crime and insecurity. Instead, the "punitive turn" is a reflection of the "politicization of (in)security" in the country (9).

Müller argues that neoliberal urbanization and governance have initiated a process of "penal state formation" that manifests itself in forms of "urban revanchism." This phenomenon involves the use of the penal apparatus to control factions of the working class that threaten the neoliberal project (4). Mexico City has seen at least two forces behind a penal turn against the poor (chapter 1). On the one hand, neoliberal urbanization, which entailed the promotion of the idea of Mexico City as an entrepreneur-friendly "Global City," called for the penalization of urban marginality. At the same time, however, neoliberalism accelerated the informalization of the economy, which generated the marginality it sought to control. On the other hand, the process of local democratization incentivized local politicians to back revenue-generating policies that resulted in the displacement of marginalized populations out of neighborhoods that had the potential to attract tourism or real estate developers. Local politicians ended up entering into a public-private partnership established to "rescue" urban spaces using zero-tolerance policing, Citizen Protection Units, and the Civic Culture Law at the expense of the poor. In this context, "urban marginals" who relied on the informal economy for subsistence became criminalized.

The process of "punitive democratization" in Mexico City, according to Müller, resulted in an increase in the number of cases of police abuse, human rights violations by the city administration, arrests, expropriations, and the consolidation of clientelistic networks (chapter 2). Given the increasing dependence of urban marginals on patronage, after displacing the Institutional Revolutionary Party (PRI) from the local government, the Party of the Democratic Revolution (PRD) established a network of partisan civil associations as a move to dismantle its predecessor's corporatist structures. In the context of punitive democratization, PRD brokers targeted marginal populations that were prevented by punitive policies from working in the informal economy, as well as citizens with security concerns. They offered housing, services, work, and even privileged access to public policing in exchange for political support.

To explore the effect of the punitive turn in neighborhood life, Müller examines two neighborhoods in Mexico City's historic downtown: Merced and Tepito (chapter 3). He highlights two developments: the emergence of new forms of local

resistance to punitive policies, including alternative narratives and symbolic violence against authorities (90); and the criminalization of marginal populations that do not have the political, symbolic, and economic capital to avoid punitive measures (75). The conclusion is sobering: because of their lack of resources to negotiate the nonenforcement of legislation, the vulnerable became the repressed and the imprisoned (95).

In his discussion of the micropolitics of security (chapter 4), Müller shifts his attention from top-down to bottom-up forces driving securitization. He shows that by advocating for policies of citizen security, zero tolerance, and community policing, U.S.-funded NGOs played a decisive role in the “vernacularization” of security knowledge in the country and turned into a force behind the promotion of punitive security practices (99–114). U.S.-based civic organizations were interested in expanding their influence over Mexican civil society, and local actors needed funding. Due to the convergence of these two needs, well-funded organizations have monopolized security policymaking spaces.

As a parallel to demands for securitization from large NGOs, Müller also looks at the proliferation of forms of self-help at the local level, including private security firms, gated communities, the use of bribes to increase public policing, and security practices by indigenous communities, such as vigilante justice and lynchings (chapter 5). For Müller, all forms of self-help, even if they are deployed as a symbolic effort to press for more state protection, end up deepening the punitive remaking of urban politics and become “proxies of punitive neoliberal state makers” (149).

Müller’s account of the causes and consequences of security governance and policing in Mexico City is compelling and historically situated. One of the strengths of the book is its focus on the mechanisms through which macrohistorical transformations, such as democratization and neoliberalism, shape securitization processes at the city and neighborhood levels. Although Müller states that he is not interested in presenting an “all-encompassing causal story or theoretical account for the transformation of Mexico City” (12) and that the concept of the punitive city should be taken as a “heuristic lens” (13), many of his arguments are indeed causal.

To the extent that the reader wants to evaluate the validity of causal claims, a limitation of this book is the absence of precise definitions. Ambiguities raise the question of whether factors common to general sociopolitical change, such as economic crises, perceptions of insecurity, and electoral incentives, rather than “neoliberalism” and “democratization,” are behind punitive turns. Looking at Buenos Aires in an era that arguably preceded the rise of neoliberalism, Lila Caimari’s book provides a compatible yet alternative account of the rise of the penal state.

MODERNIZATION AND THE CONSTRUCTION OF PUBLIC ORDER

In *While the City Sleeps*, Caimari examines how information on forms of disorder in newspapers, scientific journals, and police archives was intertwined with the construction of social order in 1920s and 1930s Buenos Aires. Caimari shows that in a context where dominant classes were rendered vulnerable by the threat of economic decline, the police became an instrument used by the powerful to neutralize protest and dissent. While Caimari's and Müller's arguments are very similar, Caimari focuses on proximate rather than distal causes. In her "loose, nonchronological argument" (2), technological modernization, media representation, and urban expansion in a context of economic crisis play a central role.

Caimari looks at the effects of technological modernization in two ways. On the one hand, she shows that the upsurge in the number of automobiles, the expansion of paved roads, and the mass production and sale of guns gave rise to new representations of crime and the figure of the *pistolero* (chapter 1). She notes that although crime rates were stable throughout the 1920s, heightening *porteños'* perception that they were experiencing a crime wave was a qualitative change in the modalities of crime. Shootings and scenes where criminals drove off leaving perplexed witnesses behind were becoming more common. These developments contributed to the sense that streets were no longer safe, bolstered the argument for a national police force (27), and often facilitated authorities' use of the language of common criminality when dealing with political challenges (39–40). Technology, on the other hand, also reshaped the way the police collected information about life in the city (chapter 4). By relying on state-of-the-art radios and patrol cars, the police were able to redress challenges stemming from their lack of personnel and capacity to deal with the expansion of the city (98). For Caimari, technological modernization not only facilitated the monitoring of the city and its people but also served to legitimize the police's role and image as a competent guarantor of order (113–16).

A second recurrent theme is the role of the mass media. Contrary to the belief that popular culture did not shape police culture, Caimari argues, the media had a central role in the construction of public order in Buenos Aires (chapters 2 and 6). In chapter 2, Caimari maintains that by reshaping the language generally used to describe crimes, media outlets spurred demands for more police control, stricter sentencing laws, and the reinstatement of the death penalty. Stories of high-profile crimes, primarily starring *pistoleros* and kidnap victims, helped to crystallize the sense that police were corrupt and inefficient and that extreme measures to solve the issue of crime were needed.

At the same time, media representations contributed to the legitimation of the use of force and the enforcement of public order, even if the police themselves probably perceived such order as unjust (chapter 6). Caimari explains that in the 1920s and 1930s, as a strategy to revamp its image and bring in recruits from higher economic strata, the Buenos Aires police launched a campaign to promote the image of

the “police family” through melodramas, chronicles, and journalistic accounts (167–68). The campaigns popularized the idea of the heroic street agent who was “at once a victim of his calling for public service, forgotten by a state that paid him little, and at the mercy of the hardships of the streets” (176). The sense of a bond between the local police officer and the vulnerable members of society, Caimari explains, ultimately served to reconcile events of police abuse with the idea of social justice and the awkward situation in which poor police officers were called on to repress the poor (190).

According to Caimari, the economic crisis and the urban reordering of legality and illegality also shaped notions of order in the city (chapters 3 and 5). Along the same lines as Müller’s argument, Caimari contends that while the state’s counterinsurgency objectives shaped the production of ideas of public order, a considerable citizen demand for order was also behind the increase in the repressive power of the police and the use of legislation against “undesirables” in the 1930s (chapter 3). Caimari argues that the economic crisis and the perception of increasing crime “interrupted the promise of social mobility” of the economic elite and the middle and lower-middle class, generating a demand for more policing (7). Indeed, between 1932 and 1935, citizens backed a series of campaigns aimed at arming and expanding the police force. In this context, the police were under pressure to monitor, punish, and increase the count of transgressions, making the police itself another source of violence.

A second way the economic crisis reshaped the notion of order in the city was by reconfiguring the geography of legality and illegality (chapter 5). At the height of the 1930s economic crisis, a sharp increase in police corruption, illegal gambling, and prostitution in the poorer suburbs of Buenos Aires generated a demand for police control in the urban periphery. While both city and suburban residents were behind this demand, the city’s response was to build a boundary that defined an “inside” and an “outside,” where, even if it meant overstepping its jurisdiction, the Capital Police defended Buenos Aires from Greater Buenos Aires (154). Often, this policy meant that as long as police corruption was not visible in the city, it could thrive in the suburbs.

One of the main contributions of Caimari’s book is that it problematizes the changing nature of police agency. It shows that a priori assumptions about the role and capacity of the police can obscure dynamics between the police, the city, and its inhabitants that are key for understanding patterns of repression and coexistence in the urban sphere. A shortcoming of the book is related to limitations in the availability of data. Arguably, Caimari’s almost exclusive reliance on self-representations of the police and media narratives may provide a biased account of the forces behind the construction of social order in Buenos Aires. The lack of alternative accounts obscures potential sites of resistance to the expansion of the repressive power of the police, as well as unobservable variables affecting the construction of public order.

Taken as a whole, the four volumes in this review provide evidence of how violence, criminal groups, police agency, and macrohistorical change contribute to the construction of political order in the region. Their methodological and theoretical

differences notwithstanding, all the authors convincingly show that complex relationships between state and nonstate actors in urban areas are not marginal but indeed central to the question of violence in Latin America. They also make clear that focusing on state-society dynamics to research the question of whether and how crime and ideas of crime shape political order entails the challenges of dealing with the highly disaggregated nature of the state, the predicament of gauging the organizational capacity of armed groups, and the lack of reliable data. Most important, these books attest to the difficulty of empirically testing whether and under what conditions state-society dynamics, rather than the state's failure to hold the monopoly on the legitimate use of force, explain crime and policing patterns in the region.

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