

Gangbangers and Politicians:  
The Effects of *Mano Dura* on Salvadoran Politics

William Donaldson  
LAST 4000  
Dec. 14, 2012

## *Introduction*

In 2009, El Salvador's homicide rate reached seventy-one deaths per 100,000 people, the highest in the world outside of active war-zones. In the same year Mauricio Funes, the candidate of the leftist FMLN party, was elected president, an unprecedented event that marked the end of the right-wing ARENA party's hold on power since 1989. To describe the political landscape of El Salvador as polarized would be an understatement: the founder of ARENA was responsible for much of the right-wing death squad activity in El Salvador during the 1980s, while the FMLN originally was the umbrella organization of leftist guerrilla groups during the civil war from 1979 to 1992. Veterans of the civil war are involved in both political parties and decades-old grievances between the two sides manifest themselves in the contentious political debates surrounding free trade, El Salvador's relationship with the United States, and socio-economic inequality among other topics. However, despite rhetoric to the contrary, both previous ARENA administrations and the Funes administration have adopted the same policies in regards to the post-war crime surge, specifically the problem of youth gangs like Mara Salvatrucha (MS13). The policies revolve around the controversial *mano dura* ("iron fist") laws that advocate a strong law enforcement approach towards gangs or *maras* and involve questionable methods such as the arbitrary detention of suspected gang youth for simply wearing baggy pants or sporting tattoos.

The support *mano dura* enjoys from both the governments of the ARENA and the FMLN is initially perplexing for two reasons. The first is that the FMLN platform is traditionally leftist with an emphasis on alleviating poverty and inequality in El Salvador, which seemingly conflicts with the *mano dura* policy that is heavily fixated on law

enforcement efforts as opposed to addressing and then correcting the root causes of *maras*. The second reason is that since the passage of *mano dura* in 2003, violent crime and homicide rates have remained some of the highest in the Western Hemisphere. Adding to the policy's lack of success are consequences such as an extremely overcrowded penal system, a very low conviction rate of gang members, and the internal deployment of the military to certain areas in El Salvador for the first time since the civil war. So why would two political parties whose ideologies differ in almost every aspect support a policy that for all purposes is not working? My research of the past two decades in El Salvador has led me to believe that the left-wing FMLN and the right-wing ARENA continue to back *mano dura* because Salvadoran politicians are forced to pledge to adopt a "tough-on-crime" platform in office in order win elections.

In this essay I will argue that the consensus on both sides of the political spectrum on *mano dura* is largely due to the impact of the policy on electoral politics in a number of ways. The first section of this will provide a brief look at El Salvador around the time of the passage of *mano dura*. The second section of this paper will discuss the literature that has provided the evidence for my argument and will define important terms to be used later in the analysis of presented evidence. The third section of this paper will consist of evidence and its analysis and will be divided into three parts preceded by a brief analysis of the effectiveness of *mano dura* to date. I will show that a primary influence on the two parties is the Salvadoran public, unnerved by the violence and the lack of security, which largely supports *Mano Dura* initiatives including the internal deployment of the military. My analysis of the Salvadoran people's role in the formulation of *mano dura* support among their politicians will constitute the first part of

my paper. However, I will also show that factors within the political parties themselves equally impact their platforms on violent crime. The second part of my evidence will examine ARENA's role in *mano dura*, beginning with their dominance of Salvadoran elections prior to 2003 and the sharp rise in violent crime in the 1990s. The enactment of the anti-gang laws in 2003 by an ARENA administration concerned with threats to its reelection will be examined, and connections to the private security industry will be discussed. Finally the analysis of ARENA's motivations for *mano dura* will delve into motivations of two influential cliques within the party for continuing a law enforcement approach to violent crime. The third part of my analysis will then swing over to the FMLN and the current Funes administration, who have not only continued *mano dura* but have expanded it to include military involvement in policing and in prison control. I will discuss how the failure of the FMLN to win the presidency until 2009 was an important aspect in the decision of the Funes to continue a policy that had been labeled "draconian" and unconstitutional by its critics despite *mano dura*'s obvious conflict with the FMLN's social justice platform. I will examine also the relationship between the Funes administration and the United States and how the aggressive targeting of *maras* like MS-13 and Calle 18 (18<sup>th</sup> Street Gang) by the Salvadoran government is in many ways an extension of the U.S. War on Drugs. I will then tie this relationship to the all-important presidential elections in El Salvador in which the opinion of the United States government holds a certain degree of importance.

## *Background*

Following its victories in 1989 and later in the early 1990s, ARENA introduced neoliberal reforms to the Salvadoran economy with its business supporters eager to industrialize and move beyond the old cash crop economy based off of coffee. While the Salvadoran economy did grow significantly, inequality grew as well as crime with the murder rate exploding to 138.9 people per 100000 in 1995, a rate higher than any figure collected during the civil war. While many of these deaths were attributed to politically-motivated murders, the high homicide rate also reflected the growth of organized crime and vigilante activity by death squads such as *Sombra Negra*.<sup>1</sup> The crime rate also reflected the mass arrival of deported Salvadoran male youth from the United States following a crackdown on criminal and gang activity in American cities (principally Los Angeles). These deportees brought American gang culture back with them to El Salvador where gang membership has grown to present-day estimates of 35,000 members. The gangs or *maras* have become the main target of both the media and the government and efforts to combat groups like MS-13 and Calle 18 culminated with the *mano dura* laws passed in 2003 and followed by the *super mano dura* in 2006.

## *Methods and Terms*

The literature I employed in my research originates largely from peer-reviewed journals and books but a couple of sources also are the publications of NGOs involved in fight against *maras* and violent crime in El Salvador. The Washington Office on Latin America (WOLA) report “Youth Gangs in Central America” along with Elana Zilberg’s

---

<sup>1</sup> Ellen Moodie, *El Salvador in the Aftermath of Peace: Crime, Uncertainty, and the Transition to Democracy* (Philadelphia: University of Pennsylvania, 2010), 46-47.

article on the impact of deported Salvadoran gang members directly address the gang problem in El Salvador as well as the *mano dura* policies that impact the country. On the other hand, the journal articles of Sonja Wolf and Orlando J. Perez as well as the joint report on the 2009 elections from NGOs CISPES, NACLA, and Upside Down World focus on the realm of politics in El Salvador as Perez examines the impact of public security on Salvadoran politics while Wolf argues for “soft-authoritarian” model practiced by ARENA since the peace accords. Ellen Moodie’s book *El Salvador in the Aftermath of Peace* is the basis for much of my evidence for the impact of violent crime upon the Salvadoran people and how it translates into political implications for the FMLN and ARENA. Most of the literature overlaps with each other in regards to evidence on political parties, public opinion, or other minor details such as the U.S.-Salvadoran relationship, and the differences between their arguments, such as the discrepancy between crime figures offered by NGOs as opposed to the CRS report to Congress on El Salvador, serve only to strengthen my argument by providing different viewpoints. The general consensus of the literature I utilize is that *mano dura* has been unsuccessful in quelling violent crime in El Salvador and that the policy needs to be revamped with a greater emphasis on prevention and rehabilitation efforts in addition to strengthening state institutions. However, the discussion centers on how negative the consequences of *mano dura* have been and where the blame should be laid for the policy’s continuation. While many of my sources attribute the support in both political parties for an aggressive law enforcement platform towards violent crime and gangs to general public insecurity exacerbated by the media, public opinion is but one component of the electoral politics involved. The literature itself reflects a diverse background that

provides different points of view on my topic: the majority of authors are political scientists or Latin-Americanists, but others represent the fields of anthropology and communications as well as activism.

For the purposes of clarity, I will explain the use of key terms throughout the paper and their significance. First and foremost, FMLN and ARENA will encompass more than just their party membership; instead, the party names will also signify their respective ends of the political spectrum as a number of other small parties of the Right and Left also exist and are active in elections. Furthermore, when referring to an “ARENA administration” or a “FMLN government” the acronyms will also be understood to incorporate not only the party itself but any other parties the FMLN or ARENA may have allied with in order to build a coalition to win the election. The phrase *mano dura* will be understood to encompass the anti-gang legislation from 2003 and 2006, and military involvement as well as the PNC will be considered part of *mano dura* implementation plan as military units tasked with police duties conduct sweeps and detain suspects in the same manner as police units. Although declared unconstitutional in 2004, *mano dura* methods have seen continued use by the government and the PNC as the judicial branch of EL Salvador is significantly weaker than the president and the legislature and has no way to enforce its ruling.

*“Finishing School for Gang Members”: Mano Dura and Its Failure to Stem the Violence in El Salvador*

The gang problem in El Salvador originated in the United States as hundreds of thousands of Salvadorans fled the civil war in the 1980s and early 1990s. In Los Angeles,

Salvadoran youth formed gangs like MS-13 modeled after existing Mexican and Black gang culture. When the peace returned to El Salvador in 1992, however, the INS along with LAPD began targeting foreign-born gang-affiliated youth as part of a zero-tolerance crackdown on gangs in Los Angeles, deporting not only gang members that entered the U.S. illegally but also permanent residents who had committed “aggravated felonies” that included non-violent offenses under a 1996 law.<sup>2</sup> In Elana Zilberg’s article “Banished from the Kingdom,” her ethnographies of deported Salvadoran gang members reveal the culture shock of returning to El Salvador for the first time in years and often without connections. One gang member described it as like being sent “to Mars” while another described his identity crisis upon arrival as the Salvadoran public saw him as gang member and an outsider.<sup>3</sup> In response, deported gang members in El Salvador recreated their gangs (MS-13, Calle 18) and found a large pool of potential recruits in the poor *barrios* of San Salvador where unemployment and poverty were the norm. The legacy of the civil war also created an ideal environment for gangs as there were tens of thousands of former combatants as well as easy access to firearms. The gangs quickly became flush with money earned from drug-trafficking, extortion, and other crimes and like in Los Angeles, violent turf wars erupted between rival groups.

There is a general agreement among all sides that crime risen dramatically in the two decades since the 1992 peace accords: Perez notes that a 1998 report concluded that in the years prior to its publication that crime had risen 92% in El Salvador, homicide

---

<sup>2</sup> Kelly Padgett Lineberger, “The United States-El Salvador Extradition Treaty: A Dated Obstacle in the Transnational War Against Mara Salvatrucha (MS-13),” *Vanderbilt Journal of Transnational Law* 44:1 (Jan. 2011), 191-192.

<sup>3</sup> Elana Zilberg, “Fools Banished from the Kingdom: Remapping Geographies of Gang Violence between the Americas (Los Angeles and San Salvador),” *American Quarterly* 56:3 (Sep. 2004), 766-768.

rates were among the highest in the world, and was ranked second in Latin America on levels of victimization by common crime.<sup>4</sup> Disagreement arises, however, over how much the *maras* contributed to these statistics. Moodie states that the public, police, and media fixation on gangs far exceeds their part in post-war violence as organized crime, kidnapping rings, and most recently drug cartels are responsible for more criminal activity.<sup>5</sup> The WOLA Special Report argues that the majority of youth gang members belong to small neighborhood gangs and that gangs overall are being scapegoated for general criminal and security problems.<sup>6</sup> However, PNC officials claim that the *maras* are responsible for half of all homicides and the majority of the extortion in El Salvador. One Director of Public Security David Payes went so far as to attribute 90% of all homicides to gang activity.<sup>7</sup> Salvadoran politicians and the police have used these statistics as justification for the heavy-handed measures of *mano dura*.

Most academics agree that since its implementation in 2003, its expansion in 2006, and a further expansion again under the Funes administration, *mano dura* has failed to solve the country's crime problem or damage the power of gangs like MS-13. The crackdown has forced gang members to change their style of dress and to operate underground, but they have not ceased their activities. On the other hand, the large police sweeps of "gang-affiliated" suspects have violated the human rights of thousands of Salvadorans.<sup>8</sup> Kelly Lineberger argues that the 4,000 suspected gang members incarcerated between 2003 and 2004 alone placed a huge strain on the poorly funded

---

<sup>4</sup> Orlando J. Pérez, "Democratic Legitimacy and Public Insecurity: Crime and Democracy in El Salvador and Guatemala," *Political Science Quarterly* 118:4 (Winter, 2003/2004), 637-638.

<sup>5</sup> Moodie, *El Salvador in the Aftermath of Peace*, 171.

<sup>6</sup> Geoff Thale and Elsa Falkenburger, "Youth Gangs in Central America: Issues in Human Rights, Effective Policing, and Prevention," *A WOLA Special Report* (November, 2006), 5.

<sup>7</sup> Clare Ribando Seelke, "El Salvador: Political and Economic Conditions and U.S. Relations," *CRS Report for Congress* (Aug. 2012), 6-7.

<sup>8</sup> Thale and Falkenburger, "Youth Gangs in Central America," 5.

Salvadoran penal system with its prisons earning the distinction of the most crowded in the region. The incarcerated gang members have begun heavily recruiting new members in the prisons while providing an environment for gang leaders to increase organization, making the prisons more or less finishing schools for young gang members.<sup>9</sup> The *mano dura* initiatives have placed a financial strain on the PNC to the degree that the military has been deployed to fulfill their duties in some areas. The flimsy nature of the charges most gang youth are arrested on by the authorities is evident in the 3% conviction rate of cases that make it to trial in 2007.<sup>10</sup> The suspected gang youth, after having been hardened during their incarceration, are then released back into the public with the only real result of the prosecution effort visible in the court costs. Most importantly, the national homicide rate has not significantly dropped since 2003 with the rate at 69 homicides per 100,000 people as of 2011. Despite adequate evidence that *mano dura* and its aggressive approach to law enforcement have not succeeded, the policy has continued to be featured in every administration since 2003 and shows no signs of being discontinued. The reasons for this phenomenon will be examined next in this paper.

*“Anything but ‘Peaceful’”: Public Opinion and Politics of the Mano Dura*

A large percentage of the current Salvadoran population living in the midst of the current wave of violent crime also experienced El Salvador’s twelve-year civil war and therefore is no stranger to violence. In her interviews with Salvadorans in the mid-1990s, Moodie discovered that people had largely dealt with living in a conflict zone during the civil war by being *listo* (ready) which entailed paying attention to your surroundings and

---

<sup>9</sup> Lineberger, “The United States-El Salvador Extradition Treaty,” 196-197.

<sup>10</sup> Moodie, *El Salvador in the Aftermath of Peace*, 47.

knowing what areas are dangerous and when. In contrast, many of her respondents admitted to no longer being able to be *listo* for crime and violence in post-war El Salvador.<sup>11</sup> As a result, a recurring theme among Salvadoran citizens of different economic and political backgrounds is that the explosion of violent crime over the past two decades has been *worse* than the war.<sup>12</sup> The sentiment of public insecurity among the general population of El Salvador has been noted by politicians and has since been used as a talking point between candidates and political parties.

The growth of public insecurity and its translation into support for *mano dura* policies has been attributed to different factors. The WOLA Special Report blames the media for “inflammatory” reports about violence in which the role of gangs is inflated, intensifying fear in urban communities that is quickly capitalized upon by government officials promising quick (yet short-term) response, say, in the form of mass detainment of suspected gang youth upon questionable justification.<sup>13</sup> Another factor is the culture of youth gangs in El Salvador is for the most part derived from American urban culture and is seen as foreign in a traditionally socially conservative country like El Salvador. The presence of gang members deported from the U.S. reinforces the “outsider” profile of members of *maras* as any young Salvadoran male dressed in baggy clothes or sporting tattoos is seen as “just another *marero* (gang member).”<sup>14</sup> The feeling of fear and desire for an aggressive policy towards *maras* also arises from the victimization of another person within your neighborhood according to Perez, and his study shows that the fear of becoming a victim of crime increases the support for undemocratic measures. The

---

<sup>11</sup> Moodie, *El Salvador in the Aftermath of Peace*, 104.

<sup>12</sup> Moodie, *El Salvador in the Aftermath of Peace*, 84.

<sup>13</sup> Thale and Falkenburger, “Youth Gangs in Central America,” 5.

<sup>14</sup> Zilberg, “Fools Banished from the Kingdom,” 768.

level of aggressiveness increases even more from the victims themselves as a majority was shown to be willing to support a military coup as a solution to high crime.<sup>15</sup> The influences of crime victimization, the perception as a *marero* as foreign to Salvadoran society, and the disproportionate attention gang crimes receive in the media most likely al, contribute in one way or another to the feeling of vulnerability expressed by Salvadorans through their support of heavy-handed government initiatives.

Either political party cannot ignore the broad support for an aggressive platform towards crime by the public when it comes to elections from the municipal to the presidential level. In one study, 61.2% of all respondents in El Salvador agreed that respect for human rights was a barrier to more effectively fighting crime, revealing disillusionment with the post-war democracy in place. Other polls have revealed a lack of confidence in the PNC and the Salvadoran justice system.<sup>16</sup> Most disturbingly, Moodie found that in 1996, almost half of Salvadorans who were polled approved of vigilante action by death squads like *Sombra Negra* that carry out extrajudicial murders of “undesirables” like gang members, drug-dealers, and street urchins as part of a campaign of social cleansing.<sup>17</sup> The dissatisfaction with the status quo is an obstacle that politicians up for election or reelection in El Salvador must overcome in their campaigns. Thus when 15% of Salvadorans named crime as their top concern in the 2009, it is no surprise that FMLN candidate Mauricio Funes pledged to continue the previous ARENA administrations’ tough-on-crime platform, albeit with promises to increase spending for prevention and rehabilitation efforts. Further evidence of the public’s role in the perpetuation of aggressive approaches by the government towards gangs is evident in the

---

<sup>15</sup> Pérez, “Democratic Legitimacy and Public Insecurity,” 642.

<sup>16</sup> Moodie, *El Salvador in the Aftermath of Peace*, 144-147.

<sup>17</sup> Moodie, *El Salvador in the Aftermath of Peace*, 46.

original introduction of *mano dura* legislation during an election season by the ARENA administration when polls predicted an FMLN presidential victory. The public's support for the initiative and again for the *super mano dura* in 2006 translated into votes that helped to preserve ARENA's hold on power (this topic will be elaborated on further in the following sections on the political parties).

We have now seen that the public's perception on the high violent crime is indeed a significant factor in the continuation of *mano dura* despite its lack of tangible success in lowering homicide rates or quelling gang activity. The voices of Salvadorans through polls, studies, and interviews have shown that many in the country feel more threatened by the current criminal violence than by the political violence of the civil war and that the fear exhibited towards crime and the *maras* is a result of personal impacts of crime victimization, the social stigma towards gang members, and a media that bombards its viewers with images of gang-related violence. However, the public itself is not responsible for the implementation of *mano dura* as the short-term nature of these policies isn't inherently designed to truly protect the public. Instead both the FMLN and ARENA parties and candidates are forced to acknowledge this frustration among their constituents and pander to it in order to win their votes, along with other factors such as influential actors within the parties and the external influence of the United States which unite to push the *mano dura* to the forefront of electoral politics.

#### *ARENA and the New El Salvador*

As the party in power when *mano dura* was instigated in El Salvador, ARENA has claimed to be the party responsible for taking the original hardline view towards the

gangs seen as responsible for much of the violent crime in the country. An initial reaction would be to attribute these policies with widespread public fear and frustration with the explosion of crime in post-war El Salvador. However, the sheer fact that *mano dura* was not proposed until 2003 refutes this attribution. ARENA first took control of the government through the 1989 elections and Moodie points out that some accounts show that in the years prior to the peace accords, there was already an 83% increase in crime not attributed to the belligerents involved in the civil war. Instead, the ARENA government tried to hush the topic of violent crime or normalize it into an indicator that El Salvador was joining the ranks of modern nations that also suffered from crime.<sup>18</sup> The government used these same excuses to explain the random murders of ex-combatants from the civil war that allegedly were politically motivated killings. The primary reason behind the ARENA mindset of playing down the problem of crime was simple: it was bad for business and the financial interests in ARENA. After the end of the war, two cliques held the most influence within the political party. One was composed of the old power-holders from before the war, the agro-export oligarchy and the military. The second group was made up of Salvadoran business and financial interests that gained power at the expense of the other group during the conflict as exports declined while the industry and service sectors in San Salvador grew. It was the clique of the “new elite” that pushed for peace with the FMLN in order to let the economy grow.<sup>19</sup> ARENA became the party to adopt the Washington Consensus economic model, neoliberalism, and its members understood that if too much attention was garnered by crime in the country that foreign investors necessary for economic growth would be frightened away.

---

<sup>18</sup> Moodie, *El Salvador in the Aftermath of Peace*, 63.

<sup>19</sup> Sonja Wolf, “Subverting Democracy: Elite Rule and the Limits to Political Participation in Post-War El Salvador,” *Journal of Latin American Studies* 41:3 (Aug. 2009), 436-438.

Too much publicity for crime in El Salvador would also attract the attention of human rights groups and prevent the government's attempts to shed the image of a country racked by violence and chaos.<sup>20</sup> So until the early 2000s, ARENA-led governments in El Salvador downplayed violent crime and the growth of gangs in poor urban areas and instead focused attention on El Salvador's economic growth and development. The economy at that time was the primary concern of the war-weary public so ARENA had no reason to push for strong, expensive policies like the *mano dura*.

The issue of violent crime and youth gangs was not made a political priority until the 2003 when ARENA found its hegemony threatened. Political scientist Sonja Wolf argues that until the early 2000s, ARENA created and enjoyed "electoral authoritarianism:" a type of authoritarianism in which free elections were held and the opposition could win but the ruling party uses its power and wealth to manipulate politics leading up to the elections in order to give itself an unfair advantage. In El Salvador this was possible through ARENA's control of 90% of the television media, low voter turnout, and the disorganization of its FMLN opponents.<sup>21</sup> However, by 2003 the growth of inequality and poverty as a result of neoliberal reforms lauded by ARENA led to FMLN becoming more popular amongst voters. Eight months before presidential elections in 2004 the ARENA Flores administration drafted the laws of *mano dura* as the first anti-gang legislation in the country as both government officials and the media had begun to blame gangs like MS-13 as the driving force behind the high homicide rates in the years prior to the policy. As indicated by Wolf, the policy was widely popular and cemented crime as a strong platform of ARENA as for the first time, a majority of poll

---

<sup>20</sup> Moodie, *El Salvador in the Aftermath of Peace*, 48.

<sup>21</sup> Wolf, "Subverting Democracy," 440-441, 450.

respondents stated that crime was a top priority while another poll showed that 21% of those interviewed saw gangs as the problem behind crime.<sup>22</sup> Thus, ARENA successfully moved public attention away from unpopular economic policies that its governments were responsible for to violent crime and gangs which hadn't been examined by the FMLN hadn't discussed in great deal. ARENA won the 2004 presidential election and has since campaigned on heavy-handed policy towards crime and *maras* while associating the ex-leftist rebels (a core group of the FMLN) with the problem of crime.

After the 2004 election, business and financial interests within ARENA supported the highly visible *mano dura* methods against crime, as it was a way to convince investors that every effort was being made to combat crime in the country. The party also supported increased police presence on the streets because as Perez notes, "for the average citizen, the police are the most visible instrument of government."<sup>23</sup> The police presence would give the public some reassurance that the ARENA government was taking action against the gangs and would give the Salvadoran electorate another reason to keep the ARENA governments in power. On the subject of exploring different ways of combatting the violent crime problem, powerful interests had reasons to not endorse prevention and rehabilitation efforts and politicians within ARENA who hoped to run for office need the support of these interests. An area of investment by both businessmen and ex-military men in ARENA was the private security industry and a World Bank survey in 1996 found that spending on security by businesses had increased 85% in five years.<sup>24</sup> The number of employed security guards also outnumbers the total manpower of the

---

<sup>22</sup> Wolf, "Subverting Democracy," 447-448.

<sup>23</sup> Pérez, "Democratic Legitimacy and Public Insecurity," 628.

<sup>24</sup> Jenny Pearce, "From Civil War to 'Civil Society': Has the End of the Cold War Brought Peace to Central America?" *International Affairs* 74 (1998), 590.

PNC. While the homicide rate as well as the high general crime rate has been terrible for some, it has also made some people very rich.

As I have discussed, public insecurity was not responsible for the creation and adoption of the *mano dura* by ARENA governments because crime had been rampant for a more than a decade since the peace accords until the passage of *mano dura* anti-gang legislation by ARENA ahead of the 2004 elections. Instead, simple electoral politics were responsible for ARENA's platform of aggressive anti-crime efforts as *mano dura* in 2003 and the passage of *super mano dura* by another embattled ARENA administration in 2006 were meant to win over the public during election season and discredit the FMLN. I have also shown that powerful economic interests within ARENA heavily influence the actions of ARENA's politicians and that they currently favor the *mano dura* and, more cynically, have interests in the continued phenomenon of high crime in El Salvador. However, electoral politics aren't key only in ARENA as we'll see in the next section that examines the FMLN's battle for power in post-war El Salvador and President Funes's efforts against the *maras*.

#### *The Administration of Mauricio Funes and the FMLN's Identity Crisis*

Mauricio Funes's presidential victory in 2009 was a landmark event for the FMLN as it was the first time a leftist government had been elected in El Salvador's history as well as ending ARENA's twenty year hold on the presidency. Instead being a puppet of a radical leftist party as portrayed by ARENA and its media allies, Funes has shown himself to be very moderate in his government's actions as he has ratified the CFTA trade agreement, protected the dollarization of the currency, and, most important

in terms of this paper, has kept provisions of *mano dura* in place from the previous ARENA governments and has even intensified them with an attempt to criminalize gang affiliation and the deployment of a number of military troops to work alongside the PNC in patrolling the streets as well as occupying gang-infested prisons. I argue that the Funes administration's continued enforcement of *mano dura* (albeit with increasing funding for prevention and rehabilitation efforts) is not only because a majority of the public supports it but also because it's part of the party's plan to remain competitive in elections by pursuing a moderate appearance to help shed their militant past while maintaining good relations with the United States.

Before examining the Funes administration, I will first show why the FMLN was unable to win elections over the past two decades. An excellent example can be found in the 2004 elections because it was the first time FMLN was poised to have a fighting chance at winning the presidency. We have already examined the role the *mano dura* legislation had played in boosting ARENA's popularity but the FMLN's failure to win the election was also much of its own doing. FMLN neither had a strong nor organized platform. Instead the party relied on lofty promises of social justice as well as undoing many of the ARENA-backed neoliberal reforms. ARENA exploited this weakness while claiming that FMLN's "radical" leftist agenda would damage an already struggling Salvadoran economy while sabotaging relations with the United States. Financial aid from the U.S. government and remittances from Salvadoran immigrants in American cities constituted a large part of El Salvador's economy and Salvadorans remembered the lengths of involvement the U.S. took to support the right-wing government and defeat the

FMLN during the civil war.<sup>25</sup> ARENA was given even more ammunition in their effort to discredit with the FMLN with the party's presidential candidate who was an ex-guerrilla leader from the civil war. Through a combination of public support for ARENA's *mano dura* policy and its own bad press, the FMLN lost the election. The process repeated itself again in 2006 as ARENA exploited FMLN's vague policy platforms and their revolutionary past as well as tying the FMLN to gang violence and anti-free trade protests. Once again, ARENA won the elections. The FMLN finally broke through the campaign barrier in 2009 with Funes, their first presidential candidate with no guerrilla past, who promised to battle inequality and poverty but also promised to preserve the neoliberal market and maintain good relations with the United States. ARENA had tried to discredit his candidacy by accusing him of being a Chavez supporter and a puppet for his vice-presidential running mate, who was much more radical in ideology, but had been unable to make the accusations stick in the public's mind.<sup>26</sup>

Obviously Funes has learned from the mistakes of predecessors in the FMLN because he has pursued a moderate agenda since being elected to office and has reaped the benefits of such an agenda with a 72% approval rating as of July 2012. His endorsement and support of the *mano dura* has been a part of this agenda. In response to deadly attacks on bus passengers by suspected gang members in El Salvador in 2010, Funes introduced legislation to criminalize gang affiliation and in that same year he deployed 2800 military personnel to assist the PNC in battling crime as well as to take back control of the country's prisons.<sup>27</sup> However, he has balanced these practices out with prevention and rehabilitation efforts such as a \$60 million World Bank loan meant

---

<sup>25</sup> Wolf, "Subverting Democracy," 450-451.

<sup>26</sup> "The 2009 El Salvador Elections: Between Crisis and Change," *A Joint Report* (Jan. 2009), 7-8.

<sup>27</sup> Lineberger, "The United States-El Salvador Extradition Treaty," 195-198.

to expand school programs to keep children off the streets and outside the reach of the gangs as well as supporting a Catholic Church-sponsored ceasefire between MS-13 and Calle 18, the two largest *maras* in the country. Although he has fulfilled his promise to focus on implementing the social justice aspect of his crime platform, Funes has also maintained if not intensified *mano dura* directives with the implicit purpose of preserving his moderate image and that of his party for the next round of elections.

It is important also to note the significant influence the United States wields in El Salvador's politics. Academics largely agree that the only way the government was able to maintain control against the FMLN rebellion in the civil war was through the massive amounts of U.S. military and financial assistance. Since the peace accords, good relations with the United States has been important among much of the Salvadoran electorate for economic reasons. Not only was the U.S. instrumental in El Salvador's transition into a neoliberal economy but in 2002, 1 in 4 Salvadorans lived abroad in the United States and remittances from the immigrants back to their relatives in El Salvador made up 13.6% of the country's GDP.<sup>28</sup> The specter of a U.S. threat to restrict the flow of remittances and to suspend aid to the country has always been a card that ARENA has played against the U.S.'s old enemy, the FMLN, in elections. Funes realizes that any attempt to follow the path of other more vocal leftist presidents in Latin America can have disastrous results for them at the polls when presidential elections are held in 2014. Pursuing the *mano dura* would be prudent in this respect because it is largely supported by the United States due to its designation of El Salvador as hub for narcotics trafficking in Central America. Both MS-13 and Calle 18 have established themselves in all major U.S. cities and profit from drug sales, prostitution, extortion, and human trafficking with MS-13 considered

---

<sup>28</sup> Moodie, *El Salvador in the Aftermath of Peace*, 79.

one of the most violent street gangs in the United States.<sup>29</sup> U.S. concerns about the connections between drug-traffickers and gangs in El Salvador is evident in the bilateral agreement between the two countries in 2010 to open a wire-tapping center to intercept criminal telecommunications along with the U.S. military surveillance flights out of Comalapa Airport which acts as a forward base for drug interdiction efforts.<sup>30</sup>

### *Conclusion*

El Salvador as of 2012 has the dubious reputation of having one of the highest homicide rates per capita in both the Western Hemisphere and the world. The violence at one point in the mid-1990s surpassed the death rate in El Salvador during the height of its civil war. However, the violence has transitioned from political motivations to criminal ones. Bearing much of the blame and attention from both the Salvadoran and U.S. governments, gangs involved in drug-trafficking and street murders such as MS-13 have found themselves under heavy pressure from the Salvadoran government in the form of *mano dura* and its aggressive methods. In this paper I have outlined how the *mano dura* has largely failed to quell gang activity or lower the homicide rate while strengthening the gangs in many ways. I have also shown that the support the policy receives from both ends of the highly polarized political spectrum in El Salvador is largely non-ideological in nature; rather the bipartisan support for *mano dura* is based on election politics, because of politics within each political party as well as the support the heavy-handed policy enjoys from the public. Politicians find it necessary to continue *mano dura* despite its lack of success ultimately to win elections for their party.

---

<sup>29</sup> In 2012, MS-13 became the first street gang to be designated a transnational criminal organization by the U.S. government, a label usually reserved for organized crime syndicates like the Italian Mob.

<sup>30</sup> Seelke, "El Salvador," 16-17.

As shown in my analysis, each political party has its own reasons to continue supporting *mano dura* measures and the public has more or less applauded these measures in return. However, statistics have shown that the heavy-handed approach to street gangs has not significantly reduced crime and El Salvador remains one of the most dangerous countries in the world. In order to curb violent crime and reduce gang activity, the public must be made aware that long-term solutions that involve a much heavier emphasis on rehabilitation and prevention must be introduced even if the short-term results are disappointing. The international community, including the United States, must also provide the Salvadoran government with aid that will allow the country to strengthen its institutions like the police and judicial system. Success in decreasing gang violence has also occurred at the hands of NGOs. In the summer of 2012, the Catholic Church was able to organize a cease-fire between Calle 18 and MS-13 which although tenuous, has held up until the writing of this paper. Hopefully, the Salvadoran government with the support of its citizens will be able to exploit all options for ending the spike in violent crime within its borders and the same measures can be then adopted by other countries in the region.

### *Bibliography*

“The 2009 El Salvador Elections: Between Crisis and Change,” *A Joint Report* (Jan. 2009), 3-27.

Lineberger, Kelly Padgett. “The United States-El Salvador Extradition Treaty: A Dated Obstacle in the Transnational War Against Mara Salvatrucha (MS-13),” *Vanderbilt Journal of Transnational Law* 44:1 (Jan. 2011), 187-216.

Moodie, Ellen. *El Salvador in the Aftermath of Peace: Crime, Uncertainty, and the Transition to Democracy*. Philadelphia: University of Pennsylvania, 2010.

- Pearce, Jenny. "From Civil War to 'Civil Society': Has the End of the Cold War Brought Peace to Central America?" *International Affairs*, 74 (1998), 587-615.
- Pérez, Orlando J. "Democratic Legitimacy and Public Insecurity: Crime and Democracy in El Salvador and Guatemala," *Political Science Quarterly* 118:4 (Winter, 2003/2004), 627-644.
- Seelke, Clare Ribando. "El Salvador: Political and Economic Conditions and U.S. Relations," *CRS Report for Congress* (Aug. 2012), 1-18.
- Thale, Geoff and Elsa Falkenburger. "Youth Gangs in Central America: Issues in Human Rights, Effective Policing, and Prevention," *A WOLA Special Report* (November, 2006), 1-30.
- Wolf, Sonja. "Subverting Democracy: Elite Rule and the Limits to Political Participation in Post-War El Salvador," *Journal of Latin American Studies* 41:3 (Aug. 2009), 429-465.
- Zilberg, Elana. "Fools Banished from the Kingdom: Remapping Geographies of Gang Violence between the Americas (Los Angeles and San Salvador)," *American Quarterly* 56:3 (Sep. 2004), 759-779.