

## Deals with the devil

Ivan Briscoe, 1 June 2012

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Talk of a pact with criminals is beyond the pale in Mexico's presidential election campaign. But the tentative success of a deal with gang leaders in one of Central America's most violent countries suggests the time may have come to explore a new style of negotiations aimed at reducing appalling levels of violence.



### About the author

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As Mexico inches closer to its elections on July 1, the realization that the country may soon reprise the vices of its old regime is causing shudders. Already a [student movement](#)<sup>†</sup> has arisen to protest against the alleged manipulation of the campaign by giant media conglomerates. Face to face with the [boyish leader](#)<sup>†</sup> of the reborn Institutional Revolutionary Party, the PRI, Mexico's most [prominent leader of crime victims](#)<sup>†</sup> this week spilled out his misgivings. "You are not swayed by the victims, you speak coldly, just like the old PRI. That terrifies me, it terrifies all of us."

There are many separate elements that join together to make up the catalogue of fears expressed on Monday by the poet and activist Javier Sicilia. [The PRI](#)<sup>†</sup>, now led by Enrique Peña Nieto and riding high in the polls, ran the country for 70 years until it was ejected in 2000. It permanently toyed with democracy, steamrolled the press, and systematically favoured insiders. It massacred student protesters. Its economic policy roamed free, first nationalizing industry, then running up huge foreign debts before finally throwing down all barriers to trade and capital.

But in a country that has witnessed over 50,000 organized crime killings since late 2006, where the number one concern of citizens is crime and violence – 41 percent regard it as the nation's principal problem, according to Latinobarómetro – the most perturbing legacy of PRI rule lies in its shadowy connections to the criminal underworld. Violence has become a lot worse since the party was booted from power; but the current agents of insecurity happen to be precisely the heirs of those cartels that PRI state governors cultivated, or which the party's security officials in the infamous Federal Security Directorate minded.

Amid the jostling groups of competing drug traffickers, two now stand out. [The Zetas](#)<sup>†</sup> are an offshoot of the Gulf cartel, which was born in Tamaulipas in the 1970s after decades of state-protected rackets. The [Sinaloa Cartel](#)<sup>†</sup>, meanwhile, was incubated by [Miguel Ángel Felix Gallardo](#)<sup>†</sup>, now serving life in jail, but

whose published memoirs point to a litany of excellent contacts with police and politics in the 1970s and 1980s.

The prospect that the PRI might tackle Mexico's violence by settling with cartels over the negotiating table is a live concern, and universally feared. In a recent television debate, the ruling centre-right party's candidate, [Josefina Vázquez Mota](#)<sup>†</sup>, drew on this fear: "I am not going to negotiate nor make any truce with organized crime." For novelist [Fernando Vallejo](#)<sup>†</sup>, a Colombian who lives in Mexico, the PRI is "the seedbed of all the cartels." For outgoing [President Felipe Calderón](#)<sup>†</sup>, any talk of a pact to bring down violence is utterly myopic. "We've had too many years of truce with criminals, and now we're paying the consequences." Naturally, [Peña Nieto](#)<sup>†</sup> has insisted he will be anything but soft on crime, preferring strong intelligence and targeted policing; any talk of a pact with the cartels is invisible and inaudible.

## On track with the maras

Yet what makes these righteous arguments against negotiating with criminals rather less watertight is what is happening not far away, in Central America. El Salvador can claim to know barbaric violence as well, if not better, than Mexico: its murder rate is around three times higher, and second only in the world to Honduras. Since emerging from one of the region's most even-handed and closely fought civil wars, two federated street gangs, the Mara Salvatrucha and the Barrio 18, have cemented deep loyalties in the country's poorest areas and recruited an estimated 62,000 members, used to man protection rackets, kidnap, carry out hits and the like.

For the last decade, including the first years of the centre-left government led by Mauricio Funes since 2009, the official response has been a programme of Mano Dura (iron fist), or, to turn the screw one notch tighter, [Súper Mano Dura](#)<sup>†</sup>. Then all of a sudden, amid a patchy information blackout and with no forewarning, it emerged in March that mediators acting with the approval of the government have [reached an entente](#)<sup>†</sup> with imprisoned gang leaders. In return for moving 30 of these inmates to a more relaxed prison regime, the go-betweens asked them to order an end to the killings. A month later, for the first time in years, the country recorded a day without a violent death; the official hope is now that the murder rate will fall in 2012 by 50 percent. The gangs have even agreed to halt forced recruitment of young people.

When Interior Minister David Munguía Payés, a retired general, arrived in his new job, it was widely taken to mean the beginning of a virulent extermination campaign against the maras – one tweet when he took office declared "let's hope they burn like in Honduras", referring to the death of 358 prisoners in a fire in February. Until recently, he had refused to elaborate on his apparent change of heart. But in an interview a fortnight ago with the superb El Salvadorean [website El Faro](#)<sup>†</sup>, he twists and feints between questions, seeking both to avoid the responsibility of negotiating with blood-stained gangsters while also wishing to claim the credit for indirectly convincing them to call a halt. It is not a stable foothold for an argument, but it makes for one of the more fascinating documents in the region's recent history of criminal violence.

[Munguía Payés](#)<sup>†</sup> doubts the security campaign is over, and insists the authorities are preparing for the worst – a rebirth of gangs, new leaders, schisms or rearmament. One of the two negotiators, former guerrilla leader [Raúl Mijango](#)<sup>†</sup>, also downplays the relevance for other countries, distinguishing the strong community roots of the maras from the itinerant criminal syndicates of Mexico. Yet in spite of these efforts to belittle themselves and the dimensions of what they have achieved, Munguía Payés is adamant and unequivocal on one issue. And its significance for other countries cannot be downplayed. "My hope is that they [the gangs] don't commit serious crimes, like they are committing at the moment, because in reality the gangs aren't going to disappear in the next 15 or 20 years. You will die, I will die, and still there will be gangs here in El Salvador. At best they just won't be as violent as they are now."

## Good and bad pacts

The prescience of a military officer recognizing the immovable fact of criminal structures in society provides a night and day contrast with the explicit rejection of any sort of arrangement in Mexico, or elsewhere in Central America. Pact, it must be said, is in any case a dirty word in Latin America: its

connotations are of the two parties of Venezuela carving up the political spoils for 40 years from 1958, of backroom deals over constitutional change in Argentina, or of working agreements big and small, from street-level to presidential palace, between criminals and public figures.

Outrage over the notion of conversing with criminals is common and, given the wanton atrocities committed (two percent of Mexico's killings are beheadings), completely understandable. But it could also be argued that what the Mexican populace dislike is not so much a cautious, rational dialogue, the sort tried in El Salvador, but the inevitable distortions that would befall covert talks under the influence of scheming politicians and fragmented cartels.

For these are precisely the sort of deals that have proliferated across the continent. Examples abound: parapolitics in [Colombia](#)<sup>†</sup>, the shadow state of [Guatemala](#), the mafia tycoons under Argentina's [President Menem](#)<sup>†</sup>. And whereas Mexico's post-PRI authorities disavow any sustained links to crime, the evidence would suggest otherwise. Suspicion has long centred on official favouritism towards the Sinaloa cartel, the largest and most business-like drug organization, whose leader, Joaquín "El Chapo" Guzmán, seems to be both mobile and impregnable. Other cartels frequently leave painted sheets alongside mutilated murder victims to denounce Sinaloa's special treatment by the state; [pamphlets thrown from a airplane](#)<sup>†</sup> in Sinaloa this week alleged the same.

Meanwhile, the number of scandals involving senior military figures would suggest the proximity to crime has hardly abated. Four formerly high-ranking officers have been arrested on such charges in the last month, one of them a deputy defence minister. Yet the drive-by gun murder in April of retired general [Mario Arturo Acosta Chaparro](#)<sup>†</sup> has raised even more eyebrows. Having been jailed for 30 years in 2000 for links to the Juárez cartel, Acosta was released in 2007, exonerated, reabsorbed into the army with full honours, and reputedly sent off for secret talks with all the main cartels.

## The difficulty of reaching a conclusion

The twilight gloom of the contacts between crime and politics, and the nature of the people wandering the shadows, make objective assessment of the merits of dialogue incredibly hard. A host of very practical worries and doubts, echoed by Munguía Payés, intensify these doubts. It is not clear what would become of hardened criminals atop hierarchical transnational operations after any such deal. Whereas rebel armed groups may move into politics, a shift in the same direction for the Zetas would seem either to be improbable, or distinctly undesirable. The sheer fragmentation of Mexico's cartels, contrasting sharply with El Salvador's two gangs, make the feasibility of reaching and holding an accord questionable. One truce three years ago between cartels in the state of Sinaloa lasted all of 70 days, and reportedly broke up when the groups disagreed over how many revenge killings would be permitted.

But at same time, the extremities of criminal violence in Mexico and Central America make consideration of some sort of pact unavoidable. Much attention has been devoted by experts, research organizations and even Javier Sicilia's movement of victims to reducing levels of violence; Peña Nieto promises exactly the same. Yet as El Salvador shows, this will invariably require some form of rapprochement or understanding, or at the very least, a deliberate choice of who to target, and who to leave alone. Former Mexican Foreign Minister [Jorge Castañeda](#)<sup>†</sup> put the matter clearly: "I think it's pretty clear that [Peña Nieto's] proposal is to concentrate federal resources on the fight against crime and violence, and not on the fight against drug trafficking. If your resources are limited, and you focus on A, you won't pay much attention to B."

The reality of choosing where to apply limited resources in conditions of multiple criminal activities would make it inevitable that someone or other is let off the hook, or paid off. Although this is politically unpalatable, it would be foolish to deny this is not at the heart of current thinking. The Guatemala president's proposal to decriminalize drug trafficking envisages, as one possibility, corridors for free passage of narcotics. The Organization of American States has expressed great interest in the El Salvadorean experiment. Even the United States has followed it closely, while keeping to tradition by paying scant attention to the subtleties: the mediator Mijango observed in an interview that a "lady from the US State department" visited him to suggest he use the opportunity of dialogue to "dissolve the gangs" once and for all.

Notching up progress towards safer societies by dealing directly with those responsible for crime and corruption is undoubtedly one of the most risky endeavours that Latin American democracies, or any other country, can set themselves. However, ignoring the issue is irresponsible; denying contact with criminals is a lie; and pushing for quick strategic wins is a delusion. To talk with criminals rationally and prudently, as Munguía Payés argues, is to accept risk and imperfection. It is to acknowledge that not everyone can wait for the day that police are reformed and the judiciary functions, and that belabouring fine plans may actually do more harm.

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