A CONTEMPORARY CHALLENGE TO STATE SOVEREIGNTY: GANGS AND OTHER ILLICIT TRANSNATIONAL CRIMINAL ORGANIZATIONS IN CENTRAL AMERICA, EL SALVADOR, MEXICO, JAMAICA, AND BRAZIL

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December 2007

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ISBN 1-58487-334-5

FOREWORD

In this monograph, Dr. Max Manwaring builds on his 2005 SSI monograph, *Street Gangs: The New Urban Insurgency*, and illustrates gang and Transnational Criminal Organization (TCO) linkage to instability and its aftermath. He explains that gang-generated instability leads to threats to national, regional, and global security, nation-state sovereignty, failing and failed states, and a "clash of civilizations." Thus, whether a gang or another TCO is specifically a criminal or an insurgent type organization is irrelevant. The putative objective of all these illegal nonstate entities—taken together, the analytical commonality that directly links gangs, TCOs, and insurgents—is to neutralize, control, or depose governments to assure their own commercial or ideological expectations. In this connection, gangs and their various possible allies (the gang phenomenon) are attempting to ensure that they have maximum freedom of movement and action within and between "sovereign" national territories. These objectives translate into more than an implicit political agenda.

The corrosive political effects of criminal violence along with the coerced assurance of freedom of action and movement also generate a kind of clash of civilizations. It is not a clash of western and eastern cultures. Rather, it is a clash between one set of values defined in terms of popular sovereignty and liberal democracy, and another set of values that has been characterized as criminal and feudal. Criminal values are derived from norms based on slave holding, sexual activity with minors and their exploitation in prostitution, the farming of humans for body parts,

and the killing and torture of innocents for political gain and personal gratification (as sport). This set of values is further denoted by patronage, bribes, kickbacks, cronyism, ethnic exclusion or exploitation, and personal whim. Thus, the ultimate threat of the destabilizing activities of the gang phenomenon is not violence, instability, the challenge to state sovereignty, or state failure. Instead, it is the coerced criminal imposition of a radical restructuring of the state and its governance.

This timely monograph contributes significantly to an understanding of a new kind of threat in which instability and irregular conflict are no longer on the political margins of the global security arena. For those responsible for making and implementing national security policy in the United States, the rest of the Western Hemisphere, and elsewhere in the world, this analysis is compelling. The Strategic Studies Institute is pleased to offer this monograph as a part of the growing interest in irregular war.

DOUGLAS C. LOVELACE, JR.
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BIOGRAPHICAL SKETCH OF THE AUTHOR

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SUMMARY

Another kind of war within the context of a "clash of civilizations" is being waged in various parts of the Americas, Africa, Asia, Europe, the Middle East, and elsewhere around the world. Some of the main protagonists are those who have come to be designated as first-, second-, and third-generation street gangs, as well as their various possible allies such as traditional Transnational Criminal Organizations (TCOs). In this new type of war, national security and sovereignty of affected countries is being impinged every day, and gangs' illicit commercial motives are, in fact, becoming an ominous political agenda.

Rather than trying to depose a government with a major stroke (*golpe* or coup) or in a prolonged revolutionary war, as some insurgents have done, gangs and their allies (the gang phenomenon) more subtly take control of territory and people one street or neighborhood at a time (*coup d' street)* or one individual, business, or government office at a time. Thus, whether a gang is specifically a criminal or insurgent type organization is irrelevant. Its putative objective is to neutralize, control, or depose governments to ensure self-determined (nondemocratic) ends. This objective defines insurgency, a serious political agenda, and a clash regarding the authoritative allocation of values in a society.

The purposes of this monograph are to (1) introduce the gang phenomenon as a major nonstate player and a serious threat in the global and regional security arenas;(2) examine the gang phenomenon in Central America in general and in El Salvador, Mexico, Jamaica, and Brazil more specifically; and (3) summarize the key

points and lessons and make brief recommendations. These cases demonstrate the analytical commonalities of various types of gang activities as they contribute to the instabilities that lead to the erosion of national security, nation-state sovereignty, the processes of state failure, and the struggle between democratic and criminal values.

A CONTEMPORARY CHALLENGE TO STATE SOVEREIGNTY: GANGS AND OTHER ILLICIT TRANSNATIONAL CRIMINAL ORGANIZATIONS IN CENTRAL AMERICA, EL SALVADOR, MEXICO, JAMAICA, AND BRAZIL

Another kind of war (conflict) within the context of a "clash of civilizations" is being waged in various parts of the Americas, Africa, Asia, Europe, the Middle East, and elsewhere around the world.[1] Some of the main protagonists have been designated as first-, second-, and third-generation street gangs, as well as more traditional Transnational Criminal Organizations (TCOs), such as Mafia families, illegal drug traffickers, warlords, terrorists, insurgents, and so on. These gangs, and their various possible TCO allies, are not sending conventional military units across national borders or building an industrial capability in an attempt to "filch some province" from some country.[2] These illicit nonstate actors are more interested in commercial profit and controlling territory (turf) to allow maximum freedom of movement and action to achieve their longer-range objectives. The resultant freedom of action within countries and across national frontiers ensures commercial market share and revenues, as well as secure bases for controlling people, territory, and governments. The corrosive effects of the associated criminal violence and gratuitous cruelty, along with freedom of movement and action, also generate a clash of civilizations. It is not a clash of western and eastern cultures. Ultimately, it is a clash of controlling values between liberal democracy and criminal anarchy.[3]

What makes all of this into another type of contemporary conflict is that the national security and the effective sovereignty of affected countries are being impinged every day, and illicit motives are, in fact, becoming an ominous political agenda.[4] Rather than trying to depose a government in a major stroke (*golpe* or coup) or a prolonged revolutionary war, as some insurgents have done, gangs and their various possible allies slowly take control of national territory (turf) one street or neighborhood at a time (*coup d' street*) or one individual, business, or government office at a time. Thus, whether a gang's pursuit of freedom of movement and action is specifically commercial or ideological or a criminal or insurgent type of activity is irrelevant. The putative objective is to neutralize, control, or depose governments to ensure self-determined (nondemocratic) ends. This final objective defines insurgency, a serious political agenda, and a clash regarding the authoritative allocation of values in a society.[5]

The protean nature of gangs, organized crime, and contemporary insurgency does not accommodate conformity to any prescribed typology. Thus, I maintain the position I took in 2005—that is, the common denominator that defines gangs and other TCOs as mutations of insurgents is the unavoidable need to seize political power to guarantee the freedom of movement and action, as well as the ideological or commercial enrichment environments, desired. As a consequence, the "Duck Analogy" applies: when second- and third-generation gangs and other TCOs look like ducks, walk like ducks, and act like ducks—although they may be a peculiar breed—they are, nevertheless, ducks.[6] (Thus, hereafter, gangs and their various possible allies are referred to as the gang phenomenon.)

The purposes of this monograph, then, are to (1) introduce the gang phenomenon as a nonstate player and serious threat in the regional and global security arenas; (2) examine the gang phenomenon in Central America in general and in El Salvador and Mexico specifically; (3) examine different types of gangs in Jamaica and Brazil (as an addendum); and (4) summarize the key points and lessons and make brief recommendations, based on an examination of cases noted above. These cases demonstrate the analytical commonalities of various criminal gang activities as they contribute to the instabilities that lead to the erosion of nation-state sovereignty and the processes of state failure and the struggle between democratic and criminal values.

All this is designed to lead civilian and military leaders to the broad strategic vision necessary to begin to solve the next big set of security problems associated with the clash of controlling values in the 21st century. Strategic leaders must think about these problems from multiple angles, multiple levels, and in varying degrees of complexity.[7]

CONTEXT: GANGS AS NONSTATE THREATS IN THE REGIONAL AND GLOBAL SECURITY ARENAS

The evolution of street gangs from small, turf-oriented, petty-cash entities to larger, internationalized, commercial-political organizations is often slow and generally ad hoc, depending on leadership and the desire and ability to exploit opportunities. Thus, gang violence develops from (1) the level of "protection," gangsterism, and brigandage; (2) to drug trafficking, smuggling people, body parts, armament, and other

lucrative "items" associated with the global criminal activity; (3) to taking political control of ungoverned territory and/or areas governed by corrupt politicians and functionaries which can be uneven and incomplete. That is, most gangs never move beyond protectionism and gangsterism. Other gangs, however, act as mercenaries for larger and better organized criminal organizations. And as they expand their activities to compete with or support long-established TCOs, they expand their geographical and commercial parameters. Then as gangs operate and evolve, they generate more and more violence and instability over wider and wider sections of the political map and generate subnational, national, and regional instability and insecurity. Finally, as gangs evolve through these developmental and functional shifts, three generations emerge.

Three Generations of Gangs.

First-Generation Gangs: Organization, Motives, and Level of Violence. The first-generation, or traditional, street gangs are primarily turf-oriented. They have loose and unsophisticated leadership that focuses on turf protection to gain petty cash and on gang loyalty within their immediate environs (for example, designated city blocks or neighborhoods). When first-generation street gangs engage in criminal enterprise, it is largely opportunistic and individual in scope, tends to be localized, and operates at the lower end of extreme societal violence—gangsterism and brigandage. Most gangs stay firmly within this first generation of development, but more than a few have evolved into and beyond the second generation.[8]

Second-generation Gangs. This generation is organized for business and commercial gain. These

gangs have a more centralized leadership that tends to focus on drug trafficking and market protection. At the same time, they operate in a broader spatial or geographic area that may include neighboring cities and countries. Second-generation gangs, like other more sophisticated criminal enterprises, use the level of violence necessary to protect their markets and control their competition. They also use violence as political interference to negate enforcement efforts directed against them by police and other national and local security organizations. And, as they seek to control or incapacitate state security institutions, they often begin to dominate vulnerable community life within large areas of the nation-state.[9]

In this environment, second-generation gangs almost have to link with and provide mercenary services to TCOs and insurgents. As these gangs develop broader, market-focused, and sometimes overtly political agendas to improve their market share and revenues, they may overtly challenge state security and sovereignty. If and when they do, second-generation gangs become much more than annoying law enforcement problems. This point was made over 3 years ago in the following statement made by former El Salvadoran Vice-Minister of Justice Silvia Aguilar: "Domestic crime and its associated destabilization are now Latin America's most serious security threat."[10]

Third-generation Gangs. More often than not, elements of some gangs continue first- and second-generation activities while others expand their geographical bounds, as well as their commercial and political objectives. As they evolve, they develop into more seasoned groups with broader markets and a variety of allies. Additionally, second- and third-generation gangs are known to expand their

activities—among others—to smuggling people, body parts, weapons, and cars; associated intimidation, murder, kidnapping and robbery; money laundering; home and community invasion; and other lucrative societal destabilization activities. As a consequence, they develop into sophisticated TCOs in their own right, with ambitious economic and political agendas.

In these terms, third-generation gangs inevitably begin to control ungoverned territory within a nation-state and/or begin to acquire political power in poorly governed space.[11] This political action is intended to provide security and freedom of movement for gang activities. As a consequence, the third-generation gang and its leadership challenge the legitimate state monopoly on the exercise of political control (authoritative allocation of values) and the use of violence within a given geographical area. The gang leader, then, acts much like a warlord, an insurgent leader, or a drug baron.[12] That status, clearly and unequivocally, takes the gang into mercenary activities, and intrastate war or nonstate war. Here, gang objectives aim to (1) neutralize, control, depose, or replace an incumbent government, (2) to control parts of a targeted country or sub-regions within a country and create autonomous enclaves that are sometimes called criminal free-states or parastates, and (3) in doing so, radically change the authoritative allocation of values (governance) in a targeted society to those of criminal leaders.[13]

Summary. First-generation gangs are traditional street gangs with a turf orientation. When they engage in criminal enterprise, it is largely opportunistic and local in scope. Second-generation gangs are engaged in business. They are entrepreneurial and drug-centered, and tend to pursue implicit political objectives. Third-

generation gangs are primarily mercenary in orientation, and many of them seek to advance explicit political and social objectives. As such, third-generation gangs find themselves at the three-way intersection among crime, war, and politics; however, there is only one rule. That is, there are no rules (criminal anarchy).[14]

The Theoretical Conflict Terrain in which the Gang Phenomenon Operates.

Before examining the characteristics of gangs and their links to other illicit transnational organizations, it is useful to sketch the basic outlines of the larger picture of the post-Cold War conflict situation and the place of the gang phenomenon in it. First, Dr. Steven Metz and Lieutenant Colonel Raymond Millen argue that four distinct but interrelated battle spaces exist in the contemporary security environment. They are: (1) traditional direct interstate war; (2) unconventional nonstate war; (3) unconventional intrastate war, which tends to involve direct vs. indirect conflict between state and nonstate actors; and (4) indirect interstate war, which entails aggression by a nation-state against another through proxies.[15]

Gangs and other nonstate actors operate most effectively in the second and third categories of nonstate battle space. Nonstate and intrastate wars involve political actors who thrive among and within various host countries. In describing the gang phenomenon as a simple mutation of a violent act that we label as insurgency, we mischaracterize the activities of nonstate players who are attempting to neutralize or take control of a state. We traditionally tend to think of insurgency as primarily a military activity, and we think of gangs and other TCOs as law enforcement

problems. Yet, all these actors are engaged in a highly complete political act: "political war." This type of conflict is often called "irregular war," "insurgency war," "asymmetric war," "fourth-generation war," and "a complex emergency."[16]

This kind of war is defined as acting, organizing, and thinking differently from opponents to maximize one's own advantages, exploit an opponent's weaknesses, attain the initiative, and gain freedom of movement and action. In these terms, nonstate war exploits, directly and indirectly, the disparity between contending parties to gain relative advantage and uses terrorist and insurgent methods. Moreover, it can have political-psychological and physical dimensions, as well as lethal and nonlethal dimensions. Additionally, it can have both ideological-political objectives and commercial (search-for-wealth) motives, and it is constantly mutating.[17] As a consequence, there are no formal declarations or terminations of conflict; no easily identified human foe to attack and defeat; no specific territory to take and hold; no single credible government or political actor with which to deal; and no guarantee that any agreement between or among contending protagonists will be honored. In short, the battle space is everywhere and includes everything and everyone.[18]

In this context, the harsh realities of contemporary instability and chaos are caused by myriad destabilizers. The causes include increasing poverty, human starvation, widespread disease, and lack of political and socioeconomic justice. The consequences are seen in such forms as social violence, criminal anarchy, refugee flows, illegal drug trafficking and organized crime, extreme nationalism, irredentism, religious fundamentalism, insurgency, ethnic cleansing, and

environmental devastation. These destabilizing conditions tend to be exploited by militant nationalists, militant reformers, militant religious fundamentalists, ideologues, civil and military bureaucrats, terrorists, insurgents, warlords, drug barons, organized criminals, and gangs working to achieve their own nefarious purposes. Those who argue that instability, chaos, and conflict are the results of poverty, injustice, corruption, and misery may well be right. We must remember, however, that individual men and women are prepared to kill and to destroy and to maim, and, perhaps, to die in the process, to achieve their self-determined ideological and/or commercial objectives. In the end, Zbigniew Brzezinski's reminder is useful: "Behind almost every [violent] act lurks a political problem."[19]

The Challenge and the Threat.

A government's failure to extend a legitimate sovereign presence throughout its national territory leaves a vacuum in which gangs, drug cartels, leftist insurgents, the political and narco-right, and the government itself may all compete for power. In that regard, ample evidence clearly demonstrates that Central American, Mexican, Caribbean, and South American governments' authority and presence have diminished over large geographical portions of those regions.[20] However, contrary to popular perceptions, such areas are not "lawless" or "ungoverned." These territories are governed by the gangs, warlords, drug barons, and/or insurgents who operate where there is an absence or only partial presence of state institutions. In this sense, gangs' activities are not simply criminal and commercial in nature. For their

own preservation and expansion, the second- and third-generation gangs—and sometimes even first-generation gangs—have little choice but to challenge the state either indirectly or directly. This unconventional type of conflict pits nonstate actors (gangs, warlords, drug barons, and/or insurgents) directly against nation-states and requires a relatively effective defense (military) capability.[21]

Tom Bruneau has identified five operational-level national security challenges associated with the transnational gang phenomenon:

- They strain government capacity by overwhelming police and legal systems through sheer audacity, violence, and numbers.
- They challenge the legitimacy of the state, particularly in regions where the culture of democracy is challenged by corruption and reinforced by the inability of political systems to function well enough to provide public goods and services.
- They act as surrogate or alternate governments in so-called ungoverned areas.
- They dominate the informal economic sector. They establish small businesses and use violence and coercion, and co-optation of government authorities, to unfairly compete with legitimate businesses.
- They infiltrate police and nongovernmental organizations to further their goals and in doing so demonstrate latent political aims.[22]

The gang challenge to national security, stability, and sovereignty and the attempt to neutralize, control, or depose governments takes us to the strategic-level threat. In this context, crime, violence, and instability

are only symptoms of the threat. The ultimate threat is either: (1) state failure, or (2) the violent imposition of a radical socioeconomic-political restructuring of the state and its governance in accordance with criminal values. In either case, gangs contribute to the evolutionary state failure process by which the state loses the capacity and/or the will to perform its fundamental governance and security functions. Over time, the weaknesses inherent in its inability to perform the business of the state are likely to lead to the eventual erosion of its authority and legitimacy. In the end, the state cannot control its national territory or the people in it.[23]

However, just because a state fails does not mean that it will simply go away. (Haiti comes immediately to mind.) In fact, failing and failed states tend to linger and go from bad to worse. The lack of responsible governance and personal security generate greater poverty, violence, and instability—and a downward spiral in terms of development. It is a zero-sum game in which the gangs and the other nonstate protagonists involved are the winners, and the rest of the society is the loser. Additionally, the longer failing and failed states persist, the more they and their regional spillover effects endanger regional and global peace and security. Failing and failed states become dysfunctional states, rogue states, criminal states, narco-states, new "people's democratic republics," draconian states (for example, military or civilian dictatorships), or they reconfigure themselves into entirely new entities.[24]

Nevertheless, the foregoing possibilities do not delineate the end of the state failure problem. Sooner or later, the global community must pay the indirect social, economic, and political costs of state failure. The global community is increasingly expected to provide

the military and financial leverage to ensure peace, security, and stability in an increasing number of post-conflict and unstable situations. The consistency of these lessons derived from relatively recent experience—from Asia's Golden Triangle to the Middle East, to Mexico, and from Central America to Haiti and the rest of the Caribbean Basin, to the White Triangle coca-producing countries of South America's Andean region—inspires confidence that these lessons and the associated threats are valid.[25]

THE GANG PHENOMENON IN CENTRAL AMERICA, EL SALVADOR, AND MEXICO

In the contemporary global security environment, governments, military and police forces, and other agencies responsible for various aspects of national security have little choice but to rethink security as it applies to "new" unconventional threats that many political and military leaders have tended to ignore or wish away. Probably the most significant unconventional threats facing leaders today are those generated by the gang phenomenon. The cases of the *Mara Salvatrucha* (MS-13) and the Eighteenth Street (*Mara*-18 or MS-18) gangs spreading from the United States, across Central America and Mexico, and into Europe illustrate the real impact of second and third-generation gangs functioning as networks with extensive transnational linkages.[26] Thus, this part of the monograph examines the strategic architecture of the gang phenomenon in Central America, El Salvador, and Mexico. That architecture focuses on motives and vision, organization and leadership, programs of action, and results.

The Basics of the Situation in Central America.

The consensus among those who study this phenomenon is that many of the transnational gangs in Central America originated in Los Angeles, California, during the early 1990s. They were formed by immigrants whose parents had come to the United States to avoid the ongoing instability and violence in Central America during the 1980s. Once in the United States, many of the immigrants were exposed to and became involved with gangs in the rough neighborhoods where they grew up. The gangs began moving into all five Central American republics in the 1990s, primarily because convicted felons were being sent from prisons in the United States back to the countries of their parents' origins. These gangs include the famed MS-13, MS-18, other smaller gangs in El Salvador, and an estimated 63,700 kindred spirits in Guatemala, Honduras, and Nicaragua.[27] It is noteworthy that the word *mara* is a slang term for "gang" and is derived from the name of a type of ant known for its ferocity. Literally, *trucha* means "trout" and is also a slang term for "shrewd Salvadoran." Thus, *Mara Salvatrucha* means a gang of shrewd Salvadorans.

What the Maras Do. Even though gangs in each country have some unique characteristics and can be bitter rivals for control of neighborhoods and other disputed territory or "turf," their origins, motives, and patterns of action are similar. These similarities begin with the various Central American gangs and their activities being intricately linked across international borders. Virtually all of them have flourished under the protection and mercenary income provided by larger and older TCO networks. The basis for those alliances is the illegal drug trade that is credited with

the transshipment of 60 to 90 percent of the cocaine that enters the United States. In addition to trafficking in drugs, as noted above, Central American gangs are engaged in trafficking in human beings and weapons and are responsible for kidnappings, robberies, extortion, assassinations, and myriad other illicit, high-profit-generating activities.[28] On another level of activity, gangs are also engaged in intimidating and killing journalists, teachers, and candidates for political office who are not sympathetic to their causes.[29]

The root causes of gang activity in Central American countries and Mexico are also similar. They include gang members growing up in marginal areas with minimal access to basic social services; high levels of youth unemployment, compounded by insufficient access to educational and other public benefits; overwhelmed, ineffective, and often corrupt police and justice systems; easy access to weapons; dysfunctional families; and high levels of intrafamilial and intracommunity violence. Again, however, it is not poverty, injustice, or misery that willfully kill, maim, and destroy. It is individual men and women—and sometimes boys and girls—who are prepared to implement all kinds of horrible and coercive "intimidations" and "instabilities" in their personal search for status and well-being.[30]

Thanks to the activities of disaffected street gangs, overall crime rates have increased dramatically throughout the Central American region. Honduras has a murder rate of 154 per 100,000 population—double that of Colombia, even though that country is fighting three different insurgencies, as well as its various drug cartels. In El Salvador, the homicide rate is about 40 per 100,000 inhabitants; Guatemala's murder rate has risen 40 percent from 2001 to 2004 and is now approximately 50 per 100,000; and the murder rate in

Mexico is estimated to be about 14 per 100,000. The Mexican figure is low by Central American standards but is considered "epidemic" by the World Health Organization (WHO). Additionally, as if these statistics were not grim enough, Mexico has the highest incidence of kidnapping in the entire world—with an estimated 3,000 kidnappings in 2004.[31]

The General Results of Gang Activity in Central America. The impact of gang violence on regional economies is significant. The Inter-American Development Bank (IDB) estimates the cost of violence throughout all of Latin America to be 14.2 percent of gross domestic product (GDP).[32] Despite the fact that the data required to calculate these costs is admittedly vague and inconsistent, the governments of all five Central American countries and Mexico have expressed serious concerns about transnational violence. For example, Belize, Guatemala, and Mexico have signed a multilateral agreement committing their governments to combating "narco-terrorism" and criminal gangs.[33] Guatemala and Mexico have gone a step further and signed multimillion dollar agreements with the United States to fight drugs and crime in those countries.[34] In the meantime, El Salvador and Honduras unilaterally continue to pursue hard-line anti-gang policies, including stronger law enforcement efforts and longer prison sentences.

Clearly, Central American gangs, their activities, and the impacts are linked across borders. As a result, an instability threat is definitely spilling from the region into neighboring countries. This is a regional problem that requires regional solutions, and for further analytical clarity, the two major gangs in El Salvador will be examined briefly.

El Salvador.

As noted above, the roots of the *Maras'* presence in El Salvador are traced to Southern California in the 1980s and 1990s. In the aftermath of the 1992 Los Angeles riots, police determined that local gangs—including a little-known group of Salvadoran immigrant youth known as the *Mara Salvatrucha*—had carried out most of the looting and violence. In response, California passed strict, new anti-gang laws. Then, with the subsequent "three strikes and you're out" legislation of 1994, the prison population in that state increased dramatically. Additionally, in 1996, the U.S. Congress passed a "get tough" approach to immigration law. As a consequence of these successive pieces of legislation, thousands of convicted felons have been deported to El Salvador over the past several years. Significantly, until very recently, the Immigration and Naturalization Service's rules prohibited U.S. officials from informing El Salvadoran officials of the deportees' backgrounds.[35]

The results were disastrous for El Salvador. The deportees, also called "returnees," many of whom had never lived in El Salvador, arrived with their outlandish tattoos, their "Spanglish" language, and their arrogant attitudes. They quickly introduced the California gang culture, illegal drugs with their related "crack dens" and "crack babies," extortions, car-theft rings, burglaries, and contract killings. At first, Salvadoran officials had no idea what was happening—and when they began to understand the depth and seriousness of the problems brought by the gangs, they did not have the knowledge, experience, organization, or resources to deal with them. Given its momentum, the gang problem in El Salvador is thought to have escalated faster than in any other Central American country, and

El Salvador now "is captive to the growing influence and violence of gangs."[36]

Organization. The two main gangs, MS-13 and MS-18, boast 10,000 to 20,000 members. The Salvadoran National Council on Public Security estimates 39,000 members—22,000 in MS-13, 12,000 in MS-18, and another 5,000 in smaller gangs.[37] However, despite the lack of precise figures, these estimates are foreboding numbers in a country with a population of only 6.5 million. Like the estimated membership numbers, gang organization is not perfectly clear. Nevertheless, there appears to be a hierarchical pyramid structure that is common among Central American, Caribbean, and South American gangs.

At the top of the pyramid are the international bosses. Then, a second layer of international/transnational gang leadership exists. These second-level individuals oversee well-connected cells engaged primarily in trafficking global arms, drugs, and human beings. At the third level, gang cell members are involved in lower-level national vs. international trafficking of all kinds. Despite their national orientation, third-level members are in touch with upper-level as well as second-level members. This third level of gang membership contains centralized command and control elements that manage operational planning, finances, strategy, and provide some administrative support to the higher and lower echelons. Thus, they may be considered parts of a "Hollow Corporate Model." Additionally, national third-level gang cell members may manage geographically and functionally distributed "project teams."[38]

The fourth level of the generalized gang pyramid comprises the "neighborhood" gang members, a series of decentralized cliques (*clickas*) or cells responsible

for specific neighborhoods or areas. Fourth-level individuals are not full-fledged MS-13 or MS-18 members. They make up three distinct levels at the lowest level of the gang pyramid—"sympathizers," "aspirants," and "nobodies," who do the drudge work in the *barrios* (neighborhoods/slums). They also act as mercenary "soldiers" for higher-level cells and project teams, or they may act as contracted mercenaries for other TCOs. As might be expected, this fourth-level group represents the largest segment of the total gang population, and their ages range from 8 to 18 years.[39]

Program of Action to Maximize Profits. The gangs' multilevel organization indicates a substantial enterprise, designed especially for conducting large-scale and small-scale business all the way from the transnational (global) level down to individual streets in specific *barrios* (neighborhoods) of El Salvador. This type of organization is also designed for quick and effective decisionmaking and decision implementation. In short, the first priority of the Salvadoran MS-13 and MS-18 gang organizations is operating a successful business, along with their own self-protection and promotion. More specifically, this type of organization permits continuous, protean operations over time. It allows for diversification of activities, diffusion of risk, and the flexibility to make quick adjustments and correct mistakes or exploit developing opportunities. The organization also provides a coherent mechanism for enforcing discipline and safeguarding operations at all levels. Additionally, it provides a planning facility that can deliberately expand or contract to adjust to drug, mercenary, other illicit operations, and to new allies, while increasing profits—depending on the requirements of each situation.[40]

These gangs have also become sophisticated enough to begin to prohibit specified members from getting new tattoos and to discipline severely (execute) members who break rules related to the consumption of crack and cocaine. All this indicates an evolution from first-generation well into second-generation gang status. Nevertheless, the current organization of MS-13 and MS-18 also reflects that these gangs maintain a first-generation focus on turf. The gang members at that level of evolutionary development operate under loose leadership, engage in a broad range of opportunistic, petty-cash-type criminal activity, and are often involved in serious intergang rivalry.[41]

The second-generation parts of the MS-13 and MS-18 organizations are interested in market protection and expansion and focus their illegal activities on drugs as a business. They are also known to engage in mercenary activities with various TCO partners. As the generalized pyramid organization suggests, the upper echelons are more cohesive, and leadership is more centralized. This second-generation group does not retain a specific turf orientation. Drug trafficking and mercenary activities become group rather than individual activities, and the gangs exploit both violence and technology to control their competition and absorb new markets. Thus, both generations of gang members currently exist within the overall organization. The turf part of the gang is more prevalent, but the "marketers" are more productive, wealthy, and powerful.[42] As MS-13 and MS-18 continue to evolve in their internationalization and sophistication, they are more and more likely to develop explicit political aims that truly threaten nation-states. This cautionary corollary takes us to the "Sullivan-Bunker Cocktail."

Results of Salvadoran Gang Activities. John Sullivan and Robert Bunker outline a pragmatic "cocktail mix" of nonmilitary methods by which a transnational nonstate actor, such as a second- or third-generation gang, can challenge the de jure security and sovereignty of a given nation. This "Sullivan-Bunker Cocktail" has proved to be the case in no less than 15 municipalities in El Salvador and in other political jurisdictions in neighboring Central American republics, Mexico, and Brazil.[43] Here is how it works:

> If the irregular attacker—criminal gangs, terrorists, insurgents, drug cartels, militant environmentalists, or a combination of the above—blends crime, terrorism, and war, he can extend his already significant influence. After embracing advanced technology weaponry, including weapons of mass destruction (including chemical and biological agents), radio frequency weapons, and advanced intelligence gathering technology, along with more common weapons systems, the attacker can transcend drug running, robbery, kidnapping, and murder and pose a significant challenge to the nation-state and its institutions.
>
> Then, using complicity, intimidation, corruption, and indifference, the irregular attacker can quietly and subtly co-opt individual politicians and bureaucrats and gain political control of a given geographical or political enclave. Such corruption and distortion can potentially lead to the emergence of a network of government protection of illicit activities, and the emergence of a virtual criminal state or political entity. A series of networked enclaves could, then, become a dominant political actor within a state or group of states. Thus, rather than violently competing directly with a nation-state, an irregular attacker can criminally co-opt and begin to seize control of the state indirectly.[44]

This is an example of a second-generation gang developing secure support bases through the

application of coercive physical-psychological-political measures. In creating those secure support bases, gangs dominate local populations and erode the will of the system to resist their commercial enrichment efforts. This kind of "mix" of nontraditional activities is also a good example of a gang expanding its role while staying under the threshold of serious state concern and counteraction. Even though there may be no explicit political agenda, control of territory (turf) and the people in it are keys to the achievement of minimal goals. In these terms, gangs must eventually take, control, or neutralize political power to guarantee the kind of environment they want.

As a consequence, the gang nonstate actor evolves from second-generation toward third-generation status and represents a triple threat to the authority and sovereignty of a government and those of its neighbors. First, murder, kidnapping, intimidation, corruption, and impunity from punishment undermine the ability of the state to perform its legitimizing security and public service functions. Second, by violently imposing their power over bureaucrats and elected officials of the state, gangs and their allies compromise the exercise of state authority and replace it with their own. Third, by neutralizing (making irrelevant) government and taking control of portions of a given national territory and performing the tasks of government, the gang phenomenon can de facto transform itself into states within a state.[45] Accordingly, these parastates or criminal free-states "fuel a bazaar of violence where warlords and martial entrepreneurs fuel the convergence of crime and war."[46] And, the criminal leaders govern these areas as they wish.

Response to the Gangs. In 2003, El Salvador's Flores administration passed a hard-line (*mano dura*)

law aimed at making it easier to jail gang members involved in criminal activity. However, that legislation was not considered to be strong enough. As a result, in 2004, new legislation was passed approving the new president's anti-gang program, called *Super Mano Dura* (Super Firm Hand or super hard line). This law provided stiffer penalties for gang membership—up to 5 years in jail for gang membership and up to 9 years for gang leadership. President Elías Antonio Saca's government reported that this "get tough" program reduced the number of murders that year by 14 percent. The following year, in 2005, new legislation tightened gun ownership laws and began a complementary effort of prevention and rehabilitation called *Mano Amiga* (Friendly Hand).[47]

The hard-line approach sent the message to the Salvadoran public that law enforcement is the only effective way to deal with the gang problem; thus, prevention and intervention (*Mano Amiga*) programs have received much less attention and fewer resources than are necessary to make them effective. Then, unanticipated second- and third-order consequences resulted in straining the capacities of the already overcrowded prison system. Moreover, the judicial and police systems became saturated; there were not enough properly trained personnel in those systems to manage the gang problem. By the end of 2005, a total of 12,073 prisoners were held in 24 prison facilities with a combined design capacity of 7,312. Since then, the gang problem has worsened significantly, and the only things Salvadoran leaders agree on are that prison provides a "graduate education" for gang members and that "something must be done."[48]

In sum, the Salvadoran government has not raised the level of the gang threat to the level of a threat to

national security.[49] Nevertheless, from time to time since 2005, Army troops have been deployed to help the police patrol the streets.[50] Yet, to date, the *Maras* are still treated simply as a problem for law enforcement and the judicial system. In the meantime, the *Maras* control larger and larger parts of "turf" within the El Salvadoran national territory and effectively exercise their own sovereignty over the people in it. The *Maras* have thus evolved into an international network that extends from El Salvador, through Central America, to Mexico, the United States, and Europe.[51]

Mexico.

Like Central America and El Salvador, Mexican authorities have no consistent or reliable data on the gang phenomenon in that country.[52] Nevertheless, the general public knows and acknowledges that the gang phenomenon in Mexico is large, complex, and convoluted. It also knows, first, that the gang situation is different in the South, along the Guatemala-Belize borders, from the situation in the areas between the southern and northern borders of Mexico, and the situation in the North, along the U.S. border. Second, it knows that, regardless of the accuracy of the data, a formidable gang presence exists throughout the country and—given the weaknesses of national institutions—considerable opportunities for criminality to prosper also exist.[53] As a result, the homicide rate along the northern and southern borders is considered epidemic, and Mexico has the highest incidence of kidnapping in the world. Clearly, violent gang and TCO activities in Mexico threaten the political development of the country.[54]

In the South, the El Salvadoran and other Central American *Maras* are positioned to negotiate the

establishment of their own trafficking corridors through Mexico, and are strong enough to compete effectively with Mexican gangs. The *Maras* are also positioned to organize friendly or unfriendly takeovers of small cartels. As a result, *Maras* have made significant inroads into Mexican territory between the northern and southern borders, and have gained control of their own specified corridors through which illegal immigrants, drugs, weapons, and other illicit contraband are moved back and forth between the Guatemala-Belize border and the United States. As a consequence, it is reported that an *ad hoc* mix of up to 15,000 members of Mexican gangs and Central American *Maras* operate in more than 20 states.[55]

The key to the gang phenomenon in the North is the "Mexican Federation," a questionable (shifting) alliance of the "Big Four" (Juarez, Gulf, Sinaloa, and Tijuana) cartels. These cartels use the various gangs as temporary hired guns, and drug and contraband runners. Most of the gangs operating on the northern border of Mexico are long-time, well-established, "generational" (Mexican grandfathers, sons, and grandsons) organizations with 40- to 50-year histories. Reportedly 24 different gangs operate in the city of Nuevo Laredo, and 320 gangs operate within the city of Juarez, with an estimated total of 17,000 members in those two relatively small cities. The best-known gangs in the North are the Azteca, Mexicles, and Zeta organizations. Interestingly and importantly, the Central American *Maras* are also known to be used as mercenaries in the shifting alliances involving the northern drug cartels.[56]

With the aid of their various mercenary allies, the "Federation" is reportedly trying to negotiate, or force, a truce among its members regarding control of the

lucrative transit routes that carry most of the cocaine consumed in the United States, as well as access into the rapidly developing domestic Mexican market. In the meantime, the various cartels and their gang allies continue to fight each other over territory or turf, and that fight is now extending into cyberspace.[57] To complicate matters further, there is the Mexican Mafia (La Eme or EME). At one time, all gangs operating south of Bakersfield, California, and into northern Mexico had to pay homage and take orders from the EME. That is no longer a rigid requirement. It is known, for example, that the MS-13 and MS-18 *Maras* broke that agreement as early as 2005.[58]

This convoluted array of Mexican gangs, Central American *Maras*, Mexican cartels, and the Mexican Mafia creates an almost anarchical situation throughout the country. As each gang and cartel violently competes and juxtapositions itself to maximize market share and freedom of movement and action, we see an operational environment characterized by the blurring of crime and war. In addition to outrageous violence and bloodshed, this environment is also creating small and large criminal-run "free-enclaves" in the cities and states of the Mexican nation-state. Moreover, the spillover transcends the supposedly sovereign borders of Mexico and its neighbors. This situation is similar in many ways to the medieval era, with feudal barons asserting total control over their fiefdoms. Violence and the fruits of violence—arbitrary political control—seem to be devolving to these small, private nonstate actors. This is a serious challenge to existing law and order in Mexico, to the effective sovereignty of that country, and to the security and sovereignty of the other nation-states within and between which the gang phenomenon operates.[59]

Organization and Motives. Mexican gangs and cartels are not homogeneous. There is no typology that applies to every one. Generally, however, power is migrating to the gangs and other TCO nonstate protagonists who can organize into sprawling networks more readily than traditionally hierarchical nation-state actors. These more horizontally organized criminal entities are among those evolving from the generalized pyramid structure into a flat, transnational organization that communicates and makes decisions instantaneously via cell phone and the Internet.

In this context, gangs and their TCO allies in Mexico, as in other countries, share many of the characteristics of a multinational Fortune 500 company. Thus, the phenomenon is an organization striving to make money, expand its markets, and move as freely as possible in the political jurisdictions within and between which they work. By performing its business tasks with super efficiency and for maximum profit, the general organization employs its chief executive officers and boards of directors, councils, system of internal justice, public affairs officers, negotiators, and franchised project managers. And, of course, this company has a security division, though somewhat more ruthless than one of a bona fide Fortune 500 corporation.[60]

The equation that links illegal narcotics trafficking to insurgency and to gangs in Mexico and elsewhere in the Western Hemisphere turns on a combination of need, organizational infrastructure development, ability, and the availability of sophisticated communications and weaponry. For example, the drug cartels possess cash and lines of transportation and communication. Gangs, insurgents, and paramilitary organizations have followers, organization, discipline, and arms. Illegal traffickers consistently need these kinds of people to

help protect their assets and project their power within and among nation-states. Gangs, insurgents, and paramilitaries are in constant need of logistical and communications support—and money.[61]

The annual net profit from gang-related activities in Mexico is estimated to be in the billions of dollars. The precise numbers are not important, but the enormity of the amount of money involved is. Together with the additional benefits these financial resources can generate—when linked to utter ruthlessness and no moral or legal constraints—a second or third-generation gang can afford the best talent, whether lawyers, accountants, computer specialists, extortionists, murderers, or mercenary soldiers. At the same time, a gang can bribe government officials, hire thugs to intimidate (Mexico's high rate of kidnapping immediately comes to mind) those who cannot be bought, and kill those who cannot be intimidated. The profitable gang can also afford the best military and transportation equipment and communications technologies.[62] Deep pockets and flat organizational structure also mean that gangs and their TCO allies can move, shift, diversify, and promote operations quietly, subtly, and at will. Consequently, with these advantages, the phenomenon is known to have established status, acceptance, credibility, and de facto legitimacy in para-states (criminal free-states) within the Mexican nation-state.[63]

Where the Gang Phenomenon's Pursuit of Wealth Leads. Threats from gangs operating in Mexico come in many destabilizing forms and in a matrix of different kinds of challenges, varying in scope and scale. If these threats have a single feature in common, however, it is that they are systematic and well-calculated attempts to achieve implicit political ends. That is, the gang phenomenon creates political space from which to

move and act without governmental or any other kind of hindrance. In this connection, we examine the erosion of Mexican democracy and the erosion of the nation-state. From there, we examine a corollary. We briefly look at political life in two emerging criminal free-states—Quintana Roo, on the southern border with Belize and Guatemala, and Sinaloa in the north.

The Erosion of Mexican Democracy. The policy-oriented definition of democracy that has been generally accepted and used in U.S. foreign policy over the past several years is best described as "procedural democracy." This definition tends to focus on the election of civilian political leadership and, perhaps, on a relatively high level of participation on the part of the electorate. Thus, as long as a country is able to hold elections, it is considered a democracy—regardless of the level of accountability, transparency, corruption, and ability to extract and distribute resources for national development and the protection of human rights, liberties, and security.[64]

In Mexico, we observe significant paradoxes. Elections are held on a regular basis, but leaders, candidates, and elected politicians are also regularly assassinated. As an example, literally hundreds of elected government officials who were considered unacceptable by the gangs and their allies have been assassinated following their election. Additionally, intimidation, direct threats, kidnapping, and the use of relatively minor violence on a person and/or his family play an important role *prior* to elections. As a corollary, it is important to note that although the media is free from state censorship, journalists and academicians who make their anti-narco-gang opinions known too publicly are systematically assassinated.[65]

Consequently, is hard to think of Mexican elections as being "democratic" or "free." Neither

political party competition nor public participation in elections can be complete in an environment where armed and unscrupulous nonstate actors compete violently with legitimate political entities to control the government—before and after elections. Moreover, it is hard to consider Mexico as a democratic state as long as elected leaders are subject to corrupting control and intimidation that amount to informal vetoes imposed by unprincipled nonstate actors. As a consequence, David Jordan argues that Mexico is an "anocratic" democracy. That is, Mexico is a state that has the procedural features of democracy but retains the characteristics of an autocracy, in that the ruling elites (good or bad) face little or no scrutiny or accountability. Yet, regardless of definitions, the persuasive and intimidating actions of the gang phenomenon in the electoral processes have pernicious effects on democracy and tend to erode the will and ability of the state to carry out its legitimizing functions.[66]

The Erosion of the State. The Mexican state's ability to govern has undergone severe erosion on two general levels. First, the state's presence and authority are questionable over large geographical portions of the country. Second, the idea of the partial collapse of the state is closely related to the nonphysical erosion of democracy. Jordan argues that corruption is key in this regard and is a prime mover toward "narco-socialism."[67] In the first instance, the notion of partial collapse (erosion) refers to the fact that since the elections in 2000 and the political defeat of the previously all-powerful Institutional Revolutionary Party (PRI), state institutions in many of the rural areas and poorer urban parts of the country are absent or only partially present. Also, even in those areas that are not under the direct control of a gang-TCO alliance, institutions

responsible for protecting citizens' security—notably the police and judiciary—have been intimidated and coerced to the point that they are unable to carry out their basic functions. Indicators of this problem are clear. The murder rate along the northern and southern borders of Mexico is among the highest in the world, accompanied by the grizzly and consistent murder and decapitation of police in those areas.[68] And, not surprisingly, there are never any witnesses to these atrocities.[69] These indicators of impunity strongly affirm that the state is not adequately exercising its social-contractual and constitutional-legal obligations to provide individual and collective security within the national territory.

In the second instance, nonphysical erosion of the state centers on the widespread, deeply entrenched issue of corruption. As one example, Jordan cites an interview given by an advisor to Mexico's attorney general under the administration of Carlos Salinas de Gortari. The advisor also served as president of Mexico's Association of Journalists and was a member of the executive committee of Mexico's Socialist Party. He stated, "The narcotics traffickers have penetrated not only the federal government, but the state governments and municipalities." In another interview, President Salinas's former secretary of finance stated, "It [the gang phenomenon] has penetrated the legislative, executive and judicial power of the country . . . [and it is] the most powerful economic organization in the world today, the world's most important multinational organization.... [The gangs and cartels have penetrated] all of the structures of power of Mexico, to the point that, without any euphemisms, the country does what the narco-traffickers want."[70] Clearly, the reality of corruption at any level of government favoring

the gang phenomenon works against responsible governance and the public well-being. And, in these terms, the reality of corruption brings into question the reality of effective state sovereignty.

Thus, even though Mexico and the United States have recently signed an agreement on a $1 billion anti-narcotics assistance package,[71] Mexico's violent non-state actors remain strong and wealthy.[72] At the same time, as noted above, positive political sovereignty, democracy, socioeconomic development, territory, infrastructure, stability, and security are slowly being eroded. The real power of the gang phenomenon and the weakness of the state bring into question the wisdom and efficacy of providing corrupted Mexican institutions with the means to improve their effectiveness.

The Emergence of Criminal Free-States in Quintana Roo and Sinaloa. It appears that the gangs and cartels operating in these states have removed themselves from the constraints of Mexican state authority and replaced that authority with their own. Rather than competing directly with the state for political-economic dominance, the gang phenomenon has indirectly used corruption and co-optation to neutralize the state, as well as achieve secondary and tertiary objectives. The result is that Quintana Roo and Sinaloa have been viewed for a long time as "hotbeds of co-opted government and corruption [and] have become narco-states."[73] As a consequence, networks of government protection support those states' gangs and drug cartels. As one example, police protect drug shipments and other illicit commerce (humans) moving north to the U.S. market. Within this corrupt environment, levels of violence have increased due to co-opted factions of the police and enhanced employment of mercenaries.[74]

This corrupt environment affects everyone and

everything, and has been described as feudal or medieval. Local gangs and their TCO allies have a safe haven from which to operate; enjoy immunity within that safe haven from any illicit actions; "tax" residents, travelers, and businesses at will; and maintain their own self-determined system of law and order. Actors in that world are known to derive their values from norms based on slave holding, sexual activity with minors and their exploitation in prostitution, the "farming" of humans for body parts, and the killing and torture of innocents for political gain and personal gratification (as sport). Notions such as due process of law, right to jury trial, individual privacy, and human and women's rights may exist as concepts among some, but do not appear to be practiced. Thus, in Quintana Roo and Sinaloa, people live in a feudal environment defined by patronage, bribes, kickbacks, cronyism, ethnic exclusion, and personal whim.[75]

Conclusions. The current situation in Mexico is more than a law enforcement problem. When gangs become de facto governments, they also become social actors. These social actors, who are also criminal-soldiers, are changing social, economic, and political organizations and violently "barbarizing" accepted values and modes of human behavior. A future vision of larger and larger parts of the global community adapting to criminal values and forms of behavior should be, at minimum, "unsettling."[76] In the meantime, the present vision of the human capacity to treat the gunshots and terrified screams from "down the street" as mere background noise to unexceptional every day life should create, at the least, a vague unease. This issue is more than a law enforcement problem, and it is more than a challenge to national sovereignty. This corrupt situation, and the barbaric criminal activities in it, take us back to the clash of civilizations' values.

The problems of stability, security, and effective sovereign governance in Mexico also take us back to, and beyond, the threat of state failure. State failure is a process—not an outcome. It is a process by which the state looses the capacity and/or the will to perform its legitimizing security and governance functions. It may also be a process by which the state is responding to the fact that it had never developed those capabilities in the first place.[77] In any event, ample evidence shows that the ultimate threat of destabilizing gang activities is not instability or criminal violence. It is not even state failure or the coerced imposition of a radical socioeconomic-political restructuring of the state and its governance.[78] Sooner rather than later, nations and international organizations will be forced to address the values that determine the *quality* of governance, security, and stability. One set of values serves cruel criminal greed. The other seeks the general well-being.[79]

A HEMISPHERIC ADDENDUM: JAMAICAN POSSES (GANGS), AND THE BRAZILIAN PRIMEIRO COMANDO DA CAPITAL

In addition to the *Maras* and other gangs in Central America and Mexico, hundreds more gangs operate in the Western Hemisphere. Two very different types of gang organizations may be found in Jamaica and Brazil. The various Jamaican posses are relatively homogeneous, violent, and ubiquitous. Interestingly and importantly, the Jamaican posses have also become a special set of social actors. They are making a social investment in the neighborhoods they control by performing some of the functions of the failing Jamaican "welfare state."[80] In contrast, one of the largest and

most powerful gangs in Brazil, the Primeiro Comando da Capital (PCC), is not as interested in the well-being of the people it controls as it is in becoming "heroes (protagonists) without good or bad character—*heroes without any character*." These Brazilian protagonists' lack of ethics or moral principles surpasses even those of a citizen of the fictional Republic of Malandragem (that is, a bohemian outlaw). And, while these "heroes" do not seek to secede from the Brazilian state, they do seek to neutralize Brazilian politicians and make the state invisible and irrelevant.[81] Thus, Brazilian and Jamaican gangs fit the definition of ducks provided earlier. They are peculiar breeds to be sure but second and third-generation gangs, nevertheless.

Jamaican Posses (Gangs).

Similar to other countries in the Circum-Caribbean and elsewhere, Jamaican posses (gangs) are the by-products of high levels of poverty and unemployment and lack of upward social mobility. Among other things, the posses also represent the consequences of U.S. deportation of Jamaican criminals back to the island and, importantly, of regressive politics in Jamaican democracy.[82] Unemployment and criminal deportation speak for themselves, but the political situation in Jamaica requires some elaboration.

Given the shift from the production of commodities toward knowledge-based products and services and reduction of the costs of transport, goods, and labor under economic "globalization," the Jamaican government has experienced a loosening of control of its traditional resource bases. As a result, the government no longer has the income to provide public services in a welfare-type state. When the Jamaican

government provides public assistance, it has tended to "outsource" delivery of services to private and semiprivate organizations. Under these conditions, local posses have taken on a "social investment" in the areas they control. An important part of the posses' programs of action is called "shared government, with a welfare aspect."[83] As a result, gang-controlled communities in Jamaica are considered to be among the safest in the country, and the posses are helping the people in their "jurisdictions" with education, public health, and employment problems. Thus, as the state has reduced its traditional security and service functions, the gangs have stepped in to fill the vacuum and have become—among other types of social actors—social workers.[84] Nevertheless, it must be noted that the Jamaican posses remain deeply involved in serious intergang rivalry and violence. Their actions reflect on Jamaica not as a "failed state," but as a failing state in the process of reconfiguration. Thus, Jamaica appears to be slowly moving toward something like a "criminal state" or a "narco-state."

Organization. Posse members are primarily of Jamaican descent. It is estimated that there are at least 85 different posses operating on the island with anywhere between 2,500 to 20,000 members. Each posse operates within a clearly defined territory or neighborhood. The basic structure of a Jamaican posse is fluid but cohesive. Like most other gangs in the Americas, it has an all-powerful "don" or "area leader" at the apex of the organization, an upper echelon, a middle echelon, and the "workers" at the bottom of the social pyramid. The upper echelon coordinates the posse's overall drug, arms, and human trafficking efforts. The middle group manages daily operational activities. The lowest echelon performs street-level

sales, purchases, protection, and acts of violence as assigned. When posses need additional workers, they prefer to use other Jamaicans. However, as posses have expanded their markets, they have been known to recruit "outsiders" as mules and street-level dealers, such as African-Americans, Trinidadians, Guyanese, and even Chinese immigrants. They are kept ignorant of gang structure and members' identities. If low-level workers are caught, the posse is not compromised; if they are not, the revenue continues to come in.[85]

Program. Jamaican posses are credited with being self-reliant and self-contained. They have their own aircraft, watercraft, and crews for "pick up and delivery" and their own personnel to run legitimate businesses and conduct money-laundering tasks. In that connection, posses have expanded their operations into the entire Caribbean Basin, the United States, Canada, and Europe. The general reputation of Jamaican posses is one of high efficiency and absolute ruthlessness in pursuit of their territorial and commercial interests. Examples of swift and brutal violence include but are not limited to fire bombing, throat slashing, and dismemberment of victims and their families. As such, Jamaican posses are credited with the highest level of violence in the English-speaking Caribbean and 60 percent of the crime in the region.[86]

This example of gang activity fits very well into the typological description of second-generation gangs evolving toward third-generation status. They are organized for business and commercial gain. They have a more hierarchical leadership structure than more politically oriented, security-conscious, and flatly organized third-generation gangs. Members tend to focus on drug trafficking, with market protection a first concern and market expansion second. They use

the level of violence they consider necessary to protect their markets and control their competition. Violence is their political interface to negate law-enforcement efforts directed against them by police and other security organizations. And, as they seek to control or incapacitate national and international security institutions, they dominate community life, territory, and politics. In this environment, posses are forced to link with and provide services to other posses and to other illicit transnational organizations from time to time.[87]

Domination of posses' respective turf in Jamaica's confined area makes constant cooperation and negotiation with other gangs, TCOs, and the state conditions for generating the degree of stability necessary to conduct profitable business. That kind of cooperation was demonstrated in May 2006 with a month-long series of civic activities called a "Safe Communities Campaign." This government initiative's purpose was to assist selected communities—and the posses in them—to think and act in terms of reggae icon Bob Marley's message of "love, peace, and unity."[88] When these kinds of efforts fail, however, the results are conflict and a level of violence commensurate with the level of importance of the issue(s) involved. In that context, one can see the rise of private, don-controlled enclaves that coexist in delicate, often symbiotic, relationships with the Jamaican government and its security institutions. Thus, as one kind of authority has withdrawn from a given turf, another has moved to fill the vacuum. That, in turn, blurs the line between criminal and political violence and gives the posses increasing immunity to state intervention and control.[89] As other consequences, the effective sovereignty of the state and the personal security of citizens are being

challenged every day, and the posses' commercial motives for controlling people and territory are, in fact, an implicit political agenda.[90]

The Jamaican case is almost a classic example of first- through third-generation gang activity and development. The generic evolution of urban street gangs illustrates that this is a compound-complex issue with implications at three different levels of analysis. First, all three generations of gangs generate serious domestic instability and insecurity. Of course, as gangs evolve, they generate more and more violence and instability over wider and wider sections of the political map and create regional instability and insecurity. Second, because of their internal (intrastate) criminal activities and their international (transnational) commercial and political alliances and actions, they exacerbate the confusion regarding traditional distinctions between police law enforcement functions and military national security functions. Thus, very little that is effective or lasting has been done to control or eliminate them. Third, when first-, second-, and third-generation gangs or parts of gangs dominate a country's political stage at one level or another, they erode the effective sovereignty of the nation-states within and between which they operate.[91]

Response. Within the context of that frustration, some contemporary civilian, military, and police leaders appear to have recognized that this modern global world is much too interrelated, complicated, and dangerous to advocate a strictly law-enforcement solution—or even a strictly military solution—to provide any viable response to local and regional security, stability, and sovereignty threats. The argument is that what is required is a unified civil-military effort to apply the full human and physical

resources of the nation-state, as well as the international community, to generate effective multilateral solutions to transnational issues.[92] A good example of such a holistic, multidimensional, and multilateral approach is the cooperation for security that was achieved between and among the English-speaking states in the Circum-Caribbean during the April-May 2007 World Cricket Matches.[93]

Apart from the personal and collective security provided by the cooperation of the international community at the 2007 Cricket Matches, however, the Organization of American States (OAS), the United States, and the various Caribbean governments have been unable or unwilling to deal effectively with the gangs that permeate the region. The OAS affirmed in 2003 that gang-related "threats, concerns, and other challenges are cross-cutting problems that may require hemispheric cooperation" and that "the traditional concept and approach [to security threats] should be expanded to encompass new and nontraditional threats. . . ." The final result of this affirmation was the *condemnation* of "transnational organized crime, since it constitutes an assault on institutions in our states and negatively affects our societies."[94] Even so, the OAS has been reluctant to go beyond its diplomatic "condemnation." The United States has not done much more. To be fair, however, it must be noted that for 2006, the United States put $10 million into the ongoing antidrug and anticrime efforts outlined in the "Third Border Initiative" (that is, the U.S. "third border" that includes the Gulf of Mexico and Caribbean areas) and is providing other benefits under the Caribbean Basin Initiative.[95] Given the entire scope of the issue, however, this level of funding is clearly not enough.

Conclusions. The democratically elected governments in the Caribbean argue that criminal gangs, such

as the Jamaican posses, have been able to profit from their globalized operations to the point of succeeding in placing themselves beyond the capability of most of the mini-countries in the region to destroy them or even seriously disrupt their operations. Today it is estimated that any given gang-cartel combination earns more money in a year from its illicit activities than any Caribbean country generates in legitimate revenues. Thus, individual mini-state governments in the region are simply overmatched by the gang phenomenon. The gangs and their various allies have more money, better arms, and more effective organizations than the states. And, gangs are gradually supplementing the brute violence of previous generations with the brainpower of a new generation of members who are computer savvy and business-school trained with MBAs. Additionally, many of this younger generation of gang members, like the older generations, are recipients of "graduate educations" from North American and other prison systems.

In all, increasing gang effectiveness, violence, and impunity have fueled doubts in the Jamaican citizenry about the problem-solving ability of their elected leaders.[96] Given the reality of the posses' combination of power and beneficial social welfare activities, citizen support and allegiance tend to go to the posses that deliver consistent services and security, rather than to the government that appears to be unable or unwilling to honor the social contract.

The Brazilian Primeiro Comando da Capital.

The great city of São Paulo, Brazil—the proverbial industrial "locomotive" that pulls the "train" of the world's eighth largest economy—was paralyzed by

the Primeiro Comando da Capital (PCC) for 5 days in mid-May 2006. Virtually nothing moved. More than 293 attacks on individuals and groups of individuals were reported, and hundreds of people were killed and wounded. Busses were torched, banks were robbed, personal residences were targets of violence, municipal buildings and police stations were attacked, and rebellions broke out in 82 prisons within the state of São Paulo's penal system. Transportation, businesses, factories, offices, banks, schools, and shopping centers were shut down. In all, the city of São Paulo was a frightening place during those 5 days in May.[97]

During that time, the PCC demonstrated the ability to coordinate simultaneous prison riots; destabilize a major city; manipulate judicial, political, and security systems; and shut down the formal Brazilian economy. The PCC also demonstrated its complete "lack of principles" through its willingness to indiscriminately kill innocent people, destroy public and private property, and suspend the quality of life benefits of a major economy for millions of people. Beyond the severe limitations of the state government's security forces—which were reportedly as involved in extra-judicial killings as the criminal perpetrators of the chaos—the violence and chaotic conditions in São Paulo made any effort to assert governmental authority or conduct essential public services virtually impossible.[98]

Organization and Motives. The PCC has an estimated 65,000 to 125,000 full- and part-time dues-paying members and is led by a brilliant and uncompromising career criminal called Marcola (Marcos Williams Herbas Camacho). Although analysts believe that no more than 6,000 active PCC members are in Brazil's prison system, they know that the PCC has extended

its influence into the *favelas* ("ungoverned" slums)[99] in São Paulo, Rio de Janeiro, and the other major cities of the country. This has been accomplished through a long series of carefully negotiated, sometimes forced alliances with other gangs and *favela* chiefs (*jefes da favela*).[100] As a result, at any given time, Marcola controls at least 60,000 PCC members in the prisons and *favelas* of Brazil. And, notably, the May explosion in São Paulo was initiated, orchestrated, and terminated by one person—Marcola—from a "maximum security prison," using his mobile telephone.[101]

Ostensibly, this turmoil and retribution was triggered by prisoners who were being transferred to a maximum security prison that was not equipped to allow the inmates to watch the much anticipated World Cup soccer matches on TV. Thus, an ambitious, prisoner-initiated "prison rights" agenda was the motive for the rebellion. But, at its base, consensus has it that the "surprise May explosion" in São Paulo was really a show of force by the largest criminal gang in the Western Hemisphere. The primary intent was to announce to the state and federal governments that the PCC and its allies in the *favelas* are strong enough to compel the negotiation of terms of state sovereignty vis-à-vis that organization.[102] Unlike many gangs in the hemisphere that seek to permeate government to the point where the state authorities and selected gang members are the same people, the PCC has attempted to neutralize the Brazilian state within its sphere of influence. At the least, given that Marcola got everything he wanted out of the negotiations to end the chaos in São Paulo, it is probably safe to say that the PCC and the *jefes* or barons of the *favelas* have grown more and more powerful, and the state increasingly constrained.[103]

Program of Action. Favelas are the base of the PCC's extended power. In the *favela*, "traffic" is everything, and "territory controlled" is critical. The PCC, like other criminal gangs throughout the hemisphere and the world, is deeply involved in drug trafficking, arms trafficking, murder, kidnapping, robberies, and extortion. To maintain its momentum and expand its markets, the organization has increasingly adopted an offensive mode with tactics appropriate to urban guerrilla war, in which it looks for confrontations with rival gangs and police and military forces. PCC members and temporary-hire "soldiers" from the *favelas* carry out their violent tasks armed with automatic weapons, machine guns, hand grenades, rocket propelled grenades, anti-personnel mines, and crudely armored vehicles. Command and control is provided primarily through a very efficient communication network based on mobile telephones. This takes us back to Marcola and his cell phone. In areas controlled by the PCC or in areas that might be "invaded" by PCC-controlled units, one has a choice: to pay dues, mentally submit, and physically contribute to the organization or "*subir al cielo*" (to die).[104]

In addition to its violent turf-controlling efforts and illicit trafficking activities, the PCC pursues more than a casual, self-serving criminal rights agenda. The organization hires from 18 to 20 lawyers who work full-time. They not only act as advocates for gang members, but also act as mentors for young people. One of the great successes of the PCC has been to infiltrate or "colonize" the governmental organization that administers the entrance examinations necessary to enter the Brazilian public service. The job of the PCC mentor is to ensure that young gang members who have the ability and the desire to enter into public service can and do get

their necessary education and pass the appropriate examinations. As a consequence, the PCC is preparing to put its own people into bureaucratic positions it considers important in the Brazilian system. Thus, in addition to controlling slums in the major cities of the country, the third-generation parts of the PCC appear to be slowly and surely extending their influence into the public service. The logical conclusion regarding this effort would be, simply, that Marcola is deliberately leading his organization to infiltrate the state.[105] This, of course, would be an important objective in the process of securing freedom of movement and action and in moving Brazil toward criminal-state status. This would also be a radical variation on the previously noted Sullivan-Bunker cocktail.

Response. It would appear that the São Paulo state government and the Brazilian federal government were not particularly concerned with the specific issues that brought on the May 2006 crisis. The official state of São Paulo response to the violence and chaos was simply: "I say to our people the police are still in the streets, they [the people] can go out and have fun this weekend."[106] This "business (or fun) as usual" approach to the gang problem and to the ungoverned territory issue is similar to that expressed not too long ago when a high-ranking federal official said: "Not to worry. Brazil will grow out of this."[107]

On the positive side of this dilemma, the unfortunate São Paulo 2006 "explosion" brought to light socioeconomic-political-psychological problems—poverty, corruption, penetration of the political system, and impunity—that probably will be debated sooner rather than later. It is hoped that such debates will result in more than simply "tough talk." In that connection, the Brazilian people are

demonstrating their displeasure with the "business as usual" (official lassitude, inefficiency, and outright corruption) approach to dealing with the PCC and other gangs.

On the negative side, several points must be made. First and most seriously, vigilante militias are violently beginning to impose their own "peace" in *favelas* the police do not control.[108] Second, the governor of the state of Rio de Janeiro has authorized shows of force of his own. As one example, he ordered the state police, backed by a federal task force, to invade and take control of a notorious drug-trafficking slum (the Complexo do Alemão) in June 2007. It was a brutal and bloody effort, the police were not particularly selective regarding who they killed, and human rights advocates were outraged.[109] Interestingly, the people of Rio (Cariocas), presumably those who do not live in the *favelas*, appear to have approved of that police action. As a matter of fact, the individual who planned the raid was subsequently singled out at a public event and given a hero's ovation.[110]

Third, a truce, enforced by 25,000 federal troops, police from several Brazilian states and international police organizations, cooperatively worked to turn Rio de Janeiro into a relatively safe and peaceful city during the period up to and after the prestigious Pan American Games in July 2007. Reportedly, Cariocas "rejoiced" as the usual hectic pace of murder, assault, and theft slowed to almost negligible proportions. Brazil's President Luiz Inácio Lula da Silva responded to public pressure and announced that 75 percent of the military and police equipment brought into Rio during the games would remain in the city.[111] How that equipment will be used over time remains to be seen, but Cariocas have been reminded what it feels like to live in a safe city.

Conclusions. In the meantime, the June 2007 episode of police violence in Rio and the 2006 violence organized by Marcola and the PCC in São Paulo illustrate that loosely governed states and ungoverned territories within them are attractive venues for gangs and other nonstate actors who seek to avoid the reach of criminal justice systems and evade surveillance and sanctions. Lessons from these experiences also illustrate that effective action against gangs requires close civilian-military and international-national-local partnerships.

The May 2006 incident in São Paulo is a prime example of a "new urban jungle," within which gangs and their warlord and insurgent cousins can find space from which to conduct their illicit, commercial enrichment operations.[112] Ironically, Marcola and his fellow PCC prisoners in the São Paulo penal system have found a safe place for conducting their unprincipled, second-generation gang move toward third-generation status. This mixing of commercial and political interests is a lethal combination that exemplifies a real and significant threat to the security, stability, and effective sovereignty of the Brazilian state. The São Paulo and Rio experiences also reinforce the most salient strategic-level lesson learned from the Cricket Matches and the Pan American games. That is, gang and other criminal activities are transnational, intrastate problems requiring cooperative transnational and intrastate solutions.

Implications.

It appears that commercial enrichment remains the primary motivation for gang challenges to state security and sovereignty in the Western Hemisphere. The primary objective, however, is to *indirectly* ensure

that the gang phenomenon has the level of freedom to act within and between national territories that allows the achievement of the desired commercial enrichment. In these terms, gangs and their allies are not *directly* challenging incumbent governments for control of the state. By responding to this kind of challenge to sovereignty in traditional ways, including accepting corrupt practices and/or pretending the problem will go away, most political leaders are playing into the hands of the gangs. They do not appreciate the nature and extent of the violent challenge to political order and the values of legitimate governance being raised by the gang phenomenon.[113]

The power to deal with these kinds of threats is not hard combat firepower or even more benign police power. It involves soft, multidimensional, multilevel, multilateral, political, psychological, moral, informational, economic, and social efforts, as well as police and military activities that can be brought to bear holistically on the causes and consequences, as well as the perpetrators of violence. Ultimately, then, success in contemporary unconventional conflict comes as a result of a unified effort to apply the full human and physical resources of the nation-state and its international allies to achieve the individual and collective well-being that can lead to sustained societal peace.[114]

KEY POINTS AND LESSONS

What makes the above cases or situations and their implications significant beyond their own domestic political context is that they are situations from which lessons from contemporary irregular warfare can be learned. Additionally, these cases are the results and

harbingers of much of the ongoing political chaos of the 21st century. They stress the following:

- Gangs and other TCOs contribute significantly to national, regional, and global instability. As they evolve, they generate more and more terror, violence, and instability over wider and wider sections of the political map.
- Gangs, along with their TCO allies, are far from being apolitical and unique. They are becoming more and more similar to their politicized insurgent and warlord cousins. They maintain a practical logic regarding conflict that is a continuation of regional politics by other means.
- The primary motives of gangs and other TCOs center on group survival and personal gain. Beyond this there are no rules (criminal anarchy).
- Gangs and other TCOs use completely unprincipled political-psychological, as well as purely violent ways and means to achieve their objectives.
- These objectives are, primarily, freedom of movement and action within and across national boundaries. The unintended or intended results impinge on the effective sovereignty and security and liberal democratic values of countries and peoples.
- The civil-military relations problem regarding the question of whether or not the gang phenomenon is a law enforcement issue or a national security issue is irrelevant. It is larger than that. It requires the application of all the instruments of power of the nation-state and its international allies.

- To dismiss the above realities as too difficult or impossible to deal with is to accept the inevitability of unattractive alternatives.

Sun Tzu reminds us that we do not need an abundance of manpower, specialized equipment, and financial resources to deal effectively with an enemy such as the protean gang phenomenon: "What is of supreme importance in war is to attack the enemy's strategy . . . and his plans. . . . Next best is to disrupt his alliances."[115] This kind of effort does not require several pages of "actionable" and "measurable" tactical-operational hard power recommendations or more equipment and training or more money for the salaries for "civil servants"—although all that would be helpful. Sun Tzu's winning strategic-level soft power recommendations to attack the enemy's strategy, plans, and alliances require, more than anything else, the well-considered application of "brain power." The alternative for the United States is to watch the Western Hemisphere become further engulfed in a chaos of vice, corruption, lack of legitimacy, and criminal values.

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