FOREIGN AFFAIRS

MARCH 20, 2024

The Costs of El Salvador's Crime Crackdown

Bukele Has Reduced Homicides—but Eroded Democracy

GUSTAVO FLORES-MACÍAS

The Costs of El Salvador's Crime Crackdown

Bukele Has Reduced Homicides—but Eroded Democracy

GUSTAVO FLORES-MACÍAS

Under President Nayib Bukele, El Salvador has experienced one of the most spectacular declines in violent crime in recent memory, anywhere in the world. Despite ranking among the most dangerous countries on the planet a mere decade ago, the Central American state today boasts a homicide rate of only 2.4 per 100,000 people—the lowest of any country in the Western Hemisphere other than Canada.

El Salvador owes much of its dramatic drop in crime to Bukele's crackdown on street gangs and criminal organizations, including MS-13 and Barrio 18. Although homicide rates were trending downward before Bukele took office in 2019, violent crime declined sharply after March 2022, when his government declared a state of emergency following a spike in murders, allowing the government to suspend basic civil liberties and mobilize the armed forces to carry out mass arrests. This state of exception granted Bukele's administration a blank check to fight gangs

and detain suspects without consideration for transparency, due process, or human rights.

Bukele's iron-fist measures and their apparent results have not only made him wildly popular in his country—earning him a landslide reelection in February 2024—but also captured the imagination of politicians elsewhere grappling with rapidly deteriorating public safety. Members of the political elite in other states are now toying with the so-called Bukele model. In Ecuador, for instance, President Daniel Noboa has unabashedly followed in Bukele's footsteps in response to prison riots and a major surge in homicides, declaring a state of emergency in January that gave the armed forces free rein to detain suspects and to take over control of the country's prisons. The Bukele-style security measures appear to be succeeding there, as well: a little over a month into the crackdown, the government reported that the daily average of homicides had fallen from 28 to six. The fact that militarized public safety campaigns are proving effective outside El Salvador has only enhanced the model's growing appeal across Latin America, which has long suffered the highest rate of violence of any region in the world.

But as appealing as a Bukele-style crackdown might seem, these punitive campaigns against organized crime come at a serious cost to democracy and human rights. These measures concentrate power in the hands of the executive, chipping away at other democratic institutions, such as Congress and the judiciary, that are critical bulwarks against governmental abuse. They also fail to solve the underlying problems, such as corruption and impunity, that generate such violence and instability in the first place.

There are alternatives to the Bukele model for reducing crime. In cities in Brazil, Colombia, and Mexico, politicians have managed to decrease homicides without eroding civil and human rights by making sustained investments in democratic policing, which emphasizes transparency, accountability, and civil liberties. These measures may not work as quickly, and they may not be as conspicuous. But they do not sacrifice democracy on the altar of public safety. Militarized states of emergency are no silver

bullet: for any public safety measures to permanently succeed, they must not come at the expense of the democratic institutions that protect civilians from abuse at the hands of the government.

BUKELE'S SOCIAL CONTRACT

Iron-fist measures against crime—including armed forces assuming control of law enforcement, severe sentences, and the suspension of civil liberties—are not new in Latin America. But Bukele's approach is notable for its duration. El Salvador's state of emergency, which was first declared in March 2022, has been extended some 24 times, giving Bukele nearly two years of free rein.

Bukele's suspension of civil liberties has streamlined his crackdown on gangs, allowing the military to detain suspects without hindrance, circumvent the corruption that pervades the judicial process, and sever the links between imprisoned gang leaders and their acolytes in the outside world. The emergency decree's suspension of rights, including due process, has made it much easier to arrest suspected gang members, given that probable cause or arrest warrants are not needed and excessive use of force is not a concern. Bukele also used emergency powers to introduce indefinite pretrial detention, which means that the state does not need to present convincing evidence in court before locking a suspect up for extended periods and preempts the possibility that a corrupt judge would release the suspect. The emergency mandate also bars inmates from establishing any contact with individuals outside the prison, including lawyers, relatives, or associates, thereby preventing kingpins from continuing to run their groups from behind bars. The outcome, according to Amnesty International, has been the imprisonment of some 77,000 people, many of whom have also been subjected to systematic torture and other mistreatment.

Public safety has improved dramatically as a result. Although human rights organizations have pointed to significant underreporting of homicides and questioned the reliability of government statistics, the testimonies of Salvadoran citizens make clear that there has been a significant reduction of extortions among business owners and a newfound

freedom to enjoy public spaces. Tellingly, the number of encounters that U.S. authorities had with Salvadoran migrants dropped from 97,000 in 2022 to 61,515 in 2023, signaling that violent crime as a push factor for migration may be receding.

Leaders throughout the rest of Latin America have taken notice. Elected officials in Argentina, Colombia, Guatemala, and Peru have expressed support for the Bukele model. The fact that officials in states such as Argentina have considered adopting Bukele's system speaks to its widespread appeal, given that Argentina's crime rate is comparatively low. The same is true for Uruguay, another country with low—albeit rising—homicide rates. One Uruguayan senator went so far as to travel to El Salvador to hear directly from Bukele.

The state that has done the most to follow Bukele's approach is Ecuador, where Noboa has rolled out a similar set of measures dubbed Noboa's Way. The public safety challenges in Ecuador are different from those in El Salvador, as the former's violent crime stems from the prevalence of transnational drug trafficking organizations as opposed to more localized gangs. But the distinct security landscape has not prevented Noboa from following in Bukele's footsteps, including by handing control of penitentiaries over to the armed forces and ordering the construction of two maximum-security prisons modeled after Salvador's secretive Terrorism Confinement Center—which, theoretically, has the capacity to hold 40,000 inmates. (By contrast, the Louisiana State Penitentiary, one of the largest maximum-security prisons in the United States, can hold up to 6,300 inmates.) Since declaring a state of emergency in January, Noboa has overseen the arrest of over 8,000 people—and his popularity, like Bukele's, has only risen.

THE PRICE OF SAFETY

Although Bukele's crackdown has achieved spectacular public safety gains, it has incurred an equally sizable but less visible cost to El Salvador's democracy. In the short term, the mass arrests have led to the incarceration of tens of thousands of people who lack legal recourse, with many Salvadorans living in fear of arbitrary imprisonment. In the long

run, Bukele's consolidation of power undermines the system of institutional checks and balances that safeguard the public against government abuse. Ahead of the country's February elections, for instance, Bukele used the suspension of constitutional rights to modify El Salvador's electoral rules to favor his party. Moreover, the normalization of states of emergency and the militarization of public life erodes citizens' ability to influence policy, and it weakens trust in the capacity of civilian institutions to solve the country's problems.

Despite these high costs, public safety has become such an overriding concern for so many Salvadorans that civil liberties and human rights have been sidelined. As Bukele's enduring popularity demonstrates, if violent crime is severe enough people are willing to relinquish protections against government abuse in exchange for improved public safety.

The result is a paradox of punitive populism, in which democratically elected leaders with broad anticrime mandates undermine liberal democracy by adopting iron-fist policies that are not only popular but can also be effective. Iron-fist policies are widely appealing to publics accustomed to living in fear for their safety; such is the case for generations of Latin Americans, many of whom have not known a reality other than widespread extortions, kidnappings, and murders. In El Salvador, for example, anybody born after 1979 has only known life under either a brutal civil war, which lasted from 1979 to 1992, or the subsequent internecine gang warfare that has killed tens of thousands and driven many more to flee the country. Bukele came to power pledging to bring an end to this state of chaos, and he has proceeded to do so by a popular demand that has not diminished even amid his dismantling of democracy from within.

Bukele-style campaigns against organized crime come at a serious

The strong desire for drastic public safety measures is understandable in a region where many proposed solutions have yielded little fruit. Governments throughout Latin America have cycled through many failed bids to counter violent crime, swinging back and forth on the

cost to democracy and human rights.

centralization and decentralization of the police and facilitating the proliferation of private security firms. Officials in countries including Mexico and Brazil have shelled out millions in consultancy fees for the advice of former New York City Mayor Rudolph Giuliani on crime-fighting techniques, with few discernible long-term results. But despite the real need for increased public safety, the price of a no-holds-barred war on violent crime is too steep for Latin America, where democracies are still relatively young and fragile and where the rule of law is already elusive.

Even in countries without states of emergency, the militarization of law enforcement can have damaging antidemocratic consequences. In Mexico, for instance, the country has grown steadily more illiberal since President Felipe Calderón deployed the military in 2006 as part of an ill-fated effort to combat drug traffickers, despite a constitutional prohibition on doing so. Human rights violations have gone up in the intervening years, as has violent crime. But subsequent administrations have refused to change course, choosing instead to double down on the militarization of public safety. Amid persistently high rates of cartel violence, President Andrés Manuel López Obrador, known as AMLO, has granted the armed forces even more expansive powers, including oversight over the country's air and sea ports. As a result, citizens are increasingly subject to the whims of the military rather than to the rule of law.

In Bukele's case, at least, the rate of violent crime has come down. But in the long run, iron-fist approaches may not be so successful—and could simply fuel the problems that caused violent crime to spiral out of control in the first place. Corruption and impunity are the key obstacles to public safety across the region, where gangsters elude prison or run criminal enterprises from behind bars because police, judges, and prison wardens are complicit in organized crime. States of emergency and the militarization of public safety can circumvent some existing corruption, but they also bring greater opacity, remove institutional constraints against government abuse, and reaffirm the perception that only the military can

solve societal problems. Addressing impunity requires more, rather than less, transparency and accountability. In the absence of a major overhaul of existing security forces, giving the same forces that operated with impunity a blank check to put the house in order invites disaster.

DEMOCRACIES THAT DELIVER

To be sure, not all aspects of Bukele's model are detrimental to liberal democracy. Putting criminals away to keep them from terrorizing law-abiding citizens and preventing inmates from engaging in criminal activity from prison are critical to addressing the region's violent crime epidemic, and therefore giving people freedom to go about their lives without fear of victimization. But militarized states of emergency are no substitute for a long-term public safety strategy.

Instead, governments should craft new policing strategies that are compatible with democracy and that work to overcome the obstacles that prevent publics from trusting law enforcement. Officials must invest more in civilian policing agencies to incentivize good and effective police behavior, including training and staffing new officers, adopting merit-based selection and promotion procedures, establishing more competitive salaries and benefits, and implementing rigorous evaluation programs. They must channel more resources toward anticorruption vetting systems that include personnel screening tests and recurrent accountability checks. They need to use policing technology for real-time decision-making and intelligence, such as surveillance systems that can detect problematic areas early and generate evidence to be used in court, and they need to establish closer collaboration between police and local residents, taking cues from proximity policing models that incentivize trust and responsiveness to citizens' concerns. Governments must also make key reforms to the judiciary and civil service, including vetting judges based on their trajectories and ability to bring transparency to the assignment of court cases. They must also establish institutionalized oversight mechanisms such as mandatory and regular disclosure of assets.

Local governments throughout Latin America have shown that such systems can work. A case in point is Ciudad Nezahualcóyotl—a densely

Corruption and impunity are the key obstacles to public safety across the region.

populated suburb of Mexico City with over a million people concentrated in about 25 square miles. Once considered a large and dangerous slum, the city made a sustained effort to expand its local police force and strengthen trust in local law enforcement—and was able to cut the homicide rate in half between 2013 and 2022. Encouraging experiences can also be found in Medellín, Colombia, and São Paulo, Brazil, which have also adopted similar approaches, in addition to measures including firearms controls and recurring evaluations of police intervention. In all these places, policing has helped not only to reduce crime but also to build confidence in civilian institutions.

Despite their effectiveness at the local level, such alternative policing methods have not gained national traction because they are eclipsed by flashy and politically expedient iron-fist approaches. Given the popularity of the visible deployment of the armed forces from one emergency to the next, resources are channeled toward military budgets rather than to less sexy but crucial reforms to civilian police and the judiciary. In 2019, for example, AMLO dismantled the civilian federal police and created a paramilitary national guard that consists mainly of former soldiers. Even in places like Chile, where violent crime is relatively low and the police enjoy trust from society, the government increasingly relies on the military for public security.

But leaders should pursue the better solution, not the one that is most showy. That means they must shift their priorities and channel funds toward strengthening the police and judiciary on a national level—scaling up what has worked locally. If the region's democracies are to survive the illiberal pressures of punitive populism, governments must prove that nonmilitary measures can be effective. Otherwise, publics across Latin America will continue to surrender their constitutional rights in exchange for authoritarian police states that maintain order. The best antidote against authoritarian populism is for democracies to deliver results.