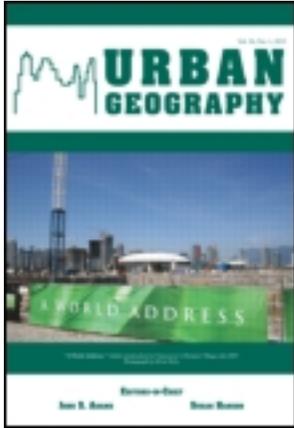


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ZERO TOLERANCE IN LATIN AMERICA: PUNITIVE PARADOX IN URBAN POLICY MOBILITIES

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Abstract: In Latin America, high levels of crime have prompted many politicians to embrace zero tolerance policing in order to quell public fears. While the overall impacts on urban crime are debatable, zero tolerance in the region has morphed into a powerful policy narrative that symbolizes strong leaders who crack down crime and disorder. Its impacts have been far-reaching; to date, it has been implemented in various guises in Mexico, Brazil, Ecuador, Venezuela, Chile, Argentina, Honduras, El Salvador, Guatemala and the Dominican Republic. Yet, the policy transfer of zero tolerance to Latin America has mutated into a much more punitive approach. In this paper, I develop a critical analysis of the punitive inequalities of zero tolerance policing in Latin American cities, and the consequences for marginalized and racialized youth. I also explore the emergence of a new, unexpected consequence of zero tolerance: the South-North migration of undocumented people. [Key words: zero tolerance, Latin America, policing, transnational migration, youth.]

INTRODUCTION

Fear of crime is pervasive across Latin America. Public insecurity shapes government agendas, as local politicians pledge a *mano dura*, or an iron fist, to get tough on crime. In part, this fear is driven by tabloid and media reports that detail spectacular violence, and provide accompanying images of disfigured bodies to frighten and horrify the masses. Despite such frequent media sensationalism, this is not a fear based upon an imaginary “stranger danger,” such as that often reinforced by the 24-hour news stations in the United States. Instead, this fear reflects the material and subjective realities of violence as “embodied and experienced in everyday urban space” (Garmany, 2011, 1161). Honduras, Guatemala, El Salvador, Venezuela, Colombia and Brazil, for instance, have homicide rates that make them among the most violent nations in the world (UNODC, 2011). In Mexico, latest reports detail that at least 60,000 people have been killed in drug-related violence since the end of 2006, too many of whom were innocent bystanders (BBC, 2012). In Venezuela, an average of 53 people were murdered *per day* in 2011 (MercoPress, 2011). Hence, many Latin Americans experience a palpable fear that is not unreasonable. This fear helps explain why zero tolerance policing strategies have become so attractive to politicians across the region.

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In this paper, I outline why the transfer of zero tolerance policing is particularly problematic for Latin America. I examine how many Latin American politicians have embraced zero tolerance and *mano dura* policies in an attempt to demonstrate to their constituents that they will conquer the crime that plagues their cities. Yet, while the rhetoric of zero tolerance may help assuage fears for some, I explain how the application of broken windows theory (a seemingly scientific theory imported from New York City) works to justify continued discrimination against the poor, marginalized and racialized populations of Latin American cities. Given under-resourced and often corrupt police forces, targeting the so-called unruly behaviour, such as begging and street vending, is highly problematic in Latin America where the number of people working and living on the streets is on a scale unimaginable in the United States. Many on the streets are not criminals, but rather impoverished people trying to survive in the only way available to them. Drawing from academic and media sources, as well as a decade of ethnographic research with urban informal sector workers and migrants, I argue that transferring this type of policy to Latin America serves as a powerful legitimating force for state-sanctioned discrimination against the poor. Moreover, in some cases these punitive urban policies have pushed highly marginalized individuals into more dangerous circumstances, such as undocumented transnational migration.

FEAR AND THE LATIN AMERICAN CITY

Fear of crime has had a profound effect on the geography of the Latin American city. In a region marked by wide disparities between the rich and poor, the upper-middle classes have resorted to building cities of walls (Caldeira, 2001), or gated communities to keep the “other” out. Middle class homes are often enclosed by gates and concrete walls, which are fortified with jagged glass or barbed wire. Within these walls, dogs roam menacingly, threatening to attack possible intruders. Private security guards are hired to protect neighbourhood streets, blowing their whistles hourly to alert homeowners that they remain vigilant even during the wee hours of the night. Outside the confines of these private compounds, residents of some regions have even turned to armoured and bullet-proof vehicles to protect against the perceived threat of attacks, robberies and kidnappings (James, 2011). These are extreme measures, but reflect societies that are plagued by high crime rates and a seeming lack of protection from the state.

Trust in the police is low in much of Latin America, which is why many residents favour private security forces over public ones. Police forces in Latin America are widely perceived as corrupt, incompetent, and in some countries, responsible for more crime than they prevent (Malone, 2010). In fact, according to Transparency International, public sector corruption levels are amongst the highest in the world in Latin America, particularly in Venezuela, Paraguay, Haiti, Honduras, Nicaragua and Guyana (TI, 2012). These high levels of public sector corruption permeate police forces, and bribes and kickbacks used to inflate meagre salaries are not uncommon. Police violence is also a significant concern in many regions, particularly for youth. In Brazil for instance, state-sanctioned lethal violence perpetrated by the police is rampant and disproportionately affects Afro-Brazilian males (Costa Vargas and Amparo Alves, 2010; Wacquant, 2008). Given the rigid class and race hierarchies in Latin America, the police largely serve the needs of the elite at the expense of the poor. Former Police Chief of Rio de Janeiro speaks candidly on

this matter: "I'll say it myself. The police are corrupt. The institution was designed to be violent and corrupt. And the people think that's odd. Why do I say it was designed this way? Because it was created to protect the state and the elite. I practice law enforcement to protect and serve the status quo; no beating around the bush. It keeps the favela under control" (Lund and Moreira Salles, 1999).

ENTER ZERO TOLERANCE POLICING

Given high levels of fear, it is perhaps no wonder that politicians seek a quick fix for urban crime. Many have turned directly to the so-called "New York miracle" for solutions. Under the leadership of "Supercop" Chief William Bratton and "Time Person of the Year 2001" Mayor Rudolph Giuliani, New York City witnessed sharp drops in crime in the 1990s, which many attributed to zero tolerance policing strategies. Bratton and Giuliani have since become powerfully symbolic figures as conquerors of crime in one of America's most notoriously violent cities. This is perhaps especially powerful internationally, given New York's global cinematic depiction in numerous mob, ghetto and gangster movies. If Bratton and Giuliani could conquer New York City, they could conquer anything (or so the tabloids suggest).

Besides this, the logic behind Giuliani and Bratton's zero tolerance policing strategies is often perceived as "common sense." Drawing from James Wilson and George Kelling's broken windows theory, New York style policing is based upon that belief that lesser offenses such as graffiti, abandoned cars, broken windows and other "untended behavior" will lead to a "breakdown of community controls" (Wilson and Kelling, 1982, 3). The authors of the broken windows theory state: "The citizen who fears the ill-smelling drunk, the rowdy teenager, or the importuning beggar is not merely expressing his distaste for unseemly behavior; he is also giving voice to a bit of folk wisdom that happens to be a correct generalization—namely, that serious street crime flourishes in areas in which disorderly behavior goes unchecked" (5). The solution to this folk wisdom, they argue, is to police minor offences rigorously in order to dissipate community fear and to prevent further crime. The authors go on to state that, "The unchecked panhandler is, in effect, the first broken window" (5). The common sense generalizations behind broken windows theory have since been widely disputed by criminologists and other scholars (i.e. Bowling, 1999; Harcourt and Ludwig, 2005). For instance, evidence demonstrates that the crime reductions witnessed in New York City in the 1990s may have had more to do with nationwide reductions in crime associated with the decline of the crack epidemic and a subsequent demographic shift, rather than zero tolerance policing strategies. Nevertheless, because of their apparent success in reducing crime and insecurity in New York City, Bratton and Giuliani have since been hired as crime and policing consultants around the world. The region south of the United States border has held particular appeal. In fact, "Latin America," claimed Bratton "is the new frontier of reform for police work" (Bratton and Andrews, 2001).

AT THE COPA ...

In a fast and busy world, politicians seek quick fixes and ready-made solutions to urban problems, often looking abroad for successful examples (McCann and Ward, 2010).

Increasingly, neoliberal think tanks and international consultants have stepped up to the task to spread their gospel on seemingly innovative urban strategies. The result is a form of fast urban policy, “in which ideologically saturated policy frames and strategies circulate not only with increased velocity but also with intensified purpose” (Peck, 2006, 684; see also Peck and Theodore, 2001). Urban policies are on the move, and are flowing across borders around the globe (Peck and Theodore, 2010). Yet, while seemingly successful policies (such as zero tolerance) have gained great representational power, their transfer across geographical spaces necessarily results in permutations and shifts. Simply stated, it is impossible for policies to retain their original form when applied in different places with different contexts (McCann and Ward, 2010). Rather, they mutate to adjust to local social, political and institutional contexts. They evolve across space in order to adapt to the messy realities of policy making on the ground (McCann, 2011).

The New York-based Manhattan Institute has played a particularly important role in the spread of neoliberal urban policies in Latin America (Mitchell, 2011; Wacquant, 2009). Wacquant’s (2009) analysis reveals the ways in which the Institute’s workshops, trainings, field visits and policy briefs combine to achieve a thorough ideological indoctrination of Latin American politicians. The result is that the punitive neoliberal policies have been embraced by many through a type of “policy evangelism” (Wacquant, 2009). Zero tolerance, in particular, has been promoted as the key for overcoming the rampant crime that plagues the region. And Bratton and Giuliani have been hailed as the messiahs. Thus, supported by their respective consulting firms (Giuliani Partners and the Bratton Group LLC), Giuliani and Bratton have been hired or have been cited as the inspiration for policing strategies in: Mexico (Becker and Müller, 2013; Crossa, 2009; Davis, 2013; Mountz and Curran, 2009), Brazil (Goode et al., 2013; Wacquant, 2003), Ecuador (Swanson, 2007), Venezuela (Andrews and Bratton, 2008), Chile (DePalma, 2002), Argentina (Dammert and Malone, 2006), Honduras (Rodgers et al., 2009), El Salvador (Zilberg, 2007), Guatemala (Rodgers et al., 2009) and the Dominican Republic (Howard, 2009), to name a few. This transnational urban circuit nicely exemplifies the fusion of policy mobilities with entrepreneurial urbanism theorized by McCann (2013), but in the case of Latin American urban policing, the form taken by “policy boosterism” involves a particularly potent and dangerous synthesis of police violence and repression of the poor.

The global transfer of punitive urban policy has been explored in other contexts, most notably in the so-called global north (Atkinson, 2003; Belina and Helms, 2003; Macleod, 2002; Mitchell, 2003; Slater, 2004; Uitermark and Duyvendak, 2008; Van Eijk, 2010). Some have pointed to the contradictory and selective implementation of zero tolerance, resulting in less punitive and more accommodating urban spaces than in New York City (DeVerteuil, 2006; Macleod, 2002). In other words, in some cases, the implementation of zero tolerance is no match for the vengeful application of revanchism in New York (Smith, 1996). In Latin America, the transfer and implementation of zero tolerance also varies from city to city. But, in many places, it represents a shallow, selective and excessively punitive reading of New York-styled policing. In fact, zero tolerance in Latin America often goes well beyond New York-styled penalty. Given vast inequalities (economically, socially and racially), high levels of police corruption and limited infrastructural resources, zero tolerance in Latin America is often implemented in a way that explicitly targets the poor.

For instance, reportedly Copacabana's Military Police Chief first read about Giuliani's New York miracle in the newspaper. Thereafter, he was inspired to implement a plan to not only sweep the many street children and beggars from the region's beautiful Brazilian beaches, but also to crack down on unlicensed street vendors, unruly motorists and informal parking attendants (or individuals who guard cars for a small fee). To complement these beach and street sweeps, he installed beachside surveillance cameras and increased the number of patrol cars. While recognizing that street children and beggars may not be responsible for crime, he argued that they create a climate of fear and insecurity for residents and tourists. Thus, removing them from beaches and urban spaces results in a "safer feeling" on the streets. After the plan's perceived success in Copacabana, it was implemented in Ipanema and Leblon as well, both affluent neighbourhoods in Rio de Janeiro. However, social workers and street children complained of increasing levels of police violence. According to a 13-year-old street child, "Anytime we go near a tourist, we're a threat...The police beat us with pieces of wood and use pepper spray, just because we're sleeping on the sidewalk" (Khim, 2006).

What has come to be known as zero tolerance policing pulls directly from a New York City report titled, *Police Strategy No 5: Reclaiming the Public Spaces of New York*. Within, Bratton and Giuliani outline a list of unruly behaviours and targets of broken windows policing, including: squeegee cleaners, boomboxes, graffiti, panhandling, reckless bicyclists, street artists, street vendors, "dangerous mentally ill homeless people," among others (Smith, 1998). However, Police Strategy No. 5 was one strategy among many; as I discuss later, it was intended to be implemented along with a series of other policing reforms. Thus, it is problematic for Copacabana's military police chief to implement only zero tolerance policing without the accompanying institutional and cultural reforms, such as tackling police corruption. Implementing zero tolerance in a region where the police are notoriously corrupt and violent, particularly concerning the racialized street youth, is a dangerous precedent. As witnessed in New York City, a long history of police corruption and violence combined with zero tolerance strategies can lead to ghastly results, such as the murder of Amadou Diallo, a young, unarmed black man who was shot 41 times by members of the NYPD (see also Mitchell, 2011). Despite efforts to end racial profiling in New York City, youth of colour continue to be disproportionately stopped by the police during controversial "stop and frisk" procedures (Gelman et al., 2007; Gibson, 2011). Transferring zero tolerance policing to Brazil, where poor and racialized street children continue to be murdered with impunity by off-duty police officers operating in covert death squads is very worrying (The Independent, 2009). In fact, between 2003 and 2009 alone, police forces in São Paulo and Rio de Janeiro killed over 11,000 people (HRW, 2009). In effect, what this form of zero tolerance policing allows is a state-sanctioned cleansing of the streets in order to create "safer feeling" public spaces and to make way for investment and global capital.

Perhaps, recognizing how problematic zero tolerance policing can become, even Bratton has backed away from it. In a statement made in 2010, Bratton said that zero tolerance should *never* be used (Wait. *What?*). He states:

First, I would not advocate attempting zero tolerance anywhere in any city, in any country in the world. It's not achievable. Zero tolerance, which is often times attributed to me and my time in New York City, is not something we practised,

engaged in, supported or endorsed, other than zero tolerance of police corruption. Zero tolerance implies that you in fact can eliminate a problem, and that's not reality. You're not going to totally eliminate crime and even social disorder. You can reduce it significantly. So I would stay away from use of the term. It sounds great. *Politically it's a great catchphrase* [emphasis added]. (Home Affairs, 2011)

Herein, lies the key to the rhetoric of zero tolerance: it is a great political catchphrase. Bratton claims that "zero tolerance" was a term that was misappropriated and misused by British Shadow Home Secretary, Jack Straw, in 1995 to describe what was happening in New York City. While Bratton states that the term "zero tolerance" was only used in the context of police corruption, it was exported to Britain under the premise that it also applied to the chief "broken windows" targeted in Police Strategy No. 5. Thereafter, Prime Minister Tony Blair and the Labour Party launched a campaign of political rhetoric with regard to the promise of zero tolerance to tackle anti-social behaviour and quality of life offenses in Britain (Newburn and Jones, 2007). From this point onwards, the term "zero tolerance"—forever associated with Bratton and Giuliani—morphed into a powerful policy narrative that symbolized tough politicians.

According to Bratton, his strategies for tackling crime in New York City (and later in Los Angeles as the Chief of Police for the LAPD) went far beyond policing minor crimes, or the so-called broken windows. He argues that the program involved changing the culture of the police to discourage corruption among officers, for one. In interviews, he claims that he sees himself as a "doctor" or someone who does a "cultural diagnostic" of the police force to change problematic police norms and behaviours (Buntin, 2009; Horta Moriconi, 2010). Bratton also introduced Compstat, a high-tech surveillance system used to monitor crime, relied heavily on the media to gain community support for policing agendas, and announced public crime reduction targets to encourage better accountability (Newburn and Jones, 2007), all of which have met with some controversy. In Latin America, Bratton has further noted that policing reforms must include: more investment in resources and infrastructure; better police training; decentralized community policing; improved crime investigation and reporting; internal corruption investigation units; better controls on police violence; room for occupational mobility; higher police salaries and reformed criminal justice systems (Bratton and Andrews, 2010). This lengthy list presents a challenge of monumental shifts in Latin American policing; the authors note that achieving progress on any of these fronts is no easy feat.

It could be argued that part of the problem, therefore, is that Latin American politicians and police chiefs have latched onto zero tolerance policing as a quick policy fix without implementing the accompanying reforms. In Ecuador, for instance, Mayor Jaime Nebot of Guayaquil hired Bratton in 2002 as a crime consultant. While Bratton suggested an overhaul of the city's anti-crime strategies, the reforms were minimal, perhaps due to lack of funds or political will, or both. Much like Copacabana, Guayaquil increased high-tech surveillance, increased the number of police officers in key tourist districts and cleansed the streets and plazas of street children, vendors, transvestites and others who offended subjectively defined municipal codes regarding "proper moral conduct and décor." Reports of police violence and abuse were numerous, as the city's most marginal residents were kicked off the streets. There was also a clear racial dimension to Ecuador's implementation of zero tolerance. Due to limited opportunities within Ecuador's social

and racial hierarchies, the vast majority of individuals labouring and living on the streets are of indigenous or Afro-Ecuadorian descent. Effectively, Ecuador's zero tolerance policies targeted the racialized poor to both cleanse and whiten the streets. The resulting modern and whitened image of the city became a boon to politicians, and the "safer-feeling" city was understood as being more welcoming to investors and tourists (Swanson, 2007).

Inevitably, New York City's zero tolerance policies cannot be transferred or replicated verbatim to match the very different realities on the ground in Latin America. Poverty, inequality and social exclusion in both Guayaquil and Copacabana, for instance, are experienced on scales that vary markedly from experiences in the United States. Moreover, police forces lack the resources and the training to replicate American models. And even if Latin American police forces were to implement Bratton's extensive list of reforms, race and class divides run deep in the region, meaning that targets of these punitive policies would inevitably remain marginalized and in racialized groups. Transferred across scales, policies cannot help but mutate, adapt and evolve to local specificities. In Latin America, evidence suggests that zero tolerance policies mutate to become much more punitive.

"POLITICALLY IT'S A GREAT CATCHPHRASE"

It may be that Giuliani, rather than Bratton, is the pure tokenistic showpiece of zero tolerance rhetoric. As a politician, Giuliani is an outspoken proponent of his so-called New York miracle and is widely perceived as a hero of 9/11. His persona is large and he has become very influential in Latin America. Through the Giuliani Partners, Rudi was most famously contracted by billionaire Carlos Slims in 2002 to help Mexico City tackle its crime and security problems. He was hired for \$4.3 million dollars. Yet, as Mountz and Curran (2009) astutely note, what Giuliani brought to Mexico City was the *illusion* of control, rather than real change. He was contracted by Slims, a major property owner in the historical centre of the city. By hiring Giuliani to rid the area of street vendors and informal sector workers under the illusion of crime prevention, Giuliani effectively helped gentrify the area, thus raising property values and increasing Slims' wealth (see also Davis, 2013). As for crime, Mexico City saw no change. After millions of dollars in investment, the homicide rate dropped by less than 1% within the first two years. Meanwhile, kidnappings were on the rise. According to one police officer, "The Giuliani plan did not have any effect. It was money in the trash, really." Pointing to the lack of resources for the police, the officer continued, "Better to buy arms, uniforms, to fix our vehicles because we have to do that ourselves" (Gerson, 2005).

Despite evidence of zero tolerance's failure in Mexico City, Giuliani continues to be hired as a crime and security consultant in Latin America. For instance, at the end of 2009, Giuliani Partners acquired a security contract with the municipality of Rio de Janeiro to help them prepare for the FIFA 2014 World Cup and 2016 Olympic Games. In light of its upcoming launch onto the global stage, Rio has devised two new strategies to tackle crime: the Pacification Police Units (UPP) and the *Choque de Ordem*, or Shock of Order operation. The controversial Pacification Police was first deployed in 2008 to occupy and subdue Rio's favelas, or slums, and wrest control from regional drug gangs. By 2016, they aim to have pacified over 900 of Rio's favelas. While the UPP are

presented as a form of progressive community policing, according to local residents they are no different than Brazil's notoriously brutal military police who have long terrorized marginalized residents of the favelas: "It's the same truculent police that walked up the hill in the past, the same police who abused the residents. It's the same" (Goode et al., 2013).

Rio's Shock of Order operation was explicitly modelled after Giuliani's zero tolerance policies in New York City. City documents cite urban disorder as a catalyst for public insecurity and an instigator of crime (Forte, 2011). According to a spokesperson for the Department of Public Order, raids on street vendors "combat visual pollution" and the operation is an attempt to "rescue citizenship"—at least for some (Soifer, 2009). The operation specifically targets street vendors, pamphleteers, among others and has pushed many informal sector workers deeper into poverty. As reported by the media, abusive and corrupt police often seize merchandise from vendors for personal gain, and displace the poor without offering alternatives (Roller, 2011). Giuliani's role in Rio de Janeiro is to oversee these operations while supporting the city's progress toward the World Cup and Olympic Games.

In 2011, Giuliani was hired by Peruvian presidential candidate Keiko Fujimori to accompany her during her election bid. Together, they travelled across the nation, including to the city of Trujillo, the murder capital of Peru. Newspapers displayed images of Fujimori alongside a beaming Rudi Giuliani to demonstrate her *mano dura* approach to crime. These articles are accompanied by recent figures suggesting that over 70% of Lima's residents live in fear, one in five have been victims of crime in the last 12 months and less than 30% have confidence in the police (Cordero, 2011). Keiko states that she hired Giuliani because of his, "great record of fighting delinquency" (Wade and Aquino, 2011).

Ciudad Juárez, located on the United States/Mexico border, was another of Giuliani's suitors in 2011. Giuliani was brought in for *Juárez Competitiva*, a two-week long event designed to showcase the city to the world. Juárez is desperately trying to transform its image as Mexico's most violent city, as businesses continue to flee. Yet, with almost 2,000 murders in 2010 alone, this task will not be easy. While much of this violence is related to the drug cartels, the city is also plagued by what is often referred to as a femicide—the violent murder of hundreds of young women, many of whom work in the city's maquiladora industries. The vast majority of these murders remain unsolved (see Wright, 2011).

Giuliani delivered a keynote address at *Juárez Competitiva*. He spoke of similarities between New York and Juárez and praised the potential for broken windows theory in the crime-ridden metropolis. According to Giuliani:

This is why "broken windows" is so important. We had buses and trains with vandalism all over. They were traveling by the city like advertisements for lawlessness. Every bus said "we have people that don't respect the rights of others, we don't respect ourselves,"...Now when buses ride by the streets, people see a clean bus, legitimate ads, and we have a city where people respect the rights of others. (Martinez-Cabrera, 2011)

Yet, it may be questionable whether tackling graffiti is really the right approach in a city where violent torture, rape and public beheadings would seem to be more pressing. As

argued by Wright (forthcoming), the sanitizing of public spaces in Juárez has more to do with gentrification of the downtown core than addressing decades of femicide and a culture of impunity.

THE RHETORIC OF ZERO TOLERANCE

Scholars have demonstrated that the logic behind Wilson and Kelling's broken windows theory is flawed and that it lacks empirical evidence. Even James Wilson, co-author of the theory, has claimed that it was largely based upon assumptions, rather than actual data (Harcourt and Ludwig, 2005). A few have attempted to test broken windows theory more empirically. After analysing the comparative data from New York and five other cities, Harcourt and Ludwig conclude that their analysis "provides no empirical evidence to support the view that shifting police towards minor disorder offenses would improve the efficiency of police spending and reduce violent crime" (Harcourt and Ludwig, 2005, 33). Bowling's (1999) research has demonstrated that "aggressive enforcement is neither necessary nor sufficient to produce reductions in crime," and goes on to state that Wilson and Kelling's theory seems to be more of a "euphemism for 'fixing' 'disreputable' people through the use of aggressive policing" (547–548). A 2008 *Science* paper used six field experiments in Netherlands to empirically test broken windows theory. While the authors conclude that minor disorder (i.e. graffiti and litter) *does* foster further low-level disorder (i.e. litter and petty theft), their results do not justify the punitive policing of beggars, street vendors and other informal sector workers who earn their livings on the streets (Keizer et al., 2008). Rather, by punishing those perceived to be disorderly, the police are in effect only punishing the poor.

If academic research and practical applications of broken windows theory and zero tolerance policing have demonstrated their flawed logic and ineffectiveness at combating serious crime, why do politicians continue to embrace these sorts of policies in Latin America? According to Manning (2001), the public performance or drama of policing maintains the appearance, or even myth, of control, while increasing public confidence in crime control mandates. Or as Wacquant (2003, 198) notes, it could be because not only are these sorts of policies "ideally suited to *dramatizing* publicly their new-found commitment to slay the monster of urban crime" but they also "readily fit the negative stereotypes of the poor who are everywhere portrayed as the main source of street deviance and violence." Targeting the poor makes sense within pre-existing constructs of deviance. Cleansing the streets of beggars, street children and street vendors fits into common-sense assumptions regarding marginality, crime and violence.

Perhaps, it is a case of agnotology, or the cultural production of ignorance, as Tom Slater (2012) outlines regarding politicians in Britain. Do Latin American politicians choose to ignore clear evidence in order to pursue their goals and dramatize their iron fist approaches? Have they chosen to ignore Giuliani's failures in securing New York and Mexico City because his cult of personality carries so much sway with their constituents? For instance, for a Peruvian presidential candidate to contract Giuliani to help secure her presidential bid suggests that many must continue to place Giuliani on a pedestal as a crime and safety guru, despite strong evidence to the contrary.

The evolution of zero tolerance into a powerful policy narrative in Latin America may also be because: it is a fairly straightforward notion, with strong symbolic value, it holds

“common sense” logic, and it speaks to popular worries and fears. It is also very flexible, in that politicians can interpret and implement zero tolerance as they see fit (Newburn and Jones, 2007, 234). Like other transnational policy flows, zero tolerance has attained deep symbolic strength, grounded in a perceived authenticity stemming from its supposed origins in New York City. This is despite Bratton’s claims that zero tolerance was never “practised, engaged in, supported or endorsed” in New York City. Moreover, the very language of “zero tolerance” creates a strong political catchphrase that lures politicians and their constituents into believing that herein lies the answer to urban crime. It is a term that has mutated and transformed to take on a life of its own as a perceived scientifically rigorous solution to public insecurity and crime. And, through its transnationalization, politicians in Latin America have modified zero tolerance into a much more punitive strategy that often goes far beyond America’s “get tough on crime” approaches (Dammert and Malone, 2006).

DISCUSSION: THE IRON FIST OF THE STATE

Implementing zero tolerance in regions marked by deeply entrenched race and class hierarchies is very problematic (Wacquant, 2003). Moreover, implementing these sorts of strategies in regions where trust in the police is minimal and police corruption is rampant is dangerous. With the implementation of the Pacification Police in Brazil, for instance, some report even higher levels of police violence. One activist claims, “In the favelas where the UPPs operate, the cases of police brutality and abuse have increased ... If you’re black, poor, dressed like a “rapper” and wearing a cap, the police are going to stop you to find out who you are, where you live and where you work” (Plügel, 2010). Another Brazilian human rights activist attests that killings at the hands of the military police have increased in recent years and that those who die are always poor, black and young (Plügel, 2010). This violence persists within a police culture that maintains an antagonistic relationship with human rights organizations; one Brazilian survey reveals that almost 50% of police officers believe that human rights organizations are the greatest obstacle to public understandings of police work (Frühling, 2007). For racialized youth then, the fear is not only of violence from fellow citizens, but also violence at the hands of the police. In Latin America, lack of faith in the state makes sense given prolonged colonial histories of socio-economic and spatial exclusion. Colonialism and slavery founded strict racial hierarchies that persist to this day and that permeate every aspect of Latin American society. The poor are disproportionately brown and black, while those fortunate enough to be born with lighter skin obtain privileges unknown to the rest.

For many marginalized young people in Latin America, gangs represent a measure of protection, security and also status, which is so often denied within dominant society. Yet, in some nations, *mano dura* policies are also taking a hard line against gangs. In El Salvador, for instance, *El Plan Mano Dura* and *El Plan Super Mano Dura* explicitly target youth gang members to the extent that it “practically makes being young and poor a crime” (Zilberg, 2007, 76; see also Hume, 2007). For instance, the El Salvadoran state has criminalized tattoos that designate gang affiliation, along with any tattoos on faces, heads, necks or genital areas. They have outlawed the gathering of two or more gang members in public spaces, which includes standing, sitting, walking, driving, gathering, appearing, whistling or gesturing in public view (Zilberg, 2007). Of course, enforcing this is highly

problematic and involves extensive identity based profiling of youth, effectively stigmatizing all poor and tattooed youth as criminals. In fact, in 2003 over 20,000 El Salvadoran youth ages 12 and up were arrested under *El Plan Mano Dura*, although these arrests were later declared unconstitutional for violating the United Nations Convention on the Rights of the Child (Rodgers et al., 2009). By focusing upon minor infractions, the courts hope to build criminal records against young people and lock them away before serious crimes are committed. Yet, what is happening in practice is increasing police harassment for poor youth, regardless of gang affiliation. There have even been reports of an increase in extrajudicial killings by covert police death squads (Hume, 2007).

In response to increasingly repressive and punitive policing strategies, many youth are choosing to leave El Salvador altogether to migrate illegally to the United States where they may have more freedom (Zilberg, 2007). For the last one and half years, I have been working with unaccompanied minors in San Diego County. These are youth who have been caught crossing the United States/Mexico border without papers. I work with girls under the age of 18 and boys under the age of 12. The vast majority hail from Mexico, El Salvador, Honduras and Guatemala—all of which are states experiencing staggering rates of violence. Alvarado and Massey (2010) recently argued that high Latin American homicide rates have a negative correlation to outmigration for adult male heads-of-household. Yet, what about for young boys and young girls? In Mexico, those being murdered—both by the police and by the gangs—are mostly young, prompting some to refer to this slaughter as a *juvenicidio*, or a killing of youth with impunity (Wright, 2013). Too many of the girls that I work with have experienced sexual violence and some arrive in the United States several months pregnant. Conversations have revealed that trust in the police is minimal and many believe that the punitive *mano dura* policies have resulted in giving even more power to the gangs. This is in keeping with Gutiérrez Rivera's (2010) research, which suggests that zero tolerance policies in Honduras fail to reduce violence or disband youth gangs. Instead, "they contribute to the sophistication of gang territoriality, the emergence of new geographies of violence and exclusion, and the formation of a transnational community among marginal youth" (501). In other words, punitive zero tolerance policies not only push youth toward South-North transnational migration to evade repressive police tactics, but they also (hand-in-hand with United States deportation policies) strengthen transnational gang communities.

In Ecuador, punitive zero tolerance policing strategies may also be responsible for the increasing transnational migration of youth. For the past decade, I have been following the case of the indigenous Kisapincha from the central high Andes. Beginning in the mid-1990s, many began migrating to beg and sell on the streets of the nation's largest cities. Doing so has enabled impoverished community members to pay for their children's educations and to improve their material conditions (Swanson, 2010). Yet, as growing poverty pushed increasing numbers of Ecuadorians into the urban informal sector, cities responded by importing punitive neoliberal urban policies to cleanse the streets of informal workers (à la Bratton, as mentioned above). For the Kisapincha, this punitive urban turn was devastating as it deprived community members of crucial income. With limited skills and few other employment options, young Kisapincha began searching elsewhere for opportunities and landed on transnational migration. Within the last few years, numerous Kisapincha have embarked upon the hazardous transnational migration

circuit to become undocumented workers in New York City. Those migrating are young: most are between 15 and 30 years of age. They travel with the help of *coyotes* or people smugglers, and journeys have lasted as long as 3 months. During their journeys, they face tremendous risks, particularly due to the predatory activities of drug cartels that are increasingly victimizing migrants. Many describe their journeys as “between life and death.” Unfortunately, the latter has been the result for some: in 2010 members of Mexico’s Zeta drug cartel kidnapped and then massacred 72 Latin American migrants. Two of the victims were young Kisapincha women; one was 18 years old, the other was 21. Both left young children behind as they journeyed to the United States in search of better opportunities (La Hora, 2010).

Unanticipated within the transnational flow of zero tolerance policy is the transnational flow of undocumented people. As policies become harsher on the streets of Latin American cities, marginalized residents are seeking alternatives. For some, fleeing the iron fist of the state is the only viable option. In El Salvador, stigmatized youth are leaving their homelands to join gang networks on the streets of Los Angeles. In Ecuador, indigenous youth journey across the Americas only to loiter on street corners in front of big box construction stores, hoping to earn a meagre sum. Quite ironically then, the punitive zero tolerance policies originally devised to cleanse the streets of New York and Los Angeles may have unwittingly resulted in pushing undocumented migrants to the streets of New York and Los Angeles. These are some of the unintended and troubling consequences caused by the global transfer of zero tolerance policing.

CONCLUSION

Pervasive fear in Latin America has shaped the region in profound ways. Politicians have latched onto zero tolerance policing and *mano dura* policies as they represent a straightforward, flexible and common sense approach to crime control. Even though the logic behind zero tolerance has been widely demonstrated as problematic, it retains symbolic strength in the region. However, zero tolerance in Latin America has mutated through its implementation to become much more punitive than intended. Deep social and racial inequalities, high levels of police violence and chronically underfunded police forces result in an approach that goes above and beyond punitive strategies employed in the United States. In the end, it represents a vicious assault on the poor and the deepening marginalization of young people, particularly those of indigenous and Afro-Latino descent.

Zero tolerance can never work in Latin America, except as a social (and, perhaps, racial) cleansing strategy. For a less punitive approach, Latin American cities must strive toward poverty alleviation and community collaboration to produce lasting change. Some point to Bogotá, Colombia’s approach as a possible model (Beckett and Godoy, 2010). In recent years, the city of Bogotá has tackled high crime rates without criminalizing poverty and the so-called quality of life offenses. Instead, they have reduced crime by combining police reform with increased investment into social services and community policing initiatives. They state that their approach is an effort to build not only a more attractive and safe city, but also a more egalitarian one. Whether or not Bogotá has succeeded at this goal is still up for debate. For instance, Galvis (forthcoming) argues that Bogotá has simply repackaged urban regeneration into a more palatable form, while the same forces of displacement—embedded within the nation’s social, racial and class structure—

continue to shape the city's urban landscape. Nevertheless, grassroots and community based solutions could help overcome troubling crime rates in Latin America, help alleviate police human rights abuses and help citizens feel more in control of their communities. Research has demonstrated that real community involvement in policing strategies does lead to lower levels of public insecurity in Latin America (Dammert and Malone, 2006). However, it must be noted that community policing strategies are not a panacea. For instance, in Mexico City, Müller (2010) argues that community policing efforts are merely symbolic given continued police corruption, clientalism, lack of trust in the police and institutional weaknesses. Thus, community policing efforts will fail until state institutions confront the structural problems affecting police forces.

Rather than apply punitive and cosmetic approaches to the problems that plague Latin American cities, politicians should instead focus on bottom up solutions to tackle the chronic poverty, inequality and marginality in the region. Instead of sanitizing cities to give the appearance of "safer feeling" streets, state resources could instead be used to create jobs, infrastructure, healthcare, housing, youth programs and education. This would result in genuine and lasting change. The transfer of zero tolerance to Latin America is simply a tool for showcasing get-tough politicians; its only real merit lies in being a great political catchphrase.

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