



CHAPTER 2

Gun Violence, Gun Proliferation, and Security Governance

Public policies do not appear from nowhere. Instead, policies are usually presented as solutions to perceived social problems. Gun control is not an exception. Traditionally, gun laws were enacted in Latin America to secure the common defense and protect individuals from accidentally harming each other. However, in a context of unprecedented violence and crime, new rationales come into play.

In this respect, most Latin American countries, states, and cities face a profound public security crisis. Many countries present homicide¹ rates that are much higher than the global average and which are even considered to be at epidemic levels by the World Health Organization. Unsurprisingly, guns are fundamental in this rising trend. They are not only the preferred weapon of choice to commit murders, but their use as murder weapons is more frequent than anywhere else in the world. Moreover, their proliferation and use among civilians is changing the nature of violence itself in the region. Whereas the traditional forms of violence revolved around defending or challenging the power of the state or regime, the current violence is perpetrated among citizens. And more precisely, among citizens with guns. Whether used in domestic and gender violence, common street or organized crime, civilian guns are favoring manifestations of violence that are more spread out among the different population groups than ever before.

And yet, the vast majority of those who acquire guns in Latin America do so for defensive purposes. In a context of rising violence and states

that do not have the effective capacity to safeguard most of their citizens, Latin Americans look desperately at a way out of what is a constant and relentless perception of fear. As with fences, alarms, cameras, private security guards and gated communities, each day more citizens acquire guns for protection. As a way to feel somewhat less vulnerable from attackers and intruders. By doing so, they become one of the main target groups of gun policies and are among the most affected by their regulations. At the same time, those who acquire guns for self-defense are arguably taking part in the fight against crime.

The problem with this rising trend is that gun proliferation has turned itself into a major cause of violence in the region. Hundreds of new firearms enter circulation each day and ultimately promote a culture of violence, cause more fear, trigger a higher demand for guns and cause additional violence. An arms race and vicious circle that has not gone unnoticed to researchers, civil society and policy-makers. Therefore, the strengthening of gun regulations in Brazil (2003) and Uruguay (2014) is part of a larger trend taking place around the world. What is more, it is a consequence of associating gun proliferation with high levels of armed violence, a process that will be analyzed in-depth in Chapter 3. But let us start at the beginning.

LATIN AMERICA'S HOMICIDE EPIDEMIC

Between 2007 and 2012, only 14% of all violent deaths worldwide occurred because of armed conflict or terrorism, while an additional 4% happened in relation to legal interventions. The remaining 82% were a consequence of intentional and non-intentional homicides in contexts that would traditionally be characterized as non-conflict settings² (GDS 2015). Indeed—and contrary to conventional wisdom—the overwhelming majority of deaths derived from armed violence are not a consequence of armed conflicts and occur in contexts of little relevance to western media, which is usually more attracted by the scale of concentrated violence of civil and interstate wars. This often comes as a surprise at first but makes sense once we look at the numbers. For instance, over 3200 people died in Yemen in 2016 as a direct consequence of the civil war that is ravaging the country (Small Arms Survey, n.d.). Nevertheless, the death toll is pretty low when compared to the more than 24,000 homicides that took place in Mexico during the same year, or to the more than 32,000 that occurred in 2017 (MEXICO-INEGI, n.d.).

As the most violent and crime-ridden region in the world, Latin America has been the fiercest illustration of this phenomenon in recent decades. The region has accomplished significant economic expansionism, the development of civil societies and the strengthening of democracies and constitutionalism. However, insecurity, crime and urban violence have strongly increased and become the most pressing public concern in the region. This is a paradox that challenges traditional criminological theories that suggest that an improvement in socioeconomic indicators should bring a reduction in rates of crime and violence (Agnew 1992; Merton 1938; Cloward and Ohlin 1960). For this reason, Latin American scholars are producing alternative theories to explain these developments. For instance, Soares and Naritomi (2010) recognize the improvements in socioeconomic indicators but consider high crime rates to be consistent with current inequality levels, low police presence and—relatively—low incarceration rates. Marcelo Bergman (2018), on his part, makes a consistent argument on how criminality has increased because growing illegal markets turned crime into a lucrative enterprise for many citizens, entrepreneurs, and public officials. Thereby, criminals acquired expertise and established a growing enterprise in the face of states and criminal justice systems that do not have the practical and legal capacities to contain them. According to this insightful theory, prosperity unintentionally fueled criminality.

It is not my purpose to enter this discussion. Beyond this paradox of socioeconomic improvement and rising crime rates, the matter is that the vast majority of Latin American countries share a similar trend of rising crime and violence. Most forms of violent crime have intensified, with property crime being the most notorious and giving way to large and thriving criminal markets (Bergman 2018). Nonetheless, homicides are easier to account for. Murders experienced an 11% increase in the region between 2000 and 2010, resulting in more than 2.5 million killings since the turn of the century (UNDP 2013; Muggah and Aguirre Tobón 2018). Furthermore, homicides have arguably turned into a Latin American singularity, because it is the only region in the world in which murder rates increased during the first decades of the twenty-first century (Fig. 2.1). According to the United Nations Office on Drugs and Crime (UNODC 2014), the region surpassed Africa for the first time and positioned itself first in the regional classification of murders, both in absolute numbers as in relation to its population.

This upward trend does not apply to every country. Murder rates in Paraguay and Colombia decreased during the past decade, for example;

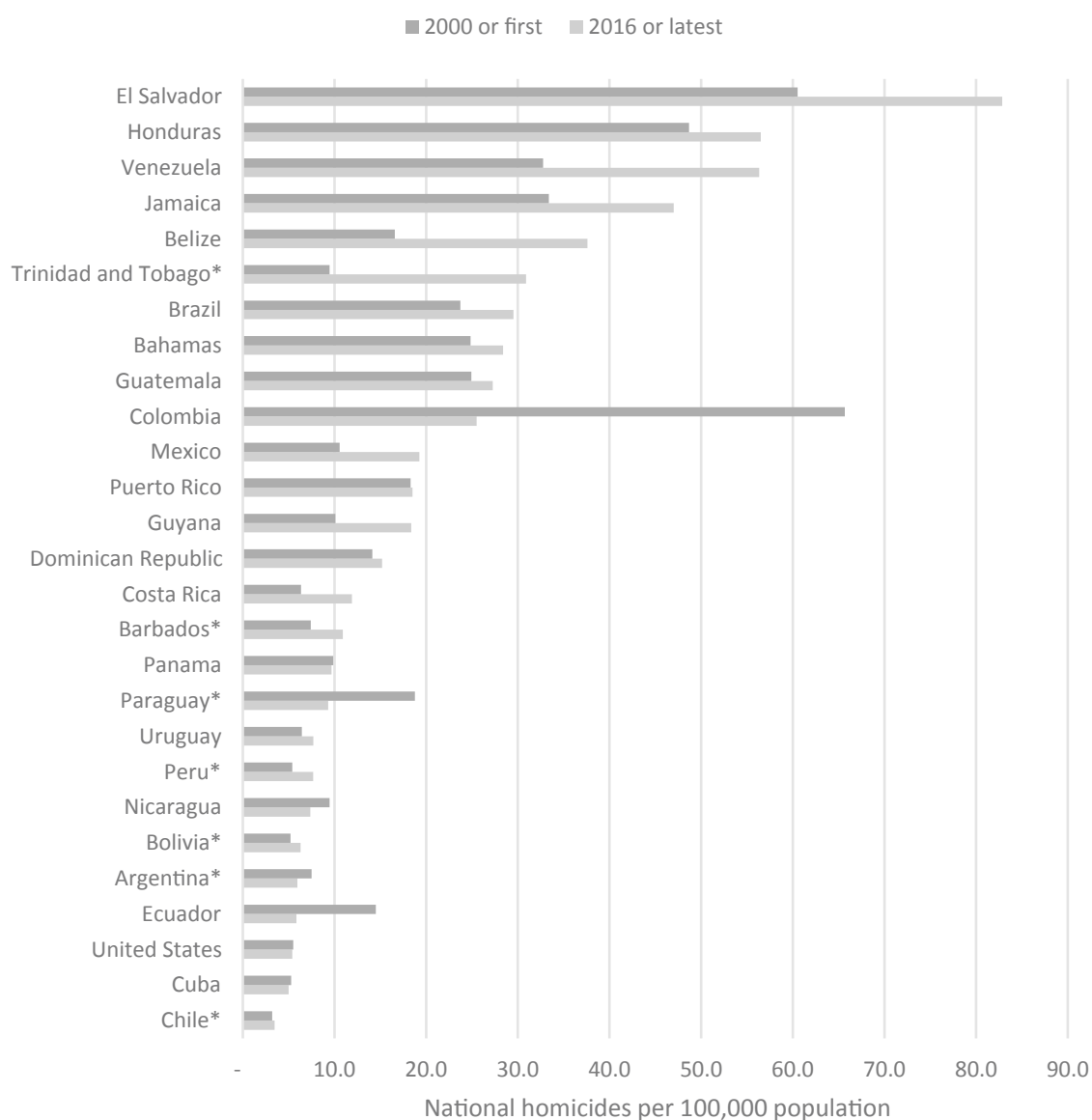


Fig. 2.1 National homicide rates of selected countries (2000, 2016) (*Source* Own elaboration using data from the UNODC [n.d.] database on Intentional Homicide Victims. *Argentina [2014, 2016], Barbados [2000, 2015], Bolivia [2005, 2016], Chile [2003, 2016], Paraguay [2000, 2015], Peru [2011, 2016], and Trinidad and Tobago [2000, 2015])

but rates in El Salvador, Honduras, Mexico, and Venezuela doubled or tripled, often exceeding rates of countries at war. And while regional statistics are highly sensitive to such prominent increases, important rises were also experienced in countries with traditionally low levels of violence, such as Costa Rica, Panama, and Uruguay. Undoubtedly, the most severe cases at

present are Brazil, Colombia, El Salvador, Guatemala, Honduras, Mexico, and Venezuela. Combined, they generate one in four murders around the world each year. In fact, in proportion to their populations, crime claimed as many victims in these countries as some high-intensity conflicts (Fig. 2.2). Therefore, if present trends continue, Latin America's average homicide rate is expected to increase from 21.7 murders per 100,000 population in 2012 to 39.6 by 2030 (Muggah and Aguirre Tobón 2018).

Furthermore, the escalation of violence has restated a traditional perception of Latin America as a particularly violent region of the world. This is an important element that is often neglected. Crime and violence have reached unprecedented levels in many countries, but violence has been an endemic and permanent feature of nation-building in the area (Koonings and Kruijt 1999). What is more, Latin America already presented similar violent death rates in the mid-1990s (see CAF 2014, 22). At that time however, terrorism, civil wars, and interstate conflicts predominated in the region and favored a context of widespread political and social violence. More contemporary forms of violence are in some ways a consequence of the political turmoil of those times, but it is an entirely different situation altogether. Since the turn of the century, the only traditional armed conflict in the region was the Colombian conflict. And with the signing of the revised and still very fragile peace deal in 2016, Latin America—and the Western Hemisphere—became entirely free of active armed conflicts for the first time in centuries.

Instead, the 'new violence' (Koonings and Kruijt 2004) in Latin America is more diverse and democratic. It is mostly perpetrated among citizens, subjecting not just the poor or political adversaries to the threat of violence, but all social groups and classes. Understandably, most Latin Americans have become accustomed to a relentless perception of fear, frequently manifested in a collective psychosis regarding public security (Kessler 2009). Violence results from gangs, drug trafficking and organized criminal groups. From conflicts based on land and property rights, to domestic violence, urban crime and interpersonal violence, in general.³ Patterns of violence are highly heterogeneous, varying from one country to the next and even at the local level. Hence, major cities usually concentrate criminality and violence, both in the form of street and organized crime. Most homicides are also concentrated geographically and demographically, occurring disproportionately in certain neighborhoods and between young men, who are the overwhelming majority of victims and perpetrators.

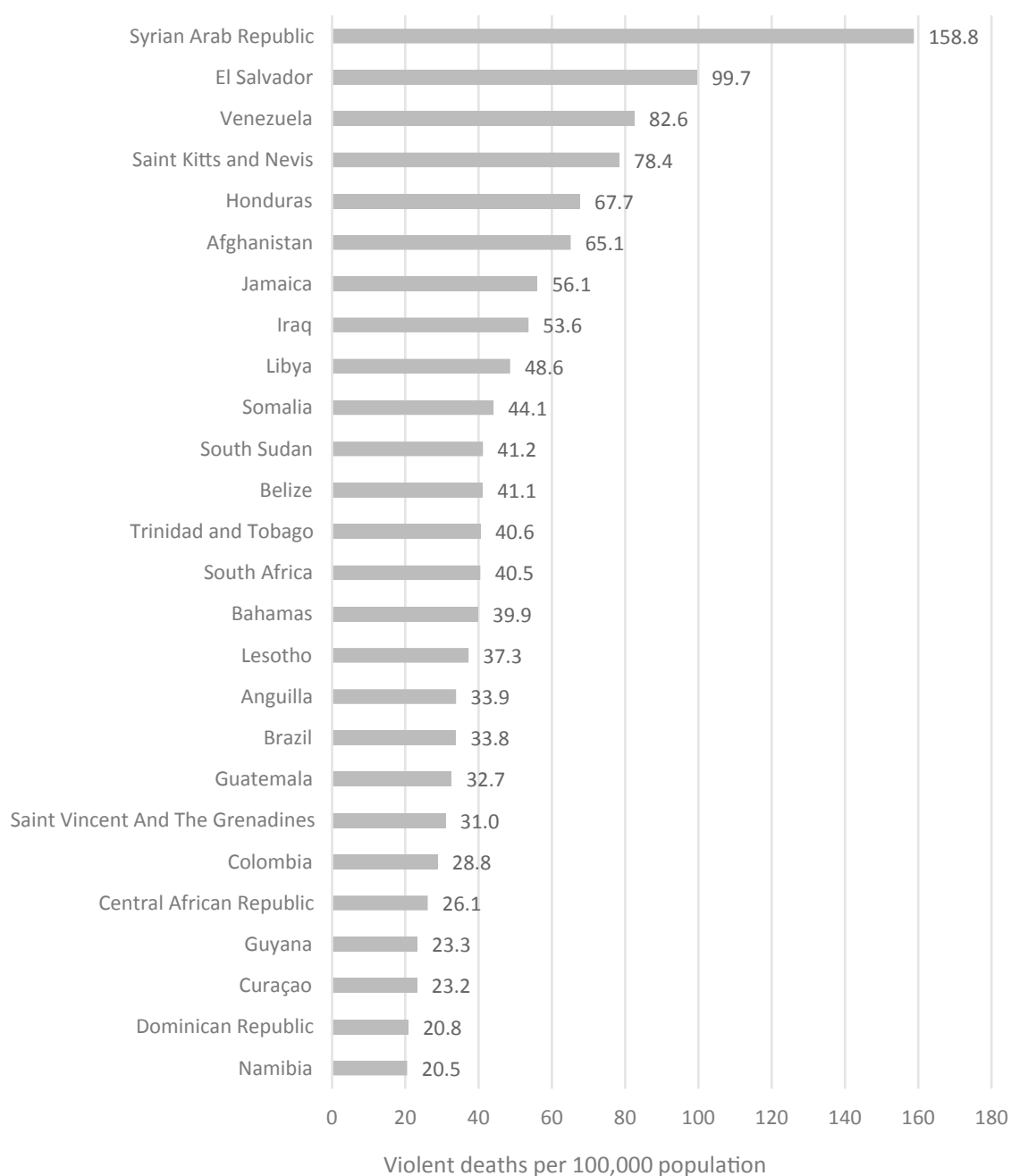


Fig. 2.2 Countries with violent death rates of at least 20 per 100,000 population (2016) (*Source* Own elaboration using data from the Small Arms Survey [n.d.] database on violent deaths)

And although gun assaults and injuries are somewhat concentrated in certain locations and groups, other non-tangible costs are more fairly distributed and suppose a great burden to our present and future societies.

Beyond the massive loss of human lives, the growing crime rates in the region carry devastating consequences for the legitimacy of public institutions, for social cohesion, and democratic culture. The demands for security exceed by far the capacities of states to provide it, leading to a profound lack of faith in public authorities and to the massive presence of private and non-state actors governing security in every country. In Colombia, for instance, the ratio of private security agents to public police agents is estimated to be 7:1 (Arias 2009). Moreover, violence ceases and even reverts social development, as it reduces general life expectancy, destroys productive capital, and puts macroeconomic stability at risk. In this sense, studies on the socioeconomic impact of crime are highly divergent and not particularly reliable but agree on the fact that it supposes a terrible burden that amounts to billions of US dollars every year. Hence, one of the most recent and robust studies estimates the total costs in crime expenses in 170.4 billion US dollars, an amount equivalent to 3.55% of the region's GDP (Jaitman and Torre 2017).

Ultimately, the costs of gun violence go far beyond measurable and tangible costs (Cook and Ludwig 2000). It devastates families and neighborhoods and causes people to be fearful for their safety and for their loved ones. Fear determines where we live, where we work, where we go to school, where we shop, where we gather, and where we walk through. Today, crime and violence suppose the main political and social challenge for Latin American states and citizens alike.

GUN PROLIFERATION AND VIOLENCE

Since guns are remarkably effective killing instruments when compared to other possibilities, such as knives or human strength, it is not surprising that their use is fundamental in homicidal violence. Nonetheless, the use of guns supposes a particularity of the Latin American homicide epidemic. Between 2010 and 2015, guns were namely used to commit 50% of all homicides worldwide (Widmer and Pavesi 2016). And for each person killed, at least three more survived gunshot injuries (Alvazzi del Frate and de Martino 2015). However, this average is strongly raised by their particular impact in Latin America, where the percentage of homicides committed with guns is usually much higher. In Brazil, Colombia, Mexico and Venezuela, for instance, gun homicides correspond to at least 80% of the total (GDS 2015; Muggah and Aguirre Tobón 2018).

Their use in non-lethal forms of violence has drastically increased as well in recent decades, as local studies show that rising insecurity and mistrust in state authorities favored a higher disposition to acquire guns for self-defense. In this way, self-protection and criminal predatory behavior fuel a rising demand for guns in a region that already possesses important surpluses dating back to the civil wars and military dictatorships of the twentieth century (Karp 2011).

As a result, the Small Arms Survey research institute estimates that there could be approximately 71 million small arms in Latin America (Karp 2018a, b, c). Among these, 14% would belong to state security forces and the remaining 86% would belong to civilians (Fig. 2.3). Such a distribution might seem odd but is not exceptional. For instance, the same study estimates the worldwide existence of over one billion small arms as of 2017, the vast majority of which would be in civilian hands (857 million; 85%). And this distribution is perhaps most pronounced in the United States, where estimates suggest that civilian guns suppose 98.6% of the close to 400 million guns in circulation.

If we relate these findings with the former rates of homicide, it follows that such a distribution is coherent with the direct impact that state security forces and civilians produce in terms of violence. Undoubtedly,

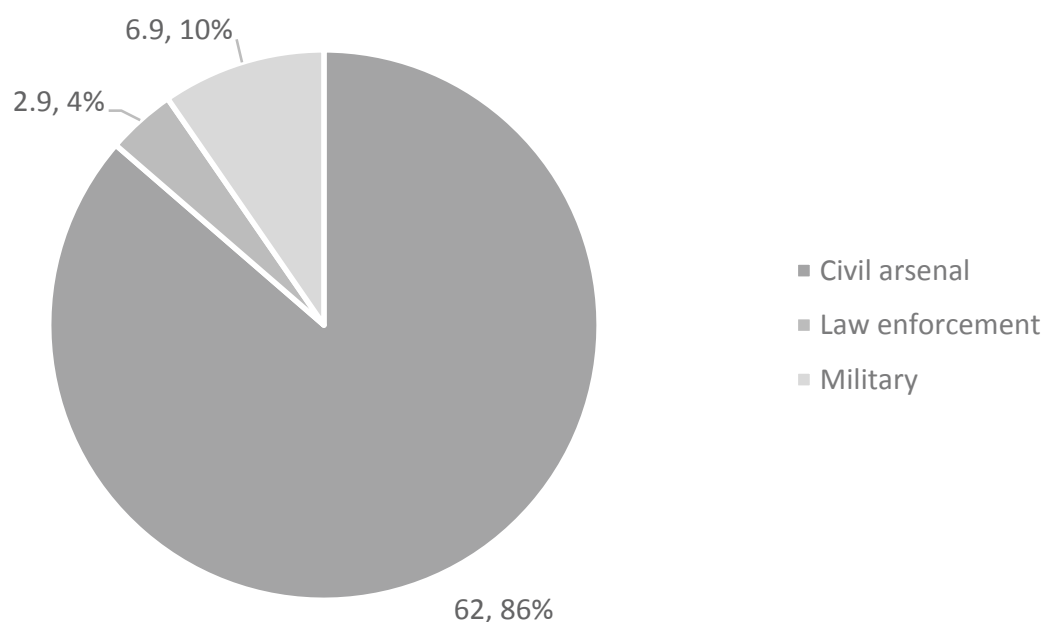


Fig. 2.3 Gun distribution in Latin America (in millions; percentage) (*Source* Own elaboration using estimations by Karp [2018a, b, c])

military and law enforcement actors are themselves a critical source of violence in the region. Examples abound. Honduras police officers have been implicated for years in corruption, kidnappings, and murders. So much indeed, that over 4000 of the more than 9000 police officers evaluated in 2017 by an independent commission were removed from the force on corruption charges. The Brazilian police is another prominent example. Infamously known as the most brutal police force in the world, its civilian and military police forces killed 4224 people in 2016 alone. Some of these killings were due to legitimate use of force, but others were extrajudicial and illegal (Human Rights Watch 2018). Similar examples can be found in most Latin American countries. But despite these deficits, and in the absence of traditional armed conflicts the region, the vast majority of violent deaths occur at the hands of civilians.

The estimated civilian arsenal in Latin America equals an average distribution of 9.87 civil guns per every 100 residents, which is a very low rate by international standards. The numbers vary considerably when it comes to national estimations, though. Among independent countries and territories, estimations range between 2 firearms per every 100 inhabitants in Bolivia and Peru, to 34.7 in Uruguay (Fig. 2.4). That these countries can be found on opposite ends is particularly interesting, as precisely Bolivia, Peru and Uruguay are countries that present low or medium-low levels of violent crime. It is a strong indication that the relationship between civilian gun ownership and armed violence is not linear, and that the correlation between gun proliferation and crime is usually low. This is not a distinctive feature of the region either. The United States is estimated to have the highest civilian gun ownership rate in the world, with 120.5 guns per every 100 inhabitants. That is 12 times higher than Latin America's average. However, its firearm homicide rate is seven times lower. Likewise, Finland and Switzerland are estimated to have 32.4 and 27.6 guns per every 100 inhabitants but are two of the most peaceful countries in the world.

The influence of gun proliferation on crime and violence is namely more complex and difficult to predict than the regional literature frequently suggests. The Anglo-Saxon criminology field holds an intense academic debate on the risks and benefits of civilians' gun ownership and carry (e.g. Cook and Ludwig 2000; Lott 1998; Hemenway 2004), but its results are largely inconclusive (RAND 2018). In-depth studies of this nature have not been carried out in the region, but local studies would probably encounter the same methodological limitations that hinder

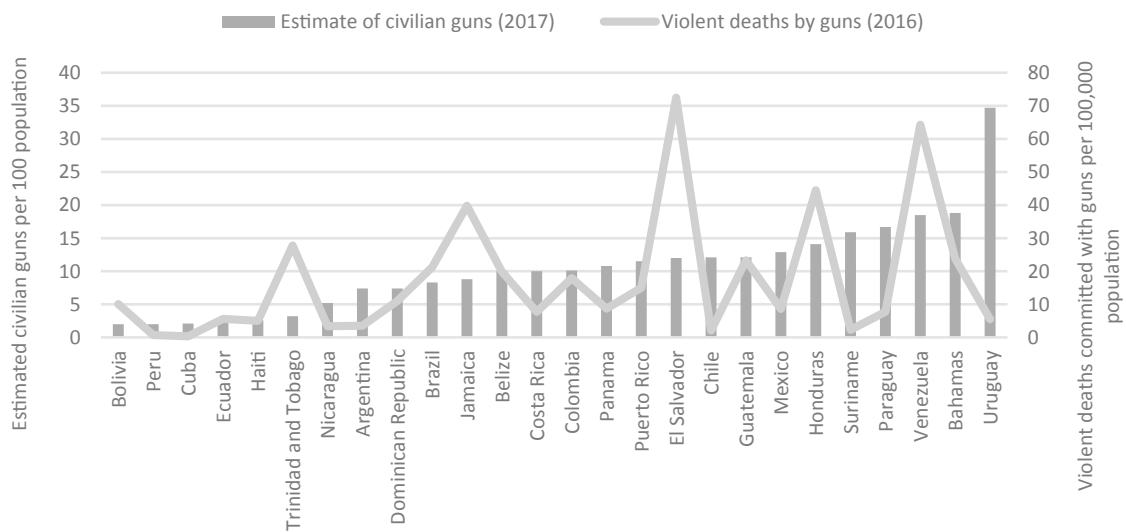


Fig. 2.4 National estimates of civilian guns (2017) and violent deaths by guns (2016) (*Source* Own elaboration using estimations and data by Karp [2018a] and Small Arms Survey [n.d.] database on violent deaths)

foreign scholars from reaching definite conclusions. Ultimately, a gun can be an effective instrument for personal defense against crime, as well as a lethal instrument to generate violence, commit crimes and confront state security policies.

That being said, the influence of guns presents distinctive particularities in Latin America. Guns do not suppose a problem in the region because of their sheer quantity, but due to their prominent incidence in crime and violence at an aggregate level. Elisabeth Gilgen (2012) was the first to notice a particular phenomenon that takes place in the region. She looked at the incidence of different homicide mechanisms and noticed that the percentage of gun homicides is not only disproportionately high, but also that national homicide rates present a positive correlation with the percentage of homicides committed with firearms. In other words, high homicide rates tend to coexist with high percentages of homicides committed with guns (cf. Sanjurjo 2016). Figures 2.5 and 2.6 portray this phenomenon comparing current violent death rates with the percentage of violent deaths committed with guns.

What this correlation suggests is that regional gun violence often acts as an effective enhancer of violence at an aggregate level. This happens in much the same way as guns are usually said to intensify violence in particular micro-situations, such as in a heated discussion among neighbors or in cases of domestic violence (Cook and Ludwig 2000). Brazil

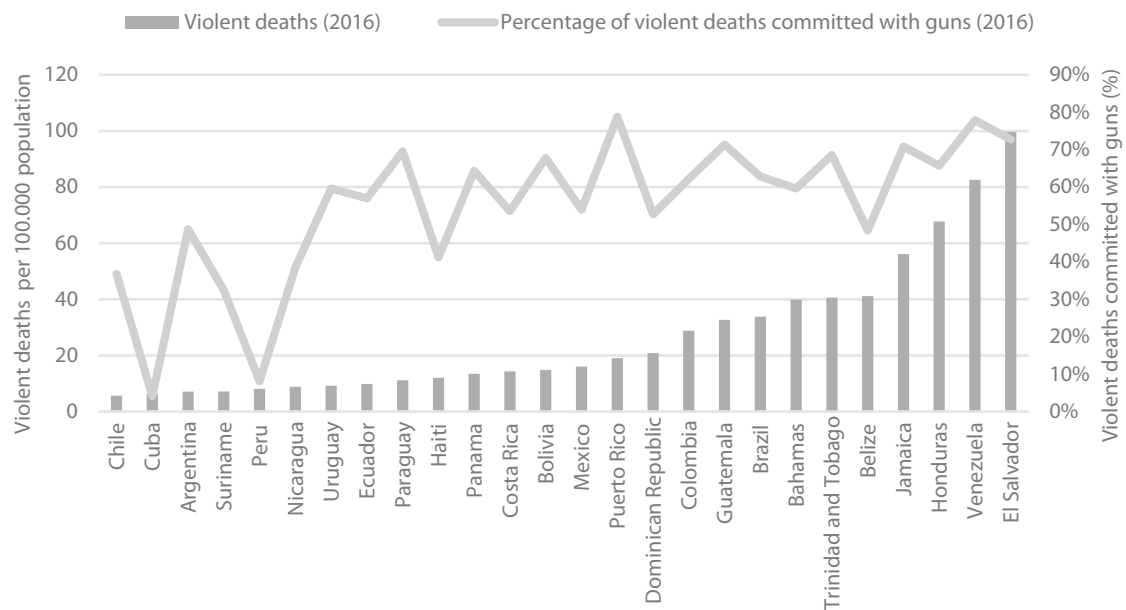


Fig. 2.5 National violent death rates and percentages of violent deaths committed with guns in selected countries (2016) (*Source* Own elaboration using data from the Small Arms Survey [n.d.] database on violent deaths)

and Uruguay are good examples (Figs. 2.7 and 2.8). There were 13,000 homicides committed in Brazil in 1980, 44% of which were perpetrated with guns. Since then, homicides increased by 485% and the percentage of homicides committed with guns almost doubled. In 2016, almost 59,000 Brazilians were murdered and nearly 72% of those killings were gun-related (Waiselfisz 2015). Uruguay is experiencing a similar dynamic, only much more nuanced. Its national homicide rate remained relatively stable during the last few decades, varying along 5.5 and 7.5 homicides per every 100,000 inhabitants. But this changed in 2011 when homicide numbers began to rise as a result of an important increase in gun homicides. These went from representing 49% of all homicides in 2011 to 60% in 2017 (URUGUAY-MI 2014, 2017; UNODC, n.d.).

In some countries of the region, important rises in gun violence are frequently associated with the greater presence of drug trafficking and organized criminal groups. This is certainly a major explanative factor, as guns are increasingly the weapon of choice of gangs and groups engaged in organized crime and their members are much more violent than regular armed citizens. Some comparative studies even suggest that murder rates among gang member can be as much as 100 times greater than

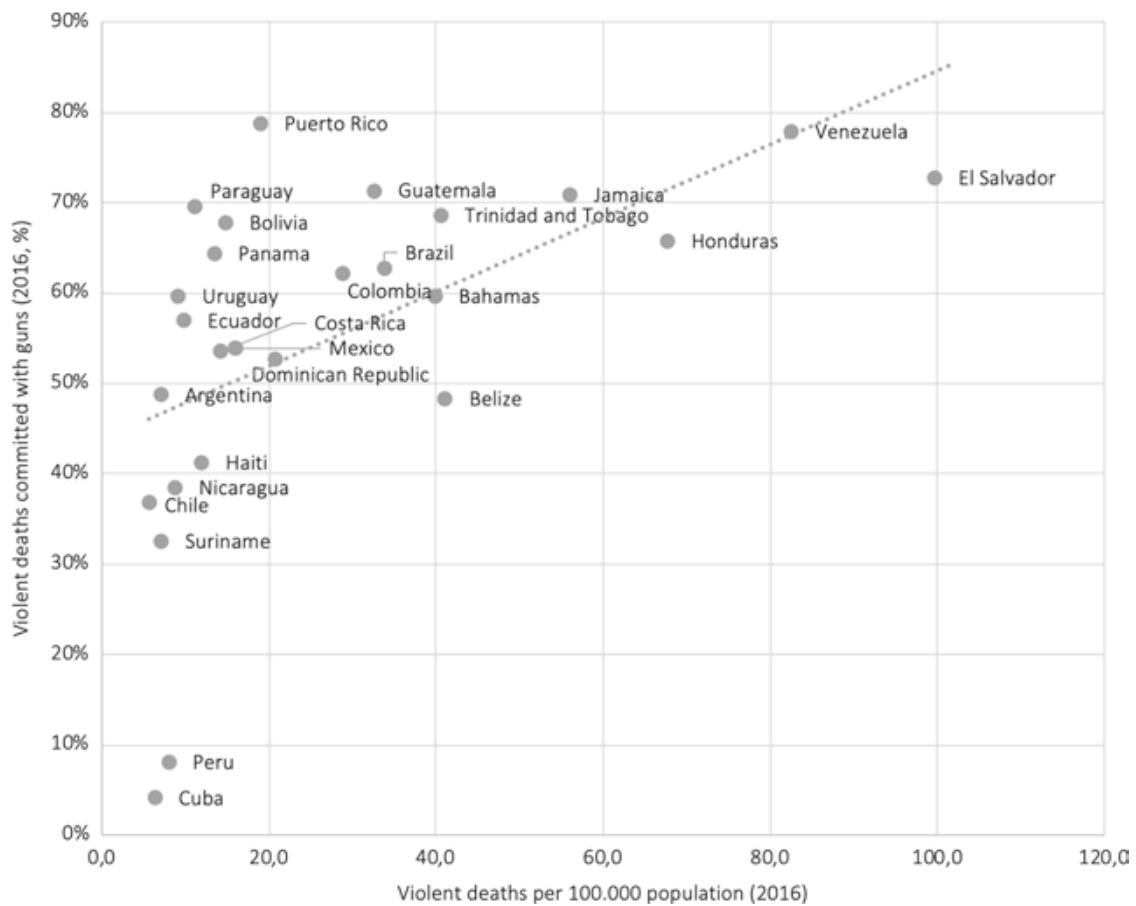


Fig. 2.6 National violent death rates and percentages of violent deaths committed with guns in selected countries (2016) (*Source* Own elaboration using data from the Small Arms Survey [n.d.] database on violent deaths)

murder rates for the broader population (Decker and Pyrooz 2010). Nevertheless, while it is undoubtedly clear that many Latin American countries have a gang violence problem that is responsible for a good share of their violent crime—and homicides, especially—the proportion of violence that can be attributed to gangs is not fully known nor understood.

In some countries, gangs can be responsible for one-third of all murders. In others, gangs are simply an easy target to blame for politicians and civil servants pressured by rising insecurity. Some studies seem to call into question the glib association between gangs and murder rates, as well as the notion that jailing gang members will truly halt the violence (UNODC 2007). After all, gang members are responsible for

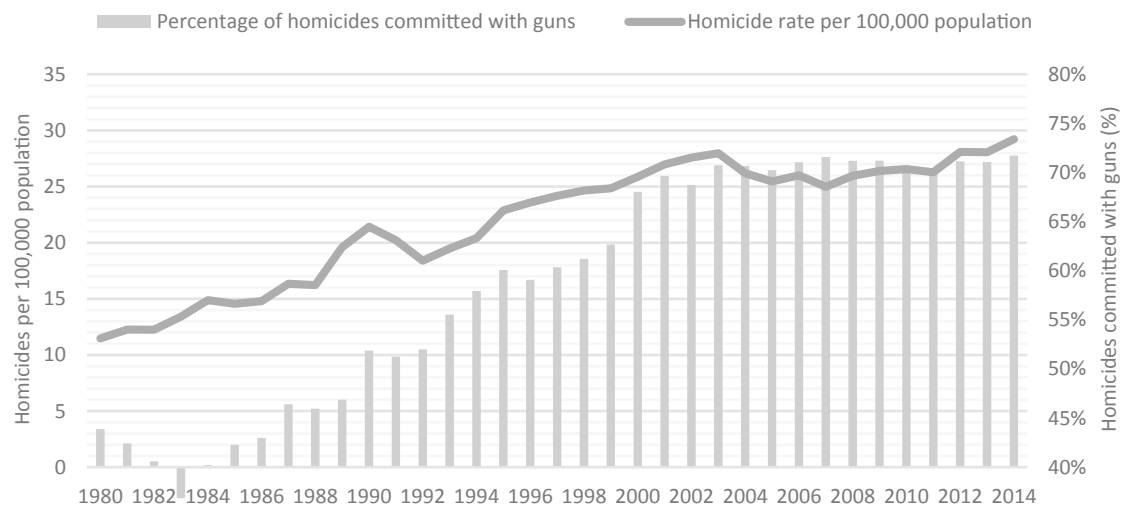


Fig. 2.7 National homicide rates and percentage of homicides committed with guns in Brazil (*Source* Own elaboration using data from World Bank [n.d.], BRAZIL: MS/SVS/CGIAE [n.d.], Waiselfisz [2015])

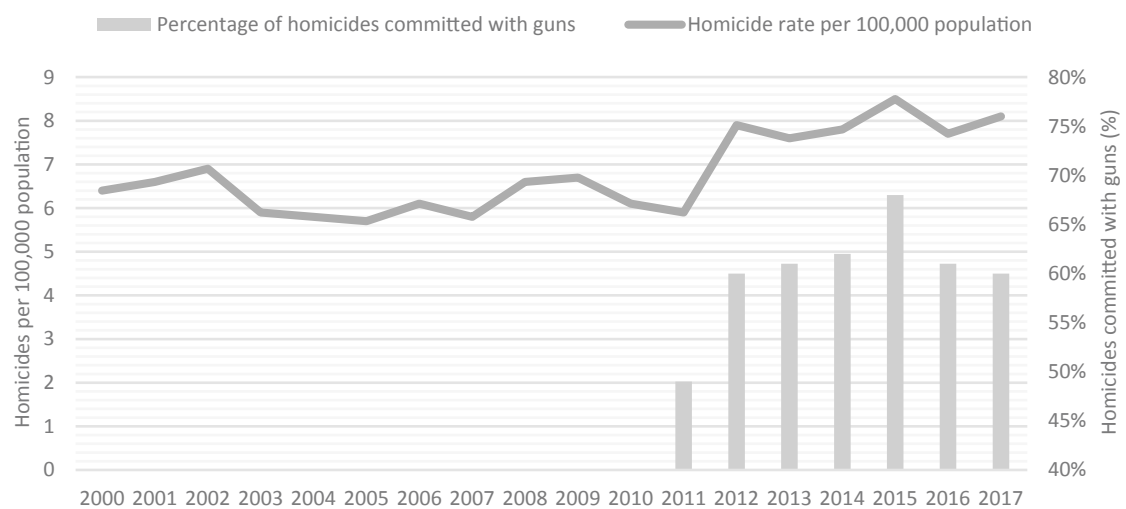


Fig. 2.8 National homicide rates and percentage of homicides committed with guns in Uruguay (*Source* Own elaboration using data from UNODC [n.d.] and URUGUAY-MI [2014, 2016, 2017, 2018])

a large share of murders in many places, but so do members of their demographic and socioeconomic group. Hence, it is not always clear if a murder really is gang-related or not. Besides, the relationship between gangs and violence does not occur in a vacuum. Every country has some degree of organized crime, but their activities only translate into high

levels of violence when their members inhabit societies that are highly violent. Therefore, gang violence is both a symptom and a cause.

Then how must this nexus between high levels of homicide and high percentages of armed violence be interpreted? As already stated, the relationship between gun availability and armed violence is not linear, and this phenomenon does not constitute evidence of causality. However, it does suggest important correlations that cannot be ignored. Gun proliferation leads to different consequences in Panama than in El Salvador. In Argentina than in Jamaica. Even between territories, cities, and neighborhoods, small arms trigger different processes. It is significantly more likely for the same gun to be used to commit a homicide in Central America than in the Southern Cone of South America. Therefore, as important as the quantity of firearms and their capability to produce harms, it is also the circumstances that surround firearms that determine their danger. Patterns of violence do not just vary from one country to the next, but also at the local level.

In this regard, Lagos and Dammert's (2012) broad characterization of homicides in the region can be useful. For instance, the Southern Cone of South America presents relatively low homicide rates, and these are much more frequently related to interpersonal violence than elsewhere in the region. Brazil, a country of continental proportions, has a highly complex security situation, but homicides are strongly concentrated in its major cities and are overwhelmingly related to common and organized crime. The Andean countries show a diverse picture. On the one hand, homicide rates are relatively low in Ecuador, Peru, and Bolivia—despite being some of the largest cocaine producers in the world—and are usually related to common crime and interpersonal violence. On the other hand, Colombia and Venezuela face high rates of homicide due to the strong presence of organized crime and drug trafficking groups. This is also the prevailing situation in Mexico, Central America, and parts of the Caribbean, where the establishment of gangs and maras is particularly troublesome. The Northern Triangle (Honduras, Guatemala, and El Salvador) is perhaps the worst expression of this phenomenon, whereas in countries with lower crime rates—such as Panama, Nicaragua, and Costa Rica—homicides are more frequently related to common crime.

To explain these differences, Latin American scholars traditionally resort to one of four general explanations: the endurance of profound structural deficits, the inefficacy of the state, the presence of organized

crime groups, and the dissimilar presence of risk factors (Cano and Rojido 2017). All of these approaches, as well as newer ones that were mentioned above, are part of a comprehensive explanation of Latin American violence that is still difficult to discern. Nevertheless, since our focus is set on the influence that guns have on regional violence, an epidemiological approach seems particularly useful. Accordingly, common root causes in the region are marked economic inequalities, social exclusion, weak institutional contexts, rapid and uncontrolled urbanization, a recent history of armed conflict, massive migrations, and violent events in neighboring countries. More proximate causes are called drivers and triggers. Common drivers are high percentages of young men who do not work nor study, teen pregnancy, dysfunctional families, or the critical presence of drug trafficking and organized criminal groups. Triggers are even more immediate, such as group conflicts that involve retaliation or easy access to alcohol and guns.

A quick overview of the region suggests that all countries concentrate some of these factors to a certain extent. Most bring various of them together and some are severely affected by all of them. In this regard, the yearly reports of the United Nations Economic Commission for Latin America and the Caribbean are very revealing (CEPAL 2012, 2014, 2017). For instance, although income inequality was somewhat reduced between 2002 and 2016, Latin America still makes up the most unequal region in the world. It is also the most urbanized, with over 80% of its citizens living in cities, characterized by rapid and poorly planned urban growth. In 2012, approximately 30 million young Latin Americans—22% of all people between 15 and 29 years old—did not study nor work, crucially undermining their capacity for social inclusion. Proximity and a recent history of armed conflict seem to be decisive as well, since the highest gun lethality is concentrated in Mexico, Central America, and the northern countries of South America.

Furthermore, it is not surprising that these last countries present a particularly critical situation, as these areas work as trafficking routes for drugs, guns, and human beings. Latin America is namely a crucial geographic zone for drug production and trafficking. Colombia, Peru, and Bolivia are the world's main cocaine producers, while Central America and the Caribbean are the main corridors for transporting drugs into the United States and Europe. Therefore, drug traffic, the failing war on drugs, and gun proliferation are deeply intertwined phenomena that empower organized crime and often lead to extreme levels of violence.

First, the strong demand for drugs coming from Europe, but mostly from the United States, gives rise to a highly lucrative illicit economy that increases the demand for firearms by everyone involved. From those wanting to secure their illicit businesses to public security forces and regular citizens coping with a daily climate of fear. The result is an actual arms race among individuals and collectives. This arms race is facilitated by the proximity and easy access to the permissive US domestic gun trade, which allows criminal groups to acquire assault and automatic weapons that they could hardly access otherwise in Latin America. Thus, conservative estimates suggest that between 100 and 200 firearms are illicitly transported into Mexico each day across the United States border (Schroeder 2013). The consequence is a frequent situation of full-scale urban warfare among criminal groups and national authorities, which often tend to militarize in order to counter their firepower (Diamint 2015). This explains why the appearance and establishment of drug trafficking groups in certain countries is usually followed by an exponential increase in armed violence.

Ultimately, these and other deficits make the proliferation of small arms especially pernicious in Latin America, as the easy access to guns triggers what is already an explosive combination of risk factors. For dangerous individuals, acquiring a gun in a gun-rich environment is easier than in an environment where gun ownership is less common. Under these circumstances, it seems reasonable to suggest that reducing the number of firearms in circulation could be a rational policy step to lower the rates of violence. Let us now analyze how these structural deficits and risk factors influence the conduct and rationale of those citizens who acquire and use guns for protection. Does their behavior vary depending on the context in which they are embedded? What is their role vis-à-vis other security actors, and with regard to the public provision of security? How do they relate to authorities that are not capable of protecting their lives?

ARMED CITIZENS IN THE GOVERNANCE OF SECURITY

As the previous sections have shown, the influence of civilian guns is notorious in the violence sweeping the region. And yet, the extended use of guns in violence and crime clashes with their massive acquisition for protection. Indeed, most guns—around 50% in Argentina, 68% in Peru, and over 70% in Ecuador (ARGENTINA-MJSDH 2010; SUCAMEC

2014; Moreano et al. 2006), for instance—are acquired for defensive purposes, precisely as instruments of self-defense against crime. Personal safety is reasonably a vital matter in the current context and the ready availability of a firearm can make the difference between life or death. This is especially true in Latin America, where public security forces are mostly incapable of effectively protecting vulnerable citizens in a time of need. Next to those who are banned from acquiring guns, such as minors and adults with criminal records, armed citizens are one of the main target groups of gun policies and among the most affected by their regulations.

This paradox leads us to ask about the role of armed citizens in the governance of security. ‘Governance’ is still an ambiguous term that is used in many ways. Closely related to Foucault’s (1977) notion of ‘government’, contemporary literature usually utilizes the term to describe a type of regulation and accountability that is ‘post-political’, in which the emphasis is put on the importance of non-state actors participating in governing processes (Pierre and Peters 2005). Certain functions, traditionally considered indisputably privative of the state, are nowadays considered generic, social, and liable of being executed by other actors, blurring the distinction between public and private domains. The public security field is not an exception in this regard (Wood and Dupont 2006; Jones 2007). Therefore, the contemporary debate on the governance of security assumes that the incapacity of the state to retain the monopoly on legitimate violence and ensure the security of its citizens has led to the inclusion of non-state actors in the fight against crime. Hence, the debate revolves around the implications of policies that respond to crime and insecurity by guiding individuals, families and communities not just to police, criminal justice, and military institutions of the state, but also to the private, hybrid, and voluntary sectors.

Among trends that stand out are privatization, a booming security industry, communitarianism, and vigilantism. On a descriptive level, the debate is characterized by a consensus regarding the existence of a plurality of actors promoting security, as well as by a disagreement on the nature of the relationship among actors and with the state. On a normative level, scholars disagree on which governance model allows a more just and effective approach to crime control. The civilian use of guns is a clear example of security governance, because citizens take responsibility for their own security and carry out defense and guard duties that were traditionally within the field of competence of public security agents.

It is important to emphasize that citizens may possess and use firearms for hunting, target shooting, or as collectibles, but this section will focus solely on those who acquire, carry, or use legal and illegal firearms as instruments of self-defense. These suppose the vast majority of gun owners in the region.

Private Security, Self-Help and Regulated Governance

When theorizing about the role that guns and their users play in the governance of security, the defensive ownership and use of guns is usually considered part of the privatization of security, sharing many conclusions from its literature, as well as from literature regarding other forms of self-help or self-defense.

A first point to emphasize is the negative relation between the resort to measures of self-defense and the legitimacy of security institutions. To be legitimate, authorities must rise to the expectations of citizens regarding how they accomplish their mandate, a judgment which converges beliefs concerning lawfulness, distributive justice, procedural fairness, and effectiveness, among other factors (Tyler 1990; Bradford et al. 2014). Accordingly, the likelihood of acquiring and using guns for defensive purposes would increase when citizens feel vulnerable to crime—especially to lethal violence—and have a lack of confidence in the effectiveness of the police to provide security for themselves and their families.

Another common element in the international literature are the negative consequences of seeking a public and collective good like security by resorting to private security measures. The promotion of guns as elements of self-defense would highlight the boundaries around individuals, families, and homes at the expense of communal identities that keep neighborhoods and societies together. It would imply distrust in social responses to crime and erode the notion of the government as protector. This, in turn, could lead to a reluctance to support taxpayer-based spending, to the further discredit of public security forces and to an arms race among civilians.

These elements largely apply to Latin American gun users as well. However, regarding their specific role in the governance of security, Jennifer Carlson (2015) considers US gun toters—citizens who carry guns at all times, ready to be deployed—to be part of public responsabilization strategies. This is a somewhat difficult concept that is frequently used in the literature on governance. In this case, it suggests that

governments that allow citizens to acquire and use guns for defensive purposes actually capitalize on armed civilians to fight crime and provide security. Through technologies for ‘governing at a distance’ (Foucault 1977; Garland 1997), authorities would guide gun toters to take on defense and patrol duties that used to be their sole responsibility. This would extend the capacities of the state for fighting crime, as well as for general action and influence in the provision of security.

Such a relation is consistent with what is usually described with the term ‘anchored pluralism’ (Loader and Walker 2001), which relates to the famous analogy of ‘steering and rowing’ (Osborne and Gaebler 1992): the regulatory state would have given up certain functions, mainly those that compose the prevention of crime, but would function as an anchor, keeping other security actors at bay. Proof of this relation is that armed civilians are legally entitled to perform sovereign functions. For instance, their right to use lethal violence for protection is generally guaranteed under law. This, in turn, would imply that armed citizens do not break free from the state, but that the state works through them to achieve its purposes. Accordingly, gun toters in the United States would not be conceptualized as sovereign citizens, whose power and rights emanate naturally from them, but as sovereign subjects, allowed to participate in the sovereign power of the state.

Carlson’s (2015) conceptualization is very worthy, as it correctly recognizes the contradictions, complexities, and ambivalences that surround civilian gun carrying in the United States. With regard to Latin America, civilians are also legally permitted to possess and use guns for self-defense in every country, provided such use is justified and consistent with criminal law provisions governing the use of force. In accordance, the defensive use of guns by civilians is certainly not beyond the state from a formal-legal perspective. However, Latin Americans acquire and use their weapons in very different circumstances to gun toters in the United States. And because these circumstances matter, if we define their role in the governance of security solely by their legal framework, then we take the risk of mistaking the intentions of the state with the efficacy of its policies. Deficient applications, implementation failures, perverse effects, and unintended consequences are commonplace in public policy, in general, and in security policies, in particular. But more importantly, the security crisis, the limitations of state authorities, and the structural deficits and heavy presence of risk factors presented above, all put Latin American gun users in a hardly comparable situation. Then how do armed civilians react to insecurity in Latin America?

The Dual Role of Firearms in Criminal Victimization

Guns have specific characteristics that provide armed citizens with a dual role within criminal victimization. On the one hand, guns can be effective instruments for personal defense against crime, which is why their adequate use is protected by law in most countries of the world. On the other, guns can be lethal instruments to generate violence, commit crimes, and—inadvertently or intentionally—confront state security dispositions.

In political and popular discourse, this dual role is represented in what scholars critically refer to as an ‘artificial dichotomy’ (Spano and Bolland 2010) or the ‘good guy–bad guy myth’ (Spitzer 2008). Accordingly, there would be a clear distinction between citizens that possess and use firearms for defensive purposes and citizens that possess and use firearms to commit crimes. The problem is that these populations include overlapping citizens. Violent victimization and violent aggression are frequently closely related. As Harcourt (2006) and Barragan et al. (2016) show in their studies on US detainees who used guns to commit crimes, the vast majority acquired those guns for self-defense and in fact consider that protection is the main purpose of their use. Studies in Latin America show similar results. For example, around 52% of Uruguayan juvenile offenders who had used guns to commit crimes, considered self-defense the main purpose of being armed (Mosteiro Vaselli 2016, 138).

Such an artificial dichotomy can also be found in related phenomena, linked to the well-known theory of ‘crime as social control’ (Black 1983):

There is a sense in which conduct regarded as criminal is often quite the opposite. Far from being an intentional violation of a prohibition, much crime is moralistic and involves the pursuit of justice. It is a mode of conflict management, possibly a form of punishment, even capital punishment. Viewed in relation to law, it is self-help. To the degree that it defines or responds to the conduct of someone else -the victim- as deviant, crime is social control. (Black 1983, 34)

It occurs, for instance, when criminals themselves participate in the governance of security. This is a common scenario in many slums and poor neighborhoods of Latin America, where gangs and organized criminal groups exert control over security and effectively regulate crime and murder. For example, in the favelas of Rio de Janeiro, Brazil,

drug traffickers are partially or wholly responsible for the resolution of disputes and for the control of (other) criminal activities (Arias and Rodrigues 2006). Criminal justice is imposed through armed violence and, needless to say, it is usually not served in accordance to state laws nor—for the most part—to the official intentions of law enforcement agencies. Minor conflicts might entail a shot in the arm or leg, while bigger problems are resolved by murder. Torture and extreme violence are also frequently used for deterrence. The extent to which such entities exert control is often in direct proportion to the relative fragility of state institutions in the area.

But crime as social control does not need to be enforced by full-time criminals. One example is intimate partner violence against women, an enduring and widespread problem in the region. Men are the most frequent perpetrators of domestic violence, intimate partner violence, and gender violence, which occur at disproportionately high levels in Latin America with and without the involvement of guns. However, just as in the case of general homicides, guns are again a distinctive element of this type of violence in the region. In fact, more than half of the 25 countries with the highest femicide rates are in Latin America, and in countries such as Brazil, Colombia, El Salvador, Guatemala, and Honduras, more than 60% of femicides are committed with firearms (GDS 2011). In cases such as these, the distinction between a responsible armed citizen and a batterer or killer is only possible once the first crime has been committed or discovered.

Vigilantism⁴ can also constitute a criminal act from a legal point of view, even though it is closely associated with defensive violence. Taking justice into one's own hands is namely relatively common in the region as well, especially in marginal areas of less institutionalized countries. Whether it is interpersonal violence among neighbors, urban lynchings or self-defense militias, such acts constitute a long-lasting challenge to nations attempting to develop the rule of law. In all cases, guns are frequently used to hurt or kill suspected criminals. Mexico is a case in point, as heavily armed self-defense militias have sprung up in many states to take on drug trafficking organizations. Some have been successful and some have even been partially legalized, but it is also common for factions of the groups to switch sides and assume control of the criminal economy (Althaus and Dudley 2014). Lynchings are a similar phenomenon in which guns are frequently used to hurt, torture, or kill suspected thieves, rapists, and even allegedly corrupt politicians (Godoy 2004).

Finally, the artificial dichotomy is not just applicable to armed citizens but also to guns, as legal and illegal guns represent two sides of the same coin (Marsh 2002). Except for crafted and ghost weapons, almost all small arms in the black trade have a legal origin. After a gun is legally purchased, it can be resold, rented, stolen, or given away many times. And once it enters the black trade, it is effectively beyond government control and can be easily used in criminal offenses many times throughout its lifetime. In accordance, local studies show that most guns used in crime in Latin America were manufactured by state or private factories and sold by legal distributors to what laws and regulations considered responsible citizens. For instance, this was the case for 74% of small arms seized in relation to crime in the Brazilian cities of Brasilia, Rio de Janeiro, and São Paulo.⁵

Ultimately, these examples suggest that there is a fine line between citizens who use guns for defensive purposes and those who use guns to commit crimes. Careful, I am not saying that there is not a clear distinction to be made between law-abiding armed citizens and criminals. Nor am I saying that armed individuals cannot be responsible citizens. Not in the least. In fact, the evidence suggests that the vast majority of legal gun owners in Latin America do not use their guns to commit crimes. As was said before, there are no in-depth studies in the region on the risks and benefits of defensive gun use, but the numbers presented in this chapter are proof of this. If there are estimated to be 62 million small arms in the hands of civilians and there are roughly 140,000 homicides committed each year, then we can presume that the overwhelming majority of these weapons is not being used to commit crimes, or at least not homicides. At the moment, any other presumptions would be baseless.

What I am saying, however, is that people who acquire guns for self-defense in Latin America seem to end up using their guns for harmful purposes much more easily than in other latitudes. The personal, social and institutional restraints that keep guns and gun owners on a lawful path seem to be looser and less effective than elsewhere. Following our analysis, the preponderance of armed aggressions might be dependent on the root causes, drivers and triggers of violence that were mentioned in the previous sections. Hence, for the same reasons that gun proliferation does not lead to the same consequences in Chile than in Guatemala, Latin American guns appear to be especially prone to violence when compared to those in the United States, Canada or Finland. Let us now look at how states fit in this scenario.

Nodal Governance and Sovereign Citizens

For public responsabilization strategies to work within a governance framework (Foucault 1977; Garland 1997), states must be able to steer private security actors along defined policies and guide their behavior toward expected policy goals. If this is not possible and the state is not capable or willing to keep private security actors at bay and under its effective control, then it is difficult to describe such an arrangement as regulated governance. Moreover, shortfalls of this kind would also help to explain the—dissimilar but more common than elsewhere—presence of rogue armed citizens in the region. Clearly, the institutional capacities of weak and fragile states present a whole series of deficiencies that must be taken into account. However, there are two factors that appear to be especially relevant regarding the specific matter at hand.

First, the success of efforts to regulate civilian gun use is influenced by many factors, but extensive voluntary compliance is one of the most important. Citizen support and voluntary compliance are essential for the effectiveness of public policies in general, but are especially so for security and gun policies, which depend on the ability of authorities to be authoritative, secure compliance and be obeyed. In turn, people comply with the law not so much because they fear apprehension or punishment, but because they feel that legal authorities are legitimate (Tyler 1990). To be legitimate, authorities must rise to the expectations of citizens regarding how they accomplish their mandate. Such a judgment includes not just expectations regarding their effectiveness—rigorous investigation, timely prosecution and fair adjudication of suspects—but also converges beliefs concerning lawfulness, distributive justice, and procedural fairness, among other factors.

Unlike most advanced democracies, however, political illegitimacy prevails in all Latin American countries to a greater or lesser extent. Comparative opinion polls show that political institutions, such as political parties and the legislative and executive bodies, are usually the less trusted actors in the spectrum. However, criminal justice institutions are also seen with distrust and skepticism across the region. For instance, the most recent poll from the Latinobarómetro Database shows that only 25% of Latin Americans trust the judicial system. The police, on its part, is trusted by only 35% of respondents (Corporación Latinobarómetro 2017). And what is worse, 43% even believe that the police are involved in criminal activities (PNUD 2013, 116). This is hardly surprising

considering the problems affecting criminal justice systems in the region. In Mexico, for instance, for every 100 murders committed between 2010 and 2016, only 5 resulted in a prison sentence for a perpetrator (Animal Político, n.d.). And while Mexico is probably one of the most troubling cases, all or nearly all criminal justice systems lack the material and human resources to prosecute and try crimes adequately. Impunity is widespread as a result, even for homicides, and despite political attempts to change institutional practices, police corruption and brutality are still common in most countries.

Given the limitations of justice systems and law enforcement agencies, most laws depend on voluntary compliance. The kind that can usually be seen in societies in which the majority of the population abides the law, regards authorities as legitimate and laws and regulations as fair. If legitimacy is a prerequisite for upholding the rule of law, then impunity and corruption foster the kind of lawlessness that can facilitate more violence, recidivism and crime. Therefore, it seems reasonable to argue that in many parts of Latin America, as in weak states in general, institutions in charge of security do not enjoy enough legitimacy to maintain order and impose obligations among citizens without coercion, and this includes the use of guns.

The second important deficiency is the lack of accurate information on gun use and possession, a problem that the United States also suffers due to its permissive regulations. States namely rely on knowledge and information for state social control. They require data and statistics to link private decisions and public objectives, so as to know in which situation subjects are and in which situation they should be, and devise ways of getting them from one state to the other (Rose and Miller 2010).

However, the lack of information regarding small arms and users is one of the most complicated challenges that states face when tackling firearm regulation and proliferation. Either because of weak official oversight, deliberate state secrecy, or ideological or political opposition to transparency, inadequate user and gun registries are a constant worldwide. In fact, the Small Arms Survey estimates that no more than 12% of the total suspected civilian arsenals is registered with authorities (Karp 2018a). The situation is not much different in Latin America. Even though gun registration is mandatory in the entire region, investigative reports and police seizures demonstrate that official registries only include a fraction of users and firearms in circulation. Even worse, some

countries do not even have functional regulatory systems in place. As a consequence, policy authorities are mostly in the dark about how many armed citizens there are and how many firearms they possess, what types of weapons circulate in the country and how these are being used.

It is ultimately in this context that gun regulations perform. Moreover, in a region that already presents an explosive aggregate of risk factors for gun violence. It is therefore not hard to imagine how this combination facilitates a negative and harmful role of armed citizens in the governance of security, probably making it more common than elsewhere. Under such circumstances, the conceptualization of armed citizens in scenarios of regulated governance is highly problematic, because their behavior evades state predicaments frequently and with ease. This does not mean that they cannot be part of active responsabilization strategies, but that the likelihood of these strategies eventually failing is relatively high. As in most parts of the world, Latin Americans who meet certain criteria are legally permitted to possess and use guns for self-defense. However, in practice, state control is highly limited in many parts of the region and authorities pretending to benefit from armed citizens in this manner are descending a slippery slope.

As a result, many of those citizens who acquire and use guns for defensive purposes can be conceptualized as nodes in a nodal governance model (Sanjurjo 2017). This conception is consistent with the ‘governance without government’ model of Rhodes (1996) and is known in the criminological literature as ‘nodal governance’ (Shearing 2005, 2006). It assumes that state and non-state actors act as autonomous nodes within a network, working to govern security alone and in conjunction with each other. Essential to nodal governance is the possible autonomy of each node, so that many armed citizens could be theoretically considered private governments, not operating as governance providers on behalf of the state, but as auspices of governance in their own right.

Such a conceptualization is consistent with findings by Dupont et al. (2003), who suggest that nodal governance is more common in developing countries, where the asymmetry between public security demands and the state’s capacity to fulfill them would provide a favorable environment for the emergence and establishment of independent non-state security providers. This would include private companies, vigilante and self-defense groups, as well as criminal organizations, in the worst cases. It is also consistent with regional studies that analyze the role played by other non-state security actors in the governance of security, such

as private security companies, policing extensions and lynching mobs.⁶ Taking the region's heterogeneity into consideration, it is likely that nodal governance is more pronounced in those countries that are less institutionalized, especially in areas and neighborhoods with low levels of state presence.

There is also an interesting analogy to be made between the situation of armed citizens in Latin America and Wendy Brown's (2010) study of modern nation-state walls. Brown namely suggests that such walls—literal border walls, such as the one between Israel and the West Bank, or the one that the 45th US President wants to build on the US–Mexico border—appear to be signs of a post-Westphalian world, iconographic of the waning and erosion of state sovereignty. Thus, walls would constitute visual paradoxes, projecting an image of security and sovereign jurisdictional power, but at the same time revealing the vulnerability and diminution of the state and nation in relation to other kinds of global forces. Accordingly, a wall on the US–Mexico border would highlight the jurisdictional power of the United States, but at the same time express fears and anxieties over just how fragile the country's economy and security have become in recent decades.

Responsibilization strategies that involve armed citizens seem to be a similar phenomenon. Politicians and advocates favoring gun proliferation display punitive power by encouraging citizens to acquire guns and fight crime. However, while such punitive discourses are supposed to underscore the nation's strength against criminals, they actually reveal that Latin Americans turn to firearms out of the necessity to overcome their vulnerability. To fill the state's void and counteract feelings of living in 'no man's land'. The new Brazilian President Jair Bolsonaro is a case in point, as he pledged to abolish existing gun laws and strongly favors their use by civilians to fight criminality. Regardless of the efficacy of such a measure, it seeks to underscore the bravery of true Brazilian patriots carrying guns and defending their country. At the same time, however, it reveals how helpless and desperate Brazilians feel in the face of insecurity and how they cannot count on public security forces for protection.

And here lies another important particularity of the region. Brown (2010, 79) namely recognizes that 'subjects may sometimes identify with or as state sovereignty, and the state in turn may be identified with or as a vulnerable subject in need of protection'. Many gun toters in the United States follow this pattern, as they buttress the state and feel as if they are fighting crime by its side (Carlson 2015). It is a part

of the US gun culture that Spitzer (2008) refers to as the militia/frontier ethos: bravery, duty, citizenship, patriotism and the view of guns as pivotal to their country's 'greatness' configure a subculture that is only rarely found outside the United States, let alone in Latin America. From tools of state defiance in Mexican popular culture (Springwood 2007) to means for young men to acquire respect in Brazilian slums (Goldstein 2007), guns mean different things to different groups in the region. However, firearms never really carry the individual and collective significance that they do in the United States. Bolsonaro's discourse empowers gun-loving Brazilians that might just resemble gun toters in the United States, but these are rather an exception in Brazil and in the region. Instead, guns are mostly seen as a necessary evil in the face of life-threatening insecurity.

What is more, Latin Americans frequently acquire guns in a context of state neglect, corruption, and illegitimacy. It is thus for many an attempt to counteract a constant sense of fear, of being at the mercy of violent criminals and illegitimate, or incompetent state authorities. Under such conditions, states are usually not capable of arousing support and solidarity in a citizenship that considers them to be a fundamental part of the problem. Therefore, either consciously or not, and either as individuals or as participants in lynching mobs or self-defense groups, armed citizens rather dispute the state's waning sovereignty and power. So, while gun toters in the United States participate in the state's sovereign power as 'sovereign subjects' (Carlson 2015), most armed individuals in Latin America rather reclaim their natural rights as 'sovereign citizens' (Sanjurjo 2017).

THE NEED FOR STATE LEADERSHIP IN THE GOVERNANCE OF SECURITY

In sum, most guns are acquired for defensive purposes in Latin America, precisely as instruments of self-defense against crime. However, in truth, guns provide armed citizens with a dual role within security governance. Those who use firearms exclusively for personal protection and to control crime, and do so within legal limits, may expand state capacities for action and influence, and strengthen public security forces. However, many others use guns for alternative purposes or outside legal limits. They commit crimes, delegitimize authorities, and, ultimately, contribute to the growing insecurity. This second role appears to be more common in Latin America due to the combined presence of risk factors and

institutional deficits that hinder the capacities of authorities to influence how armed citizens behave. As a result, armed citizens are better conceptualized as nodes in a nodal governance model because their behavior is autonomous in practice and easily evades state predicaments.

These conclusions ultimately lead me to agree with Pierre and Peters (2005) in the importance of adding a normative dimension to the discussions on governance. Facing a security crisis, state leadership is commendable, necessary, and essential in the pursuit of a more just and effective provision of security. At least in the Latin American region, the evidence shows that the conduct of autonomous security actors leaves much to be desired, as they often engage in negative and harmful behavior that contradicts and undermines state laws and security policies. Therefore, ideally, states should only grant participation in this provision to actors who are under the state's effective leadership and control. To the extent that most—if not all—governments in the region are incapable of regaining the monopoly on legitimate violence or ensuring proper levels of safety for their citizens, this can only be a long-term goal.

A goal, nevertheless, that must be attained through coherent long-term policies. The evidence presented in this chapter suggests that most countries in the region do not respond well to gun proliferation, as it translates too easily into uncontrolled violence. Fortunately, most Latin American states are not indifferent to the risks posed by an armed citizenry. As the next chapter will show, gun control policies are increasingly incorporating strategies that do not just seek to reduce their illegal possession and use, but also their general proliferation among civilians. These policies ultimately manifest a discomfort with the risks that armed citizens pose for society, as well as a recognition of the state's incapacity to enforce control upon them. The next chapter will go further into this issue and discuss the content and significance of gun control policies in the region.

NOTES

1. Homicide is the willful killing of one human being by another.
2. The incidence and rigor acquired by lethal violence in non-conflict settings in recent decades has led to rethink the classification parameters on the matter. The dynamism and multiple dimensions that characterize outbreaks of violence—especially in Latin American countries like Mexico, Honduras, or El Salvador—blur criteria that allow to distinguish between interpersonal and organized violence or between political and criminal

violence. In such cases, traditional classifications seem incapable to encompass the violent phenomena at work and even the distinction between war and peace turns difficult (GDS 2011).

3. For an in-depth analysis of the subjacent causes of the high levels of criminality and violence in the region, such as economic inequalities, poverty and marginalization, see UNDP (2013), CEPAL (2014), and Bergman (2018).
4. Vigilantism is popularly known as taking the law into one's own hands. Johnston (1996) defines it as 'a social movement giving rise to premeditated acts of force – or threatened force – by autonomous citizens. It arises as a reaction to the transgression of institutionalized norms by individuals or groups—or to their potential or imputed transgression. Such acts are focused upon crime control and / or social control and aim to offer assurances (or 'guarantees') of security both to participants and to other members of a given established order'.
5. Rangel Bandeira et al. (2007) analyze guns that were seized by the Brazilian police in relation to crime in the cities of Brasilia, Rio de Janeiro, and São Paulo, and prove that the legal civilian gun market is the most important deviation source for the Brazilian illegal gun market. Specifically, 68% of all analyzed weapons had been produced by Brazilian gun industries and sold through legal channels to civilians. SUCAMEC (2014) makes a similar finding in Lima, Peru, where 31% of all guns seized by the Peruvian police in relation to crime during 2013 had been previously registered by civilian owners.
6. Scholars have analyzed the role of other non-state actors in the governance of security of Latin America and come to similar conclusions. See Müller (2010) for private security companies, Van Reenen (2004) for policing extensions, and Godoy (2004) and Vilas (2007) for lynching mobs.

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