

COMMENTARY

# Debunking the Myth of Nicaraguan Exceptionalism: Crime, Drugs and the Political Economy of Violence in a ‘Narco-state’

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## Abstract

Nicaragua is often held up as an exception within the Central American panorama of criminal violence, widely presented as the safest country in the region due to its particular revolutionary legacies, the (supposed) absence of transnational gangs and drug-trafficking organisations, and the National Police’s representation as an efficient and professional force. This commentary proposes an alternative reading of Nicaragua’s contemporary political economy of violence in order to reveal the profoundly misleading nature of this prevalent view. In particular, it highlights how Nicaragua is governed through a particular political ‘settlement’ underpinned by drug trafficking, police and judicial corruption, as well as ‘mafia state’ governance. These factors have coalesced to establish a highly efficient and engrained ‘narco-state’ whose undoing is unlikely in the short term.

**Keywords:** Nicaragua; exceptionalism; crime; violence; drugs; narco-state; policing

The April 2018 uprising in Nicaragua and its subsequent repression dramatically called into doubt the widespread narrative regarding the country’s ostensible ‘exceptionalism’.<sup>1</sup> This notion – that Nicaragua had taken a different post-Cold War path to the violent democratisation of other Central American countries – was one that was sustained by a range of different actors, including politicians, journalists, academics, activists, NGOs, international organisations, the Nicaraguan government and the Nicaraguan National Police, among others – although they all had different agendas for promoting this particular vision. Nicaragua was considered ‘different’ due to the inspirational Sandinista revolutionary period during the 1980s, as well as the return to power of Daniel Ortega and the Frente

<sup>1</sup>Hilary Francis (ed.), *A Nicaraguan Exceptionalism? Debating the Legacy of the Sandinista Revolution* (London: University of London Press, 2020).

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Sandinista de Liberación Nacional (Sandinista National Liberation Front, FSLN) in 2007, both of which were considered to have fundamentally altered the country's social and political fabric and its policies, as evidenced by its 'anomalous' status within the post-Cold War Central American panorama of violence.<sup>2</sup> For years, the country was widely considered 'the safest country in Central America',<sup>3</sup> due to the alleged institutional efficiency of its National Police and judiciary, and its (supposedly successful) 'preventive, proactive and communitarian' policing model – projected as a 'firewall' (*un muro de contención*) against the gang- and drug-related violence that persistently afflicts Central America's so-called Northern Triangle (El Salvador, Guatemala and Honduras).<sup>4</sup>

Even though the events of April 2018 were described in their immediate aftermath as 'taking [the government] by surprise',<sup>5</sup> they were in many ways not at all shocking. For a while already, Ortega and the FSLN had arguably been revolutionary only in name, now representing an elite oligarchy rather than the impoverished majority of the population.<sup>6</sup> Following the decline in Venezuelan soft loans that began after the death of former President Hugo Chávez in 2013, which undermined the social redistribution programmes that underpinned Ortega's government's clientelist political system for almost a decade, the government began losing popular support. Resorting to increasing repression and social control – in a broader context of rising inequality and fiscal imbalance<sup>7</sup> – the government's

<sup>2</sup>José Miguel Cruz, 'Criminal Violence and Democratization in Central America: The Survival of the Violent State', *Latin American Politics and Society*, 53: 4 (2011), pp. 1–33; Stuart Schrader, 'Nicaragua: Central America's Security Exception', *NACLA Report on the Americas*, 49: 3 (2017), pp. 360–5; Deborah J. Yashar, *Homicidal Ecologies: Illicit Economies and Complicit States in Latin America* (Cambridge: Cambridge University Press, 2018); Heidrun Zinecker, 'El bajo índice de violencia en Nicaragua: ¿Mito o realidad? Resultados empíricos, causalidades y enseñanzas', Heinrich Böll Stiftung México, Centroamérica y el Caribe, 2012.

<sup>3</sup>And indeed, of the whole planet, according to the FSLN's ambassador to Peru – see 'Nicaragua es uno de los países más seguros del planeta', *El 19 Digital*, 6 July 2016: [www.el19digital.com/articulos/ver/titulo:43850-nicaragua-es-uno-de-los-paises-mas-seguros-del-planeta](http://www.el19digital.com/articulos/ver/titulo:43850-nicaragua-es-uno-de-los-paises-mas-seguros-del-planeta) (all URLs last accessed 19 May 2023).

<sup>4</sup>See Policía Nacional, 'Sistematización del modelo policial comunitario proactivo de Nicaragua', Policía Nacional-ASDI, Managua, 2011. See also Francisco Bautista Lara, 'La utopía posible de la nueva policía', *Visión Policial*, 1: 6 (1999), p. 31; Lucía Dammert and Mary Fran T. Malone, 'From Community Policing to Political Police in Nicaragua', *European Review of Latin American and Caribbean Studies*, 110 (2020), pp. 79–99; Braulio Espinoza Mondragón, 'La seguridad ciudadana en Nicaragua: Un proyecto que se consolida', *Revista Jurídica IUS Doctrina*, 9: 15 (2016), pp. 1–31. (The physical archive of the *Visión Policial* magazine can be found at the Centro de Documentación (Documentation Centre, CEDOC) of the Policía Nacional in Managua. Editions can also be found online at <https://www.policia.gob.ni> (1999 archive: <https://www.policia.gob.ni/?p=49248>), but the website automatically blocks IP addresses located in Europe.)

<sup>5</sup>Equipo Envío, 'Abril 2018: La insurrección de la conciencia', *Envío*, 434 (2018): <https://www.envio.org.ni/articulo/5479>.

<sup>6</sup>Charles R. Hale, 'What Went Wrong? Rethinking the Sandinista Revolution, in Light of its Second Coming', *Latin American Research Review*, 52: 4 (2017), pp. 720–7; Maya Collombon and Dennis Rodgers, 'Introduction. *Sandinismo 2.0*: Reconfigurations autoritaires du politique, nouvel ordre économique et conflit social', *Cahiers des Amériques Latines*, 87 (2018), pp. 13–36.

<sup>7</sup>Luciana Chamorro and Emilia Yang, 'Movilización social y tácticas de control en el neosandinismo: El caso de #OcupaNSS', *Cahiers des Amériques Latines*, 87 (2018), pp. 91–115; Fiore Stella Bran Aragón and Jennifer Goett, '¡Matria libre y vivir!: Youth Activism and Nicaragua's 2018 Insurrection', *Journal of Latin American and Caribbean Anthropology*, 25: 4 (2020), pp. 532–51; José Luis Rocha, 'De la petrofiesta al pandemónium: 13 años de orteguismo en Nicaragua', LSE Latin America and Caribbean Centre Blog,

attempt to implement stringent pension cuts and tax increases was the final straw. Following the lethal repression of what were initially small-scale, localised protests, spontaneous mass demonstrations and occupations arose across the country. Caught unprepared, the Ortega government sent the National Police and loyal FSLN militants out to break these up. When this proved insufficient, the government called for a national dialogue, which bought it enough time to organise groups of militants, war veterans, gang members, as well as balaclava-wearing and plainclothes policemen and soldiers, into ‘parapolice groups’, that is to say, armed groups of pro-government civilians deputised by the police. These, together with heavily armed police operatives, brutally cracked down on the protestors, tearing down barricades and instituting a reign of fear and terror, mainly by way of acts of violence directed at public universities and impoverished urban and rural communities. Over the course of several months, more than 300 people were killed and hundreds more disappeared, while thousands were arrested, and over 70,000 fled the country, largely across the border to Costa Rica.<sup>8</sup>

In this commentary piece, we put forward that far from being an ‘aberration’, this violent repression of the protests was in fact symptomatic of previously hidden governance dynamics, which fundamentally call into question the myth of exceptionalism associated with Nicaragua’s political economy of violence. More specifically, we suggest that the outburst of brutality in April 2018 is intimately related to the culmination of a process of state capture by the Nicaraguan elite, realised by way of a series of co-governance arrangements between the state, business, political and criminal groups, that have passed largely unnoticed precisely due to the emphasis on the country’s putative ‘exceptional’ safety. Drawing on a range of secondary sources, as well as on some of our own research conducted over the past three decades across a range of issues related to street violence and drug crime,<sup>9</sup>

13 Aug. 2020: <https://blogs.lse.ac.uk/latamcaribbean/2020/08/13/de-la-petrofiesta-al-pandemonium-13-anos-de-orteguismo-en-nicaragua/>.

<sup>8</sup>See Collombon and Rodgers, ‘Introduction. *Sandinismo 2.0*’; Equipo Envío, ‘Abril 2018’; Inter-American Commission on Human Rights (IACHR) and Organization of American States (OAS), ‘Gross Human Rights Violations in the Context of Social Protests in Nicaragua’, IACHR and OAS, Washington, DC, 2018: <http://www.oas.org/en/iachr/reports/pdfs/Nicaragua2018-en.pdf>; Manuel Ortega Hegg et al., *La insurrección cívica de abril: Nicaragua 2018* (Managua: UCA Publicaciones, 2020); José Luis Rocha, *Autoconvocados y conectados: Los universitarios en la revuelta de abril en Nicaragua* (San Salvador: UCA Editores, 2019); *Tras el telón rojinegro: Represión y resistencia* (Guatemala City: Editorial Cara Parens de la Universidad Rafael Landívar, 2021); Julienne Weegels, ‘Inside Out: Confinement, Revolt and Repression in Nicaragua’, Association for Political and Legal Anthropology, Oct. 2018: <https://politicalandlegalanthro.org/2018/10/03/inside-out-confinement-revolt-and-repression-in-nicaragua/>.

<sup>9</sup>José Luis Rocha conducted extensive research with the Nicaraguan Police and neighbourhood gangs (*pandillas*) in the late 1990s and early to mid-2000s, as well as with university students following the 2018 protests. See José Luis Rocha, *Lanzando piedras, fumando ‘piedras’: Evolución de las pandillas en Nicaragua 1997–2006* (Managua: UCA Publicaciones, 2007); ‘Mapping the Labyrinth from Within: The Political Economy of Nicaraguan Youth Policy Concerning Violence’, *Bulletin of Latin American Research*, 26: 4 (2007), pp. 533–49; ‘En el barrio está el método: Reflexiones sobre la investigación de las pandillas juveniles’, in Daniel Núñez (ed.), *Rostrros de la violencia en Centroamérica: Abordajes y experiencias desde la investigación social* (Guatemala City: FLACSO, 2019), pp. 245–66. Dennis Rodgers has been conducting longitudinal ethnographic research on the political economy of violence in a Managua neighbourhood since 1996, tracking the evolution of the local gang and the emergence of the local drug trade, as well as engaging in broader research on the politics of urban segregation and urban development in

we contend that the myth of Nicaraguan exceptionalism has obscured the reality of the emergence of a particular political settlement in the country – that we label in this commentary piece a ‘drug settlement’ – between the state and drug traffickers, which shapes the use of violence, corruption and state governance techniques on the ground in a way that gives the outward appearance of peace, but is in fact fraught with tension and violence.

We lay out our argument in four sections. The first begins by challenging the academic and policy fixation on homicide rates as indicators or even predictors of violence and (organised) crime, as well as the predominant characterisation of the country’s police as highly efficient, both of which are often used to fuel the myth of Nicaragua’s exceptionalism. We then characterise the Nicaraguan panorama of violent political and criminal actors over the past three decades as we see it, through three sections respectively exploring the nature of crime and drug trafficking in Nicaragua, police and judicial corruption, and finally, processes of state capture and ‘mafia state’ governance. We conclude that the particular dynamics of violence in Nicaragua are the result of the establishment of an elite ‘drug settlement’, producing a highly efficient and engrained ‘narco-state’ whose undoing is unlikely in the short term.

### Decentring Homicidal Violence

The contemporary Central American political economy of violence is generally considered to be the result of the enduring legacies of war, insurgency and revolution; incomplete democratisation and continued authoritarianism; weak institutions; economic (neo)liberalisation; migration; poverty and inequality; corruption; impunity and failed juridical systems; and the rise of drug trafficking.<sup>10</sup> When considered from this perspective, it is not surprising to see post-conflict countries such as Guatemala or El Salvador with high homicide rates, or Costa Rica and Panama with much lower ones. In this regard, the putatively low levels of lethal violence in Nicaragua have been considered an oddity, even a paradox, as the country has

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Managua. See Dennis Rodgers, ‘Living in the Shadow of Death: Gangs, Violence and Social Order in Urban Nicaragua, 1996–2002’, *Journal of Latin American Studies*, 38: 2 (2006), pp. 267–92; ‘Slum Wars of the 21st Century: Gangs, *mano dura* and the New Urban Geography of Conflict in Central America’, *Development and Change*, 40: 5 (2009), pp. 949–76; ‘Bróderes in Arms: Gangs and the Socialization of Violence in Nicaragua’, *Journal of Peace Research*, 54: 5 (2017), pp. 648–60; ‘¡A nosotros, nos tienen que respetar! (They Have to Respect Us!): Gangs, Inter-Generational Conflict, and Graduated Governance in Urban Nicaragua’, *Critical Criminology*, 30 (2022), pp. 177–92. Julienne Weegels conducted a multi-sited ethnographic study on violence and policing with prisoners and former prisoners of three Nicaraguan prison facilities between 2009 and 2016, documenting the emergence of Nicaragua’s hybrid carceral state. Following the 2018 protests she has been carrying out at-distance research on policing and incarceration practices with (former/political) prisoners, their families and exiled *autoconvocados* (self-convened protesters). See Julienne Weegels, ‘Performing Prison: Power, Agency and Co-Governance in Nicaraguan Prisons’, PhD diss., University of Amsterdam, 2018; ‘Freedom in the Face of Nicaragua’s Hybrid Carceral System’, *Cambridge Journal of Anthropology*, 38: 1 (2020), pp. 52–69; ‘Sensing Secrecy: Power, Violence and its Concealment in Nicaraguan Prisons’, in Kate Herrity, Bethany E. Schmidt and Jason Warr (eds.), *Sensory Penalties: Exploring the Senses in Spaces of Punishment and Social Control* (London: Emerald Press, 2021), pp. 89–105.

<sup>10</sup>Diego Sánchez-Ancochea and Salvador Martí i Puig (eds.), *Handbook of Central American Governance* (London: Routledge, 2013); Yashar, *Homicidal Ecologies*.

suffered revolutionary conflict, civil war and US interventionism; authoritarianism, corruption and impunity; and continues to be the poorest and most unequal in the isthmus. A number of arguments have been put forward to explain this apparent paradox, including the ‘absence’ of transnational gangs (*maras*) and the often related notion that Nicaragua’s social fabric has remained ‘intact’ due to the Sandinistas’ revolutionary legacy, in spite of significant economic liberalisation.<sup>11</sup>

According to official government statistics, Nicaragua is indeed one of the safest countries in Central America, and even Latin America.<sup>12</sup> However, as Mark Twain once famously put it – apocryphally citing the nineteenth-century British Prime Minister Benjamin Disraeli – it is well known that ‘there are three types of lies: lies, damned lies, and statistics’,<sup>13</sup> and we are persistently amazed at the way that official Nicaraguan crime statistics are more often than not taken on board uncritically in academic analysis and policy commentary alike. This is all the more surprising considering that the manipulation of crime statistics is a common phenomenon, particularly in Latin America, and the number of unreported and unsolved crimes extremely high. Although the defenders of homicide statistics frequently claim that ignoring dead bodies is not easy – something that is eminently debatable – they forget that re-categorising or hiding them is quite simple.<sup>14</sup> Graham Denyer Willis has for example highlighted the truly staggering number of homicides committed by the police in São Paulo, Brazil, that are classified as ‘resistance followed by death’ – precluding investigation by blaming the victim.<sup>15</sup>

More importantly, Denyer Willis highlights that ‘statistics are produced by and are productive of a *de jure* state, different from the state *de facto*’.<sup>16</sup> Yet such statistics nevertheless become ‘an epistemological buttress for a great deal of our contemporary beliefs about safety, security, the need for policy intervention and, particularly in the Global South, the vitality of nascent democratic institutions’. Where high homicide rates are widely believed to indicate the presence of rampant violent crime and failed governance, low homicide statistics are conversely believed to indicate an absence of violent crime and good governance.<sup>17</sup> Rarely is this logic questioned, the historicity of data collection taken into account, or statistics properly questioned in terms of what they might be hiding. In this regard, a number of more specific comments can be made about official Nicaraguan crime statistics. Firstly, there is clear evidence of significant sub-registration. This is partly due to historically limited reporting capacity. In 2000, for example, the Nicaraguan

<sup>11</sup>Cruz, ‘Criminal Violence and Democratization’; Yashar, *Homicidal Ecologies*; Zinecker, ‘El bajo índice de la violencia en Nicaragua’.

<sup>12</sup>Parker Asmann and Katie Jones, ‘InSight Crime’s 2020 Homicide Round-Up’, *InSight Crime*, 29 Jan. 2021: <https://insightcrime.org/news/analysis/2020-homicide-round-up/>.

<sup>13</sup>Mark Twain, *The Autobiography of Mark Twain* (London: Chatto & Windus, 1960), p. 149.

<sup>14</sup>Diane M. Nelson, ‘Bonesetting: The Algebra of Genocide’, *Journal of Genocide Research*, 18: 2–3 (2016), pp. 171–87.

<sup>15</sup>Graham Denyer Willis, *The Killing Consensus: Police, Organized Crime, and the Regulation of Life and Death in Urban Brazil* (Oakland, CA: University of California Press, 2015), pp. 34–6.

<sup>16</sup>Graham Denyer Willis, ‘Before the Body Count: Homicide Statistics and Everyday Security in Latin America’, *Journal of Latin American Studies*, 49: 1 (2017), p. 32.

<sup>17</sup>Francisco Javier Bautista Lara, *Policía, seguridad ciudadana y violencia en Nicaragua: Breves ensayos y un testimonio* (Managua: PAVSA, 2004); Aminta Granera Sacasa and Sergio J. Cuarezma Terán, *Evolución del delito en Nicaragua (1980–1995)* (Managua: Editorial UCA, 1997).

Police was reported to be completely absent from 21 per cent of the country's then-146 municipalities,<sup>18</sup> and it was not until 2013 that the institution claimed that all municipalities now had at least one (mobile) police squad. Similarly, the Pan American Health Organization (PAHO) estimated that more than 50 per cent of all mortalities in Nicaragua in 1995 were not registered due to deficient record-keeping by hospitals and morgues.<sup>19</sup>

Secondly, there are marked discrepancies between Nicaraguan Police statistics and those of other organisations, both national and international, particularly with regard to homicides, as Figure 1 highlights well. The Instituto de Medicina Legal (Institute of Forensic Medicine, a public body subject to the Supreme Court), the PAHO and the World Health Organization (WHO) all have their own data collection channels, but even those organisations that rely on Nicaraguan Police statistics, such as the International Criminal Police Organization (INTERPOL), show marked discrepancies. The latter for example recorded that 1,157 homicides were 'known to the police' in Nicaragua in 1998, compared to the officially published Nicaraguan Police figures of 381 homicides and 180 murders in the first degree – amounting to less than half the 'known' number.<sup>20</sup> There are also contradictions when official crime statistics are viewed more generally, insofar as the levels and changes in rates of other violent crime such as rape, for example, which generally track those of homicides, both world-wide and in other Central American countries, do not do so in Nicaragua. Roberto Orozco, for example, notes how while Nicaragua's official homicide rate is very low, this is not the case with its levels of sexual violence, which were three times higher in 2012 than in Honduras, where levels of sexual violence were half the homicide rate in the same year. Similar discrepancies can also be noted in relation to other forms of violent crime, including armed robbery, for example.<sup>21</sup>

While these examples point to the fact that homicide and other crime statistics in Nicaragua are probably manipulated, the more important issue is that these manipulated statistics have been widely used to buttress the narrative that Nicaragua is 'the safest country in Central America', at least in part to attract foreign investment, retirees and tourism. Certainly, this association was frequently explicitly made by former President Enrique Bolaños (2002–7) in speeches,<sup>22</sup> but all post-1990 governments in Nicaragua have attempted to project fighting crime and insecurity successfully as a major element of their political action. Consequently, they have generally preferred to release 'positive' – that is, low –

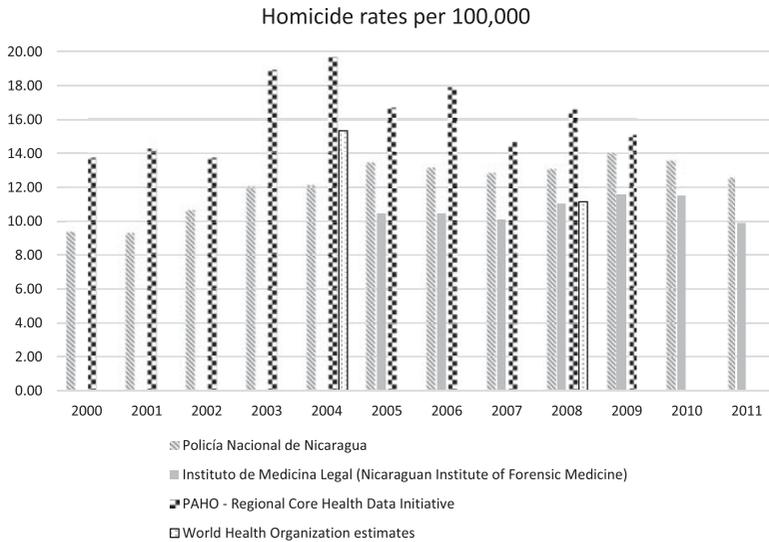
<sup>18</sup>Roberto J. Cajina, 'Nicaragua: De la seguridad del Estado a la inseguridad ciudadana', in Andrés Serbin and Diego Ferreyra (eds.), *Gobernabilidad democrática y seguridad ciudadana en Centroamérica: El caso de Nicaragua* (Managua: CRIES, 2000), p. 174.

<sup>19</sup>PAHO, *Health in the Americas, 1998 Edition*, vol. 2 (Washington, DC: PAHO, 1998), p. 384.

<sup>20</sup>INTERPOL, *International Crime Statistics 1998* (Lyon: INTERPOL, 1999); Policía Nacional de Nicaragua, *Anuario estadístico 1999* (Managua: Dirección General, Policía Nacional, 2000), p. 34.

<sup>21</sup>Roberto Orozco, '¿El país más seguro de Centroamérica? La politización de las instituciones es el mayor riesgo a nuestra seguridad', *Envío*, 390 (2014): <https://www.envio.org.ni/articulo/4888>.

<sup>22</sup>E.g. Enrique Bolaños, 'Discurso del Presidente de Nicaragua Enrique Bolaños-Geyer ante la Asociación de Cámaras de Comercio Americanas en Latinoamérica, Washington, D.C. – 9 de mayo de 2002': <https://sajurin.enriquebolanos.org/docs/Washington%20-%20EBG%20en%20AMCHAM%20-%202009%20May%202002.pdf>.



**Figure 1.** Inconsistent Homicide Data for Nicaragua, 2000–11

Source: Rocha and Rodgers, 'Turning Points', p. 49.

crime statistics, to bolster claims to have eradicated (youth) gangs and drug trafficking. This approach has however sometimes led government and police officials to contradict themselves, for example when they prioritise crime suppression and argue before the National Assembly that it is necessary to increase the annual police budget despite official data suggesting that crime is not a significant problem, or when they proclaim the country to be safer than the rest of Central America but make citizen security a key policy focus.<sup>23</sup> Many of the analyses based on official statistics and sources have moreover claimed that these prove the efficiency of the Nicaraguan criminal justice system in addressing violent crime, specifically crediting the National Police and its communitarian policing 'model' with exceptional success in reducing gang and drug-related violence and crime.<sup>24</sup>

Ethnographic studies carried out over the past three decades on the topics of gang and drug-related violence certainly paint a different reality. Dennis Rodgers' ongoing longitudinal research in barrio Luis Fanor Hernández since 1996, and José Luis Rocha's in Reparto Schick since 1999, both point to the ubiquity of gangs and other drug-related criminal actors, as well as significant social

<sup>23</sup>Ministerio de Gobernación (Nicaragua) and Programa de las Naciones Unidas para el Desarrollo (UN Development Program, PNUD), 'Diagnóstico de seguridad ciudadana en Nicaragua', Managua, 29 July 2002: <https://www.enriquebolanos.org/media/informe/Diagnostico%20%20Seg%20Ciudadana.pdf>; Julianne Weegels, "'The Terror and Scourge of the Barrio': Representations of Youth Crime and Policing on Nicaraguan Television News', *Journal of Latin American Studies*, 50: 4 (2018), pp. 861–87.

<sup>24</sup>E.g. Bautista Lara, 'La utopía posible de la nueva policía'; *Policía, seguridad ciudadana y violencia*; Edwin Castro Rivera, 'Modelo policial comunitario proactivo de Nicaragua: Realidad social y realidad jurídica', *Cuadernos de Investigación Jurídica*, 2: 4 (2012), pp. 2–67; Bernardo Kliksberg, 'La falacia de la mano dura', *Nueva Sociedad*, 215 (May–June 2008): <https://www.nuso.org/articulo/la-falacia-de-la-mano-dura/>; Schrader, 'Nicaragua'; Yashar, *Homicidal Ecologies*.

concerns with crime and delinquency in urban Nicaragua.<sup>25</sup> This has also been the case with various one-off studies of other Managua neighbourhoods, for example by Juan Carlos Núñez in 1992–3, Peter-Jan Vermeij in 2005 and Paola Bolognesi in 2008.<sup>26</sup> These concerns are not restricted to the capital city, as is shown both by Julienne Weegels' multi-site research conducted from 2009 onwards with prisoners and former prisoners of three prison facilities across the country and by Jennifer Goett's research on the Atlantic Coast.<sup>27</sup>

Moreover, while gangs (*pandillas*) and homicides have become taboo categories in Nicaraguan political discourse – made officially invisible in police reports through the promulgation of vague, amorphous forms of classification such as 'at-risk youth' and 'delinquent elements' – they are a permanent feature in the media, where 'gang-like' actors are reportedly involved not only in a range of petty crimes such as theft and mugging, but also in armed robbery, drug dealing and trafficking, and murder.<sup>28</sup> Seen from this perspective, the political economy of violence is certainly more complex than official statistics let on.

This leads us back to our main concern with the misuse of homicide statistics and categorisations of people involved in crime, which is that they are widely used as an *indicator* of the Nicaraguan state's effectiveness, the lack of gang presence and the successful combatting of drug-related crime – that is, as 'an epistemological buttress' for Nicaragua's myth of exceptionalism. This has led not only to a skewed conception of the nature of (violent) crime in Nicaragua, reiterated constantly through the association of high homicide rates with the territorial presence of organised criminal groups (as is the case in Central America's Northern Triangle), but also to the widespread misconception that low homicide rates indicate an *absence* of such groups and (almost naturally) the presence of an *effective*

<sup>25</sup>Luis Fanor Hernández' is a pseudonym. Rodgers, 'Living in the Shadow of Death'; 'Bróderes in Arms'; 'The Moral Economy of Murder: Violence, Death, and Social Order in Nicaragua', in Javier Auyero, Philippe Bourgois and Nancy Scheper-Hughes (eds.), *Violence at the Urban Margins* (Oxford: Oxford University Press, 2015), pp. 21–40. Rocha, 'En el barrio está el método'; 'The *Traído*: A Key to Youth Gang Continuity', *Envío*, 288 (2005): [www.envio.org.ni/articulo/2990](http://www.envio.org.ni/articulo/2990); 'From Telescopic to Microscopic: Three Youth Gang Members Speak', *Envío*, 311 (2007): [www.envio.org.ni/articulo/3576](http://www.envio.org.ni/articulo/3576).

<sup>26</sup>Juan Carlos Núñez, *De la ciudad al barrio: Redes y tejidos urbanos en Guatemala, El Salvador y Nicaragua* (Guatemala City: Universidad Rafael Landívar, 1996); Peter-Jan Vermeij, 'That's Life/Así es la Vida: Community Perceptions of Informality, Violence, and Fear in Two Spontaneous Human Settlements in Managua, Nicaragua', MA diss., Utrecht University, 2006; Paola Bolognesi, 'Il recupero dei *pandilleros* da parte di una chiesa evangelica pentecostale a Managua, Nicaragua', BA diss., University of Bologna, 2009.

<sup>27</sup>Weegels, 'Performing Prison'; 'El sistema, la policía y la política vistos desde adentro: Un acercamiento al Estado carcelario nicaragüense de cara a la represión', *Estudios Centroamericanos*, 74: 756 (2019), pp. 147–72; 'Prison Riots in Nicaragua: Negotiating Co-Governance amid Creative Violence and Public Secrecy', *International Criminal Justice Review*, 30: 1 (2020), pp. 61–82. Jennifer Goett, 'Citizens or Anticitizens? Afro-Descendants and Counternarcotics Policing in Multicultural Nicaragua', *Latin American and Caribbean Anthropology*, 16: 2 (2011), pp. 354–79; 'Securing Social Difference: Militarization and Sexual Violence in an Afro-Nicaraguan Community', *American Ethnologist*, 42: 3 (2015), pp. 475–89.

<sup>28</sup>See José Luis Rocha, 'Why no Maras in Nicaragua?', *Envío*, 301 (2006): <http://www.envio.org.ni/articulo/3351>; Weegels, 'The Terror and Scourge of the Barrio'. Media reporting on crime and insecurity is of course not necessarily accurate, particularly in Nicaragua – see Sebastian Huhn, Anika Oettler and Peter Peetz, 'Contemporary Discourses on Violence in Central American Newspapers', *The International Communication Gazette*, 71: 4 (2009), pp. 243–61.

criminal justice system. While homicide rates can indeed be particularly high due to *conflict* between organised criminal groups (and/or such groups and the state), further fostered by a climate of impunity in which the state is either incapable or simply not interested in resolving the overwhelming number of murders,<sup>29</sup> the reverse does not necessarily hold for countries with lower homicide rates. There are numerous countries with high levels of drug-production, trafficking and/or organised crime, yet (very) low homicide rates, like, for example, the Netherlands and Bolivia. While a host of other factors are obviously at play in such contexts, the point is that low homicide levels *do not necessarily* indicate the absence of organised criminal groups and illicit markets, but can rather indicate a consolidated or hegemonic control over them, which makes (lethal) violence less necessary and attractive.<sup>30</sup> Following this logic, we contend that it is therefore not only a mistake to take Nicaragua's homicide statistics at face value, but even more so to assume that these lower-than-regional rates indicate an *absence* of organised criminal groups and illicit markets, as well as, perhaps more importantly, the presence of an effective criminal justice system.

### Crime, Gangs and Drugs in Nicaragua

Contrary to the image often circulated about the country, in ethnographic investigations *pandillas* are frequently described as the major source of insecurity in Nicaragua, and they have also been regularly identified as such in various opinion polls on the topic. For example, a 1999 survey conducted by the Nicaraguan NGO Ética y Transparencia found that 50 per cent of respondents identified gangs as the principal threat to their personal security.<sup>31</sup> More than a decade later, the 2011 Citizen Security Perception Survey carried out by the Managua-based Instituto de Estudios Estratégicos y Políticas Públicas (Institute of Strategic Studies and Public Policies, IEEPP) found that almost 60 per cent of respondents considered gangs the most important security threat in Nicaragua.<sup>32</sup> Yet while our research confirms the sociologically significant role of *pandillas*, it also highlights that this has waxed and waned over the past three decades, mainly due to the impact of the emergence of the drug trade in the country.<sup>33</sup> Certainly, over the past two

<sup>29</sup>Kees Koonings and Dirk Kruijt (eds.), *Armed Actors: Organized Violence and State Failure in Latin America* (London: Zed Books, 2004); Dennis Rodgers, 'The State as a Gang: Conceptualizing the Governmentality of Violence in Contemporary Nicaragua', *Critique of Anthropology*, 26: 3 (2006), pp. 315–30.

<sup>30</sup>See Enrique Desmond Arias, *Criminal Enterprises and Governance in Latin America and the Caribbean* (Cambridge: Cambridge University Press, 2017); Richard Snyder and Angelica Duran-Martinez, 'Does Illegality Breed Violence? Drug Trafficking and State-Sponsored Protection Rackets', *Crime, Law and Social Change*, 52: 3 (2009), pp. 253–73; Laura R. Blume, 'Collusion, Co-Optation, or Evasion: The Politics of Drug Trafficking Violence in Central America', *Comparative Political Studies*, 55: 8 (2022), pp. 1366–1402.

<sup>31</sup>Grupo Cívico Ética y Transparencia, 'Informe: consulta ciudadana – seguridad ciudadana y policía', Managua, May 1999 (cited in Cajina, 'Nicaragua', p. 177).

<sup>32</sup>Roberto Orozco, *IV encuesta sobre percepción de la seguridad ciudadana* (Managua: Instituto de Estudios Estratégicos y Políticas Públicas, 2012), p. 8.

<sup>33</sup>Dennis Rodgers and José Luis Rocha, 'Turning Points: Gang Evolution in Nicaragua', in Small Arms Survey (Geneva) (ed.), *Small Arms Survey 2013: Everyday Dangers* (Cambridge: Cambridge University Press, 2013), pp. 46–73.

decades, Nicaragua's internal drug market has grown significantly, as has its role in the international drug trade. As a result, *pandillas* have been displaced by – or in some cases transformed into – drug-dealing and/or drug-trafficking organisations (*bandas* or *cartelitos*).

There is a real tendency in gang research in Central America (and elsewhere) to approach gangs as rather static phenomena, when scholars around the world have highlighted how one of their most basic characteristics is that they are extremely volatile social institutions that can radically mutate.<sup>34</sup> This has definitely been the case with Nicaraguan *pandillas*, particularly in the post-revolutionary period, which saw an unprecedented explosion in the phenomenon.<sup>35</sup> The primary motivation for the violence of these gangs was initially mainly vigilante in nature, as they aimed to protect their families and local neighbourhoods. Gang violence revolved principally around semi-ritualised forms of warfare,<sup>36</sup> which functionally provided an ontological framework to dampen the 'all-pervading unpredictability' of violence.<sup>37</sup> *Pandillas* changed radically with the turn of the century, however, shifting from vigilante institutions to more parochial, predatory and feared organisations within their own neighbourhoods.

To a large extent this transformation occurred due to the spread of cocaine in Nicaragua, whose consumption in the form of 'crack' became a major element of gang culture. Although gang members in the early and mid-1990s consumed drugs, they mainly either smoked marijuana or sniffed glue.<sup>38</sup> Unlike those drugs, crack cocaine makes its users aggressive, violent and unpredictable, and its consumption was directly related to a rise in spontaneous, random attacks against local inhabitants by addicted gang members looking to obtain money for their next fix. Contrarily to the past, these gangs actively targeted local neighbourhood inhabitants, thereby generating a widespread and tangibly heightened sense of fear in Nicaraguan cities during the early 2000s.<sup>39</sup>

The fact that drugs played a significant role in the intensification of *pandilla* violence in the early 2000s clearly undermines the widespread notion that drugs bypass Nicaragua.<sup>40</sup> Even though drugs are a relatively recent phenomenon in Nicaragua, due to its location along the Central American land-route to the north and its proximity to the Colombian island of San Andrés, it is geographically a natural trans-shipment point. Still, the country was under-exploited until the turn of the century because transport infrastructure was very poor and traffic slight, making it difficult to slip drug shipments through. In late 1998, Nicaragua was devastated by Hurricane Mitch, which inflicted major infrastructural damage and

<sup>34</sup>Jennifer M. Hazen and Dennis Rodgers (eds.), *Global Gangs: Street Violence across the World* (Minneapolis, MN: University of Minnesota Press, 2014).

<sup>35</sup>See Núñez, *De la ciudad al barrio*, pp. 245–50; Rodgers, 'Living in the Shadow of Death', p. 273.

<sup>36</sup>Rodgers, 'Living in the Shadow of Death'; Rocha, *Lanzando piedras, fumando 'piedras'*.

<sup>37</sup>Hannah Arendt, *On Violence* (New York: Harcourt Brace & World, 1969), p. 5.

<sup>38</sup>Hans van Heijningen and Bob van der Winden, *Sniffing Glue: Life in Managua's Dead-End Street* (Managua: Asociación TESIS, 1998).

<sup>39</sup>Rodgers, 'The Moral Economy of Murder'; Rocha, *Lanzando piedras, fumando 'piedras'*.

<sup>40</sup>See also Katie Jones, 'Nicaragua not Spared as Cocaine Flows through Central America', *InSight Crime*, 29 Oct. 2020, <https://insightcrime.org/news/analysis/nicaragua-cocaine-flows/>; Blume, 'Collusion, Co-optation, or Evasion'.

a drain on resources. This negatively affected the already limited capabilities of law-enforcement institutions at the time, thereby facilitating the importation of drugs, while post-Mitch reconstruction efforts in turn focused largely on rebuilding transport links, improving these substantially, which had the knock-on effect of increasing the volume of traffic through the country, making the moving of drug shipments easier. As a result, a significant proportion of the land-based south-north drug trade has been transiting through Nicaragua since the early 2000s, estimated by the United Nations Office on Drugs and Crime (UNODC) at a volume of at least 140 metric tonnes per annum.<sup>41</sup>

On the ground, drug trafficking was initially very *ad hoc* and decentralised. It involved the rise of local organisations on the Atlantic and Pacific coasts, which haphazardly aided international transportation, and later began organising transportation and dealing drugs internally too.<sup>42</sup> On the Pacific coast, it was often local *pandillas* or former *pandilleros* who constituted local ‘violence specialists’, and therefore had a comparative advantage for drug dealing, who began marketing (crack) cocaine internally. Over time, however, as more solid routes were established, there was an increasing professionalisation of the drug trade and, by the end of the 2000s, *pandilla* involvement declined in the face of the emergence of what were locally termed *cartelitos*. These were partly successor organisations to drug-dealing *pandillas*, although they did not only involve young people and moreover not all members came from the same neighbourhood. They also tended to display a far greater degree of professionalism in their drug-related activities than *pandillas*, to the extent that they can actually be considered closer to organised criminal groups than street gangs. *Cartelitos* rapidly began to develop contacts with Mexican and Colombian drug cartels and, partly as a result, they significantly reduced their involvement in local drug-dealing activities and refocused on drug-trafficking instead (due to the much higher profits to be made from this latter activity). This led to a period of heightened violence in Nicaragua – perhaps best epitomised by a spate of drug cartel-style killings in 2010 – as *cartelitos* fought each other in order to achieve control over routes and territory. This lethal violence died down quite suddenly once the different factions were whittled down to a smaller number, each controlling different agreed-upon shares of the drug trade.<sup>43</sup>

As mentioned previously, there is nothing inherently violent about illicit markets, including the drug trade. Violence is generally a result of conflict over market shares and territorial dominance, and if these can be agreed upon or divided up in a consensual, or at least mutually acceptable manner, levels of violence will decline.<sup>44</sup>

<sup>41</sup>UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment* (Vienna: UNODC, 2012), p. 43. This is probably a gross underestimation.

<sup>42</sup>Philip A. Dennis, ‘Cocaine in Miskitu villages’, *Ethnology*, 42: 2 (2003), pp. 161–72; Mark Jamieson, ‘Cocaine Money, Cement Houses, and New Residential Arrangements in a Coastal Miskitu Village’, in Luciano Baracco (ed.), *Indigenous Struggles for Autonomy: The Caribbean Coast of Nicaragua* (Lanham, MD: Lexington Books, 2019), pp. 181–99.

<sup>43</sup>Dennis Rodgers, ‘Drug Booms and Busts: Poverty and Prosperity in a Nicaraguan Narco-Barrio’, *Third World Quarterly*, 39: 2 (2018), pp. 261–76.

<sup>44</sup>Blume, ‘Collusion, Co-Optation, or Evasion’; Jean Daudelin and José Luiz Ratton, *Illegal Markets, Violence and Inequality: Evidence from a Brazilian Metropolis* (Cham: Palgrave Macmillan, 2018); Snyder and Duran-Martinez, ‘Does Illegality Breed Violence?’

The wild card in relation to such agreements, however, is usually the state, which is generally seen to intervene as a ‘spoiler’. Certainly, this is the pervasive narrative about Nicaragua, which effectively argues that the drug trade bypasses Nicaragua because it has a strong state, including in particular an efficient police and judiciary that successfully interdict drug trafficking, arguing that this is why there is less drug-related violence in Nicaragua compared to the rest of Central America.<sup>45</sup> While the state is certainly one of the main reasons why the drug trade in Nicaragua has become less violent, this is not because the state is more efficient but rather because the links between the state and the drug trade are perhaps closer than in other places, to the extent that Nicaragua can plausibly be characterised as a ‘mafia state’, with the current government hegemonically dominating and organising various state, political and criminal actors around the drug trade and other illicit markets, laundering money and investing in infrastructural development.<sup>46</sup> As Moisés Naím has noted, ‘[i]n a mafia state, high government officials actually become integral players in, if not the leaders of, criminal enterprises, and the defence and promotion of those enterprises’ businesses become official priorities’, thus inextricably entwining ‘the national interest and the interests of organised crime’.<sup>47</sup> We hold that this is definitely the case in Nicaragua and arguably goes even further, as the centralisation of the state under the current Sandinista government, the increasing executive control over the police and judiciary, as well as the expansion of the drug trade all come together in a very particular way, producing a ‘drug settlement’, as the following sections detail.

### State ‘Efficiency’ and the Drug Trade: Police and Judicial Corruption

Our research has shown how the Nicaraguan Police’s much-lauded communitarian ‘model’ is much more symbolic and performative than substantive in nature, and very much a discursive projection.<sup>48</sup> Certainly, during the early and mid-1990s, the police rarely entered poor urban neighbourhoods in Nicaraguan cities, largely due to the fact that the violence there remained localised and tended not to spill over into richer areas, but also because gangs frequently out-gunned the police. From the late 1990s until about 2005, however, the emergent drug economy led to violence spreading throughout the city and affecting rich neighbourhoods. To contain this growth, the police budget was increased,<sup>49</sup> and a form of ‘spectacular’

<sup>45</sup>E.g. Schrader, ‘Nicaragua’.

<sup>46</sup>Moisés Naím, ‘Mafia States: Organized Crime Takes Office’, *Foreign Affairs*, 91: 3 (2012), pp. 100–11.

<sup>47</sup>*Ibid.*, p. 101.

<sup>48</sup>See Rocha, ‘Mapping the Labyrinth with Within’; Rodgers, ‘The State as a Gang’; Weegels, ‘The Terror and Scourge of the Barrio’.

<sup>49</sup>The Nicaraguan Police budget increased from US\$26.7 million in 2001 to US\$44 million 2010 to US\$166 million in 2020 (PNUD, *Seguridad Ciudadana 1998–2010, Nicaragua: Riesgos, retos y oportunidades* (Managua: PNUD, 2011), p. 55; Eduardo Pérez, ‘Policía Nacional recibirá presupuesto de 5 mil 800 millones de córdobas para el 2020’, *La Jornada*, 11 Dec. 2019: <https://lajornadanet.com/index.php/2019/12/11/policia-nacional-recibir-a-presupuesto-de-5-mil-800-millones-de-cordobas-para-el-2020/>). Similarly, the number of police personnel increased from 8,815 in 2006 to 14,009 in 2016 (Ministerio de Hacienda, *Presupuesto General de la República*, Managua: Nicaragua, 2005–16). (The Nicaraguan Treasury documents are available at <http://www.hacienda.gob.ni/documentos/presupuesto/presupuesto-gral.-de-la-republica>; this site is blocked to European IP addresses.)

policing was implemented, with officers entering poor neighbourhoods – portrayed as sources of urban insecurity – in an arbitrary and intimidating manner, heavily armed and wearing riot gear, and more often than not specifically targeting young people.<sup>50</sup> This occurred in tandem with the spatial isolation of poor neighbourhoods through major infrastructural transformations, explicitly in order to ‘push’ violence back into poor neighbourhoods.<sup>51</sup>

This new approach led to an increasing engagement with drug dealers. The police were initially confrontational but rapidly became accommodating, to the extent that some *cartelitos* would pay corrupt police officers to bust rival drug-dealing groups as they jostled for market domination.<sup>52</sup> Predominant patterns of policing changed again around 2005, partly due to the institutionalisation of corruption between the *cartelitos* and the police after the former ceased their inter-necine fighting. From the late 2000s and early 2010s, small substations were built in many urban neighbourhoods and suburban areas, as a part of the nascent communitarian policing approach. While this was supposedly done to maintain a permanent police presence, apprehension and local pre-trial detention were in practice deployed as a form of extra-legal punishment and additional source of police income, as apprehended delinquent youths and drug dealers were largely released within hours or days of their arrest, mostly after their families ‘negotiated’ an arrangement (bribe) with the *jefe de sector* or police commissioner. This threat and reality of recurrent apprehension, facilitated by the by-then-institutionalised community policing model focus on maintaining close community ties, was compounded by the implementation of an extensive anti-drug campaign (Plan Coraza Popular) starting in 2012. This meant that many involved in drug dealing were pushed to engage in new and recurring extra-legal arrangements with the police to avoid arrest and prosecution.<sup>53</sup>

In the two cities where Weegels conducted the majority of her prisons research – one on the Pacific coast and the other in the north – (formerly) imprisoned drug dealers explained how the police became central to the maintenance of the cities’ drug economies. Aided by increased institutional funding to gear up their territorial presence and numbers,<sup>54</sup> largely without accompanying mechanisms of institutional accountability (neither internally or externally, as the police fell under the direct control of the presidency in 2014), the police came to hold significant discretionary power over whom to target for arrest, whom to push through to prosecution, and whom to ‘let off the hook’. Levying this increased discretionary power, various police officers and commissioners successfully curated networks of ‘cooperative’ drug dealers by selectively directing violence and ‘the law’ at those uninterested in ‘negotiating’ arrangements with them, and protecting from prosecution those they collaborated with and, in some cases, providing them with drugs to sell.

<sup>50</sup>Rodgers, ‘The State as a Gang’.

<sup>51</sup>Dennis Rodgers, ‘“Disembedding” the City: Crime, Insecurity and Spatial Organization in Managua, Nicaragua’, *Environment and Urbanization*, 16: 2 (2004), pp. 113–24; ‘Hausmannization in the Tropics: Abject Urbanism and Infrastructural Violence in Nicaragua’, *Ethnography*, 13: 4 (2012), pp. 13–38.

<sup>52</sup>Rodgers, ‘Drug Booms and Busts’.

<sup>53</sup>Weegels, ‘The Terror and Scourge of the Barrio’; ‘Performing Prison’.

<sup>54</sup>See footnote 49.

While it is notoriously difficult (and dangerous) to obtain precise and reliable data on the authorities' involvement in the drug trade, the coincidence of stories from respondents in our respective studies over different periods of time and research locations, compounded by the extensive detail provided by a number of our respondents about various instances of police and prison authority involvement in the drug trade both inside and outside of prison, supports our assertion that the Nicaraguan authorities effectively shape the contours and even contents of the drug market (in terms of which drugs are sold) through both pervasive corruption and selective, high-violence interventions.<sup>55</sup> When seen from this perspective, narcotics policing arguably emerges as part of what we term the 'drug settlement', to which the Nicaraguan state is a fully signed-up party.

The above is compounded by the Nicaraguan state's narratives of success against drug trafficking. Widely reported in the media, and even commended by the US Drug Enforcement Administration as well as the US Embassy in Nicaragua,<sup>56</sup> these successes are actually rather minor when considered in relation to the volume of cocaine that is thought to be going through Nicaragua – estimated by UNODC as mentioned above at approximately 140 tonnes annually and rising since 2007.<sup>57</sup> Though this is less than half the amount of cocaine estimated to transit through Guatemala, and only slightly more than what is estimated to transit through neighbouring Costa Rica, the estimated value of this trade makes up 14 per cent of the country's GDP (the highest estimated proportion in Central America), giving traffickers disproportionate economic power and thus potential leverage over the state apparatus.<sup>58</sup> On average, the Nicaraguan state has managed to confiscate only between 6 and 9 tonnes of cocaine per year since 2007, moreover with a generally downward trend – from over 14 tonnes in 2008 to less than 4 tonnes in 2018.<sup>59</sup> Some researchers have claimed that this decline indicates the success of Nicaragua's anti-drug policies,<sup>60</sup> but another – and in our opinion, much more plausible – interpretation relates not to the putative efficiency of Nicaraguan policing and judicial institutions, but rather to their collusion with the drug trade.<sup>61</sup> Importantly, reported incidents point not only to the police's, but also to the penitentiary system's and the judiciary's likely involvement in the trade.

For example, in its *2010 International Narcotics Control Strategy Report*, the US State Department highlighted Nicaragua's Supreme Court as one of the most

<sup>55</sup>E.g. José Luis Rocha, 'Violencia juvenil y orden social en el Reparto Schick: Juventud marginada y relación con el Estado', Discussion Paper no. IDB-DP-308, Inter-American Development Bank, [Washington, DC], 2013; Dennis Rodgers, 'Critique of Urban Violence: Bismarckian Transformations in Contemporary Nicaragua', *Theory, Culture, and Society*, 33: 7–8 (2016), pp. 85–109; and Weegels, 'The Terror and Scourge of the Barrio'.

<sup>56</sup>Lucydalia Baca Castellón, 'EE.UU. reitera apoyo al país', *La Prensa*, 14 Sept. 2016: <http://www.laprensa.com.ni/2016/09/14/nacionales/2100398-lucha-contra-el-narcotrafico-ee-uu-reitera-apoyo-al-pais>.

<sup>57</sup>UNODC, *Transnational Organized Crime in Central America and the Caribbean*, p. 43.

<sup>58</sup>*Ibid.*

<sup>59</sup>Policía Nacional de Nicaragua, *Anuario estadístico 2018* (Managua: Dirección General, Policía Nacional, 2019), p. 25. The crack confiscation levels are suspiciously low, ranging from only 3 kg to 7.5 kg per year (*ibid.*, p. 26). Just as with homicide statistics, it is clear that police drug confiscation data are unreliable.

<sup>60</sup>Schrader, 'Nicaragua'; Yashar, *Homicidal Ecologies*.

<sup>61</sup>See also Blume, 'Collusion, Co-Optation, or Evasion'.

worrying impediments to the implementation of anti-drug operations in the country, due to its habit of disposing of money and other assets confiscated from drug traffickers at the Court's discretion, rather than in respect of the law stipulating that such assets should be equally distributed between the 'NNP [Nicaraguan National Police], the Ministry of Health, and the National Council for the Fight Against Drugs, the Penitentiary System, and various non-governmental organizations associated with drug rehabilitation'. Certainly, there have been multiple instances where justices of the Supreme Court have attributed the confiscated vehicles of drug traffickers to themselves.<sup>62</sup> In 2015, Weegels' research with (former) prisoners, many of whom were convicted of drug-related crimes, pointed to the systemic corruption of state officials up and down the criminal justice chain. Her interlocutors repeatedly noted how police officers requested bribes in exchange for dropping charges or, when that was not possible, how district attorneys or local judges accepted (or demanded) bribes in exchange for release or lesser sentences.<sup>63</sup> In some cases, this included collusion between state officials from the police, the judiciary and the detainee to under-report the amount of money or drugs seized from the latter. One of Weegels' research participants was for example arrested with 3 ounces (100 g) of cocaine and US\$1,000 cash, but ended up serving time for possessing less than 1 ounce; the cash did not feature in his sentence.<sup>64</sup> Others claimed to have been 'thrown under the bus' by their supplier and arrested with only a '*puchito*' (a small quantity of drugs) so that a larger shipment could pass through unimpeded to the Honduran border.<sup>65</sup> This way, they held, the police could show they were 'combatting drugs' internally, while colluding with larger players over international drug transportation, especially along the Pan-American highway.

In spite of heavy anti-drug campaigning by the police under the banner of Plan Coraza and the 'proactive' communitarian policing model – especially by the Juvenile Affairs, Antinarcotics and Special Operations Divisions – similar patterns of corruption can be observed between local police and drug dealers catering to the internal market. Indeed, this corruption has been institutionalised to such an extent that one might better speak of collusion, with some police officers actively seeking to set up a working relationship with drug dealers. This was for example what happened in the case of a dealer ('Ronnie') in Managua whom Rodgers talked to in February 2020,<sup>66</sup> who explained how, after being caught in a sting operation and negotiating to pay to be released, the arresting police officer said to him: 'Why don't you come and work with us? There's a guy on your street who works with us, who tells us everything. Why don't you [too]? We'll pay you instead of you paying us. It's better, because otherwise we're going to crack down on you properly soon, and you'll go to prison for a long time.' Ronnie jokingly replied, 'No, no,

<sup>62</sup>US Department of State, *International Narcotics Control Strategy Report March 2010*, vol. 1: *Drug and Chemical Control*, p. 472 (Washington, DC: US Department of State, 2007): <https://2009-2017.state.gov/documents/organization/137411.pdf>.

<sup>63</sup>Weegels, 'Performing Prison' and follow-up interview notes 2019, 2021. Such behaviour was also reported by several of Rodgers' interlocutors (interviews with Bismarck, 2014 and 2016; Jader, 2020; and Jorge, 2020 – NB: all interviewees' names are pseudonyms).

<sup>64</sup>Weegels, fieldnotes, 2015.

<sup>65</sup>Weegels, 'Performing Prison'.

<sup>66</sup>Rodgers, fieldnotes, 2020.

don't worry, I'm fine, I'll be careful, and I'll make sure that if I'm taken in again it'll be by you, so I can pay you off again.'

Similarly, one of Weegels' interlocutors, in a city on the Pacific Coast, reported how, during his interrogation, police officers attempted to coerce him into revealing the name of his supplier, not because they were interested in actually arresting and charging this person, but because if they knew who s/he was they could establish a working relationship with them: 'This is how they [the police] work – they know where there's *puchitos* there's an ounce, where there's an ounce there's a kilo, and that's where it gets interesting, because where there's a kilo there's multiple kilos, and they want in on that.' Laughing, he then went on to say,

I gave them the name of another supplier and they were like all angry: 'No, not that guy!' – they were already working with him. I knew they had to be, because no way was someone going to be *disparando* (dealing) that quantity of drugs for such a long time without the police being in on it ... I ended up doing two years for a shit quantity because I didn't want to reveal any other names.<sup>67</sup>

He then said that he was later approached repeatedly by a police commissioner and the district attorney to 'pay up' several thousand dollars in exchange for sentence reduction, which he chose not to do: 'Once you start paying there's no saying when it will stop.' He commented of another prisoner at the city police jail, who had his sentence lengthened because police found drugs on him, that 'they were milking him like a cow – they knew he wanted out [of prison] and was close to release, *entonces buscaban cómo ponerle traba* (so they looked for something to block his release), and he just kept on paying'.

These practices of corruption reach well beyond isolated incidents, local police departments and courts, and are also associated with more high-profile cases. For example, the Facundo Cabral murder case – involving a popular Argentine folk singer who was killed in Guatemala City in 2011 during an attack targeting the Nicaraguan businessman Henry Fariñas – highlighted the existence of deeper linkages between the Nicaraguan state and the drug trade. In particular, there existed a close *compadrazgo* (i.e. godparenthood) relationship between Fariñas and Police General Commissioner Carlos Palacios, Director of Investigations and right-hand man of then-General Commissioner and Chief of Police Aminta Granera – which led to Palacios' dismissal; the subsequent investigation brought to light the frequent (and open-bar) visits by police commissioners to night clubs that operated as drug sales points and drug trade headquarters.<sup>68</sup> Similarly, the subsequent court case around Fariñas' death uncovered how the Nicaraguan

<sup>67</sup>Weegels, interview notes, 2021.

<sup>68</sup>Octavio Enriquez, '¿Fariñas tenía un nexo con policía?', *Confidencial*, 29 April 2012; 'Granera retira a Palacios por la puerta grande', *Confidencial*, 8 May 2012; Expediente Abierto, 'Nicaragua Elites and Organized Crime: The Case of Henry Fariñas', *Insight Crime*, 15 July 2021: <https://insightcrime.org/investigations/nicaragua-elites-organized-crime-case-henry-farinas/>. Following the 15 Dec. 2018 raid by the Nicaraguan National Police on *Confidencial's* offices, the periodical's editorial team went into exile and its entire website was changed. This means that we cannot cite the URLs leading to some articles as they no longer work.

Supreme Electoral Council regularly delivered official Nicaraguan IDs to known drug traffickers (both Nicaraguan and non-Nicaraguan), as well as the Nicaraguan judiciary's persistent habit of '*narco-liberaciones*' – releases of drug traffickers.<sup>69</sup>

Indeed, reports by the Nicaraguan online weekly *Confidencial* have highlighted how, compared to other Central American countries, Nicaragua releases the highest number of condemned drug traffickers every year, and moreover does so the fastest.<sup>70</sup> The so-called Televisa case of 2011, when 18 Mexican drug traffickers who entered Nicaragua posing as journalists were sent back to Mexico within a year of being sentenced to periods of between 7 and 14 years, is a case in point.<sup>71</sup> Not all such releases go by the book, however. In January 2010, a Chinandega regional penitentiary director was arrested together with two lawyers and the local director of investigations for releasing three Guatemalan drug traffickers using false judicial release orders.<sup>72</sup>

Weegels' multi-sited and continuing research into Nicaragua's prison system clearly suggests that such practices constitute a broader institutional culture that feeds into the maintenance of a particular nexus between party and state. In 2010, the Wikileaks revelations suggested the FSLN regularly received money 'from international drug traffickers' to finance 'electoral campaigns... usually in return for ordering Sandinista judges to allow traffickers caught by the police and military to go free'.<sup>73</sup> More generally, the public service sector, judicial system and National Police are all considered to be highly politicised and susceptible to corruption. Certainly, Nicaragua has fallen steadily down Transparency International's corruption rankings over the past decade, with the country's corruption perceptions index score – which is based on a range of indicators such as number of cases of bribery of public officials, embezzlement of public funds, use of public office for personal gain, etc., as well as public opinion polls – dropping from an already low 29 out of 100 in 2012 to 19 in 2021.<sup>74</sup> This means Nicaragua currently ranks among the countries with highest perceived corruption levels in Latin America. Indeed, the World Justice Project's *Rule of Law Index 2020* ranked it 28th out of 30 Latin American countries – just above Venezuela and Haiti

<sup>69</sup>Carlos Salinas Maldonado, 'Historias de narco-liberaciones', *Confidencial*, 18 Aug. 2010; 'CSJ permeable a corrupción narco', *Confidencial*, 23 Aug. 2010.

<sup>70</sup>Salinas Maldonado, 'Historias de narco-liberaciones'.

<sup>71</sup>Eduardo Cruz, 'La narconovela de los falsos Televisa', *La Prensa Magazine*, 10 June 2019: <https://www.laprensa.com.ni/magazine/reportaje/la-narconovela-de-los-falsos-televisa>.

<sup>72</sup>Webmaster La Prensa, 'Acusados por liberar a narcos', *La Prensa*, 24 Jan. 2010: <https://www.laprensa.com.ni/2010/01/24/nacionales/14126-acusados-por-liberar-a-narcos>.

<sup>73</sup>BBC, 'Wikileaks: Nicaragua's Ortega "Financed by Drugs Money"', *BBC*, 7 Dec. 2010: <http://www.bbc.com/news/world-latin-america-11934372>. It should be noted that although we are focusing our discussion on police collusion, there is little doubt that the Nicaraguan military are also heavily involved in such behaviour: see Expediente Abierto, 'Nicaragua Elites and Organized Crime: Ted Hayman, the Cocaine Fisherman', *Insight Crime*, 15 July 2021: <https://insightcrime.org/investigations/nicaragua-elites-organized-crime-ted-hayman-cocaine-fisherman/>; Xavier González, 'Ejército ejecuta otro "quiebre" de drogas, pero los narcos "se hacen humo"', *Artículo 66*, 10 July 2021: <https://www.articulo66.com/2021/07/09/ejercito-ejecuta-otro-quiebre-de-drogas-pero-los-narcos-se-hacen-humo/>.

<sup>74</sup>See Transparency International, 'Corruption Perception Index', <https://www.transparency.org/en/cpi/2022>.

– due to the lack of constraints on government powers, improper government influence over the criminal justice system (lowest score in its income rank), partiality of the criminal justice system, and lack of due process – even if it continued to score higher than the regional average on the effective control of crime.<sup>75</sup> To understand this apparent contradiction – intensifying politicisation and corruption of the criminal justice system accompanied by an ostensible ‘effective control of crime’ – it is necessary to take a final step and get to grips with the emergence of the new Sandinista state and the particular governance system that underpins it.

### State Capture and Revolutionary Remains

Following extensive post-war neoliberal state decentralisation efforts between 1990 and 2006, as well as Ortega’s effort to ‘govern from below’ in that period, his return to power marked the beginning of a process of re-centralisation, bringing all state institutions under stricter government (and thus party) influence. The FSLN now holds an absolute majority in the National Assembly and has hegemonic control over all of the country’s 153 municipalities. Aside from this, Ortega retains direct control over almost all state institutions, including the police, military, judiciary and electoral council. This process of state politicisation is reflected in the FSLN’s progressive unsettling of electoral democracy, which was accomplished through a political pact and subsequent co-governance arrangement with the Partido Liberal Constitucionalista (Liberal Constitutionalist Party, PLC, at the time the FSLN’s largest rival). Not only did this pact help lower the electoral threshold in exchange for the freedom of PLC leader Arnoldo Alemán, imprisoned on corruption and embezzlement charges, it also expedited the (related) taking back of control over the country’s judiciary and armed security apparatus.<sup>76</sup> Indeed, Rocha has argued that perhaps the most significant revolutionary legacy is the survival of some of the structures of the General Directorate of State Security that operated out of the Ministry of the Interior during the first revolutionary period to capture and process information and design strategies through which to neutralise opponents.<sup>77</sup> The removal of the Ministry of Governance as a mediator between the executive and the National Police in the 2014 police reform – which established the president as the ‘supreme chief of police’ – is an important example of this process, formalising the significant politicisation of the police force.<sup>78</sup>

The particular governance practices that take place inside the Nicaraguan prison system furthermore provide a valuable entry point for understanding the particular nature of state power in Nicaragua at large. Inside prison, beyond the artificial

<sup>75</sup>World Justice Project, *WJP Rule of Law Index 2020*: [https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2020-Online\\_0.pdf](https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2020-Online_0.pdf); see under Factor 5, ‘Order and security’, p. 28 and *passim*.

<sup>76</sup>Orlando J. Pérez, *Civil-Military Relations in Post-Conflict Societies: Transforming the Role of the Military in Central America* (New York: Routledge, 2015); Thomas W. Walker and Christine J. Wade, *Nicaragua: Emerging from the Shadow of the Eagle* (Boulder, CO: Westview Press, 2017).

<sup>77</sup>Rocha, *Tras el telón rojinegro*.

<sup>78</sup>For background to the reform see Camilo Mejía Giraldo, ‘Nicaragua Police Reforms Could Politicize Security’, *Insight Crime*, 25 July 2014: <https://insightcrime.org/news/analysis/nicaragua-police-reforms-could-politicize-security-forces/>.

boundary between the legal and the illegal, both prisoners and authorities engage in extra-legal governance practices to establish 'quién manda' (who is in charge). The interactions between them define the parameters of a moving power field, which both 'sides' seek to control and (de)legitimise, and through which 'co-governance arrangements' emerge.<sup>79</sup> Prisoners refer to these simply as part of 'el Sistema', a particular system of relations between state and non-state actors through which political power is exerted over and through the Nicaraguan state apparatus – including its executive, legislative, and judicial institutions – manifest in different configurations of (para)state and (para)criminal governance on the ground.

As Charles Tilly has pointed out, even though the state forges a monopoly over the legitimate use of force, this monopoly is hardly ever achieved through merely legal means and is by no means uncontested.<sup>80</sup> In this way, the fact that police and prison authorities in Nicaragua collude with powerful non-state actors (that is, with prisoner leaders and internal prisoner hierarchies) to arrange prison governance, including the workings of illicit prison markets, should not be considered surprising, at least not theoretically. Still, public knowledge of these arrangements constitutes a threat to the perceived moral leadership of state actors over non-state actors on the ground, as the FSLN state projects itself as a *moral* authority, too.<sup>81</sup> As Roger Lancaster has highlighted, much of the political power of the FSLN derives from a sense of 'exemplary authority', linked to notions of sacrifice and egalitarianism, and 'to the extent that the [FSLN] political elite was perceived as enjoying special privileges, its authority was undermined'.<sup>82</sup> In order to maintain their moral authority, state institutions and authorities within the Sandinista state thus attempt to hide their extra-legal side through both the enforcement of a climate of public secrecy and by making particular claims as to their own morality, often over the supposed immorality of their co-governors.

While the Sandinista government has been able to maintain political power and its hold over the state apparatus through its co-governance arrangements, it still poses as a democratic state that is envisioned as representing and guarding a revolutionary, communitarian morality of inclusion and solidarity. In this way, the Sandinista government depends at least in part on its ability to legitimise its political power on the basis of its (discursive) moral preoccupation for the poor and disadvantaged, all the while targeting a particular and expanding segment of this group for exclusion through their portrayal as morally deviant and/or dissident, anti-communitarian, carceral subjects labelled 'persons of police interest'. In neutralising 'threats' (including subversion and criminality) posed by non-state others, it has justified the armed 'protection' of the population. With the increasing organisation of the police along (supposedly) communitarian lines, combined with the expansion in personnel, equipment and infrastructure and the joint party/state surveillance structure (in so-called Consejos de Poder Ciudadano, Citizen Power

<sup>79</sup>Weegels, 'Inside Out'; 'Prison Riots in Nicaragua'.

<sup>80</sup>Charles Tilly, 'War Making and State Making as Organized Crime', in Peter B. Evans, Dietrich Rueschemeyer and Theda Skocpol (eds.), *Bringing the State Back In* (Cambridge: Cambridge University Press, 1985), pp. 169–87.

<sup>81</sup>Weegels, 'Performing Prison'; 'Prison Riots in Nicaragua'; 'Sensing Secrecy'.

<sup>82</sup>Roger N. Lancaster, *Life is Hard: Machismo, Danger, and the Intimacy of Power in Nicaragua* (Berkeley, CA: University of California Press, 1992), pp. 288–9.

Councils, or Gabinetes de la Familia, Family Assemblies), the party/state has furthermore sought to expand both its foothold in and its moral authority over poor neighbourhoods and communities through the projection of its police as ‘moral entrepreneurs’ rather than ‘violence specialists’, effectively hiding the institution’s hybrid face – that is, until the full mobilisation of its security apparatus against the 2018 uprising.

At the same time, the Nicaraguan Police discourse around communitarian policing was a necessary part of a dual strategy. If collusion with drug dealers and repression against *pandillas* – as potential nuisances for *cartelitos* – was the hidden internal strategy, then the communitarian policing narrative was the overt one, both within and outside the country. In particular, it was a platform through which Nicaragua maintained relationships with international aid donors. A particularly good example of this is the way that, until the violent repression of the April 2018 uprising, international aid agencies maintained a strong relationship with the National Police, despite scaling back other aid programmes due to disapproval of the current government’s politics.<sup>83</sup> The promotion of this particular discourse was very successful – not just in terms of attracting security-related aid, but also in relation to its form, insofar as other Central American state institutions tend to receive aid as loans, while the Nicaraguan Police mainly receive direct donations and moreover more institutional rather than project funding, meaning that they have a lot of leeway as to how to spend it.<sup>84</sup> At the same time, the communitarian discourse has served to mask the collusion of the Nicaraguan state with the drug trade.

This generalised ‘drug settlement’ between the Nicaraguan state and organised criminal actors would of course not be possible without broader political approval.<sup>85</sup> At its most basic, contemporary Nicaragua is effectively a neo-clientelist oligarchy. Certainly, the much-vaunted return to power in 2006 of what we might term ‘Sandinismo 2.0’ bears very little comparison to the original, socially transformative version of the 1980s.<sup>86</sup> Even if the personnel – Daniel Ortega, Bayardo Arce, Lenin Cerna, Tomás Borge (until his death), and others – as well as some of the mystique remains unchanged, the FSLN’s electoral return arguably constitutes little more than a wry illustration of Karl Marx’s famous aphorism that ‘great historic facts and personages recur twice ... once as tragedy, and again as farce’.<sup>87</sup> Although the government is lauded for having implemented a plethora of social programmes involving the distribution of both in-kind donations (e.g.

<sup>83</sup>Prevencción de la Violencia Juvenil en Centroamérica (Prevention of Youth Violence in Central America, PREVENIR), *Sistematización: Experiencias de implementación de policía comunitaria en cuatro países de Centroamérica* (San Salvador: Deutsche Gesellschaft für Internationale Zusammenarbeit (German Agency for International Cooperation, GIZ), 2014): [http://ciprevica.org/download/biblioteca\\_virtual/Sistematizaci%C3%B3n\\_buenas%20experiencias\\_PC\(8\).pdf](http://ciprevica.org/download/biblioteca_virtual/Sistematizaci%C3%B3n_buenas%20experiencias_PC(8).pdf).

<sup>84</sup>Rocha, ‘Mapping the Labyrinth from Within’; José Luis Rocha, Ed Brown and Jonathan Cloke, ‘Of Legitimate and Illegitimate Corruption: Bankruptcies in Nicaragua’, *Critical Perspectives on International Business*, 7: 2 (2011), pp. 159–76.

<sup>85</sup>See also Expediente Abierto, ‘Nicaragua Elites and Organized Crime: Introduction’, *Insight Crime*, 15 July 2021: <https://insightcrime.org/investigations/nicaragua-elites-organized-crime-introduction/>.

<sup>86</sup>Collombon and Rodgers, ‘Introduction. *Sandinismo 2.0*’.

<sup>87</sup>Karl Marx, *The Eighteenth Brumaire of Louis Napoleon* (Whitefish, MT: Kessinger, 2004 [1852]), p. 3.

of food, roofing material, ovens, chickens and cows) and conditional cash transfers, their reality is not quite what it may seem. Known as ‘Hambre Zero’ (Zero Hunger), ‘Plan Techo’ (Roofing Plan), ‘Plan Horno’ (Oven Plan), amongst others, these have been promoted as the flagship action of a government supposedly committed to inclusive development and progressive poverty alleviation. In reality, these highly targeted, small-scale, low-intensity programmes have been the basis for the consolidation of the electoral primacy of the FSLN through the re-emergence and consolidation of its neighbourhood councils, which double as a party/state surveillance structure.<sup>88</sup> It is striking that the scope of each of these different programmes is limited and rarely extends beyond 5,000 households (in a country that has over 300,000). They are however a cheaply constituted, ready-made network of households which Sandinista activists can then mobilise at election time in order to vote for the party (and which no other party can access insofar as the FSLN is the only party with a large-scale activist network).

The current FSLN leadership is fully part of the new Nicaraguan elite, more of an economic conglomerate than a political party, as even the most cursory mapping of Nicaraguan business interests will reveal. Certainly, many major Nicaraguan businesses openly belong to FSLN party members, including financial service providers such as Albanisa, Fininsa and Interfin, the Victoria de Julio and Agroinsa sugar refineries, the printing company INPASA, media outlets such as the Canal 4 television station and La Nueva Radio YA, as well as AgriCorp, the biggest distributor of rice and flour in Nicaragua with a US\$100 million turnover.<sup>89</sup> Paradoxically, what has allowed this particular state of affairs to come about is the original Sandinista revolution. As the only successful armed revolution in Central America, it forced the traditional Nicaraguan elite into compromising with and agreeing to an elite political settlement that included the erstwhile revolutionaries – even, on a more intimate level, through the inter-marriage of the revolutionary leadership with the traditional elite.<sup>90</sup> Historically, this political settlement has led to the Nicaraguan ‘pie’ being divided up between the traditional Liberal and Conservative elites and the FSLN elite in a non-competitive manner, which is highly reminiscent of the system put in place under the Somoza dictatorship.<sup>91</sup> Unlike during the 1960s and 1970s, however, there is tragically little space for the imagining of alternative possibilities, whether discursively – because the FSLN party cynically uses revolutionary rhetoric to mobilise its base and effectively

<sup>88</sup> Maya Collombon, ‘Vivre, contrôler, discipliner le quartier: Les comités de pouvoir citoyen au cœur de l’autoritarisme sandiniste’, in Maya Collombon and Lilian Mathieu (eds.), *Dynamiques des tournants autoritaires* (Paris: Éditions du Croquant, 2021), pp. 247–74.

<sup>89</sup> Collombon and Rodgers, ‘Introduction. *Sandinismo 2.0*’. To these can also be added the enterprises and investments associated with the Nicaraguan Military’s Instituto de Previsión Social Militar (Institute for Military Social Welfare, IPSM), that is directly controlled by Daniel Ortega (see Juan Carlos Bow, ‘IPSM: El grupo de negocios del Ejército de Nicaragua’, *Confidencial*, 20 Aug. 2019: <https://www.confidencial.com.ni/especiales/ipsm-el-grupo-de-negocios-del-ejercito/>).

<sup>90</sup> Carlos M. Vilas, ‘Family Affairs: Class, Lineage and Politics in Contemporary Nicaragua’, *Journal of Latin American Studies*, 24: 2 (1992), pp. 309–41.

<sup>91</sup> See Emilio Álvarez Montalván, *Cultura política nicaragüense* (Managua: Colección Presidencial Enrique Bolaños, 2006); Dennis Rodgers, ‘A Symptom Called Managua’, *New Left Review*, 49 (2008), pp. 103–20.

occupy the terrain of utopia – or in practice – as the brutal repression of the 2018 uprising starkly demonstrated.

Under these conditions, it is not surprising that there should be collusion between the contemporary Nicaraguan state and the drug trade, considering the disproportionate capital accumulation opportunities the latter offers, particularly in an economically constrained context such as Nicaragua, and even more so considering the particular governance system underpinning the contemporary state. Drug dealing was pulled into the Nicaraguan elite political settlement as a means of lessening tensions between different factions in the early 2000s. Certainly, it is widely rumoured – and the actions of the government-appointed Nicaraguan judiciary support this – that within the context of the broader elite political settlement and division of the country's economic 'pie', the drug business has principally been assigned as an economic sphere to the FSLN leadership, who were chaffing at the (economic) bit, so to speak, mainly controlling less lucrative activities such as media and free trade zone infrastructure.<sup>92</sup> This allowed the Nicaraguan elite pact to continue without being challenged, but effectively it also means that the contemporary Nicaraguan state has become not only an oligarchic but also a mafia state, whereby its capital assets, including the drug trade, have been divided up between a limited set of elite actors who control the state, and whose economic activity has been collectively organised so as to minimise losses and disruption – e.g. due to social and/or political violence – in an exclusive manner that solely benefits the elite, as is starkly highlighted by the enduring poverty and violence suffered by the Nicaraguan poor.

## Conclusion

Let us begin by first stating clearly what we have *not* claimed in this paper. Firstly, we are not saying that Nicaragua is as violent as Northern Triangle countries in Central America. Secondly, we are not saying that Sandinismo is evil or to blame for the current situation.<sup>93</sup> What we have contended is that the myth of Nicaraguan exceptionalism in relation to its political economy of violence is just that, a myth. Levels of violent and organised crime in Nicaragua are not only higher but also more complex than generally thought, with the country marked by a significant drug trade, in particular. Successive governments have sought to manipulate homicide statistics and downplay drug trafficking to promote the country's relative safety and attract foreign investment, but the country's official lower homicide rates do not in any way prove that Nicaraguan security institutions are more efficient or professional than others in the region. Rather, Nicaragua's relative peace compared to Northern Triangle countries is principally due to the contemporary elite and oligarchic Nicaraguan state hegemonically establishing co-governance arrangements with non-state political, business and criminal actors, including organised criminal groups, particularly around the drug trade.<sup>94</sup>

<sup>92</sup>Expediente Abierto, 'Nicaragua Elites and Organized Crime: The Case of Henry Fariñas'.

<sup>93</sup>Indeed, we feel that it is important to distinguish between Sandinismo as a(n inspirational) political current or ideology and the current Ortega–Rosario Murillo-controlled FSLN regime, which is by that measure Sandinista only in name.

<sup>94</sup>For a particularly good illustration of this collusion at work at a local level, see Blume, 'Collusion, Co-Optation, or Evasion'.

Through these, we argue, a general ‘drug settlement’ has emerged between state institutions, in particular the police and judiciary, and the drug trade, which is maintained through close ties and entanglement between the trade and the party/state. These ties are noticeable in the frequent releases of drug traffickers and the systemic corruption of the criminal justice system, which effectively safeguards those involved, as all (inter-)institutional checks have been removed, and independent, external scrutiny has been made impossible.<sup>95</sup>

Drawing on the work of Naím, we have characterised this situation as reflecting the emergence of a ‘mafia state’.<sup>96</sup> However, considering the centrality of the drug trade and the systematic way that the Nicaraguan state is the vector through which various different actors of the drug trade are dominated and organised, we want to propose the label ‘narco-state’ as a more accurate description of Nicaragua’s particular reality. The term ‘narco-state’ is of course a controversial one, bandied about rather unsystematically and quite often for political motives in relation to a variety of different contexts in Latin America and, indeed, globally.<sup>97</sup> As José Luis Solís González points out, the condition is generally associated with the presence of various forms of governmental ‘deficiency’, such as clientelism or corruption,<sup>98</sup> making the term in many ways akin to Naím’s notion of the mafia state, but also homologous to the ‘failed state’ label that was extremely widespread within certain social science circles at the beginning of the twenty-first century (and has since been thoroughly critiqued).<sup>99</sup> Yet Nicaragua cannot be considered a failed state. The brutal crushing of the 2018 uprising has highlighted the extent of its capacity for violence, and while this has been implemented by drafting in non-state actors, the (Sandinista) state and its institutions remain the central power holders. As Pierre-Arnaud Chouvy has argued,

contrary to what most definition attempts have described, the ideal narco-state is the opposite of a state whose institutions have been penetrated by drug-trafficking organizations or of a state whose officials have been corrupted by drug money. A state cannot qualify as a narco-state unless illegal drug production and/or trafficking are/is ... top-down ... For a state to be rightly categorized as a narco-state, the illegal drug industry must be state sponsored ...<sup>100</sup>

It is precisely for this reason – the state’s organising role in the drug trade, both through its institutions and its elite political actors – that we feel the ‘narco-state’ label can be applied to Nicaragua’s current political and economic reality.

<sup>95</sup>Nicaraguan human rights organisations, for instance, have been barred from accessing prisons since 2008.

<sup>96</sup>Naím, ‘Mafia States’.

<sup>97</sup>See Pierre-Arnaud Chouvy, ‘The Myth of the Narco-State’, *Space and Polity*, 20: 1 (2016), pp. 26–38; Shaylih Muehlmann, ‘The Narco Uncanny’, *Public Culture*, 32: 2 (2020), pp. 327–48.

<sup>98</sup>José Luis Solís González, ‘Neoliberalismo y crimen organizado en México: El surgimiento del *Estado narco*’, *Frontera Norte*, 25: 50 (2013), pp. 7–34.

<sup>99</sup>Jonathan Di John, ‘The Concept, Causes and Consequences of Failed States: A Critical Review of the Literature and Agenda for Research with Specific Reference to Sub-Saharan Africa’, *The European Journal of Development Research*, 22: 1 (2009), pp. 10–30.

<sup>100</sup>Chouvy, ‘The Myth of the Narco-State’, p. 35.

The indications that Nicaragua's state institutions and political elite are thoroughly invested in the drug trade in a top-down manner is then ultimately the reason why it is (relatively) more 'peaceful' than other Central American countries: the narco-state acts as a hegemonic Leviathan controlling drug trafficking that in other countries is a terrain of contestation and conflict between different actors. Seen from this perspective, the real question to ask is not why Nicaragua is (putatively) more peaceful than other Central American countries, but rather *how* and *how long* it can remain so. Part of the answer may lie in better understanding the situations in other Central American countries with respect to drugs, violence and state collusion and criminality, and dissecting the specific conditions that mean that different actors, processes and institutions there fail to interact with each other more peacefully. At the same time, however, it may also be that a comparison with Mexico could be more instructive. Certainly, it has been argued that relative peace prevailed there between 1930 and 2000, despite a thriving drug trade for much of this period, due to the Partido Revolucionario Institucional (Institutional Revolutionary Party, PRI) tightly controlling the state, partly in collusion with drug traffickers.<sup>101</sup> After the PRI lost power in 2000, however, this 'drug settlement' fell apart, as multiple actors came to the fore and competed with each other. Violence exploded, homicide numbers rose exponentially, and grisly, performative murders became a hallmark of contemporary Mexican society.<sup>102</sup>

Seen from this perspective, the future prospects for Nicaragua look unmitigatedly grim. On the one hand, the uprising of April 2018 clearly highlighted the general long-term unsustainability of the inequality and brutal domination that is characteristic of the Nicaraguan 'narco-state'. On the other hand, it also signalled a fragility and instability in the political settlement underpinning the system more generally, as the Sandinistas turned on their erstwhile elite partners when they sought to exploit the uprising to extend their power and interests. In this regard, the Mexican experience suggests that the situation could get worse before it gets any better even if there were a return to democracy, as this could fragment the existing 'drug settlement', and unleash new forms of violence. What is clearly beyond doubt, however, is that further indulgence in the myth of Nicaraguan exceptionalism will not help explain, much less address or ameliorate, the country's political economy of violence and crime, both present and future.

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<sup>101</sup>See Richard Snyder and Angélica Durán Martínez, 'Drugs, Violence, and State-Sponsored Protection Rackets in Mexico and Colombia', *Colombia Internacional*, 70 (2009), pp. 61–91.

<sup>102</sup>See Luis Astorga, *El siglo de las drogas*, 2nd edition (Mexico City: Plaza and Janés, 2005); Angélica Durán-Martínez, *The Politics of Drug Violence: Criminals, Cops, and Politicians in Colombia and Mexico* (Oxford: Oxford University Press, 2018).

**Demistificando el mito del excepcionalismo nicaragüense: crimen, drogas y la economía política de la violencia en un ‘narcoestado’**

Nicaragua a menudo se presenta como una excepción dentro del panorama de violencia criminal en Centro América, mostrándose como el país más seguro de la región debido a sus particulares legados revolucionarios, la (putativa) ausencia de pandillas y organizaciones narcotraficantes transnacionales, y la representación de la Policía Nacional como una fuerza eficiente y profesional. Este comentario propone una lectura alternativa de la economía política contemporánea de la violencia en Nicaragua para revelar la naturaleza profundamente engañosa de esta visión predominante. En particular, el material destaca cómo Nicaragua es gobernada a través de un ‘acuerdo’ político particular sustentado por el narcotráfico, la corrupción policial y judicial, así como por una ‘mafia de estado’. Estos factores convergen para establecer un ‘narcoestado’ altamente eficiente y enraizado cuyo desmantelamiento es poco probable en el corto plazo.

**Palabras clave:** Nicaragua; excepcionalismo; crimen; violencia; drogas; narcoestado; policía

**Desmistificando a excepcionalidade da Nicarágua: crime, drogas e a economia política da violência em um ‘narcoestado’**

A Nicarágua é muitas vezes considerada uma exceção no panorama da violência criminal centro-americana, frequentemente apresentada como o país mais seguro da região devido a seus legados revolucionários particulares; à (suposta) ausência de gangues transnacionais e organizações de narcotráfico; e à representação da Polícia Nacional como força eficiente e profissional. Este comentário propõe uma leitura alternativa da economia política da violência na Nicarágua contemporânea para revelar a natureza profundamente enganosa dessa visão predominante. Em particular, destaca como a Nicarágua é governada por meio de um ‘assentamento’ político particular sustentado pelo tráfico de drogas, pela corrupção policial e judicial e por uma governança de ‘estado mafioso’. Esses fatores se uniram para estabelecer um ‘narcoestado’ altamente eficiente e enraizado, cuja ruína é improvável no curto prazo.

**Palavras-chave:** Nicarágua; excepcionalismo; crime; violência; drogas; narcoestado; policiamento

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