

**Paradoxes of Police Reform:
Federalism, Parties and Civil Society in Argentina's Public Security Crisis**

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“The days of coup-making by the military are over in this country. The police, on the other hand, will pose quite a few problems.”

-- Anonymous Argentine Police Officer, 1984²

Two months before Argentina marked the twentieth anniversary of its return to democratic rule in December 2003, President Néstor Kirchner made a stunning accusation, one that demonstrated the prescience of those who had warned many years before about the problems the police would pose for the new democracy. According to Kirchner, members of the police were involved in “the great majority of kidnappings for ransom in this country.”³ Thus, several years after kidnappings became widely feared, Argentines had the occasion to hear their president attribute partial responsibility for the problem to the very agents who are supposed to protect them from such threats. Less than six months after Kirchner’s statement, the kidnapping and murder of twenty-three year old Axel Blumberg provided new and grisly evidence for the president’s charge. After Blumberg’s body was found on March 23, 2004, intercepted cell phone conversations suggested that his kidnappers had operated under the protection of police officers, who turned a blind eye to the kidnapping so that they could share in the proceeds of his ransom.⁴ In response to Blumberg’s death, 150,000 Argentines took to the streets on April 1, 2004 to demand security, making this by far the largest demonstration since the transition to democracy.

Involvement in kidnapping rings, however, is not the only problem posed by the police. Police officers also stand accused of participating in many of the most heinous acts

of the last two decades, including the 1991 murder of seventeen-year old Walter Bulacio in a Buenos Aires police station, the 1994 bombing of the Argentine-Israeli Mutual Aid Association, the 1997 death of photo-journalist José Luis Cabezas, and the 2003 torture and dismemberment of Leyla Nazar and Patricia Villalba in Santiago del Estero. Two decades after the end of a *military* regime that murdered upwards of 30,000 citizens, *police* criminality has emerged as one of the most pressing and intractable political problems in Argentina's post-authoritarian period.

Not all Argentine police officers engage in these acts of brutality and predation. But those law-abiding officers who do wear the police uniform must nevertheless work within institutions that are hamstrung by significant financial and organizational weaknesses, including low wages, an overly hierarchical command structure, and excessively militarized training.⁵ In addition to sheltering criminals in their ranks, police institutions suffer from low levels of competence in the struggle to provide security for Argentina's citizens. This incompetence is all the more problematic given the increase in crime that has occurred in recent years.⁶ In what is perhaps the most telling indicator of the crisis of public security, in the province of Buenos Aires there are now as many private security agents as provincial police officers.⁷ In other words, Argentines have responded to police incompetence by opting to pay for the most basic service that the state can provide: safety from threats to one's bodily integrity.

The twin problems of police criminality and police incompetence have deep and troubling consequences for the quality of democracy in Argentina. While the military is the actor that can end democracy, and that did end it on five separate occasions in the 20th century, it is the police whose routine abuses threaten the full exercise of the civil and political rights on which high-quality democracy depends.⁸ As the likelihood of a military

coup continues to seem remote in Argentina – even in the economic and political turmoil of 2001 and 2002 – police officers now appear to pose a greater threat than do military officers to the country’s democratic future. In addition to their negative impact on civil and political rights, corrupt and ineffective police institutions are also a threat to democracy because they have encouraged the call for military leaders, who command institutions that are by comparison much more effective, to step back into the internal policing roles for which they are poorly suited. In the past, the assignment of responsibility for internal security to the military, formalized in the National Security Doctrine, proved to be disastrous.

Unfortunately, Argentina is not the only country in the region to suffer from the twin problems of police criminality and incompetence. Consider for example the large anti-crime protests that rocked Brazil and Mexico in 2003 and 2004, each of which focused on the participation of the police in notorious crimes. According to Daniel Brinks, “a policeman who kills someone in the course of routine policing in São Paulo has a 94% chance of escaping judicial sanction.”⁹ In Mexico, fear and distrust of the police help explain why approximately three-fourths of all crimes go unreported.¹⁰ Even more sensationally, Bolivia, Guatemala and Peru in recent years have witnessed growing episodes of lynching and other acts of vigilantism – violence that speaks powerfully to the frustrations of some of the region’s most disadvantaged communities when they cannot count on police forces to provide security.

Although the public security crisis is by no means limited to Argentina, the Argentine case presents a special puzzle for the study of police reform. The failure to introduce lasting reforms in the country’s police institutions in the years since democratization stands in striking contrast to the relative success of efforts to bring its military under civilian control. Re-democratization produced far more positive changes in civil-military relations in

Argentina than in most countries in the region, including trials of military officers, deep cuts in military budgets, the privatization of military-owned businesses, and the military's re-orientation away from internal security and toward peace-keeping operations.¹¹ Why were human rights groups and reformist politicians able to force such changes on the military, but not on police institutions?¹² The contrast is particularly surprising because the police were deeply involved in the human rights abuses that occurred under the generals, operating many of the detention centers where thousands of Argentine citizens were tortured and murdered, including the notorious ESMA (*Escuela Mecánica de la Armada*) center in the city of Buenos Aires.¹³ Failures of police reform in a country marked by police complicity in such crimes make Argentina an important case for in-depth study. Within Argentina, where police institutions reflect the federal principles that are described in greater detail below, the federal police force and the police force of the province of Buenos Aires played especially important support roles vis-à-vis state terrorism and are therefore emphasized in this article relative to other provincial police forces.

While the contrast in Argentina is quite sharp between relatively successful efforts to control the military and failed efforts to reform the police, the Argentine case remains relevant to other countries in Latin America. Looking at the region as a whole, the most problematic features of Argentina's police institutions – including excessive militarization and insufficient citizen participation – are widely shared by police forces throughout Latin America. This makes it possible to question whether the explanations of Argentina's reform failures that are offered in this paper can illuminate dynamics in other Latin American countries, a comparative exercise that I begin in the concluding section.

By examining the impediments that have complicated police reform in Argentina, this article seeks to complement the small but growing literature on the politics of Latin

American policing.¹⁴ Whereas the scholarship on Argentina to date has emphasized such important factors as police resistance to reform efforts,¹⁵ widespread tolerance for corruption,¹⁶ and executive branch politics,¹⁷ I focus on three other impediments. These include federal institutions that magnify the effects of inter-governmental disputes over the police between national, provincial and municipal authorities, illicit benefits for political parties from unreformed police forces, and deep ideological divisions within civil society over the appropriate policy response to increasing levels of crime. Thus I look to the comparative politics literatures on federalism, political parties, and civil society for insights into the obstacles that have limited the reform of police institutions.

Each of these three obstacles has generated an important, yet distinct, paradox of police reform. First, although advocates of federalism argue that it facilitates policy reform and innovation at the subnational level, I argue that in practice reform efforts at a given level of government in Argentina have often been sabotaged by officials acting at other levels of government. Specifically, federalism widens the scope for inter-governmental struggles that can obstruct police reform along three central axes of conflict: provincial-municipal, federal-provincial, and federal-municipal. Second, while electoral pressures and citizen concerns about crime are the factors that have forced police reform onto the policy agenda, these same electoral pressures have also halted reform efforts because important sets of politicians depend on illicit party-police networks for campaign financing. I show how the contradictory impulses for and against reform that are generated by the need to win elections help account for the distinct “one step forward, one step backward” dynamic of police reform in Argentina. Third, despite copious evidence of police involvement in criminal acts, Argentina’s crime wave has energized conservative civil society groups whose demands for a heavy-handed response to crime have derailed promising attempts to restructure the police.

I illustrate this third paradox by examining the work of the *Fundación Axel Por la Vida de Nuestros Hijos* (Axel Foundation for the Life of Our Children), a “law and order” organization created by the bereaved father of Axel Blumberg.

The Nature of the Problem and the Fate of Reform Efforts

In order to make sense of the current struggle over police reform in Argentina, three long-standing features of its policing structure deserve special attention. First are the origins of the police as a highly militarized body that state leaders set up in order to defend the state from political threats, and not to protect individual citizens. Elites in the constitutional but undemocratic period that was initiated in 1880 used the police to repress a mostly foreign-born labor movement whose challenge to oligarchic rule increasingly took on both anarchist and syndicalist dimensions.¹⁸ That the police have tended ever since to approach questions of public order with an excess of violence reflects this early militarization.

A second essential feature of Argentine policing is the impact that federalism has had on the country's police institutions, which took their current shape when President Juan Perón re-organized the police in the late 1940s. At the federal level, the *Policía Federal Argentina* (Argentine Federal Police or PFA) enforces federal law throughout the country and serves as a local police force in the capital city of Buenos Aires. Below the federal level, each of the country's 24 provincial governments operates its own police force. In general, municipal governments within each province are denied formal control over the provincial police units that operate in their jurisdictions, although with varying degrees of success mayors do seek to influence these units. The prominence of the governors in Argentine policing and the weakness of municipal officials directly reflect the governing strategy pursued in the 1940s by Perón, who built a coalition in the interior based on the support of some rather traditional provincial elites.¹⁹

Looking within provincial police forces, the third critical feature concerns the problematic relationship between these forces and the country's judicial and penitentiary

systems. In Argentina, provincial police chiefs sit atop a unified and highly hierarchical command structure that fuses the two main roles police are asked to play: crime investigation and crime prevention. With respect to the former, police officers are meant to support the work of investigative judges (*jueces de instrucción*) who in Argentina combine the roles of prosecutor and judge. In practice, these seriously overburdened judges delegate virtually all investigative responsibilities to the police.²⁰ The result is that police officers in effect serve as both “judge and jury” in most criminal matters, with few institutional checks on the tremendous scope for abuse that this arrangement creates. With respect to their crime prevention role, police in much of Argentina have widespread authority to detain individuals merely for failing to carry proper identification.²¹ Due to the increasingly overcrowded conditions of penitentiaries, individuals detained by the police are now often held for considerable periods of time under the control of arresting officers in police stations (*comisarias*) that double as *de facto* jails. To summarize, Argentine police officers can often detain individuals without warrants, hold them for significant periods of time and, if the individuals are charged with crimes, these same officers then also substantially control the investigation into any alleged crimes.

Since the transition to democracy, a number of different proposals have emerged to address the problematic features of Argentine policing. Most of these proposals resemble the “citizen security” reform efforts that have become common in Latin America, which seek to create transparent and decentralized police forces that provide not protection for the government of the day but rather a valued service – security – for average citizens.²² While several of these proposals have been adopted in Argentina, most proposals have been defeated, reversed subsequent to their adoption, or adopted but effectively gutted by reform opponents. The few successes of police reform and the purging of corrupt police officers

are far less significant than the many failures of police reform; hence the focus in this paper on reform impediments.

At the federal level, one of the most important reform proposals involved removing from military control two bodies – the Army’s Gendarmerie (*Gendarmería*) and the Naval Prefecture (*Prefectura Naval*) – which provide border security and which police the country’s territorial waters, respectively. These bodies were placed under the civilian-controlled Defense Ministry in 1984 and subsequently under the Interior Ministry in 1996.²³ Subsequent to this important organizational change, however, very little was then done to reform from within the three public security institutions that now sit under the Federal Interior Ministry: the Gendarmerie, the Prefecture and the PFA.²⁴ The second major proposed reform at the federal level involved restrictions on the internal police regulations (or edicts) through which the PFA – and not Congress – has traditionally determined who can be detained and arrested.²⁵ In 1998, the legislature of the city of Buenos Aires revoked the edicts, although as described below the PFA has largely circumvented the restrictions it tried to impose.²⁶

At the provincial level, which is where most police officers are employed in Argentina, important proposals have centered on two major changes: territorial decentralization and the functional separation of preventative and investigative roles. According to the arguments of reformers, the best way to de-militarize the police and prevent abusive behaviors is to decentralize provincial police forces into smaller sub-provincial districts. This territorial reform is necessary not only so that separately elected municipal authorities can begin to exert control over police officers, but also for the type of community policing practices that most of these proposals include. In the province of Buenos Aires, decentralization was attempted in 1997 and 1998, reversed after 1999, and

attempted once again in 2004. To make it easier for citizens to denounce police abuses, reformers have also proposed that new offices be set up outside of police stations to take citizen complaints.²⁷

Functionally, the thrust of reform has been to challenge the fusion of prevention and investigation services under the command of a single provincial police chief. In the 1997-99 reform attempt in Buenos Aires province, for example, the position of provincial police chief was abolished, exclusive responsibility for criminal investigations was transferred to a new provincial ministry (*Ministerio Público Fiscal*), and a new investigative police force (*policía judicial*) was established under that ministry.²⁸ The functions that remained under the security ministry were then separated into distinct police forces under distinct command structures: crime prevention (*seguridad*), transportation (*tránsito*) and transfer of detainees (*traslado de detenidos*). After 1999, however, reform opponents successfully undermined the functional separation of prevention and investigation services by resurrecting, under a new name, the figure of a single provincial police chief (e.g. the *Superintendencia de Coordinación General de la Policía de Buenos Aires*).²⁹ In addition to functional differentiation and toward the same goal of improving transparency and accountability, most reform proposals have also called for more robust internal control mechanisms within provincial police forces.

To summarize, by encouraging the police to defend individuals rather than governments, by reducing the power of governors relative to mayors and civil society groups, and by challenging the police's traditional role in criminal investigations, these reform proposals go directly against the grain of Argentine policing as it has long been practiced.

Inter-Governmental Conflicts over Police Reform

Although Argentina has been federal in structure since the adoption of the 1853 Constitution, a series of decentralizing changes since 1983 have infused new meaning into its multi-tiered system of government. With respect to political decentralization, elections for governors, mayors, provincial legislators, and municipal councilors were all reinstated in the course of the national transition to democracy. In the post-1983 period, it is much more common for mayors, governors and presidents to represent different political parties than was the case in earlier moments of civilian rule, particularly during periods when the Peronist party was barred from running candidates. In addition to widening the scope for inter-party friction across levels of government, the post-1983 period has also witnessed increased scope for friction *within* parties across levels of government. Thanks to the fragmentation of authority within the Peronist party, for example, Peronist governors under the Peronist presidencies of Carlos Menem (1989-1999) and Néstor Kirchner (2003-2007) have enjoyed greater independence than their predecessors did under President (and party founder) Juan Perón (1946-1954, 1973-1974).³⁰ At the municipal level, the most important change in the post-1983 period was the introduction of direct elections in 1996 for the mayor of Argentina's capital city, Buenos Aires. In addition to political decentralization, the decentralization of fiscal authority via constitutionally-guaranteed and unearmarked revenue transfers has challenged the centralization that historically characterized Argentina's formally federal status.

If Argentina, in a number of dimensions, has moved toward a more meaningfully multi-tiered political system, most of the literature on federalism and decentralization would anticipate positive consequences for the adoption of innovative police and other reforms.

According to this literature, for example, federalism facilitates policy innovation by lowering the risks associated with experimentation.³¹ If radically new approaches to a given social problem fail at the local rather than at the national level, such failures will have lower costs and, for this reason, new approaches will more likely be adopted in the first place. Given the traditional status of the Argentine police as a militarized body that protects the state, the shift to a model of “security as service” certainly constitutes a major innovation, and one that seems particularly suited to subnational levels of government. In the United States, municipal control over police forces has generated much cross-national variation with respect to local policing practices, and it is not uncommon for local elections to turn on the performance of local police forces.

Multi-tiered government promises to lower the bar for the adoption of innovative policing practices, but it also opens the possibility that separately elected politicians at different levels of government will disagree over police reforms in the territory that they jointly govern. For example, while provincial police forces in Argentina are under the control of governors, politicians at the federal and municipal levels have actively deployed their separate power bases and sources of legitimacy to influence how governors use their policing authority. In a well institutionalized polity where the distribution of policing authority between levels of government is subject to clear and stable rules, the scope for such inter-governmental conflicts may be limited. In the less institutionalized setting of Argentina, however, where decentralization has recently altered the distribution of authority between levels of government, responsibility for public security is more widely disputed and unsettled. Repeatedly, politicians at one level of government have sought to close those brief reform windows that have occasionally opened up at a lower or higher level of government.

Multi-tier government means not just that reform efforts can be derailed by disputes over the police that develop between municipal, provincial, and federal officials, but that police reformers need to operate in and master a heterogeneous mix of national and subnational institutions. In this sense, police reformers face an institutional setting that is much more complicated than that of the earlier struggle over civil-military relations, when reformers were able to concentrate their energies into a single, national-level reform arena.

The Provincial-Municipal Axis of Conflict

Conflict between separately-elected provincial and municipal authorities has served as a significant constraint on police reform in the province of Buenos Aires, which operates the largest provincial police force in the country, known as “*la Bonaerense*.” The police force of Buenos Aires province was especially involved in disappearing regime opponents under military rule. Due to the absence of any real purging of the police force at the time of the transition, many torturers continued to find employment and institutional shelter in the police well after 1983. Internally, the Buenos Aires police force also continued to be governed by the same normative code of behavior that had been introduced in the military period, when the infamous Ramón Camps served as provincial chief of police.³²

In 1997, then Governor Eduardo Duhalde announced his intention to shake-up the Buenos Aires police force, which he had famously referred to earlier in his tenure as “the best police force in the world.” Mounting evidence of provincial police involvement in the AMIA bombing and Cabezas murder forced Duhalde to acknowledge the need for reform, particularly when public concern about police corruption emerged as a key electoral issue in the 1997 elections.³³ In the aftermath of his party’s defeat in those elections and under

intense pressure to do something about the police, Duhalde solicited and received legislative approval for the 90 day civil intervention of the provincial police force. To the post of security minister, Duhalde named León Arslanian, a respected judge who had presided over the trials of military officers in the 1980s. Beyond purging the *Bonaerense* of hundreds of corrupt police officers, Arslanian announced both the creation of neighborhood forums (*foros vecinales*) to oversee the police and the territorial decentralization of the provincial police force via the creation of 18 police districts at a new sub-provincial level.

According to Marcelo Saín, who served as Arslanian's chief aide, municipal officials emerged as the most vociferous opponents of this provincial-level reform effort.³⁴ Mayors were threatened by the insertion of a new administrative unit – called “departments” – between the provincial and municipal levels, and by the opportunities this design afforded to departmental police officials who on average would have seven different mayors within their departments. Saín fielded as many as 70 protest calls a day from mayors who were angry about a reform that would deny them direct control over police officers.³⁵ Mayors also resisted another key reform measure: the creation of municipal ombudsmen (*defensores municipales*) who were charged with hearing citizen complaints about the police and who, more threateningly, would be independent of municipal governments.³⁶ One year after the reform, only 22 of the province's 134 mayors had created these new offices.³⁷ This steadfast resistance by mayors was important because politically it facilitated the reversal of reform by Carlos Ruckauf subsequent to his election as governor in 1999.

In the 1999 gubernatorial campaign, Ruckauf criticized the Arslanian reform efforts, called for a hard-line stance against crime, and promised “bullets for delinquents” (*balas por los delinquentes*). In his first day as governor, Ruckauf replaced Arslanian with Aldo Rico, the former leader of the military faction (*carapintadas*) who had tried to overthrow Argentina's

new democracy in the 1980s, and who confessed his “profound love” for the Buenos Aires police force upon taking the oath as provincial Security Minister in 1999. As governor, Ruckauf initiated a police counter-reform, recentralizing authority in a single official who was now called “Superintendent” rather than “police chief,” de-activating neighborhood forums, and closing the Internal Affairs office (*Asuntos Internos*) charged with investigating police misconduct.³⁸

After slamming shut in 1999, the window for police reform opened up again in response to the April 1, 2004 protest surrounding Axel Blumberg’s death, but provincial-municipal conflict has once again complicated the pursuit of reform. Less than three weeks after Blumberg’s death, Buenos Aires Governor Felipe Solá re-appointed Arslanian as Security Minister, who promptly announced that he would re-open the Internal Affairs office, re-active the neighborhood forums, and re-initiate decentralization, but this time by creating a separate police force (*policía comunal*) in each municipality (rather than the 18 department forces he had tried to create in the late 1990s). According to Arslanian’s proposals, neighborhood forums rather than municipal authorities would control the promotion of police officers and, after 2007, would elect each municipality’s police chief.³⁹ Mayors in the province roundly rejected this proposal, arguing that the province was seeking to shift responsibility onto the municipalities for its own failed security performance, all in the absence of additional funds for municipal police forces.⁴⁰ Although Arslanian tried to undermine the mayors by arguing that they simply were threatened by citizen participation, he was ultimately forced to back-track and to enable municipalities to take on policing roles on a strictly voluntary basis. But this has not ended the controversy; in August 2004, opposition mayors charged that the provincial government was penalizing recalcitrant

municipalities by offering to double funds for those municipal governments that signed onto provincial reform proposals.⁴¹

The Federal-Provincial Axis of Conflict

If blame avoidance between separately-elected provincial and municipal governance has complicated the landscape for police reform in Buenos Aires province, the same can be said for the fraught relationship between separately-elected provincial and federal governments. Understanding conflict along this federal-provincial axis requires some discussion of coparticipation, Argentina's system of revenue sharing between federal and provincial governments. In the mid-1980s, the Radical governor of Buenos Aires agreed to redistributive changes in revenue sharing rules that reduced transfers for Buenos Aires, an unpopular change (within the province) that helps explain why the Radicals have lost every gubernatorial election since 1987.

In the wake of the 2004 Blumberg tragedy, Governor Felipe Solá sought to shift the blame for the provincial security crisis onto the federal government by demanding that President Kirchner immediately restore the province's lost coparticipation revenues.⁴² After the August 2004 kidnapping of 17-year old Nicolás Garnil, Solá announced that in order to hire the additional police officers that could prevent further kidnappings, the national government would have to send Buenos Aires its fair share of revenues.⁴³ Thus Buenos Aires' governor sought to play on a very old set of antagonisms within the province against the national government in the attempt to draw it into the provincial security crisis. Kirchner responded by refusing to speak with Solá, whom he blamed for lacking the sufficient political will to clean up "*la Bonaerense*."⁴⁴ Widespread talk of the federal

government using its powers of intervention (*intervención*) to take over the provincial police force further complicated the federal-provincial blame game.⁴⁵

Political conflict between the province of Buenos Aires and the national government also fueled the 2004 exchange of accusations between Arslanian and Juan Carlos Blumberg, father of Axel Blumberg, after the third historic anti-crime protest that Blumberg led in August 2004. This third protest focused critically on the provincial government and on the reform proposals advanced since April of that year by Arslanian. In the wake of the August 2004 protest, Arslanian charged that Blumberg's foundation, discussed in greater detail below, was operating with funds received from the national government.⁴⁶ In effect, provincial officials accused federal officials of financing an organization that sought to destabilize the provincial government over the status of police reform efforts.

The Federal-Municipal Axis of Conflict

While provincial reform efforts thus have produced friction “from below” and “from above” (e.g. with both municipal and federal governments), the third axis of conflict between federal and municipal governments has also been fraught with tension. As with the two axes of conflict discussed above, the effect of tension along this third axis has also been negative for police reform. In Argentina, the most important federal-municipal conflict is that between the federal government and the city of Buenos Aires, which does not operate its own police force and instead relies on the Federal Police (PFA) for all policing services. Before the 1994 reform of Argentina's constitution, the city of Buenos Aires was governed by a mayor who was appointed by the President, which in effect federalized political control over the local performance of the Federal Police. The 1994 reform granted political

independence to Buenos Aires city, and called for the transfer of policing authority to the city government.⁴⁷ Subsequent to this federal constitutional reform, voters in Buenos Aires city also elected their own constitutional convention in 1995 to write a new municipal charter. This municipal constitutional convention substantially advanced the cause of police reform by sharply limiting the set of reasons for which the police could detain individuals. As Ungar argues, the convention's "most marked success was the elimination of the PFA edicts."⁴⁸ In 1998, the city's new legislature passed implementing legislation in the form of a Code (*Código de Convivencia*) that further required the participation of the judiciary in police detentions.⁴⁹

Throughout, however, the federal government has sought to retard police reform efforts in the municipal legislature, and with a substantial amount of success. First, Federal Police officials and the Federal Secretary for Internal Security heavily lobbied both the municipal constitutional convention and the municipal legislature to preserve broad police discretion.⁵⁰ When their efforts failed and police officers were no longer able to detain individuals merely for looking "suspicious," the leadership of the Federal Police instructed officers to circumvent the reform by relying on their remaining powers to detain individuals for I.D. checks.⁵¹ Even more egregiously, according to Ungar, President Carlos Menem issued an unconstitutional decree in 1999 that reinstated the edicts in the city of Buenos Aires.⁵² Resistance to reform by federal officials also succeeded in another sense; thanks in part to their lobbying efforts, police discretion was expanded in the reversal of reform that occurred in 2004 when the municipal legislature revised the 1998 Code. Beyond struggles over the extent of PFA discretion granted by the Code, for over a decade the federal government has dragged its feet on the formal transfer of policing authority to the city, largely due to resistance by federal police officers who would lose ranking if transferred and

by federal bureaucrats who would lose authority.⁵³ The result is an inchoate policy environment in which separately elected federal and municipal governments share political control over a single police force.

Illicit Benefits to Political Parties from Unreformed Police Forces

Along each of the three axes discussed above, inter-governmental conflict has produced a challenging institutional setting for police reform. In this section I discuss a separate obstacle: the dependence of some Argentine politicians on unreformed police institutions for the financing of the political parties to which they belong. Although hard data are not readily available, politicians appear to derive substantial funds from the illicit conduct of police officers, funds that are useful in hard-fought and increasingly expensive political campaigns. This illicit relationship with the police generates an intriguing paradox; even as electoral pressure is the mechanism that forced politicians to get serious about police reform in the late 1990s, the need to raise funds to compete successfully in these elections has operated as a powerful brake on police reform, encouraging defensive actions by politicians seeking to protect a source of party revenue.

In the words of Argentina's most trenchant police analysts, "behind every important corrupt police officer in Argentina stands an important politician."⁵⁴ Throughout Argentina, but unevenly within it, politicians offer political protection to police officers in exchange for a cut of the funds that the police raise through a variety of protection rackets. Initially after the return to democracy in 1983, corrupt police officers shared with local party leaders monies they had extracted from small-scale gambling operations and houses of prostitution.⁵⁵ The seriousness of the crimes, however, escalated through time, particularly

after the devastating economic crisis of the late 1980s and the economic dislocations of the 1990s. Within the last decade, politicians have increasingly been accused of protecting police officers involved in such serious crimes as drug trafficking and the theft of autos.⁵⁶ The actual monetary amounts generated by the corrupt networks that bridge political parties and police forces certainly pale in comparison to the much more significant revenues derived from the corruption of Argentina's privatization process in the 1990s. Nevertheless, party-police networks are difficult to expose and eliminate, precisely because they are smaller in scale, less visible, and more critical to a wider set of lower-level politicians.

All three of Argentina's leading police reformers of the last decade have denounced illicit ties between political society and the police. At the federal level, Justice Minister Gustavo Béliz publicly lamented in November 2003 the existence of "politicians-thieves (*políticos-ladrones*) who finance their campaigns with money from police corruption."⁵⁷ At the provincial level, Marcelo Saín, Vice-Minister of Security in Buenos Aires province, charged in August 2002 that "a good portion of politics in this province is financed through police corruption."⁵⁸ With respect to the municipalities, Buenos Aires Security Minister León Arslanian in April 2005 accused corrupt police officers and party activists (*punteros políticos*) at the municipal level of sharing proceeds from illegal drug sales.⁵⁹

In addition to generating funds that are useful in political campaigns, police corruption is valuable to politicians because it enables them to use the police officers whom they protect and therefore control as a resource in their struggles with other politicians. Indeed, political control over the police has figured prominently in some of the most important *inter-*and *intra-*party conflicts of recent years. With respect to inter-party conflict, while illicit ties between corrupt politicians and police officers are not limited to any one party in Argentina, the party-police nexus is particularly crucial in the case of the Peronist

party. This is due partly to the fact that it was Perón who organized the police into its current structure. More important, however, is the reality that in the contemporary democratic period, Peronists have governed in more provinces for longer periods of time than any other party, giving them many opportunities to build corrupt partnerships with provincial police forces.⁶⁰ As a result, the party that has the most to lose from police reform has been the most successful at dominating gubernatorial offices, the support of which would be crucial for any sustained process of police reform. Peronist control over the police was particularly critical in the inter-party struggle that developed between the Peronists and the Radicals during the failed Radical Presidency of Fernando De la Rúa (1999-2001). As the Peronist governor of Buenos Aires (1999-2002), Carlos Ruckauf's control over the police helps explain why these officers were so passive in the wake of the riots and lootings in the province that ultimately forced De la Rúa from office in December 2001.⁶¹

Political control over corrupt police officers has also figured prominently in intra-Peronist conflicts. For example, in Buenos Aires province, opposition by *Peronist* politicians helped derail what were by far the two most promising reforms initiated by *Peronist* governments in the 1980s and 90s. First, according to Luis Brunatti, who was Provincial Interior Minister to Buenos Aires Governor Antonio Cafiero (1987-1991), it was the hostility of provincial Peronist legislators to police reform that convinced Cafiero not to endorse the re-structuring of the police force proposed by Brunatti.⁶² Second, subsequent to the 1997 civil intervention of the police nearly a decade later, Peronist politicians acted behind the scenes to defend the police officers who were being purged by Security Minister Arslanian. Mayors opposed Arslanian's decentralizing reforms not just to defend municipal interests in the country's federal structure, as I argued above, but perhaps more importantly to defend the revenues produced by corrupt police officers.⁶³ More recently, the *Bonaerense* has played a

role in the raw struggle for the leadership of the Peronist party that has raged between President Néstor Kirchner (2003-2007) and Eduardo Duhalde, former President (2002-2003) and Governor of Buenos Aires (1991-1999). As Mayor of Lomas de Zamora in the 1980s, Duhalde cemented a relationship with one of the most corrupt police officers in post-1983 Argentina, Pedro Klodczyk, who rose to become provincial police chief when Duhalde became governor.⁶⁴ Though Duhalde has not been governor since 1999, he remains the leader of the party in the province, and his defense of pockets of police corruption has consistently limited Kirchner's ability to respond to widespread demands for police reform.

Evidence of politicians using the police in the service of both inter- and intra-party struggles is difficult to reconcile with the common view of corrupt police officers as rogue actors beyond the control of politicians.⁶⁵ By offering corrupt police officers the political cover they need to operate, politicians gain some degree of control over those agents. The authority that corrupt politicians enjoy over corrupt police officers is neither democratic nor transparent, but it nevertheless deserves to be considered a form of control. Thus, in contrast to the struggle to exert control over the military in the 1980s, the "absence of control" is not an accurate description of the relationship between politicians and the police. Though there are individual cases of rogue police officers who commit crimes without the protection of politicians and even against their wishes, it is more often the case in Argentina that democratically elected politicians are directly implicated in police failures and police abuses. The more pressing problem is not so much lack of control over an abundance of rogue officers, but rather that politicians use this illicit control in the service of partisan political objectives and as a resource in struggles with members of their own parties.

The Impact on Police Reform of a Divided Civil Society

In addition to inter-governmental conflicts and illicit party-police networks, divisions within civil society over how best to improve security are critical in understanding the difficulties of police reform. Conflict between civil society organizations over police reform is particularly noteworthy in the southern cone of Latin America, where civil society played a leading role in pushing forward changes that were designed to reform *military* institutions and to place these institutions firmly under civilian control⁶⁶ In Chile, Brazil, and Uruguay, transitions to democracy empowered a variety of human rights groups who refused to accept amnesties of human rights abuses decreed by outgoing military governments, and who mobilized toward the goal of keeping military reform on the public policy agenda. In Argentina, the scope for participation by civil society actors was perhaps greater than elsewhere due to the actual holding of trials for military officers, an exercise that cannot be explained by the military's defeat in the Falklands alone and that resulted in part from the mobilization of these groups.⁶⁷ Reformist politicians like President Raúl Alfonsín (1983-1989) could and did harness civil society pressures in pursuing these trials against the staunch opposition of the military high command, though ultimately many human rights activists were displeased with Alfonsín's compromises.⁶⁸

Whereas most organized civil society groups lined up together on the side of reform in the struggle with the military, the story is much more complicated and fractious in the contemporary struggle for police reform. Few organized groups publicly opposed civilian control of the military in the 1980s, but in the following decade many groups loudly opposed efforts to rein in the cops. While some civil society groups have observed growing insecurity in Argentina and respond by lobbying for police reform and greater individual rights vis-à-

vis the police, other groups argue that improvements in security require restrictions on individual rights and greater discretion for the police. Due to this fissure within civil society between what Claudio Fuentes has termed the “civil rights” and “pro-order” coalitions, pro-reform politicians and bureaucrats have a difficult time harnessing the power of civil society in the attempt to advance reform.

The views of “civil rights” and “pro-order” groups are largely incompatible and, as Fuentes demonstrates, “those who defend pro-order views enjoy comparative advantages over those who defend civil rights views in terms of access to policymakers and available strategies.”⁶⁹ If “pro-order” groups already enjoy structural advantages, the sense of crisis produced by the crime wave further strengthens the hands of those who have defended the police from attempts to make policing less abusive, and generates instead demands that the police use whatever force is necessary to deal with crime. In this way, the deterioration of the security crisis strengthens the very hands of those who are partially responsible for the deterioration of the security crisis, a paradox that results in the worrisome pattern identified by Hugo Fruhling and Mark Ungar: increasing levels of crime have tended to retard police reform throughout Latin America. In this section, I borrow from the insights of Fruhling, Fuentes and Ungar in describing how one particular “pro-order” organization, the Axel Foundation for the Life of our Children, has undermined the struggle for police reform in Argentina.⁷⁰

The March 2004 death of Axel Blumberg in Buenos Aires province transformed his father Juan Carlos, a textile engineer with no history of political involvement, into one of the most influential figures in Argentine civil society. Tens of thousands of Argentines joined Blumberg’s “Axel Crusade” against crime by participating in the four massive demonstrations that he led against Congress on April 1, 2004 (150,000 persons), against the

judiciary on April 22, 2004 (40,000 persons), against Congress (again) on August 26, 2004 (70,000 persons), and against the national executive on August 31, 2006 (35,000 persons).⁷¹ In the attempt to harness the outpouring of anger and grief at Axel's death, Blumberg also created the Axel Foundation for the Life of our Children, modeled on Rudolph Giuliani's Manhattan Institute, and based in the province of Buenos Aires. In the weeks following Axel's death, the Foundation gathered nearly 5 million signatures on a petition of changes prioritized by Juan Carlos Blumberg himself. These changes included increasing penalties for a series of crimes, restricting the use of bail, and lowering the age (to 14) at which minors can be tried as adults. Strikingly absent from the Foundation's petition was any proposal to re-activate the type of deep structural changes in the police that were abandoned in Buenos Aires province in 1999 due to the inter-governmental and intra-Peronist obstacles discussed above. Despite evidence of police involvement in the murder of his son, Blumberg threw his enormous weight behind easy legislative changes in the penal code that could be adopted quickly, and neglected the more difficult structural changes that sought to root out corruption from police institutions.

In short order, politicians at all three levels of government largely obliged Blumberg and his Foundation's preference for punitive and repressive measures. At the federal level, on April 19, 2004 President Kirchner responded to the Blumberg protest by proposing a new Strategic Plan for Justice and Security. According to CELS, the Plan was centered "on the idea that the only way to respond efficiently to citizen insecurity is to limit constitutional guarantees and intensify the state's punitive powers."⁷² With the plan, Kirchner endorsed the potentially unconstitutional restrictions on bail that Blumberg demanded, and introduced streamlining changes in the Federal Police that had the effect of eliminating the internal body (*Asuntos Internos*) that had been created to monitor police abuses. Perhaps even more

controversially, Kirchner acceded to demands for the liberalization of the 1992 rules that restricted involvement in internal policing operations by the Gendarmerie and Naval Prefecture.⁷³ At the provincial level, after only half an hour of debate, Senators in Buenos Aires province on April 6, 2004 approved a major expansion in the use of preventative detentions.⁷⁴ The Peronist majority used the pressures unleashed by Blumberg to sideline opposition legislators – at both the provincial and national levels – who wanted to discuss police complicity in “some of the country’s most serious crimes.”⁷⁵ At the municipal level, in the absence of the so-called “Blumberg effect,” it would be impossible to understand the April 2004 revision of the city’s 1998 Code (*Código de Convivencia*), which limited bail, raised sentencing requirements and criminalized such activities as street vending, sex work and a variety of “pre-delinquent” (*predelictual*) behaviors.⁷⁶

Since its inception, the actions of the Axel Foundation have consistently made police reform more and not less difficult. The Foundation’s reactionary role is particularly critical in the province of Buenos Aires, where Blumberg loudly criticized the re-appointment of León Arslanian as Provincial Security Minister in April 2004. Blumberg opposed Arslanian’s attempt to decentralize the police force and to introduce community policing,⁷⁷ and he defended police officers whom Arslanian had purged from the force.⁷⁸ In July 2004, Blumberg criticized the appointment of María del Carmen Falbo as attorney general due to her support for Arslanian’s “citizen security” reforms in 1997-98, and due to her opposition to the punitive “Blumberg laws” adopted in the wake of Axel’s death. When, in the run up to Blumberg’s third march on August 26, 2004, Buenos Aires Governor Solá announced that the province had *already* adopted the Axel Foundation’s core demands and that the crime problem could only be solved by measures that addressed Argentina’s deep social problems, Blumberg responded that the government cared more for the rights of delinquents than

“average citizens.”⁷⁹ Blumberg also accused human rights organizations of ignoring his foundation, though several of these offered their support to Blumberg in the days following Axel’s death.⁸⁰

By 2006, it became increasingly clear that the Axel Foundation was being used in the service of Blumberg’s own political project. In August, as Blumberg called for the resignation not just of Security Minister Arslanian but of Governor Solá as well, rightist political figures Mauricio Macri and Ricardo López Murphy both encouraged Blumberg to consider running for governor on their respective tickets rather than as an independent. Fundamentally, Blumberg’s fourth march on August 31, 2006 functioned as a political rally for the right-wing opposition to President Kirchner, rather than a broad-based protest for greater security. In addition to polarizing civil society still further, the march sparked criticisms by Nobel Laureate Adolfo Pérez-Esquivel, who argued that Blumberg was seeking nothing short of the “criminalization of poverty.”⁸¹

Conclusion: Argentina in Comparative Perspective

In the years following the end of authoritarian rule, providing citizens with security has emerged as one of the greatest challenges facing Latin American democracies. Initially, reforming the military as an institution so that it could not return to power loomed large as the central struggle. Because outgoing military governments often engaged in widespread human rights abuses and perpetrated acts of state terror, enhancing security required a set of reforms that would place the military directly under the control of civilian governments. With time, however, it has become increasingly clear that improving the security of the region’s citizens requires that politicians move well beyond reform efforts in the military

sphere. Asserting civil control over the military is certainly a necessary and worthy effort, but it is simply insufficient as a means of controlling arbitrary state violence. In Latin America today, responding to the growing chorus of demands for greater security requires that politicians propose, adopt and implement comprehensive reforms of the police. What can the Argentine case say to this region-wide struggle for police reform?

By way of conclusion, this section re-frames my three arguments about Argentina as hypotheses that might apply to a wider set of cases. The purpose is not to be exhaustive, but rather to survey the existing scholarship on police reform in order to gauge the broader significance of the three impediments that have proved to be so formidable in the Argentine case. This discussion is biased in favor of those countries that have been more intensively studied in the still quite limited literature on police reform: Brazil, Chile and Mexico.

The hypothesis that multi-tiered government complicates police reform appears to find substantial support in these three additional cases. In Brazil, the constitutional division of policing authority between federal and state governments derailed the most important reform efforts of both the Cardoso and Da Silva administrations. Under Cardoso's National Plan for Public Security, the federal government adopted new revenue transfers in 2000 in the attempt to force the states to adhere to Brasilia's vision of police reform, but then went on to use these transfers to bolster political support for the president's party.⁸² Under Da Silva, several task forces designed to overcome the fragmentation of policing authority among different levels of government have failed due to their ad hoc and temporary nature.⁸³ In other words, it appears that Brazilian federalism should be considered an obstacle not just to economic reform but to police reform as well. In Mexico, as Diane Davis' work demonstrates, direct elections for Mexico City mayor after 1997 have created a sharp institutional conflict between the federal and municipal governments over police reform.⁸⁴

In response to the stalemate generated by these now separately-elected governments, Davis describes how President Fox sought to centralize authority over policing through the creation of the Federal Preventive Police and other institutional innovations.⁸⁵ In unitarian Chile, where policing services are provided by a single national force that operates as a branch of the armed forces (e.g. the *Carabineros*), as one would expect inter-governmental conflicts have been less central in the struggle to make the police more responsive to civilians. While the experiences of these four countries suggest that inter-governmental dynamics matter only in federal cases, the recent strengthening of Chilean municipalities has led to growing conflicts between mayors and the *Carabineros*.⁸⁶ More generally, recent moves to grant greater authority to subnational governments in such unitary countries as Bolivia, Colombia and Uruguay mean that this hypothesis should receive some attention in future research on police reform in non-federal countries as well.

The second hypothesis that party-police networks undermine police reform finds considerable support in Mexico, but much less so in Brazil and Chile. In Brazil, Mercedes Hinton emphasizes the phenomenon of “police officers-turned-legislators” who have become politicians in order to defend pockets of police corruption from reform efforts.⁸⁷ Party politics, however, are not central to these individual career transformations, which contrast with the Argentine dynamic where the Peronists took the lead in establishing illicit ties with corrupt officers for financial gain and later defended these officers from reform efforts. This difference reflects the deeper reality that parties structure political life in Argentina to a far greater degree than in Brazil. In Chile, though right wing parties have certainly taken the *Carabineros*’ side in reform debates,⁸⁸ parties have not been widely implicated in acts of corruption by the Chilean police, who are generally considered to be the least corrupt in the region. It is in Mexico that Argentina’s illicit party-police networks find

the greatest echo. According to Villareal, PRI politicians established illicit but stable ties with police forces during the many decades in which Mexico functioned as a single party system, the collapse of which in the late 1990s helps explain why security deteriorated so rapidly.⁸⁹ But party-police networks are not limited to the PRI. As Davis argues, López Obrador of the PRD declined to more vigorously pursue police reform as mayor of Mexico City because police officers under his control protected the illegal activities of one of his most important constituencies: informal vendors.⁹⁰ Like Argentina, the Mexican case indicates that we need to rethink the view of corrupt police officers as rogue actors who function beyond the control of party politicians.

The third hypothesis, according to which growing insecurity hinders police reform by strengthening pro-order groups, finds broad support in research on Chile and Mexico, but less so in the Brazilian case. In Chile, Fuentes documents the conflicts between human rights organizations that are affiliated with left-of-center parties and pro-order groups such as *Paz Ciudadana* that enjoy close relations with right wing parties. Created by prominent business executive Agustín Edwards after the kidnapping of his son, *Paz Ciudadana* functions as the Chilean equivalent of Argentina's Axel Foundation in its support for punitive measures over thorough-going police reform. According to Fuentes, support from *Paz Ciudadana* was critical in ensuring the passage of a bill in 1999 that allowed the police to detain individuals merely to verify identity.⁹¹ In Mexico, business-financed organizations such as the Citizens' Institute for the Study of Insecurity "are now working with some police departments in the Mexico City area to place greater restrictions on individual liberties."⁹² Turning to the Brazilian case, one of the few studies of civil society participation in police reform in Brazil is difficult to reconcile with the Argentine, Chilean and Mexican experiences. In an environment of growing insecurity not too different from that of

Argentine or Mexico, business groups created the São Paulo Institute against Violence (ISPCV) which explicitly lobbied not for punitive measures but for deep-seated reforms to eliminate police corruption.⁹³ Considering these four cases, it appears that we still know relatively little about the conditions under which business groups prioritize either short-term “*mano dura*” measures (Argentina, Chile, Mexico) or longer-term reforms that see the police as a large part of the problem (São Paulo).

If police reform faces major hurdles, as this paper has sought to demonstrate, then such a finding is not merely of academic interest. Thanks to the manifest failures of police reform, politicians in Argentina and elsewhere are facing heavy pressure to use the military rather than (or in addition to) police forces in activities that should be the exclusive domain of the police.⁹⁴ As demands escalate that the government “do something” about crime, the incentive to reverse the de-militarization of internal security – so recently achieved in Argentina and so hard-won – is likely to grow. This is bad for the armed forces who mostly try to resist the call, bad for police forces precisely because it reduces pressure on them to improve their performance, and bad for democracy since military intervention in internal security has traditionally resulted in authoritarianism. If one considers disturbing signs of increasing vigilante violence in Latin America, according to which people respond to police failures by taking the law into their own hands, it becomes clear that – however difficult – there really is no acceptable alternative to police reform. The answer must be to redouble efforts to improve police institutions, but with a more accurate and detailed sense of the paradoxes these efforts must confront and ultimately overcome.

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² Quoted in Carlos Dútil and Ricardo Ragendorfer, *La Bonaerense: historia criminal de la policía de la provincia de Buenos Aires* (Buenos Aires: Planeta, 1997), p. 11.

³ “Kirchner le apuntó a la Bonaerense por la ola de secuestros,” *Clarín*, October 31, 2003.

⁴ “Collusion Trail Leads to Federal Police,” *Latin American Weekly Report*, April 20, 2004.

⁵ Alberto Binder, *Policías y ladrones: la inseguridad en cuestión* (Buenos Aires: Capital Intelectual, 2004), ch.4.

⁶ According to official statistics, crime increased 208% between 1990 and 1999. Dirección Nacional de Política Criminal, *Informe Anual de Estadísticas Policiales* (Buenos Aires: DNPC, 2000).

⁷ Catalina Smulovitz, “Citizen Insecurity and Fear,” in Hugo Fruhling and Joseph Tulchin, eds., *Crime and Violence in Latin America* (Washington, D.C.: Woodrow Wilson Center Press, 2003), p. 135.

⁸ Guillermo O'Donnell, Jorge Vargas Cullell, and Osvaldo M. Iazzetta, *The Quality of Democracy: Theory and Applications* (Notre Dame: University of Notre Dame Press, 2004).

⁹ Daniel Brinks, “Informal Institutions and the Rule of Law: The Judicial Response to State Killings in Buenos Aires and São Paulo in the 1990s,” *Comparative Politics* 36 (October 2003), p. 1.

¹⁰ “The Battle for Safer Streets,” *The Economist*, October 2, 2004.

¹¹ On military reform, see David Pion-Berlin, *Through Corridors of Power* (University Park: Penn State University Press, 1997) and “Political Management of the Military in Latin America,” *Military Review* (January-February 2005), 19-34. For a less sanguine view, see J. Patrice McSherry, *Incomplete Transition: Military Power and Democracy in Argentina* (New York: St. Martin’s Press, 1997).

¹² In contrast to police reform, there is a large and established literature on military reform in Latin America. In addition to Pion-Berlin, see for example Craig Arceneaux, *Bounded Missions* (University Park: Penn State University Press, 2001); John Samuel Fitch, *The Armed Forces and Democracy in Latin America* (Baltimore: Johns Hopkins University Press, 1998), Wendy Hunter, *Eroding Military Influence in Brazil* (Chapel Hill: University of North Carolina Press, 1997); Deborah Norden, *Military Reform in Argentina: Between Coups and Consolidation* (Lincoln: University of Nebraska Press, 1996); and Harold Trinkunas, *Crafting Civilian Control of the Military in Venezuela: A Comparative Perspective* (Chapel Hill: University of North Carolina, 2005).

¹³ Dútil and Ragendorfer, *La Bonaerense*, p. 11.

¹⁴ See for example the following three edited collections: John Bailey and Lucia Dammert, eds., *Public Security and Police Reform in the Americas* (Pittsburgh: University of Pittsburgh Press, 2006); Hugo Fruhling and Joseph Tulchin, eds., *Crime and Violence in Latin America* (Washington, D.C.: Woodrow Wilson Center Press, 2003); and the special issue on “Violence, Coercion and Rights in the Americas” coordinated by Anthony Pereira and Diane Davis in *Latin American Perspectives* 27 (2) 2000.

¹⁵ On police resistance, see Claudio Fuentes, *Contesting the Iron Fist: Advocacy Networks and Police Violence in Democratic Argentina and Chile* (New York: Routledge, 2005).

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- ¹⁶ On corruption, see Mercedes Hinton, *The State on the Streets: Police and Politics in Argentina and Brazil* (Boulder: Lynne Rienner, 2006).
- ¹⁷ On executive branch politics, see Mark Ungar, *Elusive Reform: Democracy and the Rule of Law in Latin America* (Boulder: Lynne Rienner, 2001), p. 97. While Ungar focuses on both successes and failures of police reform, executive branch politics plays a central role in his explanation for why reforms have often been reversed or undermined.
- ¹⁸ Laura Kalmanowiecki, "Origins and Applications of Political Policing in Argentina," *Latin American Perspectives* 27 (2000), 36-56.
- ¹⁹ Edward Gibson, *Class and Conservative Parties* (Johns Hopkins University Press, 1997) and Martin Andersen, *La policía* (Buenos Aires: Editorial Sudamericana, 2002).
- ²⁰ Marcelo Saín, *Seguridad, democracia y reforma del sistema policial en la Argentina* (Buenos Aires: Fondo de Cultura Económica, 2002), p. 75. A major obstacle to prosecuting police brutality in Argentina has been that judges lack investigators who are independent of the police. Paul Chevigny, *The Edge of the Knife: Police Violence in the Americas* (New York: The New Press, 1995).
- ²¹ Sofia Tiscornia, "Entre el imperio del 'Estado de policía' y los límites del derecho," *Nueva Sociedad* 191 (May-June 2004), 78-90.
- ²² For detailed descriptions of "citizen security" reforms, see Bailey and Lucia, eds., *Public Security*. See also Murray Tanner, "Will the State Bring You Back In? Policing and Democratization," *Comparative Politics* 33 (October 2000), 101-124.
- ²³ Charles Call, "War Transitions and the New Civilian Security in Latin America," *Comparative Politics* 35 (October 2002), 1-20.

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- ²⁴ Interview with Fernando Sánchez, staffer on the Security Committee in the Chamber of Deputies, May 19, 2005, Buenos Aires.
- ²⁵ Ungar, *Elusive Reform*, 90.
- ²⁶ *Ibid.*, 96.
- ²⁷ Alberto Fohrig and Julia Pomares, “La reforma policial desde las teorías del cambio institucional,” in Hugo Fruhling and Azun Candina, eds., *Participación ciudadana y reformas a la policía en América del sur* (Santiago: Centro de Estudios para el Desarrollo), p. 230.
- ²⁸ Centro de Estudios Legales y Sociales, *Políticas de Seguridad Ciudadana y Justicia Penal* (Buenos Aires: Siglo veintiuno, 2004), p. 50.
- ²⁹ Interview with Alberto Fohrig, Universidad de San Andrés, May 23, 2005, Victoria.
- ³⁰ Steven Levitsky, “An Organized Disorganization,” *Journal of Latin American Studies* 33 (2001), 29-66.
- ³¹ Susan Rose Ackerman, “Risk Taking and Re-election: Does Federalism Promote Innovation,” *Journal of Legal Studies* 9 (1980), 593-616; and Andre Breton, “Federalism and Decentralization,” *Publius: The Journal of Federalism* 30 (2000), 1-16.
- ³² Ricardo Ragendorfer, *La secta del gatillo* (Buenos Aires: Planeta, 2002), p. 44.
- ³³ Alejandra Vallespir, *La policía que supimos conseguir* (Buenos Aires: Planeta, 2002), p. 155.
- ³⁴ Interview with Marcelo Saín, Civil Intervener of the Airport Security Service, May 31, 2005, Ezeiza.
- ³⁵ Saín, *Seguridad*, pp. 90, 115.
- ³⁶ Ciro Annicchiarico, *Seguridad/inseguridad: problemática Bonaerense* (Buenos Aires: Némesis, 2002), pp. 75, 78.
- ³⁷ Saín, *Seguridad*, p. 116.

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- ³⁸ Fuentes, *Contesting*, p. 120; Fohrig and Pomares, “La reforma policial,” p. 242.
- ³⁹ “Los policías concursarán cargos y serán evaluados por los vecinos,” *La Nación*, May 11, 2004.
- ⁴⁰ “Intendentes enfrentados por el nuevo plan,” *La Nación*, April 12, 2004.
- ⁴¹ “Critican a Arslanian por la policía comunal,” *La Nación*, August 13, 2004.
- ⁴² “La relación del Presidente con Solá está quebrada desde hace tiempo,” *La Nación*, June 9, 2004.
- ⁴³ “Reclama de Solá al Gobierno,” *La Nación*, August 17, 2004.
- ⁴⁴ “La relación del Presidente,” *La Nación*, June 9, 2004.
- ⁴⁵ “Trabas legales para la reforma policial,” *La Nación*, April 12, 2004.
- ⁴⁶ “Se profundiza la pelea entre Arslanian y Blumberg,” *La Nación*, August 28, 2004.
- ⁴⁷ Smulovitz, “Citizen Insecurity,” p. 140.
- ⁴⁸ Ungar, *Elusive Reform*, p. 90; and Hinton, *The State on the Streets*, pp. 55-57.
- ⁴⁹ Gastón Chillier, “La sanción de un código de convivencia urbana,” in *Documentos de Trabajo, Seminario sobre reformas policiales en Argentina* (Buenos Aires: CELS, 1998), p. 16.
- ⁵⁰ *Ibid.*, pp. 10-13.
- ⁵¹ *Ibid.*, p. 23.
- ⁵² Ungar, *Elusive Reform*, p. 96.
- ⁵³ Interview with Cecilia Ales, research analyst, Centro de Estudios Legales y Sociales, May 31, 2005, Buenos Aires.
- ⁵⁴ Dútil and Ragendorfer, *La Bonaerense*, p. 10.
- ⁵⁵ Saín, *Seguridad*.

⁵⁶ Interview with Gerardo Strada Saez, Dean, Escuela Nacional de Inteligencia, May 30, 2005, Buenos Aires.

⁵⁷ Andrés Kipphan, *Asuntos internos: las mafias policiales contadas desde adentro* (Buenos Aires: Aguilar, 2004), p. 35.

⁵⁸ Rangendorfer, *La secta*, p. 113.

⁵⁹ “El Ministro Arslanian puso el dedo en la llaga de los políticos,” *La Nación*, April 8, 2005.

⁶⁰ Since 1983, the Peronists have governed a majority of Argentine provinces, including the eight years of Radical party government at the national level (e.g. 1983-1989, 1999-2001).

⁶¹ Marcelo Saín, *Política, policía y delito: la red Bonaerense* (Buenos Aires: Capital Intelectual, 2004), p. 27; and Javier Auyero, “The Political Makings of the 2001 Lootings in Argentina,” *Journal of Latin American Studies* 38 (2006), 241-265.

⁶² Klipphan, *Asuntos Internos*, 23; Dútil and Ragendorfer, *La Bonaerense*, p. 12.

⁶³ Saín, *Seguridad*, p. 115.

⁶⁴ Dútil and Ragendorfer, *La Bonaerense*, pp. 114, 115.

⁶⁵ For an example of this view, see Fernando Rosúa, *La reforma policial en la provincia de Santa Fé* (Buenos Aires: CELS, 1998).

⁶⁶ See for example Alexandra Barahona de Brito, *Human Rights and Democratization in Latin America: Uruguay and Chile* (Oxford: Oxford University Press, 1997); Alison Brysk, *The Politics of Human Rights in Argentina* (Stanford: Stanford University Press, 1994); and Philip Oxhorn, *Organizing Civil Society: The Popular Sectors and the Struggle for Democracy in Chile* (University Park: Penn State University Press, 1995).

⁶⁷ Marguerite Bouvard, *Revolutionizing Motherhood* (Wilmington: Scholarly Resources, 1994); and Marysa Navarro, “The Personal is Political: Las Madres de la Plaza de Mayo,” in Susan Eckstein, ed., *Power and Popular Protest* (Berkeley: University of California, 1989).

⁶⁸ Carlos Nino, *Radical Evil on Trial*. New Haven: Yale University Press, 1996, p. 115.

⁶⁹ Fuentes, *Contesting*, p. 5.

⁷⁰ Fuentes studies the human rights groups in Argentina that constitute the “civil rights” coalition, but does not focus on any of the organizations (other than the police themselves) that make up the “pro-order” coalition, in part perhaps because the rise of the most important such organization – the Axel Foundation – post-dates his study.

⁷¹ Estimates from CELS, *Derechos Humanos en Argentina: Informe 2004*, 155; and “Blumberg llenó media plaza,” *Clarín*, September 1, 2006.

⁷² *Ibid.*, p. 157.

⁷³ “Argentina y la inseguridad,” BBC News, http://news.bbc.co.uk/hi/spanish/latin_america/newsid_4400000/4400099.stm

⁷⁴ CELS *Derechos Humanos*, p. 169.

⁷⁵ “Opositores critican al PJ por el manejo del debate en Diputados,” *La Nación*, April 8, 2004.

⁷⁶ CELS *Derechos Humanos*, p. 171.

⁷⁷ “Reuniones por la policía comunitaria,” *La Nación*, November 13, 2004.

⁷⁸ “Nuevo cruce de críticas entre Arslanian y Blumberg,” *La Nación*, October 11, 2004.

⁷⁹ “Casi todas las leyes reclamadas por Blumberg ya fueron aprobadas,” *Clarín*, August 22, 2004.

⁸⁰ “Renovado clamor: más seguridad,” *La Nación*, August 27, 2004.

⁸¹ “Poca gente y algunas diferencias en la ‘contramarcha’ del Obelisco,” *Clarín*, September 1, 2006.

⁸² Emilio Dellasoppa and Zoraira Saint’Clair, “Brazil’s Public Security Plans,” in Bailey and Dammert, *Public Security*, p. 35.

⁸³ *Ibid.*, p. 32.

⁸⁴ Diane Davis, “Undermining the Rule of Law,” *Latin American Politics and Society* 48 (2006), p. 68-70. For state-municipal conflict, see Allison Rowland, “Local Responses to Public Security in Mexico,” in Bailey and Dammert, *Public Security*, 187-204.

⁸⁵ Davis, “Undermining,” pp. 72-75. On inter-governmental conflict in Mexico, see Angel López-Montiel, “The Military, Political Power and Police Relations in Mexico City,” *Latin American Perspectives* 27 (2000), p. 89.

⁸⁶ Azun Candina, “The Institutional Identity of the Carabineros,” in Bailey and Dammert *Public Security*, p. 89.

⁸⁷ Hinton, *The State on the Streets*, pp. 152-53.

⁸⁸ Fuentes, *Contesting*, p. 71.

⁸⁹ Andrés Villareal, “Political Competition and Violence in Mexico,” *American Sociological Review* 67 (2002), 477-98.

⁹⁰ Davis, “Undermining,” p. 71.

⁹¹ Fuentes, *Contesting*, p. 75.

⁹² Davis, “Undermining,” p. 78.

⁹³ Paulo de Mesquita Neto, “Partnerships for Police Reform in Brazil,” in Bailey and Dammert, *Public Security*, 44-57.

⁹⁴ “Blurring the Lines,” Washington Office on Latin America, September 2004.