

# Violent Crime and the Expansion of Executive Power in Latin America

Gustavo Flores-Macías  
Cornell University  
gaf44@cornell.edu

Pre-print version of:

Flores-Macías, Gustavo, “Violent Crime and the Expansion of Executive Power in Latin America,” [\*Presidential Studies Quarterly\*](#) 53(2): 256-272.

## Abstract

What is the relationship between violent crime and the expansion of executive power? Whereas the literature on crises and executive power has focused on the centralization of authority resulting from the war on terror, the role played by other forms of crises short of inter-state war has been neglected, especially in the developing world. This article argues that public safety crises have enabled executives to expand their power at the expense of other branches of government, levels of government, and protections against government abuse. It does so with examples from Latin America, where violent crime has become an important concern in many countries, highlighting the adoption of states of exception and the militarization of public life as avenues for the expansion of presidential power. It also provides in-depth, longitudinal evidence from the Mexican case to show the adoption of these measures over time and their consequences for democracy.

**Keywords:** executive power; crisis; violent crime; militarization; Latin America; Mexico

Wars and the threat of war have often been leveraged by executives seeking to expand their power (Kriner 2010; Porter 1994). However, other forms of crises short of war have been found to provide similar incentives for the centralization of authority (Bay 2005; Owens and Pelizzo 2009). Similar to the expansion of executive power observed in the United States after the terrorist attacks of September 11, 2001, the rise of violent crime can present opportunities to centralize power at the expense of inter-branch checks and balances, local government authority, and mechanisms of government oversight.

This article argues that crises of violent crime have enabled executives to expand their power at the expense of other branches of government, other levels of government, and protection against government abuse. It does so with examples from Latin America, where violent crime has become an important concern in many countries. In this region, presidents have sought to address the crises through the adoption of states of exception, the temporary suspension of habeas corpus guarantees, and the replacement of local civilian police with the national military, among others. The article shows that these measures have been fairly durable and have brought about detrimental consequences for the region's civil liberties, executive checks, and civil-military relations, ultimately resulting in the erosion of the quality of democracy.

The article's contributions are as follows. First, it moves forward the literature on executive power by showing how crises of violent crime can play a similar role as that of the war on terror in the expansion of executive power. Whereas the literature on crises and executive power has mostly focused on the war on terror as a crisis short of inter-state war (Owens and Pelizzo 2009), it has largely neglected the study of violent crime. Second, it helps to theorize the relationship between violent crime and the ways in which executives expand their powers. While

tough-on-crime policies have been studied from a number of angles, including drawing attention to the prevalence of militarization and human rights violations and their electoral consequences (Cruz 2000; Ley 2018), scholarship has yet to focus on the relationship between these policies and the centralization of executive authority.<sup>1</sup> Third, it highlights the relationship between crises and executive power in the Latin American context. Whereas scholarship has mainly focused on the war on terror in developed countries, by focusing on a type of crisis that affects many Latin American countries, this article helps to expand the emphasis of this literature beyond the developed world.

The remainder of the article is organized as follows. A first section discusses the literature on crises and executive power as a point of departure, with an emphasis on the war on terror. Building on this literature, the second section explains how crises of violent crime can result in the expansion of executive power. It highlights how presidents can point to violent crime emergencies to declare states of exception and militarize public safety to circumvent legislative and judicial oversight, encroach on the competencies of other levels of government, and undermine the legal protections afforded to citizens against government abuse. The third section provides context for the crisis of violent crime in Latin America and offers examples of states of exception and the militarization of public safety from across the region. The fourth section presents detailed, longitudinal evidence from Mexico and discusses its implications for executive power. The fifth section discusses the durability of these measures, and the last section concludes with a discussion of implications for democracy and civil military relations in Latin America.

### **Crises and the Expansion of Executive Power**

---

<sup>1</sup> A notable exception is Lindau 2011.

A useful point of departure to understand how crises of violent crime generate opportunities for the expansion of executive authority is the literature on the so-called war on terror. This literature focuses on how the threat of terrorist attacks became a justification for the adoption of measures expanding executive power at the expense of other branches of governments, levels of government, and civil liberties. The bulk of this literature has focused on the expansion of executive power following president George W. Bush's declaration that the United States would wage a war on terror in the aftermath of the terrorist attacks on September 11, 2001.

The attacks provided the Bush administration considerable room for maneuver to make drastic changes to assert executive power in the realm of domestic security (Owens and Pelizzo 2009). The changes centralized power in the executive by turning domestic law enforcement into a military matter—which concealed decisions from Congress and the courts—and restricting free speech, privacy and search and seizure protection, and other civil liberties (Bay 2005). Because of the popularity of the measures, Congress went along with Bush's proposed legislation to expand the executive's surveillance powers, revamp intelligence institutions, and significantly increase funding toward homeland security and federal programs related to the war on terror (Owens and Pelizzo 2009, 123). Whereas this expansion of presidential authority is perhaps most associated with the adoption of the USA PATRIOT Act in the United States,<sup>2</sup> the war on terror justified the adoption of similar measures by other governments around the world, including the 2001 Anti-Terrorism, Crime and Security Act in the United Kingdom, the 2005 Anti-Terrorism Act in Australia (Owens and Pelizzo 2009, 127), and the 2002 Prevention of Terrorism Act in India (Whitaker 2007, 1026).

---

<sup>2</sup> The full name of the act is Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism.

We have gained important insights about the expansion of executive power from the scholarship on the war on terror around the world. For example, Owens (2009) and Shephard (2009) have highlighted how fear of being held responsible for not taking the threat seriously led legislatures and the courts in the US and the UK to defer to the executive's plans. Beyond the Anglo-Saxon world, Remington (2009) has shown how the anxiety generated among the Russian public related to real and imagined internal security threats—especially in the aftermath of the Beslan hostage crisis in North Ossetia—helped president Vladimir Putin to centralize powers at the expense of the legislature and regional governments. Similarly, Schneider (2009) has underscored the central role that militarization played in aftermath of 9/11 and terrorist attacks in Bali, with Indonesian president Megawatti Sukarnoputri relying on the war on terror to justify measures that strengthened the military at the expense of civilian agencies. As the next section will show, there are important parallels between what the war on terror has done for executive power and what crises of violent crime are doing.

### **From Public Safety Crises to the Expansion of Executive Power**

How do presidents expand executive power during public safety crises? Akin to the expansion of executive power brought about by the war on terror, crises of violent crime can generate similar dynamics. In particular, presidents can point to public safety emergencies to militarize the domestic security apparatus and declare states of exception during which protections of civil liberties are restricted or suspended altogether. These actions tend to circumvent legislative and judicial oversight, encroach on the competencies of other levels of government, and undermine the legal protections afforded to citizens against government abuse. As with the war on terror,

these measures can be fairly sticky and enjoy broad popular support. They can also enjoy legislative backing or be unilaterally asserted by the executive.

First, regarding inter-branch oversight, when executives point to rising violent crime to justify involving the military in domestic public safety operations, the armed forces' actions become more removed from legislative scrutiny. Militaries tend to operate under greater secrecy than civilian authorities because of the national security imperative to keep tactics and capabilities hidden from potential enemies (Kaspar 2001). The armed forces also typically enjoy greater deference, which can result in less questioning of their actions, even if they are related to domestic affairs traditionally reserved to civilians, from domestic law enforcement to building infrastructure projects to administering social services (Bailey 2006). Further, in many developing countries, legislative bodies lack the expertise to understand and oversee the armed forces' actions.

Similarly, public safety crises can help executives circumvent judicial oversight through both the militarization of public safety and the declaration of states of exception. This is because the armed forces tend to enjoy separate treatment in the justice system, both because of formal privileges granted by military jurisdictions—such as a separate military justice system—or de facto prerogatives and deference granted by civilian courts (Kyle and Reiter 2012; Flores-Macías and Zarkin 2023). At the extreme, the declaration of states of emergency to address crises of violent crime provides exceptions to the courts' ability to reign in government abuse and hold government agents accountable.

Further, public safety crises can also allow executives to encroach on the competencies of local governments. Although the expansion of executive power is often understood as coming at the expense of other branches of government, such as the legislature or the judiciary, it can also

take place at the expense of local governments (Lindau 2011). This can happen through the centralization of policies to the detriment of local authorities' decision-making powers. For example, whereas police departments are often the responsibility of local authorities, the military respond to centralized, hierarchical chains of command, with the head of the executive branch at the top of the chain. For this reason, when the armed forces supplant local civilian's ability to shape public safety, the elected local authorities—e.g., mayors and city councils—no longer have control over policy decisions. Further, the constabularization of the military for domestic policing undermines the direct accountability connection between civilian government agencies and the local community and its elected officials.

Finally, executives can leverage public safety crises to expand their power at the expense of individual rights and civil liberties. Restrictions on surveillance and expectations of privacy can be curtailed under the pretext of the executive branch needing maximum latitude to address violent crime (Young 2022). At the extreme, states of exception can give the executive the authority to detain individuals for extended periods of time without a trial (Agamben 2005). Because of the reduction in accountability and checks from the other branches of government, whether formally through states of exception or de facto through the militarization of domestic policing, disincentives to engage in violations of civil liberties are reduced, as the likelihood of perpetrators facing consequences diminishes.

Regarding the permanence of these measures, the literature on crises and executive power points to a ratchet effect in terms of how slowly conditions might return to the status quo ante, if at all (Bay 2005). In the case of the war on terror, some restrictions have only very gradually been rolled back and others have remained in place (Bailey 2006). In the United States, for

example, key provisions of the 2001 Patriot Act only expired in 2015, and others were incorporated into the USA Freedom Act passed by Congress in that year and remain in effect.

A similarly long duration of measures expanding presidential power can be expected in the context of public safety crises. As with terrorism, executives can always make the case that the threat is ever-present and that centralizing measures can prevent crime that would otherwise become imminent. Crime, in general, and violent crime, in particular, are complex and difficult to rein in, so even if levels of violent crime recede, executives lifting measures can be portrayed as soft on crime and opening the door to future waves of victimization (Drago et al 2017).

A factor supporting the durability of these crime-emergency policies is their popularity among the public. Regardless of their effectiveness, measures that appear to be tough on crime can be popular because of how pressing public safety can become when violent crime is high (Bonner 2019). Policies such as the constabularization of the military for domestic policing have been found to elicit more favorable attitudes than relying on civilian police (Flores-Macías and Zarkin 2022). The popularity of tough-on-crime measures that expand the power of the executive at the expense of checks and balances and civil liberties represents a barrier to roll back these measures. The broad popular support behind these policies can also help explain why legislatures will often approve measures that in the absence of a crisis would be much less palatable. In short, both the open-ended nature of the public safety threat and the popularity of punitive measures in the form of states of exception and militarization makes the encroachment on civil liberties and civilian life durable.

### **Latin America's Violent Crime, States of Exception, and Militarization of Public Safety**

Despite great expectations for the 3<sup>rd</sup> wave of democratization in the 1980s and 1990s to bring much needed economic and political development to the Latin America, the region has since become the most dangerous part of the world outside of a war zone. It also holds the unenviable distinction of being the only region where homicide rates have increased in the twenty-first century (UN Office on Drugs and Crime 2014). Between 2000 and 2015, the region recorded more than 1.5 million homicides—an average of over 300 homicides per day or 110,000 homicides per year (Villalobos 2015).

This public-safety situation is dire in comparative perspective. According to the UN Office on Drugs and Crime (2022), in 2021 Latin America's average homicide rate of 21 per 100,000 people was about four times the global average (6), almost twice the rate of Africa (12), and more than seven times the rate of Europe (2.5). Whereas one third of the homicides in the world take place in Latin America, only nine percent of the world's population live there. And while there is considerable variation in levels of violent crime—from Venezuela (49), Honduras (42), and El Salvador (37) with the highest rates to Argentina (5), Uruguay (5), and Cuba (5) with the lowest—public safety holds a prominent place as the main public concern across Latin America. When asked about their country's main problem, public safety is the main issue identified by respondents in the region—with 20% mentioning it compared to 15% who mentioned unemployment. Public safety is the number one problem in Chile, Dominican Republic, El Salvador, Guatemala, Mexico, Panama, Peru, and Uruguay, and a close second or third in most other countries in the region (Latinobarómetro 2018).

As with the terrorist threat in the aftermath of 9/11 and the war on terror that ensued, Latin American presidents have leveraged the public pressure to address the threat of violent crime through the expansion of executive power, and legislatures have generally gone along even

if the proposed measures reduce checks on executive power and undermine civil liberties.

Although there is variation across countries in terms of public safety environments, types of policies adopted, and their intensity and timing, two recurrent avenues through which governments have sought to address crises of violent crime since the 2000s is through states of exception and through the militarization of public life.

First, although there is variation across countries, the declaration of states of exception typically grants the executive the authority to make arrests without the right to due process, among other prerogatives. For example, in line with his predecessors' tough-on-crime policies (Holland 2013), El Salvador's President Nayib Bukele (2019-present) issued a decree declaring a state of emergency in response to a surge in gang-related violence in March 2022. The decree suspended key civil liberties, including the right to legal defense and the right to know what one is being charged of when arrested and imprisoned. The legislature also established indefinite pre-trial detention, in absentia trials, the ability to sentence minors as adults to prison terms for gang-related crimes, and the ability to send to prison those who may be vaguely associated with gangs (Amnesty International 2022). Twelve months later, after an equal number of renewals, more than 52,000 people had been detained under these measures. According to public opinion polls, more than 85 percent of respondents in El Salvador support the government's measures, known as the *war against gangs* (*Prensa Latina* 2022).

In Honduras, president Xiomara Castro (2022-present) has similarly declared states of emergency as a response to violent crime, adopting generalized curfews, and restricting freedoms in parts of the territory (Romero 2022). In Ecuador, President Guillermo Lasso (2021-present) has declared a series of states of exception beginning in 2021 to address a wave of criminal violence. During these states of exception fundamental rights have been suspended, including

right to transit freely, the right to free assembly, the right not be subject to search without warrant, and the right to privacy in correspondence and other communications (*El Comercio* 2022). The states of emergency have typically been scheduled to last a month and a half, but their frequency has normalized them during the Lasso presidency.

In Chile, the government has also resorted to states of exception to address waves of criminal violence. For example, President Gabriel Boric (2022-present) declared on May 17, 2022 a state of exception in the southern provinces of Arauco and Biobío in the Biobío Region and the Araucanía Region. The state of exception, which at the time of writing had been reapproved nine consecutive times by the legislature, invoked the deterioration of public order as a justification and allowed the armed forces to conduct policing operations in the affected areas (CNN Chile 2022).

In Guatemala, states of exception have been declared by president Alejandro Giammattei (2020-present) in the western part of the country. The decrees, which have been extended beyond the original duration of one month, have been issued to maintain public order and to control “illegal armed and organized groups.” In line with decrees by previous Guatemalan presidents, the states of exception have restricted constitutional rights including freedom of transit and freedom of assembly, and enable the armed forces to detain suspects without a warrant (*Agencia Guatemalteca de Noticias* 2021). The Guatemalan president becomes the direct ruler of the areas under state of exception as commander in chief of the armed forces.

Second, the expansion of executive power has often taken place, not through the formal declaration of states of exception, but through *de facto* states of exception brought about by the militarization of public life. In a majority of countries in the region, concern about violent crime

has encouraged governments to militarize law enforcement by deploying the armed forces for domestic policing (Flores-Macías and Zarkin 2021).

For example, during the presidency of Juan Orlando Hernández (2014-2022) the armed forces participated in an average of 300,000 domestic public safety missions each year (Secretaría de la Defensa Nacional de Honduras 2016). In Brazil, since the federal government deployed the military to regain control of 20 favelas in Rio de Janeiro between November 1994 and January 1995, military operations to maintain the peace in these areas have been recurrent (Donadio 2016). In Honduras, close to 6,000 soldiers take part in joint military-police operations since the government created the Military Police for Public Order in 2013 to address drug trafficking (Secretaría de Defensa Nacional de Honduras 2016), and the government has also put the armed forces in charge of the country's prison system (Isacson 2020).

In Colombia, the military have been involved in domestic policing since 1960s. Despite the Peace Accord reached with the FARC in 2016, the government continues to rely on the Colombian military for drug trafficking and contraband operations. Examples are Plan Victoria, through which more than 60,000 soldiers have been deployed for policing in areas previously controlled by the FARC, and Plan Fortaleza, in which the military was deployed to police the city of Cali (Blair and Weintraub 2021). Alongside policing tasks, there is evidence that Colombia's military intelligence units were spying and intimidating journalists, activists, politicians, and judges (Isacson 2020).

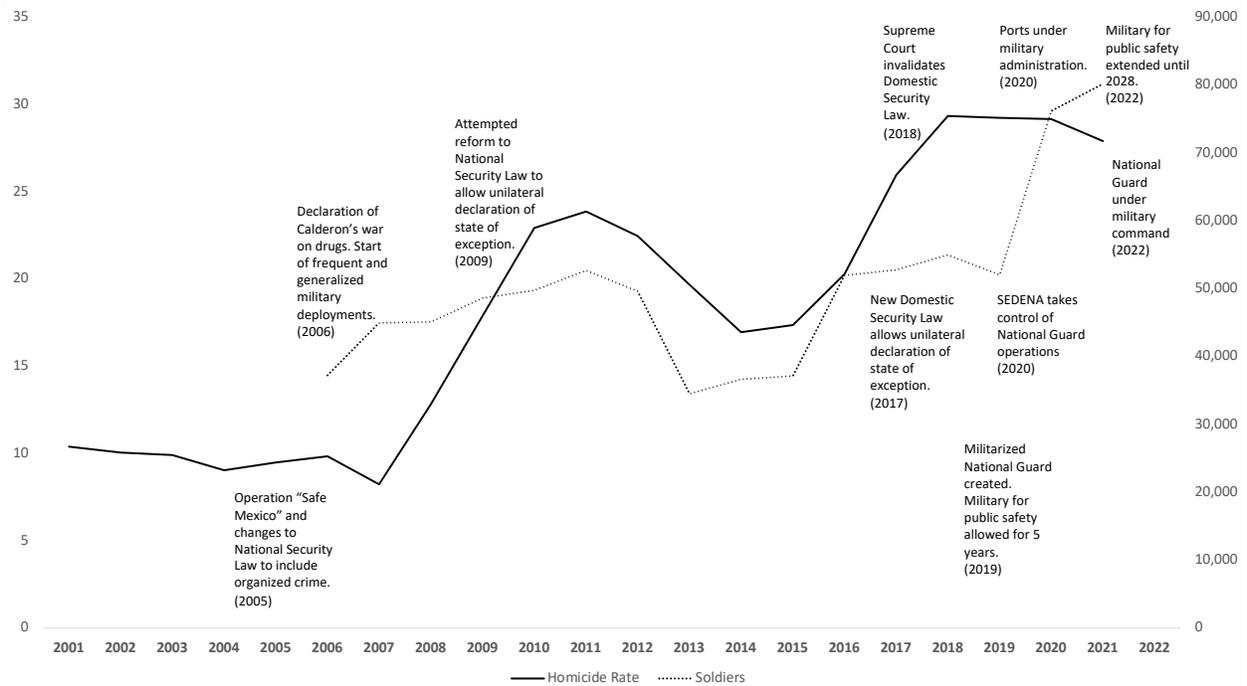
As these examples show, governments across the region have responded to rising violent crime by expanding presidential power, whether formally through states of exemption or informally through the militarization of public safety and other government spheres. In the next section this article discusses in detail the case of Mexico, a country with levels of violent crime

toward the middle of the region, and where presidential power has been expanded both formally and informally.

### **The Mexican Case**

The Mexican case is helpful to illustrate how responses to violent crime have resulted in the expansion of executive power over time. As this section will show, as violent crime deteriorated in the country, presidents sought to adopt increasingly ambitious measures, from the ability to unilaterally declare states of exception without legislative approval to de facto states of exception through tens of thousands of soldiers participating in domestic public safety operations (see Figure 1). The case exemplifies not only how policies meant to address Mexico's public safety crisis encroach on other levels and branches of government and undermined protections against government abuse, but also the roles that the legislature and the courts played in advancing and checking the executive's proposals.

### **Figure 1: Mexico's Violent Crime and Measures Expanding Executive Power**



NB: The homicide rate corresponds to the left axis and the number of soldiers to the right axis. Source: Angel 2021.

The Mexican Constitution makes clear the conditions under which the armed forces can operate in the national territory, as well as the circumstances under which states of exceptions can be declared. In particular, Article 129 establishes that, “during times of peace, no military authority will perform any functions other than those strictly related to military discipline. There will only be fixed and permanent military commanding posts in the fortresses and depots subordinated to the national government, or in the barracks, encampments, or depots which, outside of population centers, the government would establish for stationing troops.” In turn, Article 29 allows for the president to declare a state of exception only with the approval of Congress and for a limited time, in all or parts of the national territory in the case of “invasion, grave perturbation of the public peace, or any other case that brings grave danger or conflict to society.”

Contravening the Constitution, Mexican presidents’ use of the military in anti-drug trafficking operations dates back to the 1950s, with the armed forces playing a supporting role in drug eradication missions (Mendoza 2016). This practice continued through the mid-1990s, when a series of steps were taken to adapt secondary laws and institutions to more formally incorporate the armed forces in domestic public safety tasks. An important step in this direction was President Ernesto Zedillo’s (1994–2000) 1994 declaration of drug trafficking as a national security priority and articulation of the military’s mission as guarantor of public safety (*Diario Oficial de la Federación* 1995). This articulation paved the way for Congress to pass the 1995 law that established a new National Public Safety System, which mandated the coordination of the municipal, state, and federal governments for public safety purposes. While the creation of the National Public Safety System was an important milestone for law enforcement coordination, it opened the door to the armed forces’ direct participation in domestic public safety beyond the

limited drug-eradication tasks it had conducted in previous decades. Article 12 of the law established that the Secretary of the National Defense (SEDENA)—which manages the army and the air force—and the Secretary of the Navy (SEMAR)—an active duty general and an active-duty admiral, respectively, as Mexico does not have a civilian secretary of defense<sup>3</sup>—would become members of the National Public Safety System.

On June 11, 2005, President Vicente Fox (2000–2006) launched Operation Safe Mexico, a deployment of the armed forces to the border state of Tamaulipas aimed at addressing drug cartel violence (Mendoza 2016). The government justified the operation as a response to cartels having compromised local law enforcement agencies, and during the operation federal forces arrested more than 700 local police officers. That same year, Fox made changes to the National Security Law (*Ley de Seguridad Nacional*) to include organized crime as part of the competencies of the armed forces (Sánchez Ortega 2020).

While these efforts involved either the limited participation of the armed forces in drug-eradication or a brief deployment to maintain the peace, such as Operation Safe Mexico, beginning with President Felipe Calderón’s administration (2006-2012) the military became the lead institution in the country’s anti-drug efforts. Starting on December 11, 2006, Calderón launched what his government dubbed as the “war on drugs,” which drastically intensified the power of the executive by assigning the armed forces the lead role in a protracted effort across the national territory. Changing the balance of how anti-drug efforts were carried out among government agencies, Calderón deployed an estimated 45,000 troops in ongoing formal military operations in several states of the country, including Michoacán in 2006; Baja California and Guerrero in 2007; Chihuahua, Durango, Nuevo León, Sinaloa, and Tamaulipas in 2008; and

---

<sup>3</sup> Instead, two military secretaries, SEDENA and SEMAR, report directly to the president.

Veracruz in 2011 (Merino 2011). In these highly visible operations, rather than the military playing a supporting role for civilian law enforcement, the roles reversed, with a military commander in charge of joint operations and the civilian police supporting the armed forces. For example, in Operation Michoacán the ratio of military to police was close to 4 to 1: 5,254 armed forces were assisted by 1,400 civilian police (*La Crónica* 2006). In Sinaloa the ratio was 2 to 1: 1,933 military personnel were assisted by 740 civilian police (*El Sol de Sinaloa* 2008). In each of these operations, the armed forces deployed dozens of anti-drug aircrafts and hundreds of amphibious vehicles, conducted aerial and ground patrols, set checkpoints on roads and within cities and towns, and established semi-permanent military bases throughout these states' territories (*La Crónica* 2006).

In addition to these operations, Calderón introduced changes to the National Security Law to bring the legal framework in line with the *de facto* militarization. In 2009, Calderón sought to add a section corresponding to domestic security, which would give the president the ability to unilaterally declare a state of emergency without the legislature's authorization. Through a declaration of a crisis affecting domestic security (Declaración de Existencia de Afectación a la Seguridad Interior), which could be invoked for situations that jeopardized public order, the reform also sought to give the armed forces the ability to investigate crime directly without resorting to civilian authorities, such as the Attorney-General's Office. The proposed reform faced resistance from civil society and from the opposition in Congress, which took issue with the ambiguity surrounding the circumstances and procedures through which the executive could declare a state of emergency and deploy the armed forces for public safety purposes. The opposition generated counter-proposals, including expanding the jurisdiction of civilian courts over soldiers in cases involving civilians, prohibiting the deployment of the armed forces for

protest control and against social movements, and prohibiting military checkpoints along the country's road system (Sánchez Ortega 2020). After debate, the 51<sup>st</sup> legislature was unable to find a path forward to approve the proposal, with its constitutionality as one of the main sticking points. Thus, the Calderón administration tried unsuccessfully to modify the legal framework to accommodate the *de facto* state of exception put in place since 2006.<sup>4</sup>

In contrast, in June 2008 president Calderón was successful in reforming Article 16 of the Constitution, which incorporated the system of preventive detention known as *arraigo* into the constitutional text. The reform established that “a person detained under *arraigo* may be held without formal criminal charges for up to 40 days with a judge's approval, or up to 80 days with further judicial review, provided the detainee is suspected of involvement in organized crime” (Deaton and Rodríguez Ferreira 2015, 3).

President Enrique Peña Nieto (2012-2018), Calderón's successor, maintained the armed forces in charge of anti-drug efforts across the national territory. After his predecessor's inability to legalize the *de facto* state of exception, he proposed a new Domestic Security Law (Ley de Seguridad Interior). Similar to Calderón's attempt to give the executive the ability to declare a state of exception through the reform to the National Security Law, Peña Nieto's effort had a comparable objective but through a different legal avenue. Article 11 of the proposed Domestic Security Law, granted the president the prerogative of unilaterally deploying the armed forces to carry out domestic public safety tasks following a declaration that the country's domestic security was in danger (Vázquez Avedillo et al 2019). Similarly, Article 15 established that the declaration could be modified or prolonged as determined by the president, giving the executive ample discretion. In spite of civil society's concerns regarding the lack of civilian oversight,

---

<sup>4</sup> On 14 July 2011, the Supreme Court issued a ruling that put limits on the jurisdiction for military trials.

accountability, and transparency, insufficient regulation of military use of force, and the expansion of military jurisdiction over civilians (Suárez-Enríquez and Meyer 2018), Congress approved Peña Nieto’s proposed Domestic Security Law in December 2017.<sup>5</sup>

Less than a year later, Mexico’s Supreme Court invalidated the Domestic Security Law, however. On November 15, 2018, the constitutional tribunal ruled that the law was unconstitutional because it included provisions that sought to normalize the use of the armed forces in domestic public safety. These provisions were not only in violation of article 129 of the Constitution—which establishes the limits of military roles during peace time—but also *de facto* subordinated civilian authorities to military jurisdiction during peace time without a declaration of a state of exception approved by the legislature—as required by Article 29 (Gil Rendón 2019).

Despite this setback for the centralization of executive authority through *de facto* states of exception, President Andrés Manuel López Obrador (2018-present) continued with the deployment of the armed forces for domestic public safety, despite campaigning on the promise to return the military to the barracks.<sup>6</sup> With the precedent of the Supreme Court striking down the Domestic Security Law, López Obrador asked Congress to reform the Constitution so that soldiers could participate in domestic public safety through the creation of a National Guard and the dismantling of the civilian Federal Police. The logic behind the constitutional reform, which cited as motivation Mexico’s “crisis of violence, insecurity, and impunity,” was that the Supreme Court could not strike it down if the text of the Constitution itself was modified (Cámara de Diputados 2018).

---

<sup>5</sup> The Senate approved it with 76 votes in favor, 44 against, and 3 abstentions, while in the lower chamber it passed with 262 votes in favor, 25 against, and no abstentions. Legislators from the PRI, Green Party, and a faction of National Action Party (PAN) voted in favor.

<sup>6</sup> One of López Obrador’s campaign slogans was “Hugs, not bullets” (Abrazos, no balazos), alluding to the need to address the root problems of criminal violence rather than emphasizing punitive approaches.

Because of the lack of a trustworthy and professional civilian police force, the proposed National Guard would draw for its membership from SEDENA and SEMAR, as well as from the Federal Police that it was replacing (Cámara de Diputados 2018). It sought to recruit a force of 50,000 personnel, which would receive military training from SEDENA. Congress approved the proposal in February 2019 (Porcoroba 2021, 35),<sup>7</sup> and the approval of 17 state legislatures required for constitutional changes took place by March 6 of that year.<sup>8</sup> Further, a transitory article (Article 5) allowed the president to rely on the armed forces for public safety until March 2024 (Porcoroba 2021, 37).

A month later, in March 2019, the president issued a decree creating the National Guard, the vast majority of its personnel coming from SEDENA (Meyer 2019). While Lopez Obrador's original vision was to have the National Guard under SEDENA's military command, in the end it was put under civilian command (Article 4), reporting to the Secretary of Safety and Citizen Protection (Diario Oficial de la Federación 2019). Among its main tasks are to prevent crime in all of the territory under federal jurisdiction, including customs and borders (Article 9). In 2020 the National Guard increased its personnel from 74,437 in January to 98,282 in December (Porcoroba 2021, 37). By August 2022, the National Guard had reached 110,000 personnel (Office of the President 2022).

In October 2020, although the National Guard formally reported to the Secretary of Safety and Citizen Protection for administrative purposes, SEDENA took control of its operations through the commanders of the country's twelve military regions (Castillo 2021). In September 2022, the president issued a decree that put the National Guard under administrative

---

<sup>7</sup> The measure was approved with 127 votes in favor and one absence in the Senate, and 463 in favor and one against in the Chamber of Deputies.

<sup>8</sup> A minimum of 17 of the 32 local legislatures have to approve a constitutional reform following the approval of the national legislature.

control of SEDENA, completing its full militarization, as a way to prevent corruption within the National Guard. On October 24, 2022, a federal judge suspended the measure indefinitely (*Revista Expansión* 2022), and on April 19, 2023, the Supreme Court ruled that against the constitutionality of the measure.

In parallel to the National Guard conducting public safety tasks beginning in 2019, the military—SEDENA and SEMAR—continued to perform public safety operations, including anti-drug trafficking missions, the protection of oil ducts, and securing Mexico’s southern border (Benítez 2021, 19). The number of troops involved in public safety increased as well. While on average 48,500 troops were deployed per year during the Calderón administration and 53,000 during Peña Nieto’s government, during López Obrador’s presidency the average number has reached 73,347 (Angel 2021). Further, in October 2022, the Chamber of Deputies approved the executive’s proposal to extend the period during which the president can rely on the armed forces for public safety, moving the deadline from 2024 to 2028.<sup>9</sup>

Beyond the public safety tasks assigned to the armed forces, López Obrador has extended the role of the military into a number of spheres that had been reserved for civilian authorities. One of the main justifications has been the belief that soldiers are less prone to corruption than civilian police in public safety operations. Following this logic, the government turned over control of the country’s port authorities and customs administrations to SEMAR in 2020 aiming to address corruption, contraband, and drug trafficking at the ports (Sánchez Ortega 2020, 8).<sup>10</sup> A second justification has been to provide resources to financially compensate the armed forces. The armed forces have been put in charge of building and operating four airports—one in

---

<sup>9</sup> The vote was 339 votes in favor, 155 against, and two abstentions. In the Senate, the vote was 87 in favor and 40 against. As of the time of writing, twelve out of the necessary seventeen state legislatures had approved the reform.

<sup>10</sup> Previously, ports and customs were under civilian control in the Ministry of Communications and Transportation.

Mexico City and three in southeast Mexico—a major new rail infrastructure project (Tren Maya) in the Yucatan Peninsula, and even a new government run airline. About 75% of profits will be destined toward military pensions (Carrillo 2021).

Mexico’s expansion of executive power in the form of a *de facto* state of exception through the militarization of public life has enjoyed widespread approval among the population. In 2019, about 75% of respondents in a nationally representative survey supported the creation of the National Guard (Pocoroba 2021, 34). In May 2020, about 78% expressed support for the armed forces conducting domestic law enforcement during the following five years (*Sin Embargo* 2020; Benítez 2021, 20). In October 2022, 62% of respondents expressed support for the armed forces remaining in domestic law enforcement until 2028, and 54% expressed support for the National Guard formally becoming part of SEDENA—as proposed by the executive and approved by Congress (Mitofsky 2022). That same month, another survey showed that 72% of respondents supported the armed forces administering ports, customs, and border crossing points, and 62% supported the armed forces’ building major infrastructure projects (*Los Reporteros* 2022).

#### *Implications for executive power in the Mexican case*

The Mexican case illustrates several important ways in which executives have leveraged the public safety crises to expand presidential power by undermining federalism, legislative and judicial oversight, and the protection of civil liberties necessary to guard against government abuse. First, as discussed in the theoretical section, the *de facto* state of emergency through the extra-legal deployment of the military has undermined the authority of elected officials at the municipal and state levels. This does not mean that local governments are helpless in challenging executive encroachment, but that mayors and governors are often forced to follow the lead of the

armed forces regarding public safety, and they in fact report to military commanders. As Lindau (2011, 199) has pointed out, the government's deployments of the armed forces have taken away from vast areas "the jurisdictional authority and the concomitant decision-making independence that lie at the heart of real federalism." In this sense, militarization has worsened the asymmetry inherited from Mexico's authoritarian regime in which federal government had significant control over resources compared to the state and municipal governments (Lindau 2011).

Second, the militarization of civilian affairs has undermined the accountability of the executive before the legislative and judicial branches. In the absence of a civilian ministry of defense, Mexico's armed forces have operated with very little civilian oversight. As the military takes on a growing number of tasks previously reserved for civilians—from public safety to customs administration to infrastructure projects—its involvement obscures spheres of public life that used to enjoy some oversight. For example, whereas the port administration used to be under the supervision of the Ministry of Communications and Transportation and Congress could call on the minister to explain the state of affairs, the general who is the Secretary of SEDENA has refused to appear before the legislature (García 2022). In the absence of mechanisms that allow legislators to monitor the actions of the armed forces, the oversight role of Congress is limited to approving the resources assigned to the military through the federal budget (Meyer 2019).

In addition to the legislature's inability to monitor the military's actions, the expansion of the range of tasks assigned to the armed forces has also shielded the executive branch from judicial accountability. The armed forces' opacity in the military system of justice provides a layer of impunity that undermines the judiciary's ability to hold soldiers accountable. Before the military code of justice was reformed in 2014, soldiers could only be tried in military tribunals for human rights violations against civilians. This system contributed to executive abuse because

there was no civilian review mechanism and no independence between the executive and judicial sides of the military as both report to the head of the ministry—whether SEDENA or SEMAR (Góngora 2015). Not surprisingly, the United Nations considered military personnel to be virtually immune from civilian justice due to the protection afforded by the military justice system (Lindau 2011, 188).

Although article 57 of the military code of justice was reformed in 2014, establishing that soldiers could be tried in civilian courts for crimes against civilians, the reform has not changed much in practice. The military continue to enjoy considerable deference by civilian authorities when investigating crimes (Ríos Figueroa 2019, 439). Investigations tend to be slow and in the vast majority of cases fail to lead to convictions. Further, military authorities often limit or block civilian prosecutors' ability to access evidence and collect testimony from witnesses. As a result, soldiers face few restrictions to tamper with evidence, provide false testimony, or intimidate witnesses. In spite of recommendations and rulings from the Inter-American Court of Human Rights (Corte Inter-Americana de Derechos Humanos 2015), “military prosecutors and courts continue investigating human rights violations against civilians, arguing that they retain jurisdiction to open their own investigation in order to clarify whether the same events constitute military crimes” (Meyer 2019). According to the think tank Washington Office on Latin America, between 2012 and 2016, 97% of abuses by the armed forces investigated by the Attorney General's Office (PRG) remained unpunished” (Meyer 2019).

Third, the measures expanding executive power have undermined the protection of civil liberties. On the one hand, the militarization of law enforcement has resulted in severe human rights violations. According to surveys among the incarcerated population conducted by the Mexico's National Statistics Office (INEGI), for example, 64 percent of respondents reported

being harassed/tortured by military, including electric shocks, asphyxiation, and sexual abuse (Human Rights Watch 2021). Not only has the number of complaints skyrocketed, but certain cases, such as Ayotzinapa, Tlatlaya, and Tanhuato, have drawn international attention for the brutality and the impunity with which forced disappearances and extra judicial executions took place.

On the other hand, the war on drugs has also served as a justification to formally curtail protections against government abuse. Whereas the *arraigo*—preventive detention—had been ruled unconstitutional by Mexico’s Supreme Court in 2006, finding it in violation of personal freedom and freedom of transit, the Calderón administration modified the Constitution in 2008 so that the measure could not be challenged in court on the grounds of unconstitutionality (Deaton and Rodríguez Ferreira 2015, 3). This measure of detention without charge is meant to serve as an investigative tool, but it has been associated with patterns of abuse including denial of counsel, torture, and being held incommunicado (Deaton and Rodríguez Ferreira 2015, 3). According to a study of the use of *arraigo* during the Calderón administration, only 7% of the more than 3,100 *arraigos* requested by prosecutors were denied, about half of those granted were held longer than the initial 40-day period, and only about 3% led to a conviction. Thus, in the vast majority of cases suspects are detained without a conviction. Because of the latitude given to authorities, this measure—justified as a crime-fighting tool—has undermined Mexico’s ailing due process (Lindau 2011, 192). In short, the need to address violent crime has served as a justification for a significant centralization of power in the executive at the expense of other levels of government, branches of government, and protections of civil liberties.

### **A Ratchet Effect from Violent Crime?**

Latin America's experience with crime-induced expansion of executive power points to a ratchet effect taking place. As the experience with the war on terror in the US shows (Bay 2005; Owens and Pelizzo 2009), measures that expand the president's power to address a crisis become more difficult to roll back with every expansion. Even when the crisis subsides, some reversal might take place, but rarely to the initial baseline.

Similar to the incentives brought about by terrorist attacks, violent crime can also generate both a sense of an ever-present threat and a sense that measures expanding executive power can guard against such threat. Since the causes of crime are not straightforward and it can be difficult to address, the lifting of these measures can be portrayed as opening the door to crime and bring important political costs. As the US war on drugs has shown—with decades of punitive policies despite little in the way of tangible results—policies to address crime can be remarkably durable regardless of their effectiveness.

Measures that increase executive authority are not showing signs of receding in Latin America. Instead, there is evidence that these measures may actually be further exacerbating violence in society (Durán-Martínez and Soifer 2021; Flores-Macías and Zarkin 2021; Magaloni and Rodriguez 2020), which in turn leads to the adoption of additional measures. In this sense, despite evidence pointing to militarization's lack of effectiveness to address crime, the popularity of the measures further contributes to their permanence. Research has found that the military uniform and military weapons tend to elicit more favorable attitudes toward law enforcement personnel than police uniforms and police weapons (Flores-Macías and Zarkin 2021). Further, surveys show that the military enjoy greater popularity than police across the region (Pion-Berlin and Carreras 2017). The popularity of military deployments—in spite of growing evidence of their ineffectiveness—represents an additional barrier to the possibility of rolling them back.

Rather than subsiding over time, the expansion of executive power through militarization can make it easy for governments to involve the armed forces in other spheres beyond public safety. Beyond the examples from the Mexican case in which the armed forces have been assigned to the administration of ports and customs and the construction of major infrastructure projects, another instance of a crisis that Latin American presidents addressed through the military is the COVID-19 pandemic, which further strengthened the hand of the military in the region's civil-military relations (Isacson 2020). As Latin American governments realized the consequences of the pandemic and the delays in accessing vaccines, executives deployed the armed forces to enforce curfews and lockdowns and to prevent the spread of the Coronavirus (Medeiros Passos and Acácio 2021).

For example, El Salvador's President Nayib Bukele gave the armed forces a prominent role in enforcement of restrictions to prevent the transmission of COVID-19, including during mandatory lockdowns. The armed forces arrested dozens of people for violating quarantine rules, resulting in myriad complaints about arbitrary detention and excessive use of force (Human Rights Watch 2020). After receiving criticism from the Office of the Ombudsperson for Human Rights, rather than ease his militarized approach, President Bukele encouraged police and the military "to be tougher with people violating the quarantine" (Human Rights Watch 2020).

In some countries, such as Colombia and Mexico, militaries set up and staffed field hospitals to help address healthcare needs. In other locations, the armed forces occupied prominent positions in regional and national command centers, as in Bolivia, Chile, and Peru (Medeiros Passos and Acácio 2021). In Bolivia, for example, a Rear Admiral was appointed head of the Committee of National Emergency Operations (Comité de Operaciones de

Emergencia Nacional - COEN), and in Chile the country's 16 zones for emergency management were led by military officers (Medeiros Passos and Acácio 2021).

In Brazil, President Jair Bolsonaro—a retired military officer himself—also relied on the armed forces to manage the pandemic. Bolsonaro appointed more than a dozen members of the Brazilian military to key positions in the Ministry of Health, including an Army General as minister (Hunter and Vega 2021; Medeiros Passos and Acácio 2021). Further, Bolsonaro issued a decree allowing military personnel to stay indefinitely in civilian roles without having to resign their commissions (Hunter and Vega 2021).

In short, as executives have expanded their power with the rise of violent crime in Latin America, there is evidence that the measures that are often presented as temporary solutions tend to remain in place. Moreover, the same measures adopted to address violent crime are often deployed to other aspects of public life, bringing similar consequences affecting transparency and accountability with respect to other branches and levels of government.

## **Conclusion**

This article showed how Latin American governments' efforts to address rising violent crime have contributed to the adoption of measures that expand the powers of the executive. This expansion of presidential power has come at the expense of the competencies of other levels of government, such as local elected authorities' ability to set policies within their jurisdictions. It has also eroded legislative and judicial oversight, including through states of exception that suspend oversight roles assigned to Congress and the courts. These measures have come at the expense of protections against government abuse, resulting in growing numbers of violations of

civil liberties, from human rights abuses committed by soldiers to long periods of pretrial detention without formal charges.

The article also highlighted the durability of the measures expanding executive power to address violent crime. Even when measures are adopted on a temporary basis, such as the constabularization of the military for domestic policing in Mexico or the adoption of states of exception in El Salvador, the measures expanding the president's power can become fairly sticky. Indeed, they can be remarkably durable even if they contravene the prevailing legal order.

Contributing to this stickiness is the measures' popularity among the public, which also shapes legislators' incentives to support the president's requests to further centralize power. Although legislators do not always approve the president's proposed measures, as the setbacks of the proposed National Security Law in the Mexican Congress suggest, the legislative pushback seemed to be more the exception than the norm. Instead, judicial challenges were a better avenue for opponents of the measures.

These findings have important implications for the quality of democracy in the region. First, in Latin America, where the rule of law is not particularly strong, the expansion of presidential power to address crime undermines the limited protections that citizens enjoy. While the expansion of presidential power through states of exception and the militarization of public life does not seem to be addressing violent crime, reports of abuse have become widespread. Examples include extrajudicial killings at the hands of military death squads with hit lists in places such as Honduras (Lakhani 2017) and Colombia (Human Right Watch 2015), massacres implicating the Mexican military,<sup>11</sup> arbitrary arrests and disappearance of thousands of young adults believed to be part of gangs in El Salvador (Holland 2013), as well as torture, kidnapping,

---

<sup>11</sup> For example, in Ayotzinapa (Guerrero), Tlatlaya (Mexico state), and Tanhuato (Michoacán).

and sexual violence perpetrated by soldiers against suspects (Human Rights Watch 2017). The militaries' actions further contribute to the landscape of human rights abuses conducted by civilian law enforcement agencies in the region (González 2020).

Due to Latin American legislatures' historical weakness, not only with respect to the US legislature (Shugart and Carey 1992; Martínez-Gallardo and Schleiter 2015; Inácio and Llanos 2016), but especially on military affairs (Weeks 2010, 165), oversight over the militarization of public life is bound to be deficient. The region's legislators have had few incentives or resources to learn about military affairs (Pion-Berlin and Trinkunas 2007), which has resulted in the armed forces operating with considerable independence and secrecy. Weak legislative oversight on military affairs is conducive to the normalization of executives' overreliance on the armed forces for domestic purposes, which in turn is likely to result in executive abuse and the exacerbating of the region's hyper-presidentialism.

Second, the way in which executive power have been used to address violent crime is likely to undermine the legitimacy of civilian authorities and institutions (Diamint 2020). In particular, the presidents' reliance on the military for domestic policing conveys the impression that civilians are unable to solve social problems and that only through states of exception and militarized solutions can they be addressed. At the extreme, these measures can not only undermine civilian control over the armed forces, but also embolden the armed forces to make high-stakes decisions typically reserved for civilians in democratic systems and even breach the constitutional order.

Although the number of military coups in Latin America has declined considerably since the early 1990s (Rittinger and Cleary 2013), the region's militaries have continued to play a role as kingmakers, removing democratically elected presidents through force or pressure, as in

Ecuador in 2000, Venezuela 2002, Honduras 2009, and Bolivia 2019. These events are concerning both because of the region's past experience with military dictatorships during the 1960s, 1970s, and 1980s and what recent developments portend for today. According to Latinobarómetro (2021), the regional average of those expressing support for non-democratic governments as long as they solve people's problems reached 51% compared to 44% in 2002.<sup>12</sup>

These findings should inform efforts to address crises of violent crime in Latin America. With the public safety situation continuing to deteriorate in many countries in the region, the push to expand executive power as a solution to the crises will continue. Despite the lack of evidence that the measures are effective in reining in violent crime, they can be popular and politically appealing. However, the cost to the quality of democracy can be high in a region with a history of checkered civil-military relations and weak rule of law.

---

<sup>12</sup> For a discussion of this trend see Mainwaring and Pérez-Liñán 2023.

## References

- Agamben, Giorgio. 2005. *State of Exception*, Chicago: University of Chicago Press.
- Agencia Guatemalteca de Noticias*. 2021. “Gobierno publica estado de sitio en dos municipios de Sololá,” December 21.
- Amnesty International. 2022. “El Salvador: State of emergency has created a perfect storm of human rights violations,” April 25, available at <https://www.amnesty.org/en/latest/news/2022/04/el-salvador-state-of-emergency-human-rights-violations/>
- Angel, Arturo. 2021. “Con AMLO, Ejército moviliza a 80 mil elementos para labores de policía, cifra récord,” *Animal Político*, November 17.
- Bailey, John. 2006. “From Law and Order to Homeland Security in the United States,” in John Bailey and Lucía Dammert (eds.) *Public Security and Police Reform in the Americas*, Pittsburgh: University of Pittsburgh Press, pp. 205-224.
- Bay, Norman. 2005. “Executive Power and the War on Terror,” *Denver University Law Review* 83.
- Benítez, Raúl. 2021. “La militarización con respaldo popular: la transición militar en México 2000-2020,” in Raúl Benítez and Elisa Gómez Sánchez (eds.) *Fuerzas Armadas, Guardia Nacional y Violencia en México*, Friedrich, Ebert Stiftung.
- Blair, Robert and Michael Weintraub. 2021. “Military Policing Exacerbates Crime and May Increase Human Rights Abuses: A Randomized Controlled Trial in Cali, Colombia,” September 21, available at <https://ssrn.com/abstract=3925245>

- Bonner, Michelle. 2019. *Tough on Crime: The Rise of Punitive Populism in Latin America*, Pittsburgh: University of Pittsburgh Press.
- Cámara de Diputados. 2018. *Gaceta Parlamentaria* 5184-II. December 21, LXIV Legislature, Mexico.
- Castillo, Gustavo. 2021. “Tiene la SEDENA el control operativo de la GN desde 2020,” *La Jornada*, June 20.
- Carrillo, Emmanuel. 2021. “Entre de obras de infraestructura al ejército es para evitar su privatización: AMLO,” *Forbes*, November 4.
- CNN Chile*. 2022. “Senado aprobó novena prórroga del estado de excepción para la Macrozona Sur,” November 10.
- Corte Inter-Americana de Derechos Humanos. 2015. *Casos Radilla Pacheco, Fernández Ortega y otros, y Rosendo Cantú y otros vs México: Supervisión de cumplimiento de sentencia*, Costa Rica: CIDH.
- Cruz, José Miguel. 2002. “Violencia, democracia y cultura política,” *Nueva Sociedad* 167: 132-146.
- Deaton, Janice and Octavio Rodríguez Ferreira. 2015. “Detention without Charge: The Use of *Arraigo* for Criminal Investigations in Mexico,” *Justice in Mexico Special Report*, January 2015, San Diego: University of San Diego.
- Diario Oficial de la Federación. 1995. *Ley General que Establece las Bases de Coordinación del Sistema Nacional de Seguridad Pública*, December 11. Mexico City, Mexico.
- Diario Oficial de la Federación. 2019. *Ley de la Guardia Nacional*, May 27. Mexico City, Mexico.
- Diamint, Rut. 2020. “Contra la pandemia, Argentina ganó 1-0,” *Perfil.com*, May 6.

- Donadio, Marcela. 2016. *Atlas comparativo de la Defensa en América Latina*. Buenos Aires: Red de Seguridad y Defensa de América Latina (RESDAL).
- Drago, Francesco, Roberto Galbiati, and Francesco Sobbrío. 2017. “The Political Cost of Being Soft on Crime: Evidence from a Natural Experiment,” *IZA Institute of Labor Economics Discussion Paper 10858*, Germany: IZA.
- Durán-Martínez, Angélica and Hillel Soifer. 2021. “The Drug Trade and State Violence in Internal Conflicts: Evidence from Peru,” *Latin American Politics and Society* 63(4): 96-123.
- El Comercio*. 2022. “Estado de excepción en Guayas y Esmeraldas durará 45 días,” November 1.
- El Sol de Sinaloa*. 2008. “Operativo Culiacán-Navolato,” May 14.
- Flores-Macías, Gustavo and Jessica Zarkin. 2021. “The Militarization of Law Enforcement: Evidence from Latin America,” *Perspectives on Politics* 19 (2): 519-538.
- Flores-Macías, Gustavo and Jessica Zarkin. 2022. “Militarization and Perceptions of Law Enforcement in the Developing World: Evidence from a Conjoint Experiment in Mexico,” *British Journal of Political Science* 52 (3): 1377-1397.
- Flores-Macías, Gustavo and Jessica Zarkin. 2023. “The Consequences of Militarized Policing for Human Rights: Evidence from Mexico,” *Comparative Political Studies, First View*.
- García, Jacobo. 2022. “Sandoval rechaza reunirse con diputados para aclarar la filtración de correos del Ejército y cancela la reunión del martes,” *El País*, October 15, 2022.
- Gil Rendón, Raymundo. 2019. “La inconstitucionalidad de la Ley de Seguridad Interior; una afrenta al Estado de derecho en México,” *Cuestiones Constitucionales* 41: 499-512.

- Góngora, Juan Jesús. 2015. "La reforma al artículo 57 del Código de Justicia Militar a la luz de los estándares de la Corte Interamericana de Derechos Humanos sobre jurisdicción militar," *Boletín Mexicano de Derecho Comparado* 48(144): 1253-1270.
- González, Yanilda. 2020. *Authoritarian Police in Democracy: Contested Security in Latin America*, New York: Cambridge University Press.
- Human Rights Watch. 2017. "World Report: Events of 2016,"  
[https://www.hrw.org/sites/default/files/world\\_report\\_download/wr2017-web.pdf](https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf)
- Human Rights Watch. 2020. "El Salvador: Police Abuses in Covid-19 Response." April 15.  
<https://www.hrw.org/news/2020/04/15/el-salvador-police-abuses-covid-19-response#>
- Human Rights Watch. 2021. "Mexico Country Report," available at  
<https://www.hrw.org/world-report/2021/country-chapters/mexico>
- Hunter, Wendy and Diego Vega. 2021. "Populism and the Military: Symbiosis and Tension in Bolsonaro's Brazil," *Democratization*, Online First View.
- Isacson, Adam. 2020. "In Latin America Covid-19 Risks Permanently Disturbing Civil-Military Relations," July 20, Washington, DC: Washington Office on Latin America.  
<https://www.wola.org/analysis/latin-america-covid-19-civil-military-relations-policing/>
- Inácio, Magna and Mariana Llanos. 2016. "The Institutional Presidency in Latin America: A Comparative Perspective," *Presidential Studies Quarterly* 46(3): 531-549.
- Kaspar, Beth. 2001. "The End Secrecy? Military Competitiveness in the Age of Transparency," *Occasional Paper 23 Center for Strategy and Technology Air War College*, Air University Maxwell AFB, AL.
- Kriner, Douglas. 2010. *After the Rubicon: Congress, Presidents, and the Politics of Waging War*, Chicago: University of Chicago Press.

- Kyle, Brett and Andrew Reiter. 2012. "Dictating Justice: Human Rights and Military Courts in Latin America," *Armed Forces and Society* 38(1): 27-48.
- La Crónica*. 2006. "Anuncia gabinete de seguridad Operativo Conjunto Michoacán," December 12.
- Latinobarómetro. 2018. *Informe 2018*. Santiago: Corporación Latinobarómetro.
- Latinobarómetro. 2021. *Informe 2021*. Santiago: Corporación Latinobarómetro.
- Ley, Sandra. 2018. "To Vote or Not to Vote: How Criminal Violence Shapes Electoral Participation," *Journal of Conflict Resolution*, 62(9): 1963–1990.
- Lindau, Juan. 2011. "The Drug War's Impact on Executive Power, Judicial Reform, and Federalism," *Political Science Quarterly* 126 (2): 177-200.
- Los Reporteros*. 2022. "Encuesta de Enkoll revela que el 73% de los mexicanos avalan que las FFAA ayuden en seguridad pública hasta 2028," October 24.
- Mainwaring, Scott and Aníbal Pérez-Liñán. 2023. "Why Latin American Democracies Are Stuck," *Journal of Democracy* 34(1):156-170.
- Martínez-Gallardo, Cecilia and Petra Schleiter. 2015. "Choosing Whom to Trust: Agency Risk and and Cabinet Partisanship in Presidential Democracies," *Comparative Political Studies* 48(2): 231-264.
- Medeiro Passos, Anaí and Igor Acácio. 2021. "The militarization of responses to COVID-19 in Democratic Latin America," *Revista de Administração Pública* 55 (1): 261-272.
- Mendoza, Ana Paola. 2016. "Operaciones del ejército mexicano contra el tráfico de drogas: revisión y actualidad." *Política y Estrategia* 128: 17–53.
- Merino, José. 2011. "Los Operativos Conjuntos y la Tasa de Homicidios: Una Medición," *Nexos*, June 1.

- Meyer, Maureen. 2019. "Mexico's Proposed National Guard Would Solidify the Militarization of Public Safety," *WOLA Commentary*, January 10, Washington Office on Latin America.
- Mitofsky. 2022. "Encuesta ejercicio participativo: presencia militar en las calles," October, Mexico. <https://www.mitofsky.mx/post/ejercicio-participativo-presencia-militar-en-calles-oct-22>
- Office of the President. 2022. "Por acuerdo de la Presidencia, Guardia Nacional formará parte de SEDENA," August 8 Press Release, Mexico City: Office of the President.
- Owens, John and Riccardo Pelizzo. 2009. "Introduction: The Impact of the 'War on Terror' on Executive-Legislative Relations," *Journal of Legislative Studies* 15(2-3): 147-190.
- Owens, John. 2009. "Congressional Acquiescence to Presidentialism in the US 'War on Terror'," *Journal of Legislative Studies* 15 (2-3): 119-146.
- Pion-Berlin, David and Miguel Carreras. 2017. "Armed Forces, Police, and Crime Fighting in Latin America," *Journal of Politics in Latin America* 9(3): 3-26.
- Pion-Berlin, David and Harold Trinkunas. 2007. "Attention Deficits: Why Politicians Ignore Defense Policy in Latin America," *Latin American Research Review* 42(3): 76-100.
- Pocoroba, Alejandro. 2021. "(Re)activación de la Guardia Nacional en México," in Raúl Benítez and Elisa Gomez Sanchez (eds.) *Fuerzas Armadas, Guardia Nacional y Violencia en México*, Friedrich, Ebert Stiftung.
- Prensa Latina*. 2022. "Prosigue controversia contra régimen de excepción de El Salvador," September 6.
- Porter, Bruce. 1994. *War and the Rise of the State: The Military Foundations of Modern Politics*, New York: Free Press.

- Remington, Thomas. 2009. "Putin, Parliament, and the Presidential Exploitation of the Terrorist Threat," *Journal of Legislative Studies* 15 (2-3): 219-238.
- Revista Expansión*. "Jueza frena pase de la Guardia Nacional a la SEDENA," October 24.
- Ríos Figueroa, Julio. 2019. "The New Militarism and the Rule of Law in Latin American Democracies," in Rachel Sieder, Karina Ansolabehere, and Tatiana Alfonso (eds.) *Routledge Handbook of Law and Society in Latin America*, New York: Routledge: 433-446.
- Rittinger, Eric and Matthew Cleary. 2013. "Confronting Coup Risk in the Latin American Left," *Studies in Comparative International Development* 48(4): 403-431.
- Romero, Fátima. 2022. "En qué consiste el estado de excepción que aplicó el Gobierno de Honduras en Colón?" *Bloomberg Línea*, April 26.
- Rosen, Jonathan. 2021. "Understanding Support for Tough on Crime Policies in Latin America: The Cases of Mexico, El Salvador, and Honduras," *Latin American Policy* 12(1): 116-131.
- Sánchez Ortega, Lisa María. 2020. "Militarización y pandemia en el México del 2020," Friedrich-Ebert-Stiftung: Bogota: Colombia.
- Schneier, Edward. 2009. "Reformasi and the Indonesian War on Terror: State, Military, and Legislative-Executive Relations in an Emerging Democracy," *Journal of Legislative Studies* 15 (2-3): 293-313.
- Secretaría de Defensa Nacional de Honduras. 2016. *Informe de logros de la Secretaría de Defensa Nacional*. Tegucigalpa: Secretaría de Defensa Nacional de Honduras.

- Shephard, Mark. 2009. "Parliamentary Scrutiny and Oversight of the British War on Terror: From Accretion of Executive Power and Evasion of Scrutiny to Embarrassment and Concessions," *Journal of Legislative Studies* 15 (2-3): 191-218
- Shugart, Matthew and John Carey. 1992. *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, New York: Cambridge University Press.
- Suárez-Enríquez, Ximena and Maureen Meyer. 2018. *Multiple Sectors Push Back against the Implementation of Mexico's National Security Law*, January 25, Washington, DC: Washington Office on Latin America.
- UN Office of Drugs and Crime. 2014. *Global Study on Homicides 2013*. Vienna: UNODC.
- Vásquez Avedillo, José Fernando, Raúl Ruiz Canizales, and Rafael Zúñiga Domínguez. 2019. "El transfondo de la Ley de Seguridad Interior en Mexico," *Mision Jurídica: Revista de Ciencias Sociales y Derecho* 12(16): 147-162.
- Villalobos, Joaquín. 2015. "Un millón y medio de muertos," *El País*, May 7.
- Weeks, Gregory. 2010. "Civilian Expertise and Civil-Military Relations in Latin America," *Latin American Policy* 3, 2: 164-173.
- Whitaker, Beth Elise. 2007. "Exporting the Patriot Act? Democracy and the War on Terror in the Third World," *Third World Quarterly* 28(5): 1017-1032.
- Young, Jermaine. 2022. "States of exception as paradigms of government: emergency and criminal justice in Jamaica?" *Canadian Journal of Latin American and Caribbean Studies* 47(2): 235-260.