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GANG RULES AND CHANGING
PATTERNS OF VIOLENCE
DURING THE PANDEMIC

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NOVEMBER 2021

ACKNOWLEDGEMENTS

The author would like to thank Luis Enrique Amaya for logistical support and Sarah Menéndez for technical support. This programme is supported by GIZ.

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Cover photo: © Jose Cabezas/Reuters

Design: Triple M Design

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CRIMINAL GOVERNANCE IN CITIES DURING COVID-19

This report is part of a research project conducted by the GI-TOC, with support of Germany's GIZ that examines the impact of the COVID-19 pandemic and the economic challenges accompanying it on criminal governance in cities. The project aims to study how gangs and other non-state armed groups operating in illicit economies have altered their activities in light of the new circumstances in areas of criminal governance and how governments and civil society have responded.

We define criminal governance in cities as instances in which armed criminal groups impose rules, provide security and other basic services - such as water, electricity, internet access - in an urban area, which may be a part or the whole of an informal settlement or a neighbourhood.

The study uses a comparative methodology, drawing from semi-structured interviews feeding into five separate case studies. The data is then synthesized in a final report that analyzes and summarizes the main trends. A fuller description of the methodology can be found in the final report.

The other case studies in this project are Rio de Janeiro (Brazil), Tumaco (Colombia), Nairobi (Kenya) and Cape Town (South Africa). You can access the five case studies and the final summary report at the following website: criminalgovernance.globalinitiative.net.

SUMMARY

Gangs in San Salvador have a history of violently controlling their territories against rival gangs and establishing their own forms of governance, including collecting extortionist 'rents' from small businesses and public services. The most prominent gangs in the city, and with the most intense rivalry, are Mara Salvatrucha (MS-13) and Barrio 18. The latter has split into two factions, the Sureños and Revolucionários. The social control each gang enforces over various aspects of community life in their respective territories had very clear and concrete implications during the COVID-19 pandemic. Gangs imposed curfews, physically punished those who broke their rules, participated in food delivery programmes and organized food distribution, and suspended extortion charges for local businesses and public transport. This study explores some of the patterns that emerged around these different behaviours and activities among the gangs of San Salvador.

An important finding that resonates through most of the case studies in the Criminal Governance in Cities during COVID-19 project is the complex mixture of patterns of community protection, which included enforcing anti-contagion measures, such as curfews, and highly threatening and outright predatory behaviour. For instance, after videos were circulated of a gang beating people for disobeying stay-at-home orders, an MS-13 leader told a journalist, 'We are carrying out this measure because we care about the people.'¹ Contrasts were also observed between gangs. In the initial months of the pandemic, MS-13 was the more vocal of the gangs in calling for curfews, but it was the two Barrio 18 factions that suspended their extortion charges, at least for a time.²

While gangs organized food distribution initiatives in San Salvador, they also involved themselves in community-run programmes, sometimes with force. In one instance, MS-13 members arrived at a food distribution point organized by a pastor and assumed the role of ushers, organizing the queue and ordering people to respect social distancing.³

The most persistently predatory aspect of gang governance, however, has been extortion – or 'rent', as it is commonly known in the region. At the start of the pandemic, leaders of the Barrio 18 Sureños claimed that they had ordered a general suspension of extortion, but without specifying its duration. The local commanders of the Barrio 18 Revolucionários announced that they were doing the same in San Salvador's historical centre. It is not clear whether either gang complied with their pledges consistently, but evidence points to at least a momentary suspension, followed by resumed predation a few months into the pandemic. In addition, public prosecutors pointed to a practice of some gangs retroactively charging the extortion accumulated over the months when it was suspended.⁴

Another example of governance mixed with predation was the provision of water and cooking gas. Residents of two San Salvador communities reported that gangs partially control the distribution of cooking gas, but charge higher prices than regulated distributors. Despite exploiting these services for profit, the gangs also allowed dwellers to delay payment or to pay in instalments, effectively providing a form of credit for buyers.

Notably, the MS-13 and Barrio 18 gangs were responsible for the only instances of physical punishment by gangs of curfew violators noted in this study of five urban centres around the world.⁵ The reduction in armed violence during the pandemic, which is a continuation of a broader trend seen over the past decade, does not appear to have weakened the gangs' ability to impose social order over curfews, behavioural rules and some basic services in low-income areas of San Salvador.



BACKGROUND

The MS-13 and Barrio 18 gangs pose a unique public safety threat to the state compared to criminal groups in other contexts, such as organized crime groups, drug cartels and kidnapping gangs. Known as *maras*, these gangs originated in California and spread to Central America when their members were deported from the United States in the 1990s. They have since become powerful groups with one of the most prominent political voices in Salvadoran neighbourhoods. In some areas, they have even become the principal mediator between local communities and the state. The intense rivalry between MS-13 and Barrio 18 has manifested as a decades-long war playing out in the streets of San Salvador, which has led both groups to grow in size and complexity, making it one of the most pressing issues in Salvadoran society.

▲ Marginalized communities in San Salvador are subjected to forms of social control and governance by the city's gangs. © Camilo Freedman/APHOTOGRAFIA via Getty Images

Purposeful violence

A large portion of the violence in El Salvador is attributed to inter-gang warfare, which is still understood by many to be a chaotic and purposeless conflict. However, while this violence is certainly a complex phenomenon, it feeds into a system that endows a strong sense of identity and conceives of violence as the only path towards status, recognition and power. The result is an intricate system of cultural codes and hierarchical structures that are created and reproduced through violence. Over the past few decades, MS-13 and Barrio 18 have used a three-pronged strategy to grow from neighbourhood gangs to local and national mafias.



View of Mara Salvatrucha 13 gang graffiti placed near a crime scene, San Salvador, September 2020.

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First, they created a monopoly on crime in El Salvador. Upon their arrival in the country, the gangs were faced with a wide range of competitor criminal groups, which were active in communities and prisons. These groups ranged from neighbourhood and student gangs to groups of robbers comprised of ex-combatants from the civil war. The newly arrived *mara* gangs displaced almost all of the pre-existing criminal groups, positioning themselves as the most powerful groups in the country outside of state rule.

Once they had displaced nearly all of their competitors, the gangs accumulated more local power by increasing their economic activity. They established complex systems of extortion at all levels of the Salvadoran economy to raise capital and exert control over local enterprises and the transportation services.

The third aspect of their strategy for criminal governance was to create alliances within all of the major sectors of Salvadoran society. They started by building alliances on a local level with evangelical churches of various denominations, Catholic churches, community development groups and groups of informal vendors.

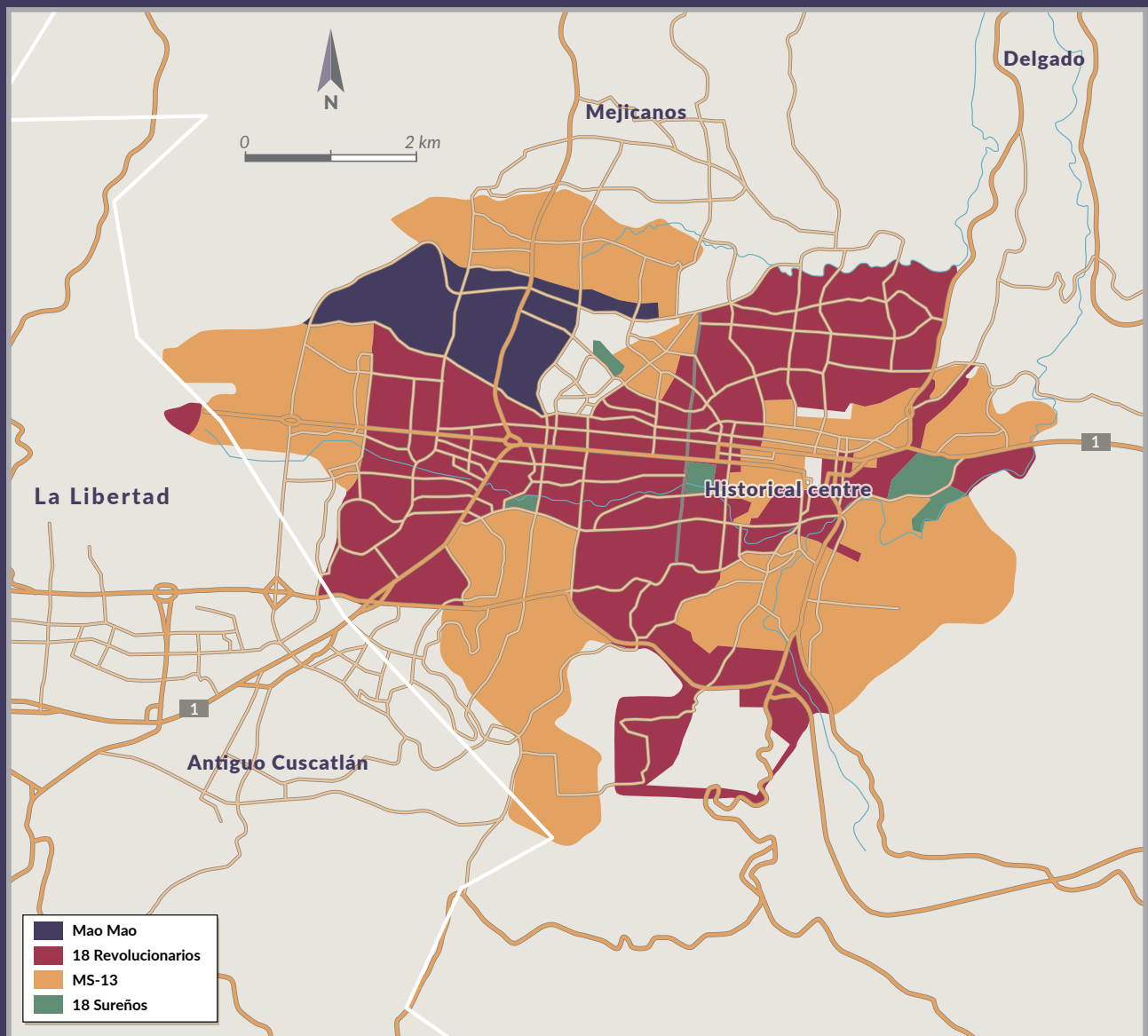


FIGURE 1 San Salvador, showing gang territories.

SOURCE: InsightCrime, based on information from *El Diario de Hoy* and *elsalvador.com*, 2018

Eventually, they were able to work their way up to local government, establishing agreements and communication channels with local officials.⁶

This process advanced even further when gangs began forming agreements with national level players. Since 2012, the gangs have established a series of agreements and communication channels with the central government as well as various political parties.⁷

These connections were effective in increasing the gangs' power and in giving them legitimacy in the eyes of the public. Citizens began to see them as institutional

entities that could respond to requests, manage programmes, resolve conflicts and organize community life in general.

Organized criminals and crisis managers

The development of the *mara* gangs demonstrates their systematic approach to establishing and exercising criminal governance in El Salvador. One of the clearest indications of their growing power can be traced back to March 2012. That year marked the beginning of a truce between MS-13 and Barrio 18, which led to an unprecedented reduction in the homicide rate on a national scale. The truce also kickstarted a transformation for the gangs: from highly violent groups attracting youth interested primarily in a source of identity to more organized criminal enterprises with deepening involvement in illicit economies. This greater focus on enrichment may be contributing to a reduction in inter-gang violence, which has been such a central aspect of gangsters' sense of identity and purpose. As this report explores, their deepening involvement in businesses other than extortion has meant an increasing number of gang members focusing on enrichment – though fierce territorial security and inter-gang rivalry still remain important features.

The views of community leaders, based on what they shared in interviews for this study, paints a more complex picture of the activities of gangs in Salvadoran society. According to some leaders, gang members act as local crisis managers. One leader described how MS-13 took charge of setting up and managing a shared well that provided his community with water.⁸ Another leader from a different community explained how gang members are in charge of managing health crises like dengue fever. There, the gang members are the ones who organize campaigns to destroy mosquito breeding grounds, and buy and distribute chemicals to combat mosquitos that transmit disease.⁹ Yet another leader shared how in a neighbourhood in Soyapango, a municipality in San Salvador, gang members are charged with mediating and adjudicating cases of intra-family violence.¹⁰



GANGS AND THE COVID-19 PANDEMIC

As explained above, gangs have undergone a transformation to become both more organized and more enmeshed with their surrounding communities. Their relationship with communities is defined by their abuse of power, but it also serves a regulatory purpose.¹¹ According to five focus groups convened for this study, which consisted of people of varying ages and genders living in areas controlled by the gangs, gang members were responsible for maintaining order in their neighbourhoods. In the context of crises created by the COVID-19 pandemic, gangs have expanded this governance role in various ways.

Beginning in March 2020, the Salvadoran state began increasing lockdown restrictions, first by closing the borders and cancelling flights, then by closing shopping centres, prohibiting public events and gatherings, and imposing a stay-at-home order on 13 March. In neighbourhoods controlled by gangs, which tend to be marginalized neighbourhoods inhabited by labourers or workers employed in the informal economy, the lockdown brought about serious economic consequences. A large portion of the residents of these areas are self-employed workers living hand-to-mouth and reliant on a daily income to purchase food and essential goods. In the words of one street vendor, 'If we have a good day, we eat; if not, we don't.'¹²

By the end of the first week of lockdown, many households began to run out of food and other basic necessities such as potable water or cleaning products, which led to

▲ In March 2020, El Salvador introduced public health measures to help control the spread of the virus. Gangs exploited the restrictions to expand their governance.

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Members of the police clear people from the centre of San Salvador during curfew.

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an atmosphere of desperation and violent events such as robberies and theft. It was in this context that the gangs began developing strategies to prevent chaos in their neighbourhoods.¹³

MS-13: Enforcing 'curfews'

MS-13's strategy was aggressive and violent. On 30 March 2020, the gang released a series of three videos in which gang members tortured men in various neighbourhoods in the department of Santa Ana, hitting them with bats. In one of the videos, a man in a red shirt appears with the palms of his hands against a wall while a member of MS-13 hits the back of his knees with a metal bat. When he is first hit, he falls to his knees yelling in pain. One of the young gang members warns him: 'Come on, don't yell. The more you yell, the worse it's going to be for you.'¹⁴

They continue beating him. When they are done, they immediately put another, slightly older, man in his place and proceed to beat him in the same manner. But before the beating begins, one of the gang members asks, 'Hey, you do know why

we're going to beat the shit out of you, right?' The man responds, 'Because we were out in the street'. Both are wearing face masks.

After this incident, which was widely shared on social media, MS-13 released a series of voice messages on WhatsApp in which they threatened residents of their territory, demanding they comply with the lockdown or face punishments like those seen in the videos. MS-13 decided to call this a 'curfew' and announced that only those who could prove they were going to work or doing necessary shopping could go out in the street. If they were going shopping, residents were told to do so only in their local neighbourhoods.¹⁵

Following some of the media coverage, the public initially believed that this was a general measure that applied to all of the neighbourhoods where any of the MS-13 and Barrio 18 gangs were active. However, journalist and gang expert Roberto Valencia refuted this belief and confirmed in an 11 April report for *Actualidad RT* that the rule only applied to neighbourhoods controlled by MS-13.¹⁶

Barrio 18: Distributing food

Days later, members of Barrio 18 from the Congo municipality in the department of Santa Ana shared a video in which they distributed supplies to residents of the semirural areas in the municipality. 'Here you go, ma'am, we brought this for you', says an adolescent gang member wearing a blue shirt to a woman in a shack as he passes her a bag with beans, rice, flour, pasta and toilet paper. She responds, 'We've been waiting for this. Because we haven't eaten.' The young man goes on, 'This is for you on behalf of Barrio 18 Sureños.'¹⁷ Events like this one occurred regularly across San Salvador's gang-controlled territories between March and August 2020.

On 26 May, a journalist reported on a situation that arose at a supply distribution point in Distrito Italia in the Tonacatepeque municipality of San Salvador. Donors spoke with an evangelical pastor who was charged with identifying the families most in need of support to distribute bags of basic provisions.¹⁸ According to the journalist, while the pastor was organizing the donations, two MS-13 members approached on a motorcycle and berated him for creating a mass gathering during the pandemic. When the pastor explained what he was doing, the gang members intervened and took control of the situation. One dismounted the motorcycle and shouted to the crowd of families waiting for supplies: 'Come on, I want you all organized quickly! I want you all in a line two metres apart! Now!'¹⁹

At another event in May 2020, in a neighbourhood in central San Salvador, the author witnessed the distribution of goods in an area controlled by the Barrio 18 Revolucionários faction. On this occasion, the gang was organizing local residents to receive incoming supplies from donors by distributing numbered slips of paper that corresponded to numbered bags of food so that no one could take more than their allotted share. Residents abided by the system, thanking the donors and, of course, Barrio 18 Revolucionários.

Neither of these activities – the threats warning people to respect the lockdown by staying home and the distribution of supplies – were spontaneous. The handouts were an opportunity to strengthen the gang's ties to the community, a community their family members belong to and from which the gangs derive their support. The threats were part of a more pragmatic strategy to ensure their personal wellbeing of their members. In May 2020, the author gained access to an audio recording in which the main spokesperson for MS-13 explained to a journalist the following:

We have circulated national orders to all of our territories to be strict with the public ... With this epidemic that's going on, I think we are going to be the most affected by it, because they're not going to disconnect someone with money from a ventilator to connect a homeboy or a relative of a homeboy. That's why we reached the conclusion that it was really necessary to take care of our districts. This isn't a government plan, it's not political shit, this here is for the lives of those of us who are actually going to deal with this fucking virus.²⁰



CRIMINAL GOVERNANCE IN THE AFTERMATH OF THE PANDEMIC

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The gangs of El Salvador depend on extortion as their primary source of income. While this approach provides a constant and considerable flow of capital, it has various drawbacks. Implicitly, there are the risks inherent in any illegal activity, such as being pursued by the police and clashing with other criminal groups. Gangs are very much aware of these risks or 'costs', and they have designed a number of strategies to reduce their risk exposure to an acceptable level. However, there is also a long-term risk that most Salvadoran gangs do not consider, which is the nature of extortion as a parasitic economic model.²¹ Extortion depends entirely on legal businesses and the prosperity of others, over which the extorter has no control beyond demanding regular 'rents'. Thus, if the formal economy collapses, as it has under COVID-19 pandemic, so too does the gang's financial situation. In fact, according to the same MS-13 spokesperson, the gang underwent a severe economic crisis during the pandemic: 'The group's finances have really taken a hit. A lot of people aren't working, and we can't say to them, "We don't give a shit, pay us the rent." And people are seeing that we're leaving them alone, not charging them, and that we're supporting them with food and supplies.'²²

Early in the pandemic, leaders of both Barrio 18 factions announced plans to waive extortion charges, though it is not clear how widely enforced these orders

were or how long they lasted. In March 2020, the *El Faro* news website reported that the Barrio 18 Revolucionários faction had suspended extortion charges on local businesses in San Salvador's historical centre, citing a local trader and a Revolucionários leader. Leaders of the Barrio 18 Sureños faction, on the other hand, claimed a more general suspension of extortion, without specifying locations or length.²³

Data from the General Prosecutor's Office also point to a significant reduction in extortion levels, although far from a complete halt. Between 1 January and 26 October 2020, 1 263 cases of extortion were reported, representing a 43% decline from the same period in 2019.²⁴ This reduction might also be related to the simple fact that fewer businesses and transportation services were in operation during the initial months of the pandemic. Subsequently, the head of the Prosecutor's Office said gangs started demanding that workers retroactively pay the extortion rent accumulated over the lockdown period.²⁵

The gangs have also explored new strategies to complement extortion, namely investing. Gangs have been investing capital from their extortion activities in various businesses that appear legitimate, such as gas or purified water distribution, taxi services or parking space rentals, among others. This is a classic money-laundering approach with the twist being that in this case, the gangs are *not* using these businesses to camouflage their illegal income. Instead, they are looking to increase the returns on their original capital.²⁶

These fiscal strategies have had a serious impact on the configuration of the gangs and the nature of their activities to such a degree that most of their members dedicate their time to managing and growing these new investments, rather than engaging in violence and turf wars. While inter-gang violence continues, the gangs have considerably reduced their use of armed violence, though the cause of this decline is the subject of great controversy in El Salvador.

The number of homicides in 2020 was 1 322 – down by 45% against the previous year and, according to the government, the lowest number since the signing of the peace accords that ended the country's civil war in 1992.²⁷ On 2 November 2021, the government reported 936 homicides had been registered so far for the year, representing a 56% reduction against the same period in 2019.²⁸ However, the Attorney General's Office declared that the number of missing people by the middle of October 2021 had already surpassed that of homicides, reaching 1 116 cases since January 2021.²⁹ While the government of President Nayib Bukele attributed the reduction in homicides to recent security policies, local security analyst Jeannette Aguilar said the overwhelming majority of disappearance cases (60%) had been registered in municipalities prioritized by the government's Territorial Control Plan.³⁰ This plan involves the deployment of both police and military forces to 22 municipalities with high rates of criminal violence, alongside the promise of improved educational and leisure centres.³¹ Implementation of the latter social measures, however, has been much slower than the security elements of the plan.³² Meanwhile, civil society organizations and experts have observed a lack of



cooperation between security and investigative agencies to search for the missing people.³³

Other drivers of the reduction in violence have also been proposed. An analysis of the geographical distribution of violence by the International Crisis Group (ICG) identifies some of the areas with homicide reduction, which do not correspond to those where the Territorial Control Plan has been implemented.³⁴ Furthermore, ICG found that 'despite the violence reduction, gangs' territorial presence and control do not seem to have varied much'.³⁵ A series of investigations by *El Faro* claims that the government negotiated with the three main gangs in 2020 for a reduction in homicides in exchange for improved conditions for imprisoned gang leaders.³⁶ Another driver of the reduction in violence is connected to the transformed structure of criminal governance and the new focus on a broader range of economic activities. The clandestine methods required to operate this diversified economic activity has meant that the chaotic, violent approach of past years is no longer an attractive option for new generations of gang members.

Members of the MS-13 and Barrio 18 gangs in an overcrowded cell, Quezaltepeque prison, September 2020. © Yuri Cortez/AFP via Getty Images



One of the services controlled or regulated by the gangs during the pandemic was distribution of cooking gas. © Marvin Recinos/AFP via Getty Images

Service provision

Despite the changes in the gang criminal activities, little has changed in the way they provide basic services to communities in their operating territories. According to focus groups and interviews, the main services partially controlled or regulated by the gangs have been water and cooking gas distribution.

In at least two communities in San Salvador controlled by MS-13, the gang partially controls the sale of cooking gas tanks. The operation is simple: the gang has established deals with larger distributors, who sell tanks and cylinders directly to the gangs for distribution in their communities. The gang in turn stocks those cylinders in community stores at higher prices. The stores usually return the profit from these sales to the gangs. Although the stores generally do not receive any profit from this arrangement, they benefit from a reduction in their extortion payments as the returns from gas sales are deducted from their monthly 'rents'.

Similar dynamics occur with bottled water. In at least four communities, the inhabitants described the same approach: the gangs bought and re-sold five-gallon jugs of bottled water.³⁷ In the case of the Las Margaritas neighbourhood, the MS-13 also manages a natural well located in the community that is used as an alternative when the running water service does not work, which happens regularly. However, during the pandemic, demand for well water increased as people were not able to leave the community due to curfews and running water was suspended, leading to shortages at the well. The gang responded by establishing a schedule for drawing water and limits on the number of buckets that could be drawn.

These two businesses did not suffer major variations during the pandemic. However, the gangs agreed that both bottled water and gas could be sold on credit. In some cases, gangs allowed 'customers' to pay in the near future or accepted payment in instalments.



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CONCLUSION

Gangs in El Salvador have long played a central role in the non-state governance of marginalized communities, while also engaging in predatory extortion practices. As of early 2020, members of the MS-13 and Barrio 18 gang members were managing and even resolving local crises, such as intra-familial violence, health crises like dengue fever or the water crisis experienced by large segments of the population. It was therefore expected that gangs would play a role in responding to the various social and economic crises that later arose from the COVID-19 pandemic. When pandemic-related hardships emerged in March 2020, many local residents expected that gang members would feel they had both the power and obligation to take charge.

The pandemic also brought about serious financial issues for the gangs. These groups have historically relied on a parasitic economic model that depends on the prosperity of local business owners in the legal economy. When gangs found themselves no longer able to rely on income from extortion 'rents' due to the pandemic lockdown conditions (such as reduced transport services and dwindling business activities), they responded by devising other strategies to raise capital. Contrary to many people's expectations, the gangs did not embark on other illicit activities like kidnapping, hired assassination or robbery. Instead, they created and refined new mechanisms for generating income that are, by all appearances, legitimate and that attract as little undesirable attention from the media and state as possible. These mechanisms, as noted above, have included the creation of apparently legitimate enterprises, such as the sale of bottled water and gas, private transport services, car washing and other businesses.

The focus of gangs on their new revenue strategies appears to have transformed the structure and practices of the groups, with public consequences. While inter-gang fighting has persisted, there has been a reported reduction in violent conflict between gangs, and in homicide rates in El Salvador overall. Although various explanations for this decline have been postulated, the transformation within MS-13 and Barrio 18 as they concentrate their energy on business activities is at least one driver that may explain the reduction in armed violence since the onset of the COVID-19 pandemic (on top of the aforementioned press reports of negotiations with state actors for violence reduction). Significantly, this reduction in armed violence, which is a continuation of a broader trend over the past decade, does not appear to have weakened the gangs' ability to govern social behavioural and basic services in low-income areas of San Salvador.

NOTES

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- 9 Interview with a leader of colonia Villa de Jesús, Soyapango, San Salvador, April 2021.
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- 13 Interview with a resident of colonia Montreal, Mejicanos municipality, February 2021. Focus group with community leaders and evangelical pastors, May 2021.
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