

ESTABLISHING LEGITIMACY AND DEMOCRATIC RULE OF LAW IN LATIN  
AMERICA: THEIR IMPACT ON INDIVIDUAL VICTIMIZATION IN 12 COUNTRIES

By

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To my Susan who inspire me every day.

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This dissertation examines the effect of democratization and legitimacy of law and legal authorities on victimization among individuals in 12 Latin American countries, using data from the Latin American Public Opinion Project (LAPOP). Much research in Latin America either focuses on individual countries within the region or lumps a group of dissimilar countries together in order to examine trends and patterns of victimization. However, scholars agree that the political contexts of each country can be vastly different in many cases. Therefore, this dissertation also examines the differences among the countries with regard to legitimacy and democratization as well as the differences in victimization. Furthermore this dissertation compares results for individual victimization for each country to the aggregated results from responses of individuals across the 12 Latin American countries.

## CHAPTER 1 THE CONTEXT OF VICTIMIZATION

### **Introduction**

Violent crime and property victimization have become synonymous with the Latin American region. However, generally Latin America is either treated as a single unit when analyzing causes of victimization (Fajnzyblber, Lederman, & Loayza, 1998; Gaviria & Pagés, 1999; Neapolitan, 1994) or researchers examine victimization within specific countries in Latin America (Gaviria & Velez, 2001; Ibarra, 2003; Klevens, Duque, & Ramírez, 2002; Mitchell & Wood, 1998). Studies of individual countries in Latin America, such as Brazil, Peru or Colombia, are able to account for the nuances of each country's current context as reflected in individuals' perceptions of their political situations. However, studies that look at Latin America as a single unit are not comparative across the region and may miss key differences.

While the entire region of the Americas, in the aggregate, has the highest rate of violence<sup>1</sup> in the world, research strongly indicates that levels of violence are not equal across Latin American countries (Buvinić & Morrison, 2000; Gaviria & Pagés, 1999). Given that violence varies markedly throughout the region, it is necessary to look closer at the individuals within these countries to determine what key differences, political, historical and so forth, are associated with victimization and how these may vary from country to country in the region. The context in which victimization occurs may be the most important indicator of why it exists. Therefore it is paramount that researchers explore what predictors contribute to victimization within each country while taking into account the unique political context of one country as compared to others in the region. Although much of the research and analysis of crime and victimization in Latin American has focused on violence, the current effort will attend to a wider range of

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<sup>1</sup> When measured through homicide rates from the World Health Organization.

victimization which may be related to perceptions of the political and legal contexts. Because victimization is inextricably linked to offenses, the research into both violent and nonviolent victimization and crime in Latin American holds relevance. Examining victimization within this larger context permits comparisons of how forces can differentially affect specific areas within Latin America, as well as reveal those factors most associated with victimization across the region.

LaFree (2007) argues that historic changes, such as war or civil unrest can lead to a “perfect storm” (LaFree, 2007, p. 507) that creates a crime wave and increases victimization rates. In many countries in Latin America, the citizens are still reeling from civil wars (e.g., Guatemala, El Salvador and Nicaragua) or brutal dictatorships and periods of repression (e.g., Brazil and Argentina). While some of these countries have been able to overcome these events and have politically and economically stabilized, others have not. These conditions and the unique context of each country need to be taken into account when studying victimization in Latin America. Economic or political turmoil has a direct effect on citizens in these countries and are part of the “social ecology” of victimization (Smith & Jarjoura, 1989, p. 622). Because “both macro and micro processes” (Smith & Jarjoura, 1989, p. 622) are related to victimization, there is a need to go beyond situational and/or individual characteristics to examine how legal authorities and political stability influence one’s risk of being victimized within distinct Latin American countries.

LaFree (2007) called for an increase in comparative research that examines patterns of crime and victimization in non-Western or non-industrialized nations so that criminologists can determine if the theories they have developed in “one rather small corner of the world” (Marsh, 1967, p. 6) apply in other countries. Oftentimes researchers ignore the broader institutional

context in which crime occurs by focusing only on individual motivations and drives (Reed and Yeager, 1996; Willis, Evans, & LaGrange, 1999). While it is very hard to quantify political context even at the national level, attempts should be made to analyze the role of political change and uncertainty and other precursors to victimization in Latin America.

Within this broad context, the goal of this dissertation is to provide a systematic examination of the predictors that lead to the likelihood of victimization within 12 Latin American countries that are dissimilar in recent history, level of democratic stability, and legitimacy of legal authorities. First, I seek to determine if citizens' perceptions of democracy and the legitimacy of legal authorities influence the likelihood of victimization. Second, I will examine the differential effects of predictors from country to country. This is critical to the dissertation because any evidence of differences in the effects of key predictors across these countries may be due to the unique political context of the country, further justifying the need for research that does not treat Latin America as a single unit. An underlying aspect of this dissertation is using traditional theoretical perspectives within the field of criminology and sociology when identifying predictors of victimization and thus testing the applicability of these perspectives to the study of victimization within various Latin American countries.

Accomplishing these specific aims will shed light on several general issues. It will help determine whether or not similar predictors of victimization are found in smaller groups or areas of Latin America. If differences are found, the research can provide information about how researchers can disentangle Latin American countries into subgroups. Finally, this project will help to clarify our understanding of victimization in the context Latin America and provide the opportunity to re-examine our theories of victimization.

## **Background and Significance**

Latin America is noted as one of the most violent regions of the world (Fajnzylber, Lederman, & Loayza, 1998; Moser, 2006; Rosenberg, 1991; Rotker, 2002; Sherman, 2000). In public opinion polls, violence is at least the second most important policy concern throughout the region and is the primary concern in Argentina, El Salvador and Venezuela (Latinobarómetro, 2006 as cited in Soares & Naritomi, 2007). Recent findings from the World Health Organization (WHO) (2007) indicate that the region of the Americas has the highest homicide rate in the world, eclipsing that of Sub-Saharan Africa<sup>2</sup> (Krug, Dahlberg, Mercy, Zwi, & Lozano, 2002). While some countries in Latin American have homicide rates far greater than those of the United States or European countries, other Latin American nations are relatively peaceful (See Table 1; Figure 1).

Colombia has the highest homicide rate in Latin America as well as in the world, with a rate of 79.7 homicides per 100,000 citizens (World Health Organization). El Salvador's homicide rate is 45.6 per 100,000, while Brazil's and Venezuela's rates are in the 30s (World Health Organization, 2007). In contrast, Chile's homicide rate is 5.3 and Peru's is 3 per 100,000, which is well below the United States' homicide rate of 6.2 (World Health Organization, 2007). This extreme disparity between the most violent nations and those with relative peace dramatizes the need to understand the context of crime and victimization in each Latin American country.

Both crime rates and rates of interpersonal violence are particularly high in countries that have recently experienced periods of extreme violence. Civil wars and periods of unrest have left behind broken families, poverty, unemployment and often an abundance of guns and ammunition; under these conditions, violence proliferates (Archer & Gartner, 1984; Buvinić &

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<sup>2</sup> The region of the Americas includes Latin America as well as the United States and Canada.

Morrison, 2000). For example, after the end of its 12 year civil war, El Salvador's homicide rate rose 36%. Research has shown that police effectiveness and judicial systems are also compromised in post-conflict nations, which adds to the already volatile environment (Morrison, Buvinić, & Shifter 2003, as cited in Frühling, Tulchin, & Golding, 2003). Political unrest is not the only factor that contributes to high crime rates in Latin America; issues of political and economic development, as well as culture and history, impact rates of violence in the region (Heinemann & Verner, 2006).

Neapolitan (1994) argues that homicide rates in Latin America are driven not only by structural and demographic characteristics, but also by cultural and historic forces. Neapolitan (1994) used homicide data from both the World Health Organization (WHO) and the International Criminal Police Organization (INTERPOL) from 65 and 107 nations, respectively. These data represent homicide rates from 1986 to 1990. Analysis of the WHO homicide data showed that, at the national level, income inequality, gross domestic product (GDP) per person, population under 15 years of age and urban population were all significantly related to homicide rates. In addition, Neapolitan (1994) created a dummy variable to represent the Latin American region and found that it was the single greatest predictor of homicide in the models. Results from the INTERPOL data indicated that, at the national level, income, GDP per capita, urban populations and the percent of population under 15 were all significantly related to homicide rates, while controlling for the Latin American region (Neapolitan, 1994). The author concludes that there is something unmeasured in the model, besides the measures of development that drives homicide rates in Latin America (Neapolitan, 1994). He concludes that there is something unique about the culture and history in the region that drives the high rates of violence.

While Neapolitan's (1994) research helps understand aggregate level rates of victimization, through homicide statistics, there are serious flaws in his research. Primarily, Neapolitan (1994) is unable to account for culture or history in the models and assumes that the unexplained variance in his models is evidence of the cultural and historical effect. Secondly, Neapolitan (1994: 20) treats Latin America as a single unit in the analysis, yet admits that the region does not have uniform homicide rates when broken down by country. Lastly, Neapolitan's (1994) study uses homicide rates as a measure of violence/victimization. Homicide data are thought to be unrepresentative of victimization rates in the region because they do not capture the majority of crime, property victimization (Buvinić et al., 2005; Heinemann & Verner, 2006). What is important about this study, however, is that at the aggregate level, Neapolitan (1994) shows that context (history, politics, and economics) does matter when it comes to violence and victimization. There is a need to examine if and how these forces play a role in individual victimization. Current research on individual victimization does not include these important factors.

Using data from the Latinobarómetro, a public opinion poll surveying 17 Latin American countries, Gaviria and Pagés (1999) studied household victimization in Latin America over a three year period (1996-1998). Household victimization measured if any member of the respondent's family had been assaulted, robbed or victimized in any way during the past twelve months. Consistent with homicide rates, victimization rates vary across the region with Peru, Ecuador, Mexico, Venezuela, El Salvador and Guatemala having the highest victimization rates (some as high as 40%) (Gaviria & Pagés, 1999). Uruguay, Chile and Panama had the lowest victimization rates in the region. Results from the study also showed that household victimization increases as socioeconomic status, city size and city-level population growth

increase (Gaviria & Pagés, 1999). Additionally, the authors found that urban household victimization was negatively correlated with reported levels of confidence in criminal justice agencies including both the police and judiciary (Gaviria & Pagés, 1999). Gaviria and Pagés (1999) conclude that urban victimization results from an inability of the judiciary and police in the region to maintain order and public safety.

While this study represents an improvement over research that relies solely on homicide data as a measure of victimization, it has limitations due to the type of data used. First, the Latinobarómetro survey asks respondents if they or any members of their family have been victims of a crime in the past 12 months. Broadening the scope of victimization to the respondent's family members may inflate the rates of victimization. Respondents of the survey were also restricted to urban areas in Latin America and wealthier individuals were over-sampled (Gaviria & Pagés, 1999). While the authors weighted the data to offset the number of wealthy respondents, there is no representation of rural or suburban households in the data (Gaviria & Pagés, 1999).

Existing scholarship is encouraging for Latin American scholars and criminologists; however, more research is needed to address limitations of previous research and to advance scholarship in the field. This dissertation project will address some of the limitations of previous research, and also attempts to apply a theoretical perspective to victimization in Latin America.

Table 1 – 1. Latin America & United States Estimated Homicide Rate (per 100,000), 2002

	<u>Argentina</u>	<u>Brazil</u>	<u>Chile</u>	<u>Colombia</u>	<u>Ecuador</u>	<u>El Salvador</u>	<u>Guatemala</u>	<u>Mexico</u>	<u>Peru</u>	<u>Venezuela</u>	<u>United States</u>
Homicide Rate (per 100,000)	6.8	31.7	5.3	79.7	16.2	45.6	24	11.4	3	6.2	34.5

*Source:* Pan American Health Organization, Health Surveillance and Disease Management Area. Health Statistics and Analysis Unit. PAHO Regional Mortality Database. Estimates based on World Population Prospects 2006 Revision. 2007

### Estimated Homicide Rate from Latin America & the United States (per, 100,00)

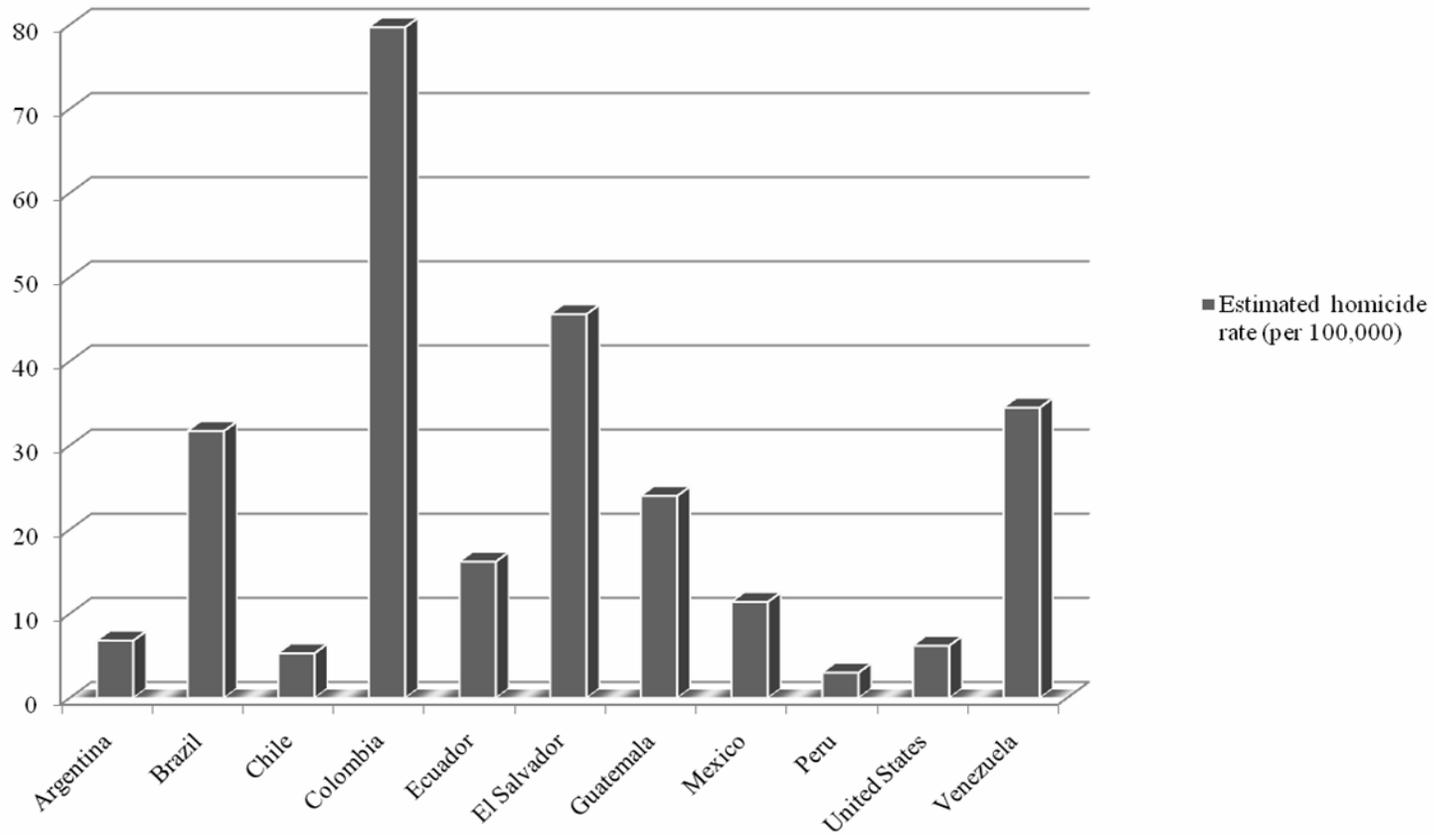


Figure 1-1. Estimated Homicide Rate from Latin America & the United States (per 100,000)

## CHAPTER 2 DEMOCRACY, LEGITIMACY & CRIMINAL JUSTICE: THE EFFECTS OF CORRUPTION

### **A History of Violence**

Even prior to the first Europeans setting foot on the Western Hemisphere, violence was a part of the social order for those living in what is now Latin America. The Aztec, Inca and Maya are the three most prominent Pre-Colombian societies and all established their empires through military repression and the overthrow of neighboring peoples (Sherman, 2000; Wright, 2005). They were known for their aggression and brutal violence. The Spanish and Portuguese also had a long history of conflict; The Reconquest, or reclaiming of the Iberian peninsula from the Moors, lasted for 700 years prior to contact with the New World. Only in 1492 did the kingdoms of Spain unite under Ferdinand and Isabella, in celebration of the military expulsion of the Moors. The conquest of the New World became an extension of the pattern of violence experienced during the Reconquest of Iberia (Wiarda, 200, p. 78). Latin America underwent a colonial history typified by violence and a “consistent pattern of coercion” (Sherman, 2000, p. 13). Rule of law has never been the true basis of political power for most Latin American countries, but rather rule through threat and intimidation (Rosenberg, 1991; Wiarda, 2001).

Rule of law in the New World was “absolutist, hierarchical, authoritarian, top-down” and emphasized the concept of unequal application of the law (Wiarda, 2001, p. 74). A two-class society arose in the Viceroyalties of Spain and Portugal. One class was able to manipulate or ignore the law; the other class was burdened by it. A nobleman from Spain or Portugal, “was exempted from paying taxes and making tributes, could not be imprisoned for debt or have his horse, arms or residence confiscated” (Wiarda, 2001, p. 81). The lower classes were burdened by labor exploitation, heavy taxation, sumptuary laws, and even slavery. The rights of the nobles most certainly did not extend to the masses or to the indigenous population in the region. Social

order was based on a racial caste system where, “each socioracial classification had its own rights, responsibilities, and even law courts in which differential treatment was handed out, depending on one’s rank” (Wiarda, 2001, p. 100). This unequal application of law set up a dualism in society and a lack of trust in these agencies of social order, such as the courts.

Colonial society in Latin America was fraught with corruption (Gibson, 1966; Fleischer, 1997; Ratliff & Buscaglia, 1997). According to Gibson (1966, p. 107-108):

venality, graft, speculation, and personal use of public funds attended the operation of government at all levels...The distinction between fees and bribes became blurred...This situation was rather one of normal and expectable corruption, within which an occasional figure stood out for resisting the problem.

*Obedezco, pero no cumplo* is “the most famous phrase in the political history of colonial Spanish America” (Sherman, 2000, p. 48). This term was coined when colonial viceroys realized that the law, as it was issued from the crown in Spain, was often discordant with the way of life in the colonies. When “imprudent or irrelevant” laws were issued by the crown, the viceroys would write back in response, “I obey, but I do not comply” (Sherman, 2000, p. 48). They accepted the authority of the crown to create laws, but emboldened by distance, they exerted their own authority to simply ignore them.

This simple response has laid much of the foundation for the rule of law in Latin America, specifically those countries descending from Spanish rule. The crown, far away in Spain, was unable and sometimes unmotivated to enforce all of its decrees; profit was more motivating than rule of law and as long as revenue kept coming in from the viceroyalties, the crown would look the other way (Wiarda, 2001). As a result, laws historically are regarded as optional guidelines, rather than concrete boundaries for social interaction. This conceptualization of law as fluid rather than concrete and binding led to a great deal of friction between not only the upper and lower classes in the colonies, but between those loyal to the crown and those who enjoyed the

legal freedoms and lack of strict legal boundaries in the New World. It was eventually the fight between the *creollos* and *peninsulares*, the white rulers in the colonies and those born in either Spain or Portugal that helped push the colonies towards independence (Wiarda, 2001).

The history of modern Latin America has reinforced the arbitrary nature of law and is no less violent. Country after country has swung like a pendulum between dictatorship and democracy; some, like Peru, have experienced every form of government in between the two. Likewise, country after country (excepting Colombia, Costa Rica and Venezuela) fell into the hands of a military, left-wing, or right-wing dictatorship during the 1960's and 70's (Valenzuela, 2004). Brazil's elected government was overthrown in 1964 by a military coup. Similarly in 1966 Argentina's government fell in a coup. Chile, one of the more politically open governments in the region known for its rule of law and respect of human rights, fell to the dictatorship of Augusto Pinochet in 1973 (Rosenberg, 1991; Sherman, 2000). It was a long slow climb for many of these countries to convert or re-convert to democracy. Brazil, for example, remained under military rule for nearly a quarter of a century. Guatemala was embroiled in a thirty year Civil War that lasted until 1996. However, one-by-one over the ensuing two decades, these same countries in Latin America (re)converted to democratically elected governments.

### **Democracy in Latin America**

It is important when discussing democracy to have a working definition of the concept, which is easier said than done. One of few things that political scientists, sociologists, and researchers agree upon concerning democracy is that there is no universally accepted working definition for scholars (Fischer, 1996; Fierlbeck, 1998; Snyder, 2000; Doorenspleet, 2005). The major problem is that democracy is "an abstract, imprecise idea" and that there are varying shades of democracy (Fierlbeck, 1998, p. 11). There are liberal democracies, consolidated democracies, transitioning democracies, electoral democracies, and so on and so forth. The

definition laid forth here is by no means all inclusive or definitive, but it is a working definition that allows for future discussion of the topic as it related to Latin America.

Democracy, stripped down to its most simplistic definition, is “the achievement and maintenance of a political regime based on popular sovereignty, which is expressed through free and competitive elections” (Dahl, 1971; Sanjuán, 2000, p. 89). This definition is the operating definition for most democracies in the Latin American region; they are “electoral democracies” (Schedler, 1998, p. 93)<sup>1</sup>. However, casting a ballot is merely one of the many rights afforded to citizens under democratic rule of law. Citizenship, “consists of assuring that each person is treated as a full member in a society of equals” (Sanjuán, 2000, p. 89). Therefore the definition should include the notion that in a democracy:

The actions of officials are constrained by constitutional provisions and commitments to civilian liberties; and government candidates sometimes lose elections and leave office when they do. Freedom of speech, freedom to organize groups to contest elections, and reasonably equitable representation of varied viewpoints in the media are presumed to be preconditions for free and fair election. (Snyder, 1998, p. 25-26)

This means that in addition to universal suffrage, citizens in Latin America should feel safe that their governments will protect their civil, political and social rights (Schedler, 1998; Domingo, 1999; Sanjuán, 2000). Including this in the definition of democracy is important because it excludes the possibility of democratically elected officials, following the will of the people, using oppression against minority classes or specific racial groups (e.g., National Socialism in 1940s Germany). This protection and respect for citizen’s rights is elemental to the democratic process and these rights should be “guaranteed through legal processes and constitutional structures” (Fischer, 1996, p. 4).

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<sup>1</sup> For a discussion on the sub-types of democracy, see David Collier and Steven Levitsky, "Democracy with Adjectives: Conceptual Innovation in Comparative Research," *World Politics* 49 (April 1997): 430-51.

And so, the working definition of democracy used here is twofold:

1. Democratic governments have periodic free and fair elections in which a good portion of the adult population participates in order to ensure government accountability and rule by the will of the majority.
2. Democratic governments protect the civil, political and social rights of citizens in so much that all view points are valid, freedom of speech is protected, and minority voices are not silenced.

One of their civil and social rights is to be free of victimization by both their fellow citizens and their own governments. Democracy without such freedom is “a contradiction in terms”

(Beetham, 2004, p. 62). However, there is no long standing history of certain governments in the region, democratic or otherwise, behaving in this way.

While the conversion to democracy in Latin America has been a great leap forward towards “modernization” (Sherman, 2000, p. 5), it has not had the desired stabilizing effect in the region (Balán, 2000; Tedesco & Barton, 2004; Valenzuela, 2004; Rodrigues, 2006). Political democracy did not “automatically generate a democratic rule of law” (Caldeira & Holston, 1999, p. 694). On the contrary, violence and victimization have thrived in this new democratic era. As noted earlier, Latin America is one of the most violent regions in the world. These fledgling democracies have “dealt ineffectively with their citizen’s needs” and have failed to keep them safe from victimization by their fellow citizens (Balán, 2000, p. 5). Some point to the disjuncture between democratic, freely elected governments and a true participatory democratic populous as a root cause of the problem (Caldeira & Holston, 1999; O’Donnell, 1999; Caldeira, 2000; Davis, 2006). In other words, there exists the first element of democracy as outlined here, but not the second.

While elections in Latin America are “cleaner and more frequent” than fifty years ago (Sherman, 2000, p. 137), citizens of some of these countries do not feel they are politically a part of the nations in which they live. The lingering authoritarian political culture in many of these

countries (e.g., Venezuela, Brazil and Peru) means that there is not a universality of civil, political and social rights in much of Latin America (Sanjuán, 2000; Tedesco & Barton, 2004). Dissident voices are silenced; the poor and marginalized are ignored. In many cases, democracy has been used as a tool to replicate or continue authoritarian rule. For example, in Venezuela Hugo Chavez was voted back into power after military rule in 1999. Similarly, Hugo Benzar was voted into power in Bolivia (1997) and Lucio Gutiérrez was voted into power in Ecuador (2003) (Tedesco & Barton, 2004). In Brazil, the military police responsible for the brutal violence and mass disappearances during the military regime maintained their positions as the keepers of public order after the ratification of the constitution in 1988 (Caldeira & Holston, 1999). The adoption of a democratic constitution in Brazil actually led to an increase in police violence and torture practices (Anhen, 2003). Augusto Pinochet remained Commander-in-Chief of the Chilean armed forces until 1998, long after the end of his brutal dictatorship (Tedesco & Barton, 2004). The transition to democracy in Latin American never signaled a breaking with the old guard, but rather was “a calculated response by Latin American elites to changed circumstances” in order to preserve their power (Wiarda, 2001, p. 327). Under such circumstances, how can the citizens of Latin American countries feel that they can effect true change under the political system? Without such power why should they be bound by their governments’ rules? While the progress in the region has represented “giant steps” towards true democratic rule of law, (Lamounier, 2002), the lingering traits of authoritarianism make it impossible for the true democratic rule of law to maintain social order among citizens in many of these countries (Rosenberg, 1991, p. 18). There still exists a duality in the application of law whereby rules do not apply to certain members of society. As a result, the state lacks the “popular legitimacy” it needs to exert social order and stop violence.

In order for citizens to truly feel a part of the political system the state has to enforce laws “with uniformity and predictability”; they have to institute procedural justice (Sanjuán, 2000, p. 90). Few legal systems in Latin America enjoy such legitimacy<sup>2</sup>. In Caracas, Venezuela, for example, police resources are used to regulate social conduct such as drug addiction, homosexuality and prostitution, none of which are currently categorized as crimes under the Venezuelan constitution (Sanjuán, 2000, p. 98). Serious crimes, however, such as homicide, rape and robbery, only account for 3.59 percent of all arrests made by the police in Caracas. In Brazil, police routinely invade *favelas*, breaking down doors, interrogating suspects, shooting first and asking questions later, all with little regard for citizen’s safety or while ignoring their legal rights; and most with the full knowledge and lack of condemnation of their superiors (Mitchell & Wood, 1999; Zaverucha, 2000; Paes-Machado & Noronha, 2002). When the state and its agencies of social control, such as the judiciary and police, routinely abuse power, they are seen as morally bankrupt and corrupt and are generally distrusted; there is a breakdown in the social fabric and violence results (Concha-Eastman, 2000).

These agencies of social control are representative of the state and within the Latin American context, the state, police and judiciary are intrinsically linked in the minds of the people:

Not only is police work carried out with the support of a judicial frame-work that promotes arbitrariness and discretionary judgments on the part of the agents, but also, to make matters worse, the internal regulations they must follow are based on military-style rules that privilege carrying out superiors’ orders and the loyalty to the institution over respect for citizens and the guaranteeing of free exercise of their rights. (Sanjuán, 2000, p. 97)

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<sup>2</sup> A notable except is Chile, see Frühling 2007.

A cycle ensues in which a citizen is victimized, but feels that the police and judiciary are untrustworthy and turns to a form of vigilante justice, taking the law into his/her own hands (Johnson, 2007). This in turn creates more violence, more victimization.

### **The Role of Legitimacy**

True social control and a reduction in social violence require that legitimacy be brought to these democratic governments and their agencies of social control, the legal authorities (Tyler, 1990, p. 57; Weber, 1968). It is important to understand what legitimacy means in the context of social order. Lipset (1983, p. 64) defined legitimacy as “the capacity of a political system to engender and maintain the belief that existing political institutions are the most appropriate and proper ones for the society.” Tyler (2006, p. 375) defines legitimacy as “a psychological property of an authority, institution, or social arrangement that leads those connected to it to believe that it is appropriate, proper, and just.” According to John Locke, “government is not legitimate unless it is carried on with the consent of the governed” (Ashcroft, 1991, p. 524). Classical sociologist Max Weber (1968) argued that legitimacy actually comes in three forms: legitimacy is based on traditional authority (customs and traditions); legitimacy is based on charismatic authority (the devotion to a charismatic ruler); legitimacy is based on rational authority (the process of creating and interpreting laws). It is not essential for a government to be democratic, or for a social institution to be “morally correct” in order for it to have legitimacy. The practice of African slavery in the American South held a great deal of legitimacy as did the National Socialist Party (NAZI) in pre-World War II Germany (Fierlbeck, 1998; Smith, 2007). However, rule of law and procedural just *are* essential for democracy to be practiced to its fullest definition (Tyler, 1990). In the case of Latin American democracies, legitimacy based on rule of law is the focus here.

Tom R. Tyler (2007, p. 10) building off Weber and the works of Zelditch (2001) and Beetham (1991), states that “having legitimacy means that those in the community being

regulated believe that their authorities ‘deserve’ to rule and make decisions that influence the outcomes of the members of the community.” In other words, the citizens of a country believe that the decisions of their government are right and correct because the government itself is valid in their eyes. This type of rule is legitimate and the agencies under a government of this nature, such as police and courts, are followed with little resistance because they in turn hold legitimacy.

Tyler (1990, p. 57) argues that a sense of legitimacy is the “key to success” of government, or legal authorities such as the police and courts, to rule effectively. It is this same legitimacy that gives the citizenry of a country a sense of obligation to follow the rules and laws of their country. When legitimacy exists, according to Tyler (2007, p. 10) laws are “deferred to voluntarily.” In effect, the citizenry will follow the rules and laws of their government and defer to the will and power of criminal justice agencies, even if they do not agree with the laws.

This type of legitimacy is currently only present in the minority of Latin American countries (e.g., Chile) (Frühling, 2007). Furthermore, in many cases, there has not historically been legitimacy of governance in Latin American countries. The governments preceding many of the democracies in Latin America were authoritarian in nature, relying on exertion of governmental power and essentially “strong arming” of the citizenry in order to maintain social control. As Tyler (1990) points out, authoritarian rule rarely succeeds because it is too economically costly and takes too much effort from the government to maintain (Meares, 2000). Also, because these governments lack legitimacy, they cannot count on the good will of the people to implement social order; rather they depend on intimidation and often violence to maintain order. This is the kind of rule that dominated most Latin American countries in the 1960s and 1970s. It is no wonder then that the very necessary component of legitimacy is lacking

in these countries. The “deep scar” left by authoritarian regimes has not yet healed and therefore true democratic legitimacy cannot and has not taken root (Tedesco & Barton, 2004, p. 1).

On the contrary, recent history has proved to the citizens in many of these countries that government is untrustworthy, corrupt and will enact violence on its own people. The citizens of nations in Latin America are deeply scarred by the political violence of authoritarian regimes that preceded their current democracies (Tedesco & Barton, 2004). Even Colombia which, excepting a brief period in the 1950’s, has held free and democratic elections since 1936, was racked with political violence and government corruption during the 1970’s and 80’s (Trojan, 2008). For this reason, the citizenry in many of these countries is detached from the political process and lacks faith in the ability of democracy to effect real change (Rosenberg, 1991; Sherman, 2000). Legitimacy is grown out of the experience of fair and reasoned authority (Smith, 2007). The citizens of most Latin American countries, dating back to the Colonial era, have never experienced “the exercise of authority as being fair” (Smith, 2007, p. 31) and therefore their governments lack legitimacy. This lack of legitimacy is responsible for “most of the conflict within contemporary Latin American societies” (Tedesco & Barton, 2004, p. 6).

While democracy in name has taken root in Latin American, the legitimacy of many governments has not yet been earned. Tyler (2007, p. 11) argues that democratic societies require legitimacy because in effect, people become “self-regulatory” when they internalize the values of the government as “right” and morally correct. When individuals have a normative commitment, a commitment to obeying the law and following legal authorities (even when the citizen does not agree with the law), then clearly it becomes much easier for those legal authorities to first establish order and secondly maintain that order (Tyler, 1990; 2007). This normative commitment comes only after “intensive education and socialization” both of which take time

and commitment not only on the part of the people, but more importantly on the part of the government and legal authorities (Tyler, 1990, p. 65). In certain Latin American countries, legitimacy born out of such a tradition is sorely lacking.

### **Legitimacy & Legal Authorities**

Elemental to the success of a democratic government ensuring the rights of its people and securing its own legitimacy is that the arms of enforcement of the government, legal authorities such as the police and courts, are seen as fair and uncorrupted (Tyler, 2007). When the police and courts focus on retribution and deterrence rather than procedural fairness, they risk losing their legitimacy; for it is through fair and equitable application of the law that citizens accept the rules and regulations of their government (Tyler, 2006; Smith, 2007). Even more than their acceptance of laws, citizens will begin to regulate their own behavior and obey the law. Unfortunately, in a number of Latin American countries procedural fairness, like legitimacy, is also wanting.

More so than the court system, the police are the most visible legal authorities in most countries and for many come to represent their government and how it operates. In some ways, the legitimacy of the police affects the legitimacy of the government itself. For there to be a legitimate police force in a democracy, citizens typically have to have a sense of fairness and equal application of the law on the part of the police. This legitimacy is born out of several components. First, personal experience with the police is a key component in establishing their legitimacy. Research indicates that a belief in the legitimacy of police “is linked to favorable evaluations of encounters with the police” (Smith, 2007, p. 31). Secondly, legitimacy is based on the longstanding reputation and the social integration of lower classes into a political system. Smith (2007) points out that the police force in Great Britain did not initially enjoy widespread legitimacy. The lower and working classes, who were primarily regulated by the police force,

were originally very antagonistic towards the police (Smith, 2007, p. 35). It was not until class struggles and divisions in Great Britain dissipated that the working class gradually grew to see the police as legitimate. This took place because the police exhibited a longstanding pattern of procedural fairness. When we turn our attention to Latin American countries and examine the longstanding patterns of interaction with citizens during police encounters and in the court systems, we find that, the procedural fairness of these agencies varies across the region and as a result, like democracy, there are varying shades of legal authorities' legitimacy across these countries.

### **Legitimacy of Police, Courts and Government**

If procedural justice and fair application of the law build legitimacy into the legal authorities of a country, corruption is what will tear it down. Seligson (2002) did a study where he explored the role of corruption at the level of the police, municipal government, public officials and other legal authorities. Using data from four Latin American countries, El Salvador, Nicaragua, Bolivia and Paraguay, he tested how individuals' experiences with bribery or coercion from legal authorities affected their perception of the legitimacy of their governments. Legitimacy was measured as trust of legal authorities, respect for the political apparatus in their country, perceptions of fair trials in the country. Roughly 10,000 respondents in the four countries, between approximately 1,500 and 2,500 per country, were interviewed regarding the issue. Results from Seligson's (2002) study showed that corruption has a significant negative impact on legitimacy. Even controlling for party affiliation, corruption has a corrosive effect on legitimacy of the government and legal authorities (Seligson, 2002).

We see from survey research that legitimacy and the "procedural fairness of police" is not universal across Latin American countries. For example, despite the increasing violence in Chile, the police enjoy a good deal of popular support and legitimacy (Frühling, 2007). In contrast the

legitimacy of Mexican police is nearly non-existent. In a recent survey 65 percent of the respondents in Mexico indicated that it was possible to bribe the police (Latinobarómetro, 2004, p. 54). Likewise, in Argentina 57 percent thought this was possible. If you contrast that to Chile, only 22 percent of the population thought the police were “bribe-able.” In El Salvador, the number is even lower; only 20 percent of the population thought that it was possible to bribe their nation’s police (Latinobarómetro, 2004, p. 54). Seeing that there is such a wide range of corruption across the region, a review of legal authorities in Latin America will shed some light on why legitimacy is lacking in many Latin American countries. This is meant to give a rough picture of how law operates in certain Latin American countries.

### **Country Levels of Legitimacy**

In order to understand how law operates within each specific country in this study two approaches were used. First, data from the 12 Latin American countries studied in this project were used in order to look at the mean scores on indicators of legitimacy for each country (see Chapter 4 for a description of the data used in this project). We compare those scores with the grand mean from the entire Latin American region. Countries that have scores indicating greater levels of legitimacy on at least three of the four indicators of legitimacy used in this study, level of democracy, court justice, trust of police and vigilante justice are deemed to have the most legitimate systems of law. Countries that have scores indicating that they have greater levels of legitimacy on two of the four indicators of legitimacy have average levels of legitimacy of law. Countries that have scores indicating they have greater levels of legitimacy on one or none of the indicators of legitimacy are deemed to have less legitimate systems of law. In Table 2-1, we see that Jamaica and Uruguay score in the more legitimate direction on all four indicators (vigilante justice is reverse coded from the other indicators therefore lower scores indicate greater legitimacy). Venezuela and Costa Rica also have more legitimate scores on three of the four

indicators. Countries with average levels of legitimacy (two of the four indicators) are Chile, Mexico and Brazil. The Dominican Republic, El Salvador and Guatemala only have one indicator in which the score indicates greater levels of legitimacy. Bolivia and Peru score in the less legitimate direction on all 4 indicators.

If we take these numbers at face value, it would indicate that the countries where citizens report the highest level of legitimacy of law and legal authorities are Jamaica, Uruguay, Venezuela and Costa Rica. While high levels of legitimacy in Uruguay and Costa Rica are in keeping with research on the region and a general understanding of rule of law in those countries, the results for Venezuela and certainly Jamaica are surprising. Given that these scores on legitimacy do not necessarily reflect the general understanding of levels of legitimacy, rule of law and corruption practices in the area, a second methodology is used to understand how the countries in the region operate. A review, albeit brief, of existing literature on corruption, legitimacy and legal authorities in the region will help organize the countries in the region into three categories: more legitimate countries, countries with lower levels of legitimacy of law and those countries of average legitimacy

### **More Legitimate Countries**

#### **Costa Rica**

Costa Rica has long been used as an example of stability both economically and politically in Latin America and is a paragon of democratic consolidation in the region (Seligson, 1987; Seligson & Booth, 1993; Lehoucq, 2005). It is not surprising then that Costa Rica had scores indicating greater than average levels of legitimacy on three of the four indicators of legitimacy of law used in this study (Table 2-1). Costa Rica has had free and fair elections for the majority of the 20<sup>th</sup> Century and peaceful executive transitions since 1950 (Seligson & Booth, 1993). However, research on democracy and legitimacy shows that even this politically stalwart country

has a few chinks in its armor. Seligson and Booth (1993) conducted a study in 1987 where they found that there is a considerable lack of support for democratic political culture in Costa Rica (N=927). According to their findings, roughly a quarter of the nationally representative sample (24 percent) approved of the government prohibiting protest. Another 20 percent agreed that the government should prohibit meetings that criticize the government. Surprisingly, 19 percent of the sample also supported the idea of government censoring the media outlets such as television, radio and newspapers. This is surprising mostly because in the same study only 13 percent of Nicaraguans, citizens of a historically authoritarian and repressive country, supported such censorship (Seligson & Booth, 1993). Even more astonishing is that nearly 40 percent of respondents of this democracy opposed the right of dissenters to vote in elections (Seligson & Booth, 1993). From these findings it would seem that Costa Rica is not as democratic as scholars once had thought. However, later findings from Booth and Seligson (2003) show that, using a similar data set from data collected in 2002, Costa Ricans “overwhelmingly regard their political system as legitimate” (p. 542). This could be due in part to errors in previous research or the “overall national context of a longstanding democracy with an untarnished record of respect for human rights” (Booth & Seligson, 2003, p. 544).

Despite these encouraging findings, in recent years, Costa Rica has indeed experienced a string of scandals at the highest levels of government that have shaken the foundations of democratic rule of law. Lehoucq (2005) writes:

In just the past year, two former presidents of this Central American country of 4.3 million have been arrested on corruption charges, while a third has come under investigation. Voter turnout is dropping. Citizens are unhappy with the tone and content of public life. Agencies and boards responsible for policing the state seem to be working poorly. The public debt is growing to an unhealthy size. The party system, the link between citizens and the state, is disintegrating. (p. 140)

In a recent survey, 75 percent of Costa Ricans reported that they believed their public officials were corrupt (Vargas-Cullel & Rosero-Bixby, 2004).

However, Lehoucq (2005) points out that while the citizens of Costa Rica may have a high level of intolerance for governmental corruption, the nation is, in fact, not corrupt by regional standards. In addition, the drop in voter turnout went from a robust level of 80 percent<sup>3</sup> in 1998 to 70 percent in 2002, which is still a high voter turnout by American standards where in the 2000 presidential election, only 54.7 percent of registered voters actually voted (Election Assistance Commission, 2007). Moreover, Costa Rica in 2002 was in the 77<sup>th</sup> percentile in the World Bank's "governance indicators" which Lehoucq (2005, p. 143) points out is a full 22 percentile points higher than other nations in Latin America. Costa Rica also has one of the most level income distributions in the region (Lehoucq 2005). So it would see that despite these small foibles in recent years, Costa Rica still remains one of the most stable democracies in the region with fairly low levels of corruption in both the political arena and in areas of criminal justice.

### **Uruguay**

Uruguay is considered to be a beacon of calm in Latin America. While in Sao Paulo police killings are so frequent that they occur, on average, ever six hours, in Uruguay, there are only two to three police shootings per year in the entire country (Brinks, 2007). These police shootings, while not always accidental, are often the result of poor training and lack of experience (Brinks, 2007). Additionally, while conviction rates for police killings fall below five percent in Brazilian cities, in Uruguay 50 percent of all police officers accused of killing a citizen are convicted (Brinks, 2007). When police are convicted by the Uruguayan courts, it is generally due to the legal facts of the case rather than extra-legal factors that could taint the

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<sup>3</sup> Voting is compulsory for all Costa Ricans aged 18 and older.

process (Brinks, 2007). Police in Uruguay are relatively free of corruption and abuses and the country itself is among the least violent in the region (Brinks, 2007). Additionally, the legal system runs efficiently and relatively effectively. Latinobarómetro data from 2000 show that Uruguayans have the highest level of confidence in their judiciary of countries in the region. Furthermore, Cao and Zhao (2005) found that among countries in the region, citizens of Uruguay have the highest level of confidence in their police. Over 50 percent of Uruguayans reported having either a great deal or quite a lot of confidence in their police force (Cao & Zhao, 2005). These research results are echoed in the data from this study which shows that Uruguayans report the country to have higher scores of legitimacy on all four indicators, including trust of police, used in this study.

Evidence of the rule of law and democratic process operating smoothly in Uruguay is the fact that neither the U.S. State Department nor Amnesty International even report on human rights abuses in Uruguay (Brinks, 2007). When this is contrasted with the situations in Mexico, Guatemala and even Brazil, it underscores the real contextual differences among Latin American countries and the reason for varying rates of violence. In Uruguay there is a low level of police violence and corruption, and not surprisingly, a high level of regime legitimacy.

In a study using 1997 Latinobarómetro survey data from Uruguay, Canche, Modak and Seligson (2001) found that Uruguayans have a high level of satisfaction with their democracy. The authors found that there is both strong support for the current political system, but also strong support for democracy itself. Support for the political was measured by gauging the confidence in the armed forces, judiciary, president, congress and police. Support for democracy was measured by asking survey respondents if a democratic government was preferable to an authoritarian government. Both of these measures of satisfaction with democracy could also be

considered gauges of the legitimacy of both government authorities and democracy. From the results we see that there is a good deal of support, and therefore legitimacy of the political system and democracy in Uruguay (Canche, Modak & Seligson, 2001).

## **Chile**

Like Costa Rica and Uruguay, Chile is considered by scholars to be a country with a good deal of legitimacy of law. This is evidenced by the level of legitimacy found in the Chilean police. The Carabineros, or Chilean police, enjoy a good deal of legitimacy due in part to their “professional competence and disciplined structure” (Frühling, 2007). Like other police forces in the region (such as Brazil’s), they do have a history of police violence, much of which took place during the Pinochet dictatorship.<sup>4</sup> And like other countries, Chile also has a high number of reported crimes. However, this in part indicates that Chileans feel comfortable going to their police when they have been victimized (Frühling, 2007). Even though, as with the rest of Latin America, there has been a recent upswing in crime in Chile, the public still firmly places its trust in the Carabineros and their ability to handle the escalation of delinquency. This is evidenced in the mean score for trust of police that we see for Chile (Table 2-1) and is due in part to current police practices in Chile. Currently the police in Chile encourage community participation in police and as opposed to countries like Brazil and Mexico and they are more likely to respond to citizen complaints and take them seriously (Frühling, 2007).

This is not to say that there is no police corruption in Chile. Like other Latin American country’s there are issues of police violence and misuse of power, however, this is seen as necessary to maintain social order, and therefore does not erode the police’s legitimacy. In a

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<sup>4</sup> Augusto Pinchet overthrew the presidency of Salvador Allende in 1973 in a military coup. The military repressively maintained power over the country from 1973 to 1990. However, despite its repressive nature, the regime was politically stable.

recent survey, 75 percent of the Chileans polled agreed that some amount of “harsh treatment” was necessary to control crime rates (Frühling, 2007, p. 127).<sup>5</sup> Police also garner a high level of respect because they do not generally use their positions for economic or personal gain. In a recent survey done by the National Institute on Statistics (*Instituto Nacional de Estadísticas*, INE) found that 82 percent of the respondents had confidence in the Chilean police force. It is not surprising then that 88 percent of those surveyed have never witness nor been a victim of police bribery (Frühling, 2007). Also, unlike many police institutions in Latin America, the Chilean police have a longstanding tradition that helps cement their legitimacy:

...the Carabineros as well as the armed forces have come to be seen as permanent institutions of the state whose members may have committed serious crimes during the military dictatorship but who since then have rejoined the democratic polity. (Frühling, 2007, p. 127)

In comparison to other countries in the region, Chileans predominantly believe their legal system, specifically the police, works to ensure that people obey the law (Frühling, 2007). This helps explain why the democratic stability that Chile currently enjoys, despite the high rates of victimization. In contrast to the relative legitimacy of law and lack of corruption that is seen in Costa Rica, Uruguay and Chile, there are striking differences found in countries with lower levels of legitimacy such as Bolivia, El Salvador and Guatemala. The lower levels of legitimacy and issues of corruption that is seen in these countries highlight the contextual differences among each Latin American country.

### **Countries with Lower Levels of Legitimacy**

#### **Bolivia**

Bolivia is one of the two countries in this study that did not score higher than the grand mean for the region on any of the indicators of legitimacy used in this study (Table 2-1). In

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<sup>5</sup> “*Un poco de mano dura del gobierno no viene mal.*”

Bolivia, this lack of legitimacy is undermining not only rule of law, but democratic governance as well. In 1982 Bolivia transitioned from military rule to a democratic government with routine elections. However, economic problems in the late 1990s led to a growing lack of legitimacy in Bolivia which is evidenced by recent political turmoil and violent protest. In 2003 these violent protests rocked Bolivia's capital, La Paz, when demonstrators took to the streets and left 30 civilians dead (Barr, 2005). What followed were more months of protest and 29 more deaths. In October 2003, after 20 years of successful democratic transitions from one president to another, the sitting President, Gonzalo Sanchez de Lozada, was forced to resign. The new president, de Lozada's vice president Carlos Mesa, similarly threatened to resign only two years later in March 2005. The country had been plagued with economic instability and the economic restructuring of the mid-1980's left the country's infrastructure weakened and unable to respond to the growing issues of poverty and diminished living conditions (Barr 2005). Democracy was "the only game in town;" however citizens squarely placed all blame for the country's problems on the political establishment. Democratic rule of law was losing legitimacy and legal authorities were not able to cope with the rising tide of unrest. As a result, "demonstrations, strikes, marches, and blockades have become an almost daily occurrence" in Bolivia over the past few years (Barr, 2000, p. 71).

The effect of this political unrest has undermined the legitimacy of legal authorities in Bolivia. In 2000 results of a public opinion poll showed that the police, courts, congress, armed forces and political parties all had negative confidence ratings among the Bolivian people (Encuentras and Estudios, 2000. p. 10). This is also seen in the results found in Table 2-1, where we see that Bolivia scores lower than the mean for the region on both trust in police and court

justice. These lower levels of trust in police and confidence in the judiciary are due mainly to issues of corruption.

Recent studies show that corruption is “rife” and is undermining the state’s legitimacy (Domingo, 2005, p. 1728). According to Transparency International, in 2001 Bolivia ranked 84<sup>th</sup> out of 91 countries for its level of corruption (Eyzaguirre, 1999, p. 86). This is due to the fact that in Bolivia there exists “chronic corruption at all levels of the public sector and government” (Domingo, 2005, p. 1731). A recent survey showed that 25 percent of Bolivians had either experienced corruption themselves or witnessed it taking place, either by police or government officials (Seligson, 2002).

This corruption coupled with the government’s inability to respond to recent economic turmoil is “undermining the legitimacy of the political process” in Bolivia (p. 1731). Public opinion polls show that support for democratic rule of law is dropping in recent years. In 2004, results from the Latinobarómetro survey showed that less than half of Bolivian respondents (45 percent) had a preference for democratic rule of law. In this same survey, only 16 percent of respondents reported being satisfied with democracy. In 1996, 25 percent of Bolivians were satisfied with their democratic government (Latinobarómetro, 2004, p. 23).

## **Peru**

Like Bolivia, the mean scores for all four indicators of legitimacy of law used in this study indicated lower than average levels of legitimacy when compared with the regional mean. These lower levels of legitimacy might be due in part to recent scandals that the country has experienced. In 2000 President Fujimori of Peru was forced to resign after a videotape surfaced of his personal subordinate, Vladimiro Montesinos, bribing a congress member of the opposing party (McMillan & Zoido, 2004). Montesinos was secretly the head of Peruvian police and during Fujimori’s presidency he paid bribes to judges, politicians and the news media. In a

country with operating “democratic mechanisms” such as a written constitution, presidential term limits, a political party system, routine elections and a “free” press, corruption was able to subvert the democratic process (McMillan & Zoido, 2004). Since 1990 when Fujimori took power in Peru, there had been a string of abuses of power, including the aforementioned bribes and defying the Peruvian constitution to take a third term as president. Under his presidency the legal arms of the government were either corrupt or subservient to the executive branch so that there were no checks on Fujimori’s power. While there was an operational or procedural democracy in Peru, it was nothing more than a façade. Democracy, in its fullest definition as outlined in this paper, was not operating. Fujimori’s government “fails to meet the conventional minimum standards for democracy” (Levitsky & Way, 2002, p. 52).

While Peruvians eventually ousted the corrupt Fujimori regime, the history of human rights abuses in Peru is longstanding and corruption rampant. The political violence of the 1980s was coupled with extreme poverty that gave way to a “self-coup” by Fujimori in 1992. During the 1980s Peru’s communist party, the “Shining Path” emerged and stoked the political violence. This violence resulted in the loss of an estimated 70,000 Peruvians, according to the country’s Truth and Reconciliation Committee. Many of these deaths were at the hands of Peruvian police officers (Cao & Zhao, 2005). The police in Peru, like those in many Latin American countries, are ineffective, due in part to lack of financing and personnel, but due mostly to their own abusive behavior and corruption (Cao & Zhao, 2005). It is not surprising then that the mean score of trust of police from respondents in this study is lower than the grand mean for the region (3.35 for Peru versus 3.55 for the region). This is no doubt a reflection of this abusive behavior and corruption by the Peruvian police.

As recent as June 5, 2009, Peruvian National Police (PNP) were accused of killing twenty-two indigenous protesters in the Amazonian region of Peru. They were blocking roads in protest of President Alan Garcia's economic policies which they claim are exploiting their lands (Bice, 2009). The protestors claim to have been peacefully demonstrating, armed with only rudimentary weapons such as sticks and rocks. However, the armed forces and police claim to have been shot upon first and responded only to the attack. While details of the conflict are unclear, they do highlight two distinct problems relating to Peru. The first is the ever present racial clash between indigenous peoples in Peru and the mestizo class. The second problem that is highlighted here is the clash between citizens and the police/armed forces and the governments use of extreme force against its citizens, specifically when they are protesting government action.

This friction between police and citizens has led to similar vigilante justice that is seen in Guatemala. In both indigenous and mestizo communities in rural and urban areas, there have been reported incidents of lynchings and mob violence (Snodgrass Godoy, 2004). Victims of lynchings in Peru have been forced to publicly strip and then been ritualistically crucified. These lynchings are in part a result of the militaristic, violent and repressive regimes that have affected the country, but they are also in response to a belief that the government is unable to handle growing crime and violence rates (Snodgrass Godoy, 2004). This underscores a general lack of legitimacy on the part of the PNP. And as scores from Table 2-1 indicate, there are low levels of court legitimacy, democratic legitimacy and higher levels of support for vigilante justice in the country. All these factors contribute to Peru being deemed a country with lower levels of legitimacy of law.

### **El Salvador**

El Salvador underwent a brutal civil war lasting 12 years that finally ended with peace accords in 1992 (Holiday & Stanley, 1993). The peace accords that were signed between the

Farabundo Marti National Liberation Front (FMLN) and the right wing government gave way to democracy in El Salvador. In an effort to curb corruption and human rights abuses in the new government, both sides agreed that the Salvadorian police force would be made of up 60 percent civilians and no more than 20 percent each of ex-military from both sides of the recent conflict (Peréz, 2003; Holiday & Stanley, 1993). Additionally, military personnel with histories of corruption or human rights abuses were stricken from serving in the police forces (Call, 2002). Great efforts were made to maintain a successful cease fire, which was never broken. Yet while some consider the transition to democracy in El Salvador to be one of the most successful in the post Cold War era (Call, 2002), it has not been as peaceful or easy a transition as many initially believed. There are still lingering effects of the war that can be seen in the country's police and government.

While the international community hailed the Salvadorian transition to democracy as highly successful, the sharp increase in the crime rate in El Salvador tells a different story. This wave of post-war crime led to police and judicial reforms that were lauded by UN officials, but had the citizens of El Salvador less convinced:

A sharp post-war increase in violent crime also helps account for the pattern of judicial reform... and sparked creative new strategies for reducing violence and improving justice...international observers consider them a success story, but Salvadorians [sic] are far less enthusiastic. (Call, 2003, p. 829)

The police reforms that did take place were in response to corruption and scandals that took place after the peace accords had ended (Call, 2003). Despite these efforts to root out corruption and the reforms that demilitarized the police, corruption still loomed large as a part of the Salvadorian police for several years after the peace accords.

Lingering authoritarian practices remained a part of policing in El Salvador. Peréz (2003) writes that “despite democratic transitions...police and judicial processes remain abusive,

corrupt, and ineffective” undermining state legitimacy (p. 628). The formation of the *Policia Nacional Civil* (PNC) in El Salvador was supposed to curtail corruption, however between June 1999 and May 2000, the newly established office of the Ombudsman for the Defense of Human rights received over 97 official complaints of human rights abuses. This was over 30 percent of all complaints during that period, and was more than the complaints against any other government institution (Peréz, 2003). These complaints ranged from kidnapping to murder (Peréz, 2003). Despite these abuses, the PNC managed to overcome much of the torture and human rights abuses that plague other nations’ police forces in Latin America. Police doctrine in El Salvador emphasizes due process and rule of law rather than repressive control. So despite previous problems, the Salvadorian police have been part of the successful transition to democracy.

Due in part to the rigorous reforms enacted by the newly democratic government, in 1999 El Salvador ranked only 49<sup>th</sup> on Transparency International’s Corruption Perception Index (Seligson, 2002). While this may seem high, for countries in the region, El Salvador is only considered to be “moderately corrupt” (Seligson, 2002, p. 418). In a survey of nearly 3,000 Salvadorians performed by the Institute of Public Opinion (IDUP), only six percent of individual’s had experienced governmental corruption including being stopped on false pretenses by police, being asked for a bribe by public officials, at work, by police, or by court officials, or observing a bribe (Seligson, 2002). This is in comparison with 25 percent of Bolivians who had such experiences with corruption. This lack of corruption in the PNC is a large part of why trust levels for the police are rather high in El Salvador. In a study conducted between 1996 and 1998, a survey of over 2,900 citizens in El Salvador revealed that on a scale of 1 to 100, police scored a 59 on a trust scale. The PNC was the third most trusted institution in El Salvador, surpassed only

by the Human Rights prosecutor and the Catholic Church (Pérez, 2003, p. 634). In this study only three percent of respondents indicated that they had been bribed by a police officer and 12 percent reported witnessing a bribe within the past two years. This is indicative of “overall low level of corruption” among the PNC (Pérez, 2003; p. 634).

Despite these findings, results from the data used in this project show that El Salvadorians report lower levels of democracy, lower levels of trust in the court system, and a greater support for vigilante justice than is average for the region (See Table 2-1). The only area where El Salvador scores higher than the regional mean is in trust for police. This is in keeping with the research that we just outlined from previous studies done on El Salvador. Coupling the results seen in Table 2-1 with previous research findings, El Salvador ranks among one of the countries with lower levels of legitimacy in the region.

## **Guatemala**

Guatemala’s legacy is very similar to that of El Salvador. However, Guatemala’s civil war raged for the greater part of 36 years, ending in 1996. This war left over 200,000 people dead or “disappeared” (Snodgrass Godoy, 2002). As with El Salvador, the transition to a democratic government was rocky in the years following the peace agreement. It took nearly two years for the legislature to begin amending the constitution and while advances were made in disbanding the military and increasing the civilian police force, a general lack of order in the government was reflected in the country’s high crime rates (Kincaid, 2000). Like El Salvador, there was a wave of criminal activity following the end of the civil war. While there is little reliable data on crime rates during this period (Snodgrass Godoy, 2003; Kincaid, 2000), there was a prevalence of drug related crimes, narcotrafficking, kidnapping, extortion, bank robberies and motor vehicle thefts following the war (Kincaid, 2000). Much of this crime was related to youth gangs and former guerilla fighters who had an abundance of munitions, no jobs, and little money (Kay,

2001; 2007). Estimates of upwards of 60 youth gangs were operating in Guatemala City alone in 1998 (Kincaid, 2000).

Unlike the Salvadorian transition, Guatemala did not place restrictions or screening mechanisms on police hires, so throughout much of the country, the old police and ex-military militia maintain control of policing. This meant that over half of the new *Policía Nacional Civil* (PNC) of Guatemala were made up of corrupt, abusive, inefficient and incompetent officers from the old national police (Pérez, 2003; Kincaid, 2000). While 60 percent of El Salvador's PNC was made up of new civilian recruits, less than 25 percent of Guatemala's PNC had no previous involvement in policing the nation (Kincaid, 2000). Despite these practices the results in Table 2-1 show that the mean level of trust of the police reported by Guatemalans is only slightly lower than the grand mean for the region. However, there are higher than average levels of support for vigilante justice, which is in keeping with research on Guatemala.

While in El Salvador the transition to democracy eventually led to a degree of security in the nation, in Guatemala a lack of security was directly related to an increase in civilian justice and public lynchings (Snodgrass Godoy, 2002; Kincaid, 2000). Vigilante justice took hold in Guatemala similarly to the way it has been employed in Venezuela, Mexico and Brazil (Snodgrass Godoy, 2004). Between 1996 and 2001, there were 421 lynchings recorded in Guatemala by the United Nations (Snodgrass Godoy, 2002). Some of these lynchings involved multiple victims. And many went unpunished by Guatemalan criminal justice officials and took place in broad daylight with "mass civilian participation" (Snodgrass Godoy, 2002, p. 642). In 1997 alone, there was an average of one lynching per week (Kincaid, 2000). Lynchings in Guatemala are not only a reflection of the previous human rights abuses that took place during

the 36 year civil war, but are also a reflection of a lack of public security and due process of the law.

These lynchings were often used as a form of civilian justice in the absence of a competent criminal justice system. With the wave of violent crime that shook Guatemala after the end of the civil war, the PNC did not have “the capacity, resources and political will to investigate and punish most crimes” (Snodgrass Godoy, 2002, p. 645). This lack of state security and an understandable cynicism of a police force riddled with “war criminals” has led many communities to resort to *justicia a mano propia*<sup>6</sup> (Snodgrass Godoy, 2002, p. 645). To add to the grim picture, the victims of lynchings often receive no trial, by civilian or state court, and are generally brutally murdered either burned alive or even stoned (Snodgrass Godoy, 2002; 2004). These lynchings are evidence of lack of trust and legitimacy of legal authorities in Guatemala. In fact, many lynching victims are forcibly taken from police custody because Guatemalan citizens fear that the police or courts will allow them to go free without being punished for their crimes (Snodgrass Godoy, 2002).

Evidence of a lack of trust in police is also found in recent survey data. Surveys done between 1996 and 1998 of 1,200 Guatemalans shows that, on a trust scale of 1 to 100, the average score given to the PNC is only 50 (Peréz, 2003). In contrast to the low level of trust for the PNC, 70.5 percent of respondents supported the armed forces having a role in fighting crime, which is in direct conflict with the terms of the nation’s Peace Accords. Peréz (2003, p. 635) notes that “this finding reflects a lack of confidence in the abilities of the National Civil Police to handle the crime problem.” However, despite a lack of police legitimacy, the overwhelming majority of Guatemalans (roughly 73 percent) support “some level of democratic governance”

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<sup>6</sup> Justice by one’s own hand

(Pérez, 2003, p. 643). However, it should be noted that in this current study, the mean score of level of democracy for Guatemala was lower than that for the full Latin American region (2.50 versus 2.89). This highlights the changing nature of democratic rule of law and legitimacy in some countries where legal authorities representing that government lack legitimacy.

### **Countries of Average Legitimacy**

#### **Mexico**

Mexico's scores of legitimacy seen in Table 2-1 and research from previous studies of corruption, policing and rule of law all indicate that Mexico has average levels of legitimacy for the region. Police in Mexico have historically struggled with corruption and maintaining legitimacy (Domingo, 1999; López-Montiel, 2000; Reames, 2003; Davis, 2006). The current study shows that the score for trust of police in Mexico (3.23) is lower than the regional average (3.55), which is in keeping with research on policing from the region. Although there have been attempts at rooting out corruption and reforming the Mexican police, recent reforms aimed at curbing police corruption have not been able to root out the problem. Corruption among Mexican law enforcement officials is widespread (Davis, 2006). In 1999, a survey of Mexican citizens showed that 90 percent of the population had little or no confidence in the police (Reames, 2003, p. 7). This lack of legitimacy is in no small part due to the fact that an estimated eight percent of the income in a Mexican household is spent on police bribes (Reames, 2003, p. 7). Police in Mexico have been accused of bribery, violence against lawful citizens, and even murder (Davis, 2006). Recent years have seen things deteriorate to the point that mobs have even lynched "corrupt" officers (Davis, 2006). The lack of rule of law and procedural justice has given way to "barbaric" street justice (Davis, 2006, p. 57). With such fragile rule of law, there also exists a fragile democracy in Mexico:

One would rate the quality of Mexico's democracy as relatively low, or mixed at best, precisely because of the human and civil rights abuses associated with state and citizen violence as well as unrule of law. (Davis, 2006, p. 58)

The "relatively low" quality of democracy refers to a lack of the second integral part in our definition of democracy, the protection of citizen rights.<sup>7</sup> This is missing because the police and legal authorities lack legitimacy, due in part to their own corrupt practices.

Despite the overall low levels of legitimacy of police, Mexico remains a country of average levels of legitimacy due to its overall lack of support for vigilante justice, which was one full point below the regional mean. Additionally, respondents from the survey used in this study also indicated that there was a greater than average trust in the court system (4.12 versus 3.83 for the region). So while police are generally seen as untrustworthy, the country's governmental agencies still enjoy some legitimacy.

## **Brazil**

Brazil's police force, like Mexico's, is fraught with corruption which is undermining the ability of citizens to trust their police forces and, more importantly, undermines the legitimacy of democracy itself (Seligson, 2002). The legacy of policing in Brazil has a black mark on it brought about by corrupt and brutal practices during the 21 years that the military held power over the country.<sup>8</sup> During this period the government, "carried out widespread repression that included brutality, torture, murder, and 'disappearances'." (Huggins, 2000, p. 59). Even after democratization, the police have continued their violent practices (Mitchell & Wood, 1999). Some go so far as to say that effective policing in Brazil is "nonexistent" (Paes-Machado &

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<sup>7</sup> It should be noted that electoral democracy in Mexico is also rather tenuous. Recent elections have been hotly contested and accusations of voter fraud, election tampering and corruption have arisen (Domingo 1999).

<sup>8</sup> "The Lead Years," This was a period in Brazilian history when the military took over the nation's government and instituted practices of kidnapping, torture and "disappearances" of "seditious" citizens or any member of society that vocally opposed the government (See Huggins 2000).

Noronha, 2002, p. 74). Brazil's record of police violence is one of the worst in the Americas (Chevigny, 1995; Huggins, 2000b):

In 1992 in the greater metropolitan area of São Paulo alone, police killed 1,470 civilians—almost four times more than the total number of such killings during an entire span of 15 years in Brazil's 21-year military dictatorship. (Higgins, 2000b, p. 116)

While that number had dropped in São Paulo by the end of the decade to 498 killings in 1998, the number of homicides in Rio di Janeiro was at nearly 38 murders per month (Huggins, 2000b, p. 116).<sup>9</sup> This rate of police violence is not entirely in response to civilian violence. Recent years have seen multiple national scandals in which uniformed officers have been videotaped, sometimes in broad daylight, beating, punching, torturing and even murdering citizens (The Economist, 1997; 1999). Much of it is based on the sanctioned policing principle of “shoot first, investigate later” that was adopted by state secretary of public safety, General Nilton Cerqueira (Zaverucha, 2000). This lack of due process and even violent corruption on the part of the Brazilian police erodes their legitimacy as a legal authority. Paes-Machado and Noronha (2002) conducted surveys of citizens living in the poorest regions of Salvador, Brazil. From their study they found that citizens do not report police brutality because “authorities do not listen to them” (Paes-Machado & Noronha, 2002, p. 67). There is a clear lack of due process and procedural justice in Brazilian policing.

The Brazilian judiciary does not fare much better when it comes to equal application of the law and a lack of corruption. Even among judges, 77 percent of those surveyed in Brazil believe that their judiciary is in some sort of crisis (Ratliff & Buscaglia, 1997). What is lacking in Brazil are the “basic elements of an efficient judicial system” (Ratliff & Buscaglia, 1997, p. 63). It is

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<sup>9</sup> By comparison, New York City police killed only 19 citizens in 1998 and 11 in 1999. Additionally Washington D.C. police killed only 6 citizens in 1996 (Huggins 2000b: 116). “It would take approximately 50 years for Washington and 25 years for New York to kill as many citizens as São Paulo Police murdered just in 1999” (Huggins 2000b: 116).

not equally accessible to people of all incomes; there are no predictable outcomes; and there is a “plague of corruption” (Ratliff & Buscaglia, 1997, p. 63).

Comparing the research on Brazil’s police and the court systems with the scores in Table 2-1, Brazil fairs moderately when compared with the region. The mean score for level of democracy is lower than the region as is the trust in the court system. However, trust of police is higher than the regional grand mean, which is surprising given the abundance of research on police brutality in Brazil. This could, however, be due in part to Brazilians acceptance of police brutality as a necessary evil when it comes to fighting crime. Brazilians also report low levels of support for vigilante justice, which is also surprising given recent research on public lynchings. Taking previous research into account, Brazil is counted among the countries with average levels of legitimacy.

### **Venezuela**

The results in Table 2-1 show that Venezuelans have a lower than average score of trust of police when compared with the grand mean from the region. This is in keeping with research from the region that shows that less than 30 percent of Venezuelans support their police force (Cao & Zhao, 2005). This is lower than Brazil (over 40 percent), Mexico (over 30 percent) and Colombia (49 percent). In a study using public opinion data from Venezuela (N=1,200) when asked about confidence in their police, Venezuelans overwhelming report that they have not very much or none at all (Cao & Zhao, 2005). This lack of confidence is evidence of a lack of legitimacy in the police.

Additional evidence of a lack of trust of criminal justice officials is evidence by the lynchings that take place in Venezuela, like other Latin American countries, as a form of vigilante justice. Lynchings in Venezuela are done because citizens do not trust the criminal justice system to enact justice or adequately punish criminals. They are also done as a form of

protest and “rebellion against insecurity” in the country (Snodgrass Godoy, 2004, p. 638). These lynchings are done “to demonstrate to the authorities that they have to do something” about the crime problem in the country (Snodgrass Godoy, 2004, p. 638). Recent increases in crime have Venezuelans taking extreme measures to ensure their own safety.

In 2001 after the murder of a six year old resident of Mariara, Venezuela, residents dragged a 41-year old man, Omar Pérez Gallardo from his home and severely beat him. Police arrived, saving the man’s life. However, a mob gathered of roughly 400 residents and they stormed the local hospital where Gallardo was being held, threatening to burn it down. Upon his release, Gallardo was taken to a local plaza and beaten to death. Citizens removed one of his arms and hung it from a tree; they then burned the rest of his corpse. Additionally protesters gathered at the scene to denounce the “rampant criminal activity in the region” (Snodgrass Godoy, 2004, p. 622). It was later discovered that:

Mr. Pérez was innocent of all charges; he had apparently been mistaken for a legendary serial killer known as the “monster of Mariara.” (Snodgrass Godoy, 2004, p. 622)

This type of mob justice is not uncommon in Venezuela. Between October 2000 and September 2001, the human rights advocacy group Programa Venezolano de Educación y Acción en Derechos Humanos estimated that there were 164 lynchings in Venezuela. As noted in Chapter 1 of this text, police resources in Venezuela are often used to counter petty criminal activities or activities that have no real legislative or constitutional ban (Sanjúan, 2000). This helps explain why citizens of Venezuela must take the law into their own hands in order to resolve the growing crime problem.

Despite the anecdotal evidence and recent climb in vigilante justice in the region, the results shown in Table 2-1 indicate that Venezuelans report a lower level of support vigilante justice (3.27) than the mean score for the full Latin American region (3.76). So while there may

be a rash of recent incidents of vigilante justice in the country, it does not necessarily indicate that the country as a whole supports this type of justice. In a study performed by Birkbeck, Gabaldón and LaFree (1993) using face-to-face interviews with Venezuelan citizens (N=655) researchers found that 75 percent of the sample thought that when there were problems in their neighborhood it was “better for the police to intervene” (Birkbeck et al., 1993, p. 34). This is in contrast with respondents from the United States (N=533) who overwhelmingly responded that it was better for police to intervene (96 percent) (Birkbeck et al., 1993). However, it is still a good number of respondents that prefer police to interfere with criminal matter, specifically when it is a more serious criminal circumstance (assault). In these instances Venezuelans are more likely to call the police than even U.S. Citizens.

The absence of rule of law portrayed in the lynchings and the lack of legal legitimacy in Venezuela has been described as “the principle ‘fault lines’ of democratic consolidation” (Snodgrass Godoy, 2004, p. 640). The lack of legitimacy of state law in Venezuela can be traced to human rights abuses and police misconduct. Current president, Hugo Chávez was elected in 1998 with the hope that he would clean house in government of the corruption that was rampant in Venezuela (Weyland, 2001). However, despite sweeping changes in the “old guard” of politics in Venezuela, Chávez had enacted radical and decidedly undemocratic policies in the country (Weyland, 2001, p. 73). Among his changes were changing the policy dictating the presidents must wait 10 years to run for re-election, dissolving the country’s senate (and checks on his power). “The Chávez record is rife with violations of human rights, disregard for the rule of law, and contempt for democratic norms and processes” (Casey, 2005). Despite these abuses of power, Venezuelans still indicate that their country is fairly democratic (3.11 out of 4). The mean

score of level of democracy for Venezuela is higher than the regional mean (2.89). It is in other areas of law, however, that Venezuela falls below the mean.

The mean score for trust of police in Venezuela was 2.75, which is lower than the regional grand mean (3.55). This lack of trust in the police is due to a great deal of corruption and police brutality. Examples of police corruption that had eroded the legitimacy of legal authorities in Venezuela include the killing of peaceful demonstrators by police (Casey, 2005). Additionally, police under the Chávez regime are accused by Human Rights Watch (HRW) and Amnesty International (AI) “excessive force against anti-Chávez demonstrators” as well as ill-treatment and even torture of detainees (Casey, 2005). Allegations by both HRW and AI also claim that the Venezuelan police and National Guard are responsible for death squad killings of approximately 100 citizens between 2000 and 2001 (Casey, 2005). Chavista supporters deny these allegations; however the administration has refused to seriously investigate any of these attacks that were predominately done against anti-Chávez demonstrators. These abuses and the rising political and street violence in Venezuela are evidence of lack of regime legitimacy as well as a lack of criminal justice legitimacy. The regime itself under Chávez, while still a skeletal democracy, is lacking many of the democratic principles that have been outlined in this paper. As a result, the ability to evaluate Venezuela’s “democracy” is difficult at best.

### **Dominican Republic**

Scores from respondents from the Dominican Republic indicate that the country’s legal authorities and democratic government have lower levels of legitimacy. Although the Dominican Republic has had the guise of democracy since the 1970’s, in practice, Dominicans had been under “semi-authoritarian” rule until the mid-1990’s (Finkel, Sabatini, & Bevis, 2000). President Joaquín Balaguer held power from 1978 to 1996 and made executive decisions with few checks and balances from the nation’s congress or judiciary (Espinal, 1996; Finkel et al 2000). During

this time, the court system was overrun due to poor funding and widespread corruption (Espinal, 1996). Balaguer himself came to power under a flurry of accusations of election fraud. His narrow victory margin of 0.7 percent left many in the country feeling disenchanting with democracy and the entire electoral process (Finkel et al., 2000). Exacerbating the situation was the use of “repression, harassing political opponents, tapping phone lines and tightening state security” that marred the Balaguer presidency (Finkel et al., 2000, p. 1856). The end of the Balaguer “reign” in 1996 brought new hope to Dominicans of true electoral democracy taking hold and an end of government corruption.

However, given the events of recent decades, the Dominican Republic is considered a country of average legitimacy for the region. This is due mostly to the events of the later 1990s which was marked by its efforts to ensure a more stable democracy with free and fair elections, reduced institutional corruption and a more independent judiciary (Espinal, Hartlyn, & Kelly, 2006). And while still quite low, previous research indicates that the overall levels of trust that Dominicans have for their judiciary, congress and president, are higher than regional averages (Espinal et al., 2006). However, the Dominican Republic is still fraught with institutional corruption. In 2001, Transparency International’s Corruption Perception Index ranked the Dominican Republic ranked 63rd out of 95 countries and 12th among the 18 Latin American countries included for its levels of corruption (Espinal et al., 2006, p. 214). More recently, in 2004 there were a series of bank failures, shortages of electricity, a hotly contested presidential campaign, and increased governmental corruption that undermined many of the gains made in the late 1990s (USAID, 2005).

Police corruption and human rights abuses are a persistent problem in the Dominican Republic, as with many Latin American countries. Efforts have been made in recent years to root

out corrupt officers and to stop abuses of power, however the U.S. Department of State lists a battery of human rights abuses and due process violations that take place in the Dominican

Republic:

Unlawful killings; beatings and other abuse of suspects, detainees, and prisoners; poor to harsh prison conditions; arbitrary arrest and detention of suspects; severe discrimination against Haitian migrants and their descendants; widespread perceptions of corruption; violence and discrimination against women; child prostitution and other abuse of children; trafficking in persons; and disregard of fundamental labor rights (U.S. Department of State, 2007).

Dominican President, Leonel Fernandez, has made a point to root out governmental corruption, including police corruption, and addressed the issue in his 2004 inaugural speech. In March of 2009, Fernandez fired 700 police officers who were suspected of corruption and involvement in the drug trade (Brice, 2009). As with many Latin American nations, due to the rise in the drug trade in recent years, many police officers who are charged with solving the narco-trafficking problems in the Dominican Republic are now involved in it (Brice, 2009). It remains to be seen how successful these efforts will be.

### **Jamaica**

While Jamaica had more legitimate scores than the regional average for all indicators of legitimacy of law, it is generally understood that Jamaica, like Mexico, Brazil, Chile, and other Latin American countries, suffers from issues of police corruption and a resulting lack of police legitimacy. In Jamaica, corruption is not “occasional or special instances” but rather “routine practices” where law enforcement uses illegal means and the justice system uses “unjust” practices (Harriot, 2000, p. 65). “In 1994, 40 percent of the complaints to the Police Public Complaints Authority were related to acts of violence, nine percent to harassment and intimidation, and 33 percent to entrepreneurial type of corruption” or bribes (Harriot, 2000, p. 58). In 1995 the level of violent corruption increased with 56 percent of the citizen complaints

relating to “excessive use of violence” by the Jamaican police (p. 58). In 1993 the general offending rate of the Jamaican police was higher than that for the country as a whole.<sup>10</sup> Even more disturbing is that the violent crime rate among police officers in Jamaica was more than twice that of the general public.<sup>11</sup> All of this corruption and violence negates any of the legitimacy that Jamaican police might hold. The very individuals who are charged with keeping the peace are in fact those who are disturbing it. Due to its pervasiveness, there is actually a high degree of public acceptance of corruption as part of “routine day-to-day transactions” with the police (Harriot, 2000, p. 67). Exacerbating the case in Jamaica are poor systems of police accountability, a highly politicized police force, a closed bureaucracy that makes firings difficult, and a complicit public (Harriot, 2000). For this reason, although Jamaicans indicated higher levels of legitimacy in the data, factoring in what we know from existing research on the country, Jamaica is considered only a country of average levels of legitimacy

### **Conclusions**

Much of the research on the countries of Latin America outlined in this chapter focuses on issues of corruption among legal authorities as a measure of legitimacy. While this dissertation project takes into account that individuals may base their perceptions of legitimacy on their experiences with corrupt legal authorities, this project differs in that it is not specifically looking at corruption. The greater question at hand in this project is how the trust in police acts as a barrier or guardianship against victimization. How does a perception of a court system that enacts justice create an atmosphere where individuals are less likely to be victimized by their fellow citizens? While a democratic country may be fraught with corruption, if it holds a great

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<sup>10</sup> 2,500 per 100,000 vs. 2,110 per 100,000

<sup>11</sup> 2,033 per 100,000 vs. 8967 per 100,000

deal of legitimacy in the eyes of the citizenry, how does that affect victimization, if at all? These questions are salient to this study of victimization in Latin America and go beyond a simple study of corruption in the region.

Given the circumstances outlined above for the countries that will be evaluated in this dissertation, it is not surprising that victimization is a serious problem many Latin American countries. However, it is also easy to see why certain countries (e.g., Costa Rica, Chile and Uruguay) have relatively low rates of both violent and property victimization. These descriptions give context to each of the countries highlighting the key differences among these nations. While there are great number of similarities among countries, civil war in El Salvador and Guatemala, vigilante justice in Mexico and Venezuela, there are also distinct contexts in which all of these events occur. These differences, in the opinion of this researcher, make it impossible to lump countries like Uruguay and Costa Rica together with Peru or Brazil. The nuances of each country's political and legal context necessitate that they be compared and contrasted.

Table 2-1. Mean Level of Each Country's Four Indicators of Legitimacy Compared with the Grand Means for All Latin American Countries

	Legitimacy Indicator			
	Democracy*	Courts*	Police*	Vigilante#
GRAND MEAN	2.89	3.83	3.55	3.76
> Legitimate On 4 Indicators				
Jamaica	2.98	4.16	3.69	3.20
Uruguay	3.36	4.20	4.17	2.66
> Legitimate On 3 Indicators				
Venezuela	3.11	3.96	2.75	3.27
Costa Rica	3.14	4.01	5.54	4.11
> Legitimate On 2 Indicators				
Chile	2.93	3.69	4.93	3.89
Mexico	2.78	4.12	3.23	2.93
Brazil	2.77	3.75	4.59	2.76
More Legitimate On Only 1 of 4 Indicators				
Dom. Republic	3.09	1.91	2.08	3.78
El Salvador	2.53	3.69	4.11	4.20
Guatemala	2.50	4.23	3.53	4.15
More Legitimate on None of the Indicators				
Bolivia	2.77	3.64	3.24	3.94
Peru	2.56	3.02	3.35	4.51

\*coded from low to high legitimacy

# coded from high to low legitimacy

CHAPTER 3  
CRIMINOLOGICAL THEORY: LEGITIMACY, CRIME AND VICTIMIZATION

**Theory**

A debate exists among criminologists as to the applicability of “ethnocentric” North American criminological theories to non-Western and even European societies (Birkbeck, 1993; Encinoza & Del Olmo, 1981; LaFree, 2007; Marsh, 1967; Willis, Evans, & LaGrange, 1999: 229). Central to the debate is whether these criminological theories are based on a conceptualization of crime in the United States or if the tenants of these theories have a broader, global relevance (Willis et al., 1999). Birkbeck (1993) argues that the contributions of criminological research from lesser known regions of the world are often ignored among scholars in the field. This cultural “insularity” (Birkbeck, 1993, p. 308) limits the applicability of many popular criminological theories. Comparative studies examining crime outside of the United States, Europe or Canada are necessary to test the applicability of current theory and discover if and where a theoretical disjuncture lies (LaFree, 2007). Adding to the necessity for theoretical studies in Latin America is a sorely lacking amount of criminological/criminal justice research within the region. Unlike other disciplines, this area of research has yet to fully develop in Latin America and has no solid “empirical or behavioral tradition” (Bergman, 1999). However, despite these deficiencies there is some literature on theory and a review of the some relevant theoretical literature is necessary.

A commonly cited study that highlighted the disjuncture was DeFleur’s (1970) test of Albert K. Cohen’s (1955) theory of delinquent subcultures among 60,000 youths in Argentina (Birkbeck, 1993; LaFree, 2007; Willis et al., 1999). Results from her study showed that crime existed primarily in suburban areas, whereas Cohen (1955) proposed that crime is primarily an urban problem (LaFree, 2007). Additionally, LaFleur (1970) found that there is no shared

consensus of what constitutes middle class values among the youth of Buenos Aires and Caracas. Cohen (1955) attributed delinquency to an inversion of or reaction against middle class values. Cohen (1955) also proposed that youth were exposed to the middle class values of success, academic achievement and independence, through their educational system. However, LaFleur (1970) found that the majority of youth in Argentine urban areas did not attend school. Central to Cohen's (1955) argument of delinquent subcultures was the contact between youth and societal structures that let them down, or failed to offer them a means to middle class achievement. In the case of Argentine youth, it was specifically the lack of contact with organized societal structures, or marginality that according to LaFleur (1970), led to delinquency (Birkbeck, 1993).

LaFleur's (1970) study highlights the need for comparative theoretical research. However, this research should not only focus on theories explaining the etiology of crime, it should also test the applicability of theories of victimization. Theories that are commonly used to predict victimization in the United States may prove to be a poor fit when applied to Latin American contexts.

### **Patterns of Victimization**

Victimization research in the United States consistently shows that those who are young, male and unmarried are at a higher risk of victimization (Catalano, 2006; Smith & Jarjoura, 1989). Popular theories of victimization are able explain these findings as they pertain to American or European culture. For example, the lifestyle theory of victimization argues that women are less likely than males to be victims of crime because they spend a greater deal of time in the home. The theory poses that these women have male guardianship from their husbands or fathers which makes them less susceptible to victimization (Hindelang, Gottfredson, & Garofalo, 1978; Meier & Meither, 1993).

Research from Latin America also indicates that young males between the ages of 18 and 24 are most likely to be victims of criminal violence (Buvinić & Morrison, 1999). However, this research also shows that women, particularly housewives, are at a high risk of victimization due to the widespread, cultural acceptance of domestic violence (Buvinić, Morrison, & Orlando, 2005). Studies show that anywhere between 30 and 75 percent of adult women are victims of psychological abuse while between 10 and 40 percent are victims of physical violence (Buvinić, Morrison, & Shifter, 1999; Morrison & Biehl, 2002). Domestic violence is thought to be the most common form of violence in the region (Heinemann & Verner, 2006). In Colombia, for instance, domestic violence affects nearly half of all households while other criminal victimization affects less than 10 percent of those households (Gaviria & Velez, 2001). Under-reporting is also a widespread problem in Latin America, and most scholars believe that the actual rates of all violence, including domestic violence, are much higher than official statistics indicate (Buvinić, 1999; Soares, 2004). In contrast, statistics from the United States indicate that while 22.1 percent of women report physical abuse by any partner within their lifetime, only 1.9 percent report physical abuse by a partner within the past 12 months (Tjaden & Thoennes, 2000; 2006). While lifestyle theory may predict higher rates of male victimization in the United States or Europe, lifestyle exposure may not be able to explain the rates of domestic violence against women in Latin America.

Research from the United States also indicates that individuals at higher income levels are less likely to be victimized, due to “higher economic resource[s]” (Meier & Meither, 1993, p. 469) which allow them to avoid risky situations which might lead to victimization (Hindelang et al., 1978). Academic research consistently supports that, in the United States and the developed world, poorer individuals are more likely both to be victims of violent victimization and

property victimization (Catalano, 2006; Levitt 1999; Williams & Flewelling, 1988) and to be more fearful of victimization (Eisler & Schissel, 2004). However, in Latin America, wealthy individuals routinely find themselves targets of both property and physical victimization (Heinemann & Verner, 2006).

While poorer, less educated individuals report higher rates of violent victimization and have a higher incidence of homicide in Latin America; wealthier residents living in metropolitan areas are most likely to be victims of property crimes (Gaviria & Pagés, 1999; Gaviria & Velez, 2001). Wealthy Latin American residents, however, in Colombia, Brazil and Mexico have increasingly become targets of kidnapping and extortion schemes that at times result in the beating or death of the victim (Tzanelli, 2006). While kidnapping is on the rise in these countries, it is certainly not as pervasive as other forms of violence. However, this type of violence and high rates of property crimes among wealthy Latin American residents illustrate that victimization is not universally associated with poverty. Buvinić and Morrison (1999) report that in Latin America, “recent surveys have not yielded a clear link between poverty and violence” when using homicide rates as a measure of victimization. Violent victimization is very high among the poor in the region; this is interpreted as a result of economic disparity rather than simply a byproduct of living in poverty (Soares & Naritomi, 2002). This disparity is felt most keenly in by those living in urban areas.

Both in the United States and Latin America living in an urban area is predictive of victimization (Catalano, 2006; Gaviria & Pagés, 1999; Gaviria & Velez, 2001; Sampson, 1983). However, a great deal of violence in Latin America is concentrated in rural and suburban areas (Kay, 2001; Kay, 2007; LaFleur, 1970; LaFree, 2007). Kay (2001, p. 743) notes that, “rural violence has been endemic and persistent throughout the history of Latin America.” Incidents of

violence are often fueled by issues of land use, or lingering resentment among rural villagers following periods of civil unrest or war (Kay, 2001; Kay, 2007). Individuals living in Latin American countries where they have had recent land law reforms or there are problems with suitable or profitable crops are more prone to victimization (Kay, 2001). Urbanization does promote violence in some Latin American countries, but it is not as explanatory of rural victimization in countries with primarily agrarian societies such as Peru or Guatemala. Theories that explain the violence in Latin American may need to take into account the agrarian nature of many of these nations and the history of violent struggle for land use when explaining victimization.

Given the problems researchers have encountered in the past when applying traditional criminological theories to Latin American crime and victimization, this dissertation project will not attempt to test a victimization theory, but rather will incorporate concepts that are in the tradition of criminological theories but also fit with Latin American scholarship. There will be a conscious effort to fuse the two traditions by borrowing from the routine activities approach to victimization, the North American traditions in legitimacy research and blending them with the Latin American focus on order and political and legal culture. This fusion will allow for a closer examination of victimization while acknowledging contextual differences between countries in the region.

The Routine activities approach to the study of victimization discusses the importance of understanding how victimization is related to a suitable target with lack of adequate guardianship intersecting in time and space with a motivated offender (Cohen & Felson, 1979; Lebeau & Castellano, 1987). This approach to crime suggests that individuals who do not have adequate guardianship are more likely to be victimized if they are a “suitable target.” Guardianship is a

theoretical concept that refers to how protected an individual's property or self is. For example, the presence of friends and family can act as a form of guardianship against victimization. Having a family dog also can act as guardianship to the home and family. Carrying mace in your pocket is a form of guardianship. There are many ways to operationalize guardianship; I propose that the concept of guardianship should be expanded to include police guardianship, guardianship of the court system and the guardianship of a stable democracy and economy. In essence, legitimacy of law is a measure of citizen guardianship in these countries. The safety and security that is afforded by a stable government, a criminal justice system free of corruption and low levels of mob or vigilante justice cannot be discounted. A legitimate legal system makes individuals more likely to abide by the law and therefore less likely to be victimized. However, instead of discussing the issue as one of guardianship, rather I will discuss it in terms of the legitimacy of these agencies and of democracy in general among the 12 countries in the region. Recall that Gaviria & Pagés, (1999) found that urban household victimization was negatively correlated with the degree of confidence in criminal justice agencies including both the police and judiciary in their study of 17 countries.

Given these findings, the issues of the legitimization and legitimacy of democracy and of police, courts and legal authorities in Latin American have been accepted among Latin American researchers (Davis Rodrigues 2006; Perez 2003; Lagos 2001). I examine the extent to which factors that are related to the stability of democracies in Latin American also influence individual victimization. More specifically I expect that individuals who have less faith in the police, the courts and/or the stability of their democratic institutions will report more victimization. The two are linked theoretically because the degree of legitimacy that is attributed to the legal and political institutions indicates the level of guardianship citizens see its government as being able

to provide. Those who think that conditions are such that their government is unable to provide its citizens with adequate guardianship from victimization will be more vulnerable to both property and physical victimization. For that reason, this dissertation turns next to the concepts of legitimacy of legal authorities and of democratic governance in a search to locate measures of guardianship and predictors of victimization.

### **Legitimacy and Increases in Crime**

Adherence to the law, according to Tyler (1990; 2000) occurs because individuals feel a moral obligation to do so, or perceive their legal system and its entities such as the police and courts to be legitimate (Fagan & Tyler, 2004). In areas where legitimacy is eroded either through police misconduct or corruption, violence and crime increases (Tyler, 1990; Anderson, 1999; Kurbin & Weitzer, 2003; Kane, 2005). Research from the United States that has focused on police legitimacy or effectiveness and crime rates has often focused on disadvantaged or marginalized communities (Jacob, 1974; Anderson, 1999; Kurbin & Weitzer, 2003; Sunshine & Tyler, 2003; Kane, 2002; 2003; 2005). However, in the Latin American context the line between a socially organized or disorganized community is often blurred or non-existent. Additionally, police corruption or ill-treatment is not limited to members of marginalized communities. Therefore, it could be expected that the increases in crime due to lack of police legitimacy that is found in disorganized communities in the United States (Anderson, 1999; Kurbin & Weitzer, 2003; Kane, 2005) would be found in most Latin American countries as a whole.

### **Legitimacy and Crime: The United States**

Research on police and criminal justice legitimacy in the United States has consistently shown that as legitimacy increases compliance with the law increases (Tyler, 1990; Kane, 2005). This happens both in the form of cooperation with criminal justice officials but also in the form of obeying the law (Tyler, 1990; Solum, 2004; Fagan, 2008). As the trust and confidence that

citizens have in their police declines, crime and illegal activities increase (Fagan, 2008). This usually results in more heavy-handed policing, which further erodes legitimacy, resulting in more crime to create “a spiral of declining legitimacy” (Fagan, 2008, p. 127).

Tyler (1990) conducted a study on legitimacy and compliance with the law using longitudinal data from approximately 1,600 Chicago residents. Respondents were interviewed in two waves and were asked about their personal experiences with the police, courts, and correctional authorities as well as their own compliance with the law. Tyler (1990) measured legitimacy in two ways: support for legal authorities (police and courts) and the individual’s perception of his or her obligation to obey the law. Results from Tyler’s (1990) famous Chicago study showed that in the first wave, legitimacy was positively associated with compliance even when controlling for personal morality, deterrence factors and socio-economic factors. Individuals who reported higher levels of support for legal authorities were less likely to violate traffic and parking laws, drive while intoxicated or shoplift. This study is important in understanding legal compliance and its relationship to legitimacy, but it does have a few drawbacks. The sample size is small and due to the method of data collection, phone interviews, the sample may not be representative of the Chicago area. Also, Tyler (1990) admitted that White individuals were over represented in the second wave of the study. Despite these limitations, similar results have been replicated in other cities in the United States.

Fagan & Tyler (2004) surveyed a sample of over 1,600 New York City residents that came from a variety of diverse ethnic backgrounds. Respondents were asked about their views on the New York City Police Department as well as their own compliance and cooperation with the law. Measures of police legitimacy that were used included questions on accepting police authority, ignoring the police, and sharing the values of people in power. Additionally,

respondents were asked about their level of confidence and trust in the police as well as how honest the police are. Results of the study showed that when it came to obeying the law, including traffic violations, parking violations as well as crimes such as buying stolen goods or drugs, legitimacy was a significant predictor of both compliance and cooperation with the law. Specifically, when individuals perceived the police to make fair decisions or treat people fairly, they were more likely to be compliant and cooperative with the law. Procedural fairness was essential for compliance. Fagan & Tyler (2004, p. 10) conclude that “people are more accepting of and cooperative with authorities when they are treated with fairness and respect.” The broader implications of this study are limited due to the methodology; phone interviews and a small sample of New York City residents. However, it is important that the findings show that legitimacy in the law inhibits criminality by encouraging compliance with the law.

A lack of legitimacy of the police has also been linked to violent crime rates in disadvantaged communities. Kane (2005) combined data from the U.S. Census Bureau and the New York City Police Department to look at police misconduct and violent crime rates in different police precincts. Kane (2005) looked at the number of official incidents of “profit-motivated corruption, violence, miscellaneous crimes, administrative misconduct and drug related crimes” as a measure of police legitimacy in a given precinct. Violent crime was measured by looking at the annual number of reported homicides, rapes, robberies and aggravated assaults in the given precinct and dividing that by the population of the precinct in order to get a crimes rate. This information was tracked from 1975 to 1996. Results from Kane’s (2005) study showed that police legitimacy did predict variations in violent offending for both high disadvantage and extreme disadvantage communities indicating that police legitimacy and misconduct is related to violent offending at the structural level.

## **Legitimacy and Crime: Latin America**

Studies in Latin American have also looked at the link between legitimacy and illegal activities. Seligson (1980) used a survey of 581 Costa Rican peasants to examine the effect of legitimacy on illegal protests. Legitimacy was measured through trust in the government and illegal activities were both participation in government strikes and land invasions. Results from Seligson's (1980) study showed that a low level of trust in the Costa Rican government was associated with both strike participation and land invasions. This shows that in the Latin American context, a low level of legitimacy of government is related to a rise in criminal activity. While this is not violent crime, other research focusing on legitimacy in Latin American government shows that it is associated with victimization.

Davis Rodrigues (2006) did a recent study and hypothesized that the violence and victimization seen in Brazil is a direct result of democratization. Davis Rodrigues (2006, p. 243) argues that it is the continued "lack of civil democracy and democratic rule of law" that is seen in Brazil that drives the perceptions of victimization risk and fear of crime in Brazil. While Davis Rodrigues (2006) discusses the issue in terms of civil democracy, what she is referring to is the systematic exclusion of lower classes in Brazil from the judicial process as well as the corruption and "capricious, selective, inequitable, or ineffective" (Hunter, 1985, p. 234) application of the law by Brazil's legal authorities. Using data from the 2002 Survey of the Metropolitan Region of Belo Horizonte (n=1,029) Davis Rodrigues (2006) tests how trust of the police and preference for democratic governance relates to perceived risk of either robbery or assault. While not specifically studying the actual victimization but rather perceived risk, the study finds support for civil democracy and procedural justice increases feelings of security in one's neighborhoods. Conversely, the findings show that individuals with a high degree of distrust for the police actually perceive themselves to be at more than five times less risk for robbery. Davis Rodrigues

(2006, p. 260) explains that there may in fact be a support for police brutality and corruption in the Belo Horizonte neighborhood because individuals may feel that “get-tough policies against crime, including endorsements of the use of violence and other illegal or discriminatory practices by the police” are necessary to protect the “good citizen.” This finding highlights the uniqueness of each country’s experiences and historical context, given that some citizens of the neighborhood talk about the repressive military regime with nostalgia because of its ability to “maintain law and order” (Davis Rodrigues, 2006, p. 244; Caldeira, 2000).

It is the opinion of this researcher that it is not just fear of victimization that results from low levels of legitimacy in the criminal justice system, but rather victimization itself will result. Research supports the notion that when legitimacy declines, vigilante justice and self-policing results (Johnson, 2007). This vigilante justice often takes the form of violent victimization (Kane, 2005; Davis Rodrigues, 2006; Johnson, 2007; Fagan, 2008).

### **Empirical Hypotheses**

Given the previous discussion on legitimacy of law as it relates to possible victimization, the following empirical hypotheses are proposed. The first set of hypotheses below summarizes the expected empirical relationships between reporting victimization and each of the independent variables, without testing the Legitimacy of Law theory. They provide the framework for the analysis that follows.

#### **Demographic Variables**

H<sub>1</sub>: The likelihood of victimization will be higher among male respondents compared to female respondents.

H<sub>2</sub>: The likelihood of victimization will be higher among respondents who have higher levels of education, as compared to respondents who have lower levels of education.

H<sub>3</sub>: The likelihood of victimization will be higher among non-married respondents as compared to married respondents.

H<sub>4</sub>: The likelihood of victimization will be higher among younger respondents as compared to older respondents.

H<sub>5</sub>: The likelihood of victimization will be higher among White respondents as compared to non-White respondents.

H<sub>6</sub>: The likelihood of victimization will be higher among respondents with fewer children as opposed to respondents with more children.

H<sub>7</sub>: The likelihood of victimization will be higher among respondents with a greater socio-economic attainment as compared to respondents with lower levels of socio-economic attainment.

### **Theoretical Variables**

The following hypotheses demonstrate the expected empirical relationships between reporting victimization and each of the independent variables, testing the Legitimacy of Law theory.

#### **Democracy**

H<sub>8</sub>: The likelihood of victimization will be higher among respondents who report lower levels of democracy within their country as compared to respondents who report higher levels of democracy.

#### **Court justice**

H<sub>9</sub>: The likelihood of victimization will be higher among respondents who report lower levels of court justice as compared to respondents who report higher levels of court justice.

**Trust of police**

H<sub>10</sub>: The likelihood of victimization will be higher among respondents who report lower levels of trust of police as compared to respondents who report higher levels of trust of police.

**Vigilante justice**

H<sub>11</sub>: The likelihood of victimization will be higher among respondents who report higher levels of approval for vigilante justice as compared to individuals who have lower levels of approval for vigilante justice.

## CHAPTER 4 RESEARCH DESIGN AND METHODS

### **Data and Sample**

Data for this dissertation project were made available by the Latin American Public Opinion Project (LAPOP).<sup>1</sup> The data were collected by research teams from AmericasBarometer during 2006 and 2007 as part of the LAPOP, an ongoing 20 year research effort started by a team of researchers at Vanderbilt University. Researchers conducted interviews with over 27,000 individuals in twenty countries including all countries in Central America, the majority of South America, parts of the Caribbean, United States, and Canada (Seligson, 2008). Data from 12 of the countries from LAPOP are included in this study. The countries were chosen based on the availability of the data.

In order to ensure uniformity among samples from differing countries, a team of researchers met in Costa Rica in May of 2006 to set up a common sample design that was employed throughout the region.<sup>2</sup> Teams for each country constructed a multi-stage, stratified area probability sample of 1,500 individuals per country. Additionally, a universal informed consent form was administered to all individuals in the study and the study was approved for research on human subjects by the Vanderbilt University Institutional Review Board (IRB). All researchers on the project were required to take and pass a certifying test on the human subjects protection materials used by Vanderbilt University. Finally, all data for the project were completely anonymous with no identifying information attached, thus each participant is guaranteed complete confidentiality regarding his/her responses (Seligson, 2008).<sup>3</sup>

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<sup>1</sup> Data were made available by the Latin American Studies department at the University of Florida.

<sup>2</sup> Funding for this project was made available by a grant from the United Nations Development Programme (UNDP).

<sup>3</sup> Copies of informed consent forms are available in the appendixes of each countries study and are available at [www.LapopSurveys.org](http://www.LapopSurveys.org).

Researchers designed surveys for this project in 10 different local languages commonly used throughout Latin America. In each country of interest, a survey was employed using nearly identical questions that varied primarily in their use of colloquial vocabulary and/or language. Indigenous populations were interviewed using surveys translated into their local languages (e.g., Quechua and Mymara in Bolivia). Additionally, LAPOP researchers developed different versions of the survey in English, French as well and Portuguese to be employed in various regions where those languages are dominant (Seligson, 2008).<sup>4</sup>

Survey items consisted of questions pertaining to issues of democracy, rule of law, corruption, victimization, as well as demographic information such as income, education, occupation, sex, age and additional information. For the purposes of this dissertation project, data analyses will focus on the data collected from Bolivia, Brazil, Chile, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Jamaica, Mexico, Peru, Uruguay, and Venezuela.

### **More Legitimate Countries**

#### **Costa Rica Data**

Data from Costa Rica used in this project are from a national probability survey that was employed and collected in 2006. The sample (N=1,500) was stratified by region (San José, the central valley, areas beyond the central valley and metropolitan area) as well as by rural or urban regions (Seligson, 2006c). Researchers conducted interviews in 194 sampling units and participants were selected into primary sampling units of six respondents in urban regions and 12 respondents in rural regions. The sample is representative of Costa Rica's voting aged population and all respondents are at least 18 years of age.

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<sup>4</sup> Questionnaire forms from each country can be found in the appendixes of each country study and are available at [www.LapopSurveys.org](http://www.LapopSurveys.org).

## **Uruguay Data**

The data from Uruguay were collected in 2007 with a stratified, probabilistic and multi-stage sample design (N=1,200) (Seligson, 2007b). The sample is nationally representative of both rural and urban regions and is weighted by the proportion of the population in a given geographic region. The sample is weighted by region (Urban Montevideo, inner country cities with less than 2,000 inhabitants, inner country cities with more than 2,000 inhabitants, and scattered rural populations). Researchers collected data from a total of 292 sampling points: 118 in urban Montevideo, 149 in cities with less than 2,000 inhabitants, 15 in cities with more than 2,000 inhabitants, 10 in scattered rural populations. Researchers conducted 12 interviews in each rural sampling point but only four interviews in all other sampling points (Seligson, 2007b).

## **Chile Data**

The data from Chile used in this project were collected in 2006 and consist of a national probability sample (N=1,517) drawn from the voting aged population. Researchers employed a multistage sampling design stratified by municipality (Seligson, 2006b). Researchers conducted interviews in 259 sampling units. Survey participants were selected in primary sampling units of approximately 8 in both urban and rural areas. Researchers selected survey participants within households using a quota system based on age and sex (Seligson, 2006b).

## **Countries with Lower Levels of Legitimacy**

### **Bolivia Data**

The data from Bolivia used in this dissertation were collected using face-to-face interviews in 2006 (Seligson, 2006). The methodology employed was a national household probability sample stratified by geopolitical departments. One individual from each selected household was chosen to participate in the survey. The resulting sample is representative of the population of Bolivia at the national and departmental levels (N=3,013). It is also representative

of all voting aged citizens in the country. The sample is weighted by department population (Seligson 2006).

### **Peru Data**

Researchers conducted surveys for the data from Peru used in this project in 2006. The survey design employed was a multistage national probability design (N=1,500) stratified by “locality” (Seligson, 2006i). Participants in the survey were selected from the entire voting-age population of the country. Researchers conducted interviews in seven different regions of Peru where participants were chosen from primary sampling units of approximately five in urban areas and seven in rural areas. Researchers selected survey participants within households using a quota system based on age and sex (Seligson, 2006i).

### **El Salvador Data**

A national probability design survey was employed in 2006 in order to obtain the data from El Salvador that were used in this dissertation (N=1,729). Sample stratification was done by both municipalities and rural and urban region. Researchers conducted interviews in 222 sampling units and selected six to eight respondents per sampling unit for urban areas and 12 respondents in each rural primary sampling unit. The sample is representative of El Salvador’s adult population (Seligson, 2006e).

### **Guatemala Data**

The data from Guatemala used in this projected were collected in 2006 and the survey method employed was a national probability design (N=1,498) stratified both by region (northeastern, southeastern, southwestern, northwestern and metropolitan area) and by urban and rural areas. Researchers conducted interviews in 194 sampling units in which respondents were selected into primary sampling units of eight in urban areas and 12 in rural areas (Seligson, 2006f). All participants in the study were at least 18 years of age.

## Countries of Average Legitimacy

### **Mexico Data**

The data from Mexico used in this project were collected in 2006 and represent a national stratified and clustered probability sampling design (N=1,560) (Seligson, 2006h). Sample stratification was done regionally (north, south, central, and mid-west regions) as well as by rural/urban location. Researchers conducted interviews in 130 locations in 19 Federated States of Mexico. This sample represents individuals from 72 of the 2,445 municipalities in Mexico as well as 127 electoral sections. Each cluster within a sampling point was comprised of 12 respondents (Seligson, 2006h). All survey respondents were at least 18 years of age.

### **Brazil Data**

The population of interest for the survey administered in Brazil contained all Brazilian residents with citizenship over the age of 16. The sample was weighted to be representative of country's voting population in terms of age, sex, and geographic distribution<sup>5</sup> (Seligson, 2007). The data from Brazil used in this project were collected in 2007 and consist of a national probability sample (N=1,214) stratified by region (North, Northeastern, Southeastern, South and Mid-west). Researchers conducted interviews in 122 sampling units. Survey participants were selected in primary sampling units of six to eight in urban areas and 10 to 12 in rural areas (Seligson, 2007).

### **Venezuela Data**

The population of interested for the survey administered in Venezuela contained all Venezuelan residents with citizenship over the age of 18 (Seligson, 2007c). Data from Venezuela used in this project were collected in 2007 and the sample was weighted to be

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<sup>5</sup> Voting in Brazil is allowed for any citizen aged 16 or older, but does not become compulsory until an individual's 18<sup>th</sup> birthday.

representative of the country's voting aged population in terms of age, sex, and geographic distribution (Seligson, 2007c). Researchers conducting the survey employed a national probability design (N=1,510) stratified by region (west, mid-west, east, capital, Los Llanos, and Zuliana). The survey was administered in 186 sampling units where participants were selected in primary sampling units of eight in urban areas and 12 in rural areas (Seligson, 2007c).

### **Dominican Republic Data**

Data from the Dominican Republic used in this dissertation were collected in 2006. A national probability design was employed in the implementation of the survey (N = 1,519). The sample was stratified regionally (North, East, South, Santo Domingo and Metropolitan area) and researchers conducted interviews in 227 sampling unit in 67 municipalities and six to eight selected respondents per sampling unit for urban areas and 10 to 12 respondents per rural primary sampling unit. A quota system was used to select respondents from each household based on sex and age (Seligson 2006d).

### **Jamaica Data**

Researchers collected the data from Jamaica used in this dissertation in 2006. The survey methodology employed was a national probability design resulting in a sample representative of all Jamaican citizen residents over the age of 18 (N = 1595). Jamaica was stratified into three regions (Kingston Metropolitan Region, Parish Capitals and main towns, and Rural Areas). Researchers conducted interviews in 184 sampling units and respondents were selected into primary sampling units of eight in urban areas and 10 in rural areas (Seligson, 2006g).

### **Advantages**

One of the key advantages of using the LAPOP data in order to study victimization is the uniformity of the data and of the implementation of the survey design across nations. In the past, researchers have relied on homicide data in order to study patterns of victimization between

Latin American countries (Neapolitan, 1994) because there are a limited number of datasets that contain information on victimization and have been applied uniformly across the region (Gaviria & Pagés, 1999). Using homicide data is problematic because it does not account for the majority of victimization in Latin America, property victimization (Buvinić et al., 2005; Heinemann & Verner, 2006). Homicide data is also considered “partial and fragmentary” (Buvinić et al., 1999: 2) in part because in this Catholic dominant region, suicides are often listed as homicides. Additionally, unintentional deaths (e.g., car accidents) are sometimes listed as homicides (Heinemann & Verner, 2006). For this reason, it is essential to use a dataset that clearly defines victimization and measures it through self-reports. Self-reports are the most accurate way to gauge victimization in the region as official statistics are plagued with problems of under-reporting (Gaviria & Pagés, 1999; Heinemann & Verner, 2006). Researchers have used self-reported data from across Latin America to study victimization but using data that assess victimization at the household level, not the individual level (Gaviria & Pagés, 1999).

### **Limitations**

The LAPOP data have some of the limitations that have applied to previous studies. First and foremost, the LAPOP survey is not a victimization survey, but rather a public opinion poll measuring issues of democracy, rule of law, and citizenry. This is problematic because questions regarding the extent or nature of the victimization are not included in the survey. There is also no way to ascertain any information regarding the perpetrator of the victimization. These are salient questions that help further the understanding of victimization, but are missing from this study. Other limitations of these data pertain to the nature of the data and how they were collected.

LAPOP researchers dealt with the majority of missing data in each country’s sample by substituting mean scores of the individual respondent’s choices for any index or scale measure where there were missing data. This is a traditional and commonly accepted method for dealing

with missing data (Acock, 2005; Buhi, Goodson, & Neilands, 2008), and was employed only when the missing data amounted to less than 50 percent of all the responses for one individual (Seligson, 2008). While mean substitution was used for the majority of missing data in Latin American countries, it was not used for individuals who refused to respond to a question. Listwise deletion was used in these cases. Descriptive statistics for the samples after listwise deletion of cases was performed did not significantly alter any of the findings for this study.

Although missing data were not a major limitation of the data, the cross-sectional nature of the data was a limitation that needs some consideration. Given that the data were collected at one point in time, there is no way to infer causal ordering with our dependent and independent variables. For this reason, all results indicate only an association between the indicators of legitimacy of law and victimization rather than an indication of causation or prediction of victimization. This is a limitation of using cross-sectional data and will be discussed further in the results section of this study.

## **Measures**

The survey design for each country in this dissertation project is nearly identical. In the majority of cases, the measures between countries are also identical. However, there are a few differences in measures between countries and these differences are noted below.

### **Dependent Variable**

The dependent variable in this analysis is *victimization*. Respondents from all countries were asked a question pertaining to their victimization experience in the last year. In Spanish speaking countries respondents were asked: *¿Ha sido usted víctima de algún acto de delincuencia en los últimos 12 meses?* In Brazil individuals were asked: *O sr/sra foi vítima de algum ato de delinquência (assalto, roubo, sequestro relâmpago, etc..) nos últimos doze meses?* In the Jamaica respondents were asked: Have you been a victim of any type of crime in the past 12

months? The same question was also asked in native languages in Bolivia and Guatemala (e.g., Nahuatl). A follow-up question was then asked to clarify the type of victimization. Respondents indicated if they had been a victim of the following: robbery without physical aggression or threat; robbery with physical aggression or threat; physical aggression without robbery; rape or sexual assault; kidnapping; damage to property; home burglary. However, the follow-up question regarding the specific type of victimization was not asked in every country. For this reasons, it was not possible to delineate between physical victimization types and property victimizations types. As a result, the first survey item, which was asked of respondents in all countries, was used to create a dichotomous measure of *victimization* for respondents in each country (1=victimization, 0= no victimization).

### **Independent Variables**

Several demographic variables will be used to predict victimization in Latin American countries: sex, level of education, marital status, age, race, number of children, and socio-economic attainment. Age is a continuous variable measured in years (Buvinić et al., 1999; Klaus & Rennison, 2002; Perkins, 1997). The respondent's number of children is also a continuous variable. Sex, race and marital status are all dichotomous measures with males, whites and married individuals coded as 1 and females, non-whites and unmarried individuals serving as the omitted categories (Kay, 2001; Kay, 2007). Socio-economic attainment is a measure of the individual's attainment of consumer goods or services and serves as a proxy measure of both income and status. Individuals were asked about ownership of the following items: television, refrigerator, landline phone, cellular phone, vehicle, washing machine, microwave oven, motorcycle, potable running water, indoor bathroom and a personal computer. An additive index was created from these items from 0 to 11 where 0 indicates that the individual has none of these items and 11 indicates that the individual has all of these items.

Level of education is a continuous variable where 0 equals no education and 12 equals a college degree.

### **Theoretical Variables**

Additional independent variables represent measures of perceived legitimacy of both the police and court systems. There are also measures of the individual's perception of how democratic the government in their country is as well as a measure of whether they believe their government protects citizen rights. Both of these measures assess the legitimacy of the government. Lastly, there is a measure assessing an individual's support for vigilante justice which also acts as a measure of the legitimacy of the state. Respondents were asked their levels of trust for the police in their country. Respondents answered questions using likert-type responses where 1 means there is no trust at all and 7 indicates that there is a lot of trust in the police. For the purposes of this study we assume that greater levels of *trust in the police* indicate that the police are seen as more legitimate. In addition to the question concerning trust in the police, respondents were also asked a likert-type question gauging the extent they believed the courts of justice in their country guarantee a fair trial. Responses ranged from 1 to 7 where 1 indicates "not at all" and 7 indicates "a lot." In this study, *court justice* will be used as a measure of the legitimacy of the court systems in each country.

There are two measures of the legitimacy of the state/government in each country used in this study. The first measure is based on the likert-type question where respondents were asked their level of approval/disapproval of people taking the law into their own hands when the State does not punish criminals. Responses ranged from 1 (strongly disapprove) to 10 (strongly approve). Approval of *vigilante justice* in this study will be used seen as a sign of lack of state legitimacy. Lastly, the level of democracy in the country is measured through an individual's perception of how democratic they believe their country to be. *Level of democracy* is a variable

with likert-type responses where individuals were asked if their country was very democratic, somewhat democratic, not very democratic, or not at all democratic. The variable was recoded so that higher scores indicate a greater perception of democracy in the respondent's country (scores range from 1-4, with 1 being not at all democratic and 4 being very democratic).

### **Analytic Strategy**

Separate logistic regression models will be estimated for each country due to the dichotomous nature of the dependent variables. An additional model will be estimated predicting victimization for the entire Latin American region. The use of logistic regression analyses is well-established statistical technique and is appropriately used with a dichotomous outcome (Allison, 1999; Long, 1997). The multinomial logistic regression models take the following form (Equation 5-1):

$$\begin{aligned} \text{Logit}(\pi) &= \alpha + \beta_1 X_1 + \dots + \beta_k X_k \\ \text{Log} \left( \frac{\pi}{1-\pi} \right) &= \alpha + \beta_1 X_1 + \dots + \beta_k X_k \end{aligned} \tag{4-1}$$

Where  $\left( \frac{\pi}{1-\pi} \right)$  represents the odds of an individual experiencing victimization relative to non-victimization given any change in X. Using the Statistical Package for the Social Sciences (SPSS), I first estimated 12 separate logistic regression models examining victimization in each Latin American country of interest to determine if patterns in victimization predictors emerged among those nations (Bolivia, Brazil, Chile, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Jamaica, Mexico, Peru, Uruguay, and Venezuela). Additionally I estimated a model for the entire Latin American region, merging data from all 12 countries.

## CHAPTER 5 PRELIMINARY RESULTS

### **Sample Characteristics**

Table 5-1 presents means and standard deviations for the variables included in the analysis for the total samples from Costa Rica, Uruguay and Chile, the three countries with the highest scores of democracy, legitimacy, and countries generally agreed upon by scholars to be relatively stable economically and politically. Table 5-2 presents the descriptive statistics for the victimized sub-sample of Costa Rica, Uruguay and Chile's total sample. Table 5-3 presents the descriptive statistics for all respondents from Bolivia, Peru, Guatemala and El Salvador. These four countries have relatively similar scores for legitimacy and democracy. The descriptive statistics for Bolivia, Peru, Guatemala and El Salvador's victimized sub-samples are found in Table 5-4. Table 5-5 presents the means and standard deviations for the variables included in the analysis for the samples from Mexico, Brazil, Venezuela, the Dominican Republic and Jamaica. These countries are grouped together because they are relatively similar in their levels of legitimacy and democracy. The descriptive statistics for the victimized sub-samples from the previous 5 countries can be found in Table 5-6. The descriptive statistics of the sample of all respondents from all countries combined is in Table 5-7. Table 5-8 presents the means and standard deviations for the victimized respondents from the entire Latin American region.

### **Dependent Variable**

Overall, 20 percent of respondents in from the total Latin America sample report being victimized (victimization =1). When broken down by country, the numbers vary in comparison to this overall victimization rate. The lowest rate of reported victimization was in Jamaica where 10 percent of the sample reported being victimized. The next lowest rates were in Brazil, Bolivia and El Salvador where 16 percent of respondents reported victimization. In Costa Rica and the

Dominican Republic 17 percent and 18 percent of the respondents from the respective samples reported victimization. In Mexico 21 percent of respondents reported the being victimized. Twenty-two percent of Guatemalan and Uruguayan respondents reported victimization. In Chile just under a quarter of the sample (24 percent) reported being victimized in the last year. The highest rates of victimization in the region were in Venezuela where 26 percent of the sample reported victimization in the previous year and in Peru where 27 percent of respondents also reported victimization.

### **Independent Variables**

*Sex.* In the total sample for Latin America, 50 percent of respondents to the LAPOP survey were male (male =1). Similarly, 50 percent of the respondents from the Dominican Republic were male. Of the Brazilian, Venezuelan, Jamaican, Peruvian and Guatemalan respondents 51 percent were also male. Costa Rica, Uruguay and El Salvador all had a sample with 49 percent male respondents. Bolivia's sample had the highest number of male respondents, with 53 percent male. Chile's sample was 46 percent male. The Mexican sample over-represented females with only 21 percent male respondents.

The percentage of males in the victimized samples is slightly higher for the majority of countries. In the total victimized sub-sample for Latin America, 53 percent of those victimized were male. The greatest contrast is in Mexico where 63 percent of the victimized sample was male (verses 21 percent of the general Mexican sample). In Jamaica 60 percent of the victimized sample were male (verses 51 percent in the total sample for Jamaica). In Bolivia, 58 percent of the victimized sample was male while only 53 percent of the total Bolivian sample was male. Additionally, 57 percent of Guatemala and El Salvador's victims were male (verses 51 percent for Guatemala and 50 percent for El Salvador in the total sample). In Peru and Brazil, 56 percent of those victimized were male. This is in contrast with the total sample populations for both

countries, which were only 51 percent male. In Uruguay and Venezuela, 52 percent of victims were male while 49 percent of the overall sample in Uruguay was male and 51 percent of the Venezuelan total sample was male. In Costa Rica the number of males in both the victimized sample and non-victimized sample were equal with 49 percent of both samples being male. In the Dominican Republic, 52 percent of the victimized sub-sample was male (verses 50 percent male in the total sample). Chile's victimized sample was 47 percent male and roughly equivalent to the proportion of males in the total sample for that country (46 percent).

*Education.* Individuals across the Latin American region generally had some education the mean level of education for the region was 4.9, which indicates that the majority of respondents in the region have at least some high-school education (49 percent). Education rates varied for individuals in each country. Peru, Bolivia, Venezuela and Chile had the most educated samples with scores of 6.1, 5.8, 5.6 and 5.6. This indicates that the majority of respondents in these countries have at least a high-school education. Brazil, Jamaica, Uruguay, and Mexico had the second highest education levels with scores of 5.2, 5.0, 4.8, and 4.4. Costa Rica and El Salvador's levels of education were lower with scores of 4.3 and 4.2. In El Salvador 12 percent of the respondents had college training and 11 percent of Mexican participants also reported having some college education. However, El Salvador also had a high percentage of respondents with no educational training (11 percent). The Dominican Republic had a score of 4.0 years of education. Guatemala had the lowest level of education with a score of 3.4 years. Guatemala also had the lowest number of individuals with college training (6 percent) and also had the highest number of respondents with no education at all (12 percent). When overall education levels for individuals among the victimized and the general samples were compared a few key differences are apparent.

Across the region, victims had higher levels of education than those in the total sample, with levels of education scores of 4.9 in the total Latin America sample and 5.7 for the victimized sub-sample from all Latin American countries. The largest disparities were seen in El Salvador, Costa Rica and Guatemala where among victims the level of education was between one and two points higher in the former and over full point higher in the latter two countries (4.0 versus 5.8; 4.0 versus 5.5; 4.2 versus 5.8). All other countries were within a point difference between the total samples and victimized samples for each country. However, in all countries the mean level of education was greater among the victimized sample when compared to the mean level of education for the total country sample. It should be noted that in Mexico only five percent of the total sample reported having no education while among the victimized sample 35 percent reported having no education. Further analysis is needed to see if there are any statistically meaningful differences between victims and non-victims based on educational attainment.

*Marital Status.* Fifty-seven percent of Latin Americans in the total sample were married (married =1). This number varies among the countries of the region. In the Jamaican sample 42 percent self-reported being married as did 48 percent of the Venezuelan sample. Brazil's sample was predominately married (52 percent), as were and Uruguay's (55 percent) and Chile's sample (57 percent married). In Bolivia, the Dominican Republic and El Salvador, 58 percent of the countries' samples were married. In Peru, 60 percent of respondents were married while in Guatemala 64 percent were married. Mexico had the highest number of married individuals in its sample with 69 percent of respondents being married. Among the victimized sample, marriage rates did not vary drastically. An exception is Costa Rica, where 59 percent of the victimized sample was married (versus 50 percent in the un-victimized sample).

*Age.* The average age among all respondents of this survey across Latin America was approximately 38 years of age. The average age for victims from the sub-sample including all countries in the region was 37 years of age. Among the individual countries, the youngest samples were Guatemala where the mean age was 35 and Venezuela and Bolivia where in both countries the mean age was approximately 36. However, victims in Venezuela and Guatemala were closer to the age of 34 and victims in Bolivia were closer to 35. In El Salvador and Mexico the mean age was approximately 37. While in the victimized sample the mean age was 35 and 33 respectively. The Dominican Republic and Peru's overall samples had mean ages of approximately 38 years of age while the victimized samples in these countries had mean ages of 36 and 37. In Brazil, respondents in the overall sample were approximately 39 years of age while victims were on average 3 years younger (37). Costa Rican respondents' mean age was 40 while, the victimized sample from Costa Rica had an average age closer to 38. The oldest samples were Jamaica (43), Chile (43) and Uruguay (44). However, the average age in the victimized sub-samples from these countries was 45, 41, and 45 respectively. In Jamaica the mean age in the victimized sample (45) was greater than the mean age in the country's total sample (43). Generally, with the noted exceptions, victims were slightly younger than the overall sample.

*Race.* The minority of the sample for the total Latin America sample was White (White =1) (33 percent). However, when broken down by country these numbers begin to vary drastically throughout the region. Only 4 percent of Jamaicans in the total sample report being White. In Bolivia 11 percent of the overall sample reported being White, which is equal to the percentage of the victimized sample reporting the same. In Peru, 13 percent of the overall sample was White (verses 12 percent in the victimized sample). In the Dominican Republic, 12 percent of the sample reported being White (verses 11 percent of the victimized sample). In El Salvador

16 percent of the total sample identified with being White (verses 17 percent for the victimized sample). Forty-five percent of Brazil's sample was white while 51 percent of victims were White. The Venezuelan total sample was 47 percent White and the victimized sample was 48 percent White. Half of Costa Rica's sample was White (50 percent) and 53 percent of the victimized sample was White as well. In Guatemala, a lower number of the overall sample was White (62 percent) verses the victimized sample (67 percent). In Chile and equal number were White in the total sample to those in the victimized sub-sample. Both were 65 percent White. Lastly in Uruguay the majority of respondents in the sample were White, 80 percent. In the victimized sample a larger majority were also White (86 percent).

*Children.* Individuals in the Latin American total sample reported having roughly 2 children. This pattern held across the samples for each individual country with two exceptions. In Brazil, respondents had approximately 1 child while in Jamaica, Guatemala and the Dominican Republic the sample averaged between 2 and 3 children per respondent. The number of children for respondents in each country among the victimized samples did not vary dramatically (See Tables 5-1 thru 5-8).

*Socio-Economic Attainment.* The level of socio-economic attainment for the entire Latin American sample was 6 (out of a possible 11), indicating that most individuals had a little more than half of the consumer goods/services. This number was slightly higher among the victimized sub-sample from the total Latin America sample (6.5). Results for the individual countries were not dramatically different. The highest level of socio-economic attainment was in Costa Rica with an average score of 7.7 items per individual. Victims in Costa Rica had a greater level of socio-economic attainment (8.1). Relatively similar scores of socio-economic attainment were found in Uruguay (7.4 for the total sample, 7.5 for victims), Chile (7.2 for the total sample, 7.5

for victims) and Venezuela (7.0 for both samples). Following closely were Brazil (6.6 for the total sample, 6.8 for victims), Mexico (6.5 for the total sample, 6.8 for victims) and Jamaica (6,1 for the total sample, 6.6 for victims). Countries that fell below the average for the region were the Dominican Republic (5.8 for the total sample, 6.0 for victims), Guatemala (5.1 for the total sample, 5.8 for victims), Peru (4.8 for the total sample, 5.3 for victims), and El Salvador (4.8 for the total sample, 6.1 for victims). Bolivia (4.4 for the total sample, 5.2 for victims) had the lowest mean score for socio-economic attainment. Across the region, the level of socio-economic attainment for victims was higher than that for the total mean of the country, excepting Venezuela, where the means were nearly identical.

### **Theoretical Variables**

*Level of Democracy.* Most respondents in the region believed that their country is somewhat democratic, with a level of democracy score for respondents from the total Latin American sample of 2.9 (with 4 indicating that respondents believed their country to be very democratic). Victims from the sub-sample of from all of Latin America had a mean score of 2.8, also indicating that they believe their country is somewhat democratic. Levels varied slightly from country to country throughout the region and between victimized and total country samples. Uruguayans had the highest mean score for level of democracy both among those in the total sample (3.4) and the victimized sample (3.3). This indicates that most citizens in Uruguay believe their country is between somewhat and very democratic. Costa Rica (3.1), the Dominican Republic (3.1) and Venezuela (3.1) all had scores indicating that respondents believe their country to be somewhat democratic. Scores for victims in Costa Rica were higher (3.2) while scores in the victimized sub-sample for the Dominican Republic were identical in (3.1). In Venezuela the mean score for level of democracy among the victimized sub-sample was 3.0. Jamaica (3.0) and Chile (2.9) had scores indicating that individual's believe their country to be

somewhat democratic. These scores did not change among victims in each country. In Mexico (2.8), Brazil (2.8) and Bolivia (2.8) individuals responded that their country was also somewhat democratic. Mean scores among victims in these countries were identical for Mexico and Brazil (2.8 for each country). However the perceived level of democracy among individuals from the victimized sub-sample in Bolivia was somewhat lower (2.3). Respondents from Peru (2.6), Guatemala (2.5) and El Salvador (2.5) had the lowest mean scores for level of democracy indicating that individuals in these countries believe their government to be between “not very democratic” and “somewhat democratic.” Victims in each country had even lower mean scores for level of democracy, 2.3 for respondents from Peru, 2.4 for respondents from Guatemala and 2.3 for respondents from El Salvador.

*Court Justice.* The mean score of court justice for the total Latin America sample was 3.8, indicating that there is a moderate level of legitimacy in the court systems across the region. However, this does not indicate that respondents across the region feel that their court systems provide a great deal of justice (with the highest possible score being 7). Among the victimized sub-sample for respondents from the total Latin America sample, the number was slightly lower with a mean score of 3.6, which still indicates that most citizens in the region believe there is a fair amount of justice in the court systems in their countries. As with trust in the police, score of the level of court justice vary by country across the region. In Guatemala (4.2), Uruguay (4.2), Costa Rica (4.0), and Peru (3.0) the mean score of court justice was the same in both the total samples and the victimized samples for each country. The scores however for the total country in Mexico (4.1), Jamaica (4.1) the Dominican Republic (3.8) El Salvador (3.7), Chile (3.7) and Bolivia (3.6) indicated that there is a fair expectation of justice, or a fair amount of legitimacy in the court system. These findings were slightly lower among victims in each country, but not

substantially so. The greatest discrepancy was found in Brazil and Venezuela. Among the total sample in Brazil, the trust in the belief that the court system assures justice was roughly 3.8, but among victims it was only 3.3. Likewise in Venezuela, the mean score for court justice was 4.0 for the total sample but only 3.5 for victims. Later analyses will help distinguish if this variation is statistically significant.

*Trust in the Police.* Trust in the police from the total Latin America sample is fairly moderate 3.6 out of 7, indicating that there is also a moderate amount of police legitimacy. The mean score for trust in the police for the victimized sub-sample from the total Latin America sample is only slightly lower at 3.2. This number varies by country and among each country's victimized sample. The highest level of trust in the police is in Costa Rica where the mean response was 5.5, indicating a good deal of trust in the police. This number was dramatically lower among victims in Costa Rica where the mean score of trust in the police was approximately 3. In Chile, the level of trust in the police was also rather high, where the mean score of trust in the police was 4.9. Among victims in Chile, the score was also high, 4.9. Brazil had the next highest score for trust in the police at 4.6; victims in Brazil had a slightly lower score for trust in the police at 4.3. Uruguayans also scored relatively high for trust in the police at 4.2; victims in Uruguay had a mean score of 3.7. El Salvador's mean score for trust in the police was 4.1 with victims in the sample having a mean trust score of only 3.5. Jamaica's mean score indicated that individuals were fairly trusting of police (3.7) whereas victims in Jamaica were slightly less trusting of the police (3.5). Guatemala had a trust score of 3.5 for the total sample. Among the victimized sub-sample the trust of police score was slightly lower; 3.2. Peru (3.4), Mexico (3.2), Bolivia (3.2) and the Dominican Republic (3.1) all had similar scores on trust of police. Their victimized samples had similar scores as well (3.2, 2.8, 3.0 and 2.8 respectively).

The country with the lowest level of trust in the police was Venezuela with a score of 2.8.

Victims in Venezuela had a score of 2.3, also the lowest among countries in the region.

*Vigilante Justice.* On a scale of 1 to 10 indicating approval of citizens taking justice into their own hands when the state fails to do so, most respondents in the total Latin America sample show moderate approval of vigilante justice (3.8) where 10 indicates the most support for vigilante justice. Among victims in the total Latin America Sample there is a slightly higher level of approval for vigilante justice (4.1). The highest level of approval for vigilante justice was found in the Dominican Republic both among the total country sample (4.7) and the victimized sample (4.9). Peru also had a high level of support for vigilante justice among the total country sample (4.5) and slightly more approval among the victimized sample (4.7). There was moderate approval of vigilante justice in Guatemala and El Salvador (approximately 4.2 for each country) and this support was higher among victims in each country (4.6 for Guatemala and 4.7 for victims from El Salvador). Costa Rica (4.1) and Chile's (3.9) total populations also had some support for vigilante justice and as with other countries, the support was greater among victims (4.4 and 4.1 respectively). In Bolivia, the level of approval for vigilante justice was identical for both the total sample from the country and the victimized sub-sample (4.0). There were lower levels of approval for vigilante justice in Venezuela (3.3) and Jamaica (3.2) but again the degree of approval was greater among victims (3.8 for victims in Venezuela and 3.4 for victims in Jamaica). Mexico (2.9) and Brazil (2.8) were among the lowest levels of approval for vigilante justice both among the total sample and victims (3.2 and 3.1 respectively). Among countries in the region, Uruguayans had the lowest level of approval for vigilante justice both among victims and in the total sample for the country (2.7 for each group).

Table 5–1. Descriptive Statistics for Variables used in Costa Rica, Uruguay and Chile Models

Variable	Costa Rica N= 1,430		Uruguay N= 1,086		Chile N = 1,443		
	Mean	S.D.	Mean	S.D.	Mean	S.D.	
Dependent variable							
Victimization	0.17	0.37	0.22	0.41	0.24	0.43	
Independent variables							
Sex ( <i>Male = 1</i> )	0.49	0.50	0.49	0.50	0.46	0.50	
Level of education (years)	4.34	2.97	4.78	2.82	5.64	2.66	
Marital status (married =1)	0.59	0.49	0.55	0.49	0.57	0.49	
Age (years)	40.38	16.51	44.33	17.49	42.92	16.49	
Race (White =1)	0.50	0.50	0.80	0.39	0.65	0.48	
Children (range 0-20)	2.28	2.16	2.02	1.94	2.13	1.90	
Socio-economic attainment (1-11)	7.67	1.98	7.39	2.15	7.19	2.26	
Theoretical variables							
Level of democracy (1-4)	3.14	0.76	3.36	0.69	2.93	0.67	
Court justice (1-7)	4.01	1.68	4.20	1.69	3.69	1.67	
Trust of police (1-7)	5.54	1.85	4.17	1.86	4.93	1.70	
Vigilante justice (1-10)	4.11	3.40	2.66	2.72	3.89	3.05	

Source: AmericasBarometer 2006

Table 5–2. Descriptive Statistics for Victimized Sub-samples from Costa Rica, Uruguay and Chile

Variable	Costa Rica N= 238		Uruguay N= 238		Chile N = 342	
	Mean	S.D.	Mean	S.D.	Mean	S.D.
Independent variables						
Sex (Male = 1)	0.49	0.50	0.52	0.50	0.47	0.50
Level of education (years)	5.47	3.11	5.41	2.84	6.38	2.28
Marital status (married =1)	0.50	0.50	0.53	0.50	0.59	0.49
Age (years)	38.52	16.23	44.85	17.81	41.44	14.96
Race (White =1)	0.53	0.50	0.86	0.34	0.65	0.48
Children (range 0-20)	2.28	2.16	1.99	2.04	2.12	1.84
Socio-economic attainment (1-11)	8.07	2.11	7.50	2.04	7.49	2.22
Theoretical variables						
Level of democracy (1-4)	3.15	0.73	3.34	0.74	2.88	0.68
Court justice (1-7)	3.96	1.73	4.17	1.76	3.42	1.70
Trust of police (1-7)	3.05	1.78	3.74	1.81	4.85	1.81
Vigilante justice (1-10)	4.41	3.51	2.70	2.80	4.11	3.16

*Source: AmericasBarometer 2006*

Table 5–3. Descriptive Statistics for Variables used in Bolivia, Peru, Guatemala and El Salvador Models

Variable	Bolivia N= 2,562		Peru N= 1,370		Guatemala N = 1,111		El Salvador N= 1,607		
	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.	
Dependent variable									
Victimization	0.16	0.37	0.27	0.44	0.22	0.41	0.16	0.37	
Independent variables									
Sex ( <i>Male = 1</i> )	0.53	0.50	0.51	0.50	0.51	0.50	0.49	0.50	
Level of education (years)	5.75	3.10	6.14	2.66	3.43	2.74	4.21	3.06	
Marital status (married =1)	0.58	0.49	0.60	0.49	0.64	0.48	0.58	0.49	
Age (years)	36.24	14.95	37.98	15.02	35.20	13.47	36.79	15.26	
Race (White =1)	0.11	0.31	0.13	0.33	0.62	0.49	0.16	0.37	
Children (range 0-20)	2.38	2.39	2.08	2.04	2.47	2.44	2.24	2.22	
Socio-economic attainment (1-11)	4.43	2.55	4.84	2.38	5.07	2.81	4.77	2.65	
Theoretical variables									
Level of democracy (1-4)	2.77	0.76	2.56	0.77	2.50	0.70	2.53	0.88	
Court justice (1-7)	3.64	1.52	3.02	1.48	4.23	1.56	3.69	1.74	
Trust of police (1-7)	3.24	1.68	3.35	1.67	3.53	1.77	4.11	1.88	
Vigilante justice (1-10)	3.94	2.99	4.51	3.24	4.15	3.07	4.20	3.26	

Source: AmericasBarometer 2006

Table 5–4. Descriptive Statistics Victimized Sub-samples from Bolivia, Peru, Guatemala and El Salvador

Variable	Bolivia N= 406		Peru N= 372		Guatemala N = 239		El Salvador N= 258	
	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.
<b>Independent Variables</b>								
Sex (Male = 1)	0.58	0.49	0.56	0.50	0.57	0.50	0.57	0.50
Level of education (years)	6.52	2.96	6.50	2.53	4.37	2.92	5.81	2.99
Marital status (married =1)	0.54	0.50	0.58	0.49	0.64	0.48	0.54	0.50
Age (years)	35.21	14.19	37.06	15.41	33.90	11.89	32.73	13.85
Race (White =1)	0.11	0.31	0.12	0.33	0.67	0.47	0.17	0.38
Children (range 0-20)	1.98	2.10	1.94	1.93	2.39	2.67	1.64	2.65
Socio-economic attainment (1-11)	5.18	2.46	5.28	2.34	5.84	2.81	6.06	2.65
<b>Theoretical variables</b>								
Level of democracy (1-4)	2.68	0.75	2.60	0.77	2.37	0.78	2.27	0.86
Court justice (1-7)	3.45	1.57	2.98	1.52	4.23	1.62	3.46	1.57
Trust of police (1-7)	2.95	1.68	3.16	1.64	3.23	1.82	3.54	1.82
Vigilante justice (1-10)	4.03	3.12	4.70	3.32	4.57	3.27	4.70	3.36

*Source: AmericasBarometer 2006*

Table 5–5. Descriptive Statistics for Variables used in Mexico, Brazil, Venezuela, the Dominican Republic, and Jamaica Models

Variable	Mexico N= 1,389		Brazil N= 1,080		Venezuela N = 1,111		Dominican Republic N= 1,607		Jamaica N= 1,055		
	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.	
<b>Dependent Variable</b>											
Victimization	0.21	0.37	0.16	0.37	0.26	0.44	0.18	0.38	0.10	0.30	
<b>Independent Variables</b>											
Sex (Male = 1)	0.21	0.41	0.51	0.50	0.51	0.50	0.50	0.50	0.51	0.50	
Level of Education (years)	4.41	2.75	5.23	3.31	5.57	2.84	4.00	2.98	4.97	2.71	
Marital Status (married =1)	0.69	0.46	0.52	0.50	0.48	0.50	0.58	0.49	0.42	0.49	
Age (years)	37.04	14.03	39.08	16.07	36.01	13.81	38.00	15.36	42.53	15.93	
Race (White =1)	0.22	0.41	0.45	0.50	0.47	0.50	0.12	0.33	0.04	0.06	
Children (range 0-20)	2.31	2.16	0.82	1.18	2.11	2.13	2.48	2.38	2.65	2.59	
Socio-Economic Attainment (1-11)	6.52	2.42	6.57	2.04	7.03	2.01	5.75	2.41	6.08	2.53	
<b>Theoretical Variables</b>											
Level of Democracy (1-4)	2.78	0.68	2.77	0.74	3.11	0.92	3.09	0.79	2.98	0.63	
Court Justice (1-7)	4.12	1.68	3.75	1.77	3.96	1.84	3.75	1.91	4.16	1.64	
Trust of Police (1-7)	3.23	1.82	4.59	2.01	2.75	1.89	3.11	2.08	3.69	1.83	
Vigilante Justice (1-10)	2.93	2.67	2.76	2.71	3.27	3.02	4.67	3.78	3.20	2.80	

Source: AmericasBarometer 2006

Table 5–6. Descriptive Statistics for Victimized Sub-Samples from Mexico, Brazil, Venezuela, the Dominican Republic, and Jamaica

Variable	Mexico N= 288		Brazil N= 177		Venezuela N = 708		Dominican Republic N= 412		Jamaica N= 100	
	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.	Mean	S.D.
Independent Variables										
Sex (Male = 1)	0.63	0.48	0.56	0.50	0.52	0.50	0.48	0.50	0.60	0.49
Level of Education (years)	4.96	2.71	6.09	3.14	6.14	2.75	4.59	3.15	5.11	2.79
Marital Status (married =1)	0.64	0.48	0.47	0.50	0.46	0.50	0.55	0.50	0.47	0.50
Age (years)	34.89	12.91	37.40	14.95	33.75	11.97	36.44	14.53	44.87	15.78
Race (White =1)	0.22	0.41	0.51	0.50	0.48	0.50	0.11	0.32	0.00	0.00
Children (range 0-20)	1.98	1.90	0.73	1.05	1.81	1.84	2.23	2.13	2.29	2.27
Socio-Economic Attainment (1-11)	6.82	2.42	7.11	2.02	7.03	2.07	6.03	2.32	6.64	2.50
Theoretical Variables										
Level of Democracy (1-4)	2.76	0.73	2.76	0.75	2.98	0.96	3.08	0.82	3.00	0.59
Court Justice (1-7)	3.81	1.74	3.31	1.76	3.51	1.92	3.44	1.87	3.98	1.68
Trust of Police (1-7)	2.78	1.68	4.30	2.11	2.33	1.72	2.77	2.01	3.48	1.86
Vigilante Justice (1-10)	3.20	2.96	3.09	3.06	3.78	3.24	4.91	3.84	3.35	3.08

Source: AmericasBarometer 2006

Table 5–7. Descriptive Statistics for Variables used in Latin America Total Sample

Variables	Latin America Total Sample (N=19,193)	
	Mean	S.D.
Dependent Variable		
Victimization	0.20	0.40
Independent Variables		
Sex (male =1)	0.50	0.50
Level of Education (years)	4.94	3.01
Marital Status (married =1)	0.57	
Race (White =1)	0.33	0.47
Children (range 0-20)	2.20	15.48
Socio-Economic Attainment (0-11)	6.04	2.60
Theoretical Variables		
Level of Democracy (1-4)	2.89	0.81
Court Justice (1-7)	3.83	1.73
Trust of Police (1-7)	3.55	1.95
Vigilante Justice (1-10)	3.76	3.18

Source: AmericasBarometer 2006

Table 5–8. Descriptive Statistics for Victimized Sub-sample for Latin America Sample

Variables	Latin America Victimized Sample (N=3,778)	
	Mean	S.D.
Independent Variables		
Sex (male =1)	0.53	0.50
Level of Education (years)	5.73	2.92
Marital Status (married =1)	0.54	0.50
Age (years)	36.71	14.66
Race (White =1)	0.37	0.48
Children (range 0-20)	1.94	1.99
Socio-Economic Attainment (0-11)	6.53	2.47
Theoretical Variables		
Level of Democracy (1-4)	2.83	0.85
Court Justice (1-7)	3.57	1.76
Trust of Police (1-7)	3.18	1.93
Vigilante Justice (1-10)	4.05	3.33

Source: AmericasBarometer 2006

## CHAPTER 6 VICTIMIZATION IN LATIN AMERICA

Prior to testing the impact of legitimacy on personal victimization in Latin America, we will first look at the socio-demographic predictors of victimization among Latin American countries to see how or whether victimization varies among the relevant countries. First, we will examine the predictors of victimization for the region as a whole and then we will look at the individual countries to see whether or not the “face of victimization” in the region varies from country to country.

### **Bivariate Analyses and Multicollinearity Diagnostics**

Before conducting the multivariate analyses, we will first examine a series of bivariate correlations. We will look at the region as a whole and then look at each country separately to determine multicollinearity among key variables.

#### **Latin American Region**

For the entire Latin American region, the results revealed significant bivariate relationships between the dependant variable and all of the demographic measures used in this study. In the entire region, there is a significant and positive correlation between victimization and sex (male = 1), race (White = 1), the level of education and socio-economic attainment. There also exists a significant negative correlation between victimization and the individual’s marital status (married = 1), age and the number of children he/she has. Among the independent variables a number of the measures were significantly correlated with one another. Given some of the strong bivariate correlations between the independent variables, I ran a test of the variance inflation factors (VIF) scores to check of multicollinearity. Fisher and Mason (1981) proposed a cut off of four for VIF scores as a measure of multicollinearity, and this is the cut off used in this project as well. In the results for the full model, no VIF scores exceeded two, therefore, multicollinearity

does not appear to be an issue for the independent variables in the full model for all of Latin America. Also, none of the correlations exceed a value of  $r \geq .5$ , so multicollinearity is not an issue.

However, when examining the results for individual countries, there are fewer significant correlations both between the dependent and independent variables and the independent variables. Therefore each country's data will be examined individually.

### **More Legitimate Countries**

#### **Costa Rica**

Bivariate analyses for Costa Rica show that victimization is significantly and positively correlated with only level of education ( $r = .17$ ) and socio-economic attainment ( $r = .09$ ). There is a significant negative correlation between victimization and marital status ( $r = -.08$ ) and number of children ( $r = -.07$ ). Due to the significant bivariate correlation among independent variables in this model VIF scores were estimated and showed that no score exceeded two, therefore multicollinearity was not an issue.

#### **Uruguay**

The bivariate analyses for Uruguay show that there is a significant positive correlation between victimization and an individual's race (White = 1) ( $r = .07$ ) and level of education ( $r = .12$ ). There are no significant negative correlations in the bivariate analyses results for Uruguay. Multicollinearity is not a problem in this model as none of the independent variables were correlated at a level of  $r \geq .05$ .

#### **Chile**

For Chile, the bivariate analyses reveal a significant positive correlation between the dependent variable and an individual's level of education ( $r = .16$ ) and socio-economic attainment ( $r = .08$ ). There are no significant negative correlations. Age and number of children

were again highly correlated ( $r = .54$ ). However, in Chile, despite significant correlations between the independent variables, VIF scores revealed that none of the variables exceeded values of two, therefore multicollinearity is not considered a problem for the Chile model.

### **Countries with Lower Levels of Legitimacy**

#### **Bolivia**

The results of bivariate analyses for Bolivia show significant positive correlations between victimization and sex (male = 1) ( $r = .04$ ), level of education ( $r = .11$ ) and socio-economic attainment ( $r = .13$ ). The results also show a significant negative correlation between victimization and number of children ( $r = -.07$ ). Bolivia's bivariate analysis similarly showed positive correlations among the independent variables. As was found in Peru, in Bolivia age and level of education were correlated at a level of  $r = .62$ . However, when VIF scores were estimated, none exceeded a value greater than three ruling out issues of multicollinearity.

#### **Peru**

Results from Peru show that the dependent variable is significantly and positively correlated with sex (male = 1) ( $r = .07$ ), level of education ( $r = .08$ ) and socio-economic attainment ( $r = .11$ ). The results show no significant negative correlations. The results also showed that among the independent variables there were a number of significant correlations. However only age and level of education were correlated at a level of  $r = .64$ . Due to this high level of correlation, VIF scores were estimated showing that none of the variables had scores greater than three. Therefore, multicollinearity was ruled out as a problem in the Peru model.

#### **El Salvador**

For El Salvador, the dependent variable is significantly and positively correlated with an individual's sex (male = 1) ( $r = .07$ ), level of education ( $r = .23$ ) and socio-economic attainment ( $r = .21$ ). The dependent variable is also significantly and negatively correlated with an

individual's age ( $r = -.12$ ) and number of children ( $r = -.12$ ). Among the independent variables level of education and socio-economic attainment were significantly and positively correlated ( $r = .60$ ) as were number of children and age ( $r = .61$ ). As with the other models, VIF scores were calculated to rule out multicollinearity and no score was greater than two.

### **Guatemala**

In Guatemala, victimization is significantly and positively correlated with sex (male = 1) ( $r = .07$ ), race (White = 1), level of education ( $r = .18$ ) and socio-economic attainment ( $r = .15$ ). There is a significant and negative correlation between victimization and the individual's age ( $r = -.05$ ) and number of children ( $r = -.02$ ). A number of the independent variables are also positively correlated however only the association between age and number of children has an  $r$  value greater than .5 ( $r = .57$ ). To rule out multicollinearity, VIF scores were calculated for the independent variables in this model, and no scores exceeded two.

### **Countries of Average Legitimacy**

#### **Mexico**

For Mexico, victimization is significantly and positively correlated with sex (male = 1) ( $r = .14$ ), level of education ( $r = .10$ ) and socio-economic attainment ( $r = .07$ ). The results for Mexico also show a significant negative association for age ( $r = -.08$ ), marital status (married = 1) ( $r = -.07$ ) and the number of children present in the home ( $r = -.08$ ). The correlation between age and number of children was greater than  $r \geq .50$  ( $r = .58$ ). However, as with the full model, multicollinearity diagnostics for the independent variables for Mexico do not reveal VIF scores greater than two and therefore, despite some significant correlations between independent variables, there does not appear to be a problem with multicollinearity between the independent measures.

## **Brazil**

Results for Brazil show a positive significant correlation between the dependant variable and level of education ( $r = .17$ ) and socio-economic attainment ( $r = .12$ ). There are no negative significant correlations. As with the other models, many of the independent variables in the bivariate analysis results for Brazil were positively correlated, however no variables are correlated at a level of  $r \geq .05$  and upon estimation of the VIF scores, no score exceeded one and a half; therefore multicollinearity is not an issue among the variables in this model.

## **Venezuela**

For Venezuela, victimization is has a positive significant correlation with the individual's level of education ( $r = .12$ ). Victimization is significantly and negatively correlated with an individual's age ( $r = -.09$ ) and number of children ( $r = -.08$ ). Among the independent variables, number of children and age were correlated at  $r = .61$ . However an estimation of VIF scores showed that none of the variables had scores greater than two, ruling out multicollinearity issues for this model.

## **Dominican Republic**

The bivariate analyses results for the Dominican Republic show a significant and positive correlation between the dependant variable and level of education ( $r = .09$ ) and socio-economic attainment ( $r = .05$ ). The dependant variable is significantly and negatively correlated with age ( $r = -.05$ ) and number of children ( $r = -.05$ ). Again in this model, age and the number of children were highly correlated ( $r = .63$ ). When VIF scores are estimated, however, none exceed two. As a result, multicollinearity is ruled out as an issue in this model.

## **Jamaica**

For Jamaica, there is a significant positive correlation between victimization and sex (male = 1) ( $r = .07$ ) and socio-economic attainment ( $r = .07$ ). There are no other significant

correlations with the dependent variable. Among the independent variables no two variables are correlated at a level greater than  $r \geq .05$ , therefore in the Jamaica model, multicollinearity is not considered a problem.

### **Multivariate Analyses**

Once multicollinearity was ruled out among the models, binary logistic regression models are run on the non-theoretical variables to get a sense of the differences among models between Latin American countries and between those countries and the results for a model including all countries in the region. These models test the hypotheses outlined in Chapter 4 ( $H_1$ ,  $H_2$ ,  $H_3$ ,  $H_4$ ,  $H_5$ ,  $H_6$  and  $H_7$ ).

#### **Latin America Region**

Results from the logistic regression model for the entire Latin American region appear in Table 6-1. The table includes the beta and odds ratio (Odds) for each variable. The Model Chi-square ( $\chi^2$ ) and the Pseudo  $R^2$  are also presented to assess the goodness of fit for the estimated model. The Model Chi-square statistics indicate that the full model is a better fit than the model with only the constant with all the coefficients being held to zero. Results are presented in Table 6-1 ( $\chi^2=412.08$ ). It was found that the model fits significantly better as a whole model than as an empty model.

Table 6-1 shows that, in the model for the entire Latin American region, four demographic variables are significantly predictive of personal victimization: sex (male =1), level of education, race (White =1), and socio-economic attainment. In support of  $H_1$ , as stated in Chapter 5, male respondents have a greater likelihood of victimization than female respondents ( $b = .17$ ,  $p \leq .01$ ). Additionally,  $H_2$  is supported since respondents with higher levels of education are more likely to be victimized as compared to respondents with lower levels of education ( $b =$

.09,  $p \leq .01$ ). Additionally  $H_5$  was supported in our results showing that being White was significantly and positively associated with victimization, as compared to non-White respondents ( $b = 0.14$ ,  $p \leq .01$ ). Lastly, in keeping with  $H_7$ , individuals with a greater level of socioeconomic attainment had a higher likelihood of being victimized ( $b = .05$ ,  $p \leq .01$ ). In terms of percent probability, the likelihood of victimization increases 19 percent for males, for each additional year of education the likelihood of victimization increases by nine percent. The likelihood of victimization increases by 16 percent for Whites. Lastly, for each incremental increase in socioeconomic attainment, the risk of victimization increases by five percent.

### **More Legitimate Countries**

#### **Costa Rica**

The assessment of fit for the Costa Rica model (Table 6-2) showed that the full model was significant and a better fit than an empty model ( $\chi^2=48.11$ ). In this model, education and marital status (married =1) are significantly related to victimization. In support of  $H_1$ , as the level of education increases, the risk of victimization also increases ( $b = .13$ ,  $p \leq .01$ ). Additionally, married individuals have a lower probability of victimization, which is in keeping with  $H_3$ , which stated that non-married individuals would have a lower risk of victimization ( $b = -.36$ ,  $p \leq .05$ ). Expressed in odds ratios, this means that among respondents in Costa Rica, as education increases, for each one year increase the odds of victimization increases by 13 percent. Being married decreases the odds of victimization by 30 percent.

#### **Uruguay**

Table 6-2 presents the results for the Uruguay model. This model was significant and a better fit than an empty model ( $\chi^2=25.30$ ). Logistic regression results showed that only level of education and race (White =1) was associated with the risk of victimization. Our first hypothesis is supported showing that in Uruguay, as the level of education increases, so does the risk of

victimization ( $b = .13, p \leq .01$ ). Additionally,  $H_5$  is supported as being White is positively and significantly associated with victimization, as compared to non-White respondents ( $b = .13, p \leq .05$ ). Switching these findings into odds ratios shows us that for every one unit increase in educational attainment the odds of victimization rises by 15 percent. Furthermore, being white in Uruguay increases the odds of victimization by 53 percent.

### **Chile**

The Chi-Square for the Chilean model, shown in Table 6-2, reveals that the full model holds greater predictive power than an empty model ( $\chi^2=42.03$ ). Logistic regression results indicate that education and the number of children are associated with victimization in Chile. In keeping with our first hypothesis, as the level of education increases, the risk of victimization increases ( $b = .17, p \leq .01$ ). Contrary to the proposal in  $H_6$ , results show that the likelihood of victimization in Chile is higher among individuals with more children. In other words, as the number of children an individual has increases, so does the odds of victimization ( $b = .10, p \leq .05$ ). When converted to odds ratios, the results indicate that increases in education also increase the odds of victimization by 19 percent for each one unit that education raises. The presence of children also increases the likelihood of victimization by 10 percent for each child that the individual has.

### **Countries with Lower Levels of Legitimacy**

#### **Bolivia**

Logistic regression analyses for Bolivia appear in Table 6-3. Model diagnostics reveal that the full model is a better fit than an empty model ( $\chi^2=58.35$ ). Results show that only  $H_7$  is supported in the Bolivian model. As a socio-economic attainment increases, the risk of victimization increases ( $b = .11, p \leq .01$ ). Converting these findings to percent probability, we see that for each one unit increase in a respondent's socio-economic attainment the probability of victimization increases by 12 percent.

## **Peru**

Results from the logistic regression analysis of data from Peru appear in Table 6-3. These results show that the full model is a better fit than the model with only the constant with all the coefficients being held to zero ( $\chi^2=27.22$ ). In this model, only hypotheses are supported. As predicted in H<sub>1</sub>, males have a greater likelihood of being victimized in Peru ( $b = .31, p \leq .01$ ). Additionally, in keeping with the prediction in H<sub>7</sub>, respondents with higher levels of socio-economic attainment have a greater likelihood of victimization ( $b = .09, p \leq .01$ ). When we express these findings in odds ratios, we see that males in Peru have a 37 percent greater likelihood of being victimized than females. Additionally, as socio-economic attainment increases by one unit, the probability of being victimized also increases by 10 percent.

## **Guatemala**

The model Chi-Square statistics for Guatemala, presented in Table 6-3, show that the full model is more appropriate than an empty model ( $\chi^2=47.36$ ). Regression statistics show that three socio-demographic indicators are associated with victimization in Guatemala: sex (male =1), education and age. In support of H<sub>1</sub>, males in Guatemala have a greater probability of victimization than females ( $b = .30, p \leq .05$ ). Hypothesis 2 is also supported showing that respondents with greater levels of education have a greater likelihood of victimization ( $b = .12, p \leq .01$ ). Age is inversely related to victimization which supports H<sub>4</sub> which predicts that younger respondents will have a greater likelihood of victimization as compared with older respondents ( $b = -.02, p \leq .05$ ). When converted to probabilities, we see that in Guatemala males have a 35 percent higher likelihood of being victimized. For each incremental increase in the level of a respondent's education, the likelihood of victimization increases by 13 percent. Lastly, there is a

two percent decrease in the likelihood of victimization for every one unit increase in an individual's age.

### **El Salvador**

Model diagnostics for the data from El Salvador show that the full model is significant and a better fit than an empty model ( $\chi^2=109.47$ ). Results from this model are in Table 6-3 and show that three of the proposed hypotheses are supported in this model. Education, age and socio-economic attainment are all significantly related to victimization in El Salvador. As predicted in H<sub>2</sub>, individuals with higher levels of education are more likely to be victimized in El Salvador ( $b = .11, p \leq .01$ ). Hypothesis 4 is also supported; younger individuals in Guatemala have a greater probability of victimization as the odds of victimization decrease as age increases ( $b = -.02, p \leq .05$ ). As socio-economic attainment increases, the risk of victimization also increases which is in keeping with the prediction in H<sub>7</sub> ( $b = .14, p \leq .01$ ). The odds ratios of these findings indicate that for every one unit increase in education an individual's risk of victimization increases by 12 percent. As an individual's age increases, for every one year increase in age there is a two percent decrease in the likelihood of victimization. Finally, for every one unit increase in socio-economic attainment the possibility of victimization increases by 15 percent.

### **Countries of Average Legitimacy**

#### **Mexico**

Results from the logistic regression analysis of data from Mexico appear in Table 6-4. These results show that the full model is a better fit than the model with only the constant with all the coefficients being held to zero ( $\chi^2= 42.18$ ). In this model, only H<sub>1</sub> was supported; victimization was more likely among males in Mexico ( $b = .65, p \leq .01$ ). The likelihood of victimization for males is 95 percent higher than it is for females.

## **Brazil**

Chi-Square statistics indicate that the model for Brazil is significant and a better fit than a model with only the constant ( $\chi^2=25.91$ ). Regression analysis was performed, shown in Table 6-4. In this model from Brazil only H<sub>2</sub> and H<sub>7</sub> were supported. A respondent's level of education was significantly as positively associated with victimization. As education increases so does the odds of victimization ( $b = .07, p \leq .05$ ). Similarly, as the level of socio-economic attainment increases (1 to 11), the probability of victimization increases ( $b = .11, p \leq .01$ ). For every one unit increase in both education and socio-economic attainment the likelihood of victimization also increases by seven percent and 11 percent respectively.

## **Venezuela**

The results for Venezuela are shown in Table 6-4. Model diagnostics for Venezuela reveal a significant model with a better fit than the empty model ( $\chi^2=50.45$ ). Logistic regression results indicate that only education and age are predictive of victimization (both measure in years). As predicted in H<sub>2</sub>, individuals with a higher educational level are at a greater risk of victimization ( $b = .08, p \leq .01$ ). Conversely, as age increases the risk of victimization decreases ( $b = -.01, p \leq .01$ ), which supports the prediction made in H<sub>5</sub>. The conversion of these findings illustrate that as education rises by one year, the probability of victimization also rises by nine percent. Conversely, as age increases by one year, the probability of victimization decreases by a slight one percent.

## **Dominican Republic**

Model diagnostics on the regression for data from the Dominican Republic show that the full model is more appropriate the model with only the constant ( $\chi^2=23.90$ ). Results from the logistic regression analyses, shown in Table 6-4, reveal that only H<sub>2</sub> is supported in this model.

As the level of education increases, the risk of victimization also increases ( $b = .06, p \leq .01$ ). This means that among respondents from the Dominican Republic for each yearly increase in education the probability of victimization increases by seven percent.

### **Jamaica**

In the final country model for Jamaica, shown in Table 6-4, model diagnostics reveal that the full model is a better fit than an empty model ( $\chi^2=18.27$ ). In this model, age, number of children and socio-economic attainment are significantly associated with victimization, supporting H<sub>4</sub>, H<sub>6</sub>, and H<sub>7</sub>. In Jamaica, as age increases so does the risk of victimization ( $b = .02, p \leq .05$ ). Individuals who have more children are at a lowered risk of victimization in Jamaica ( $b = -.13, p \leq .05$ ) Greater levels of socio-economic attainment are also associated with a greater risk of victimization ( $b = .09, p \leq .05$ ). For each one year increase in age, the risk of victimization increases by two percent. Additionally, for each additional child that an individual has, the risk of victimization decreases by 22 percent. Lastly, for each one unit increase in socio-economic attainment, the odds of victimization rise by 10 percent.

Table 6–1. Logistic Regression Analysis based on Victimization for Total Latin America  
Sample: Non-Theoretical Model

Variables	Latin America Total Sample (N=19,193)	
	Beta	Odds Ratio
Independent Variables		
Sex (male =1)	0.17	1.19**
Level of Education (years)	0.09	1.09**
Marital Status (married =1)	-0.03	0.97
Age (years)	-0.01	1.00
Race (White =1)	0.14	1.16**
Children (range 0-20)	-0.00	1.00
Socio-Economic Attainment (0-11)	0.05	1.05**
Constant	-2.09	0.12
Chi-Square	412.08**	
R-Square	0.03	

\*  $p \leq .05$ , \*\*  $p \leq .01$ : Source: AmericasBarometer 2006

Table 6-2. Logistic Regression Analyses based on Victimization for Costa Rica, Uruguay and Chile: Non-Theoretical Model

Variable	Costa Rica N= 1,430		Uruguay N= 1,086		Chile N = 1,443	
	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio
Independent Variables						
Sex (Male = 1)	0.08	1.09	0.21	1.23	-0.01	0.99
Level of Education (years)	0.13	1.14**	0.13	1.14**	0.17	1.19**
Marital Status (married =1)	-0.36	0.70*	-0.08	0.92	0.05	1.05
Age (years)	-0.00	1.00	0.00	1.00	-0.00	1.00
Race (White =1)	0.12	1.13	0.43	1.53*	-0.00	1.00
Children (range 0-20)	0.02	1.02	0.03	1.03	0.10	1.10*
Socio-Economic Attainment (1-11)	0.03	1.03	-0.05	0.95	-0.01	0.99
Constant	-2.26	0.10	-2.17	0.11	-2.16	0.12
Chi-Square	48.11**		25.30**		42.03**	
R-Square	0.06		0.04		0.04	

\* p ≤ .05, \*\* p ≤ .01: Source: AmericasBarometer 2006

Table 6-3. Logistic Regression Analyses on Victimization for Bolivia, Peru, Guatemala and El Salvador: Non-Theoretical Models

Variable	Bolivia N= 2,562		Peru N= 1,370		Guatemala N = 1,111		El Salvador N= 1,607	
	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio
Independent Variables								
Sex (Male = 1)	0.20	1.22	0.31	1.37**	0.30	1.35*	0.23	1.26
Level of Education (years)	0.04	1.04	0.03	1.03	0.12	1.13**	0.11	1.12**
Marital Status (married =1)	-0.03	0.97	-0.04	0.96	0.16	1.17	0.07	1.07
Age (years)	0.00	1.00	-0.01	0.99	-0.02	0.98*	-0.02	0.98*
Race (White =1)	-0.20	0.82	-0.11	0.90	0.07	1.07	0.02	1.02
Children (range 0-20)	-0.06	0.95	0.04	1.04	0.07	1.07	0.00	1.00
Socio-Economic Attainment (1-11)	0.11	1.12**	0.09	1.10**	0.06	1.06	0.14	1.15**
Constant			-1.54	0.22	-2.00	0.14	-2.50	0.08
Chi-Squared	58.35**		27.22**		47.36**		109.47**	
R-Squared	0.04		0.03		0.07		0.11	

\*  $p \leq .05$ , \*\*  $p \leq .01$ : Source: AmericasBarometer 2006

Table 6-4. Logistic Regression Analyses on Victimization for Mexico, Brazil, Venezuela, the Dominican Republic, and Jamaica: Non-Theoretical Models

<i>Variable</i>	Mexico N= 1,389		Brazil N= 1,080		Venezuela N = 1,111		Dominican Republic N= 1,607		Jamaica N= 1,055	
	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio
Independent Variables										
Sex (Male = 1)	0.65	1.91**	0.25	1.28	0.05	1.05	-0.08	0.92	0.35	1.41
Level of Education (years)	0.05	1.05	0.07	1.07**	0.08	1.09**	0.06	1.07**	0.01	1.01
Marital Status (married =1)	-0.10	0.90	-0.18	0.84	-0.03	0.97	-0.04	0.96	0.16	1.17
Age (years)	-0.01	0.99	-0.00	1.00	-0.01	0.99*	-0.00	1.00	0.02	1.02*
Race (White =1)	0.01	1.01	0.13	1.13	0.05	1.05	-0.20	0.82	-19.00	0.00
Children (range 0-20)	-0.00	1.00	-0.01	0.99	-0.01	0.99	-0.02	0.98	-0.13	0.88*
Socio-Economic Attainment (1-11)	0.02	1.02	0.11	1.11*	-0.03	0.98	0.03	1.03	0.09	1.10*
Constant	-1.58	0.21	-2.73		-1.-2	0.36	-1.70	0.18	-3.61	0.03
Chi-Squared	42.18**		25.91**		50.45**		23.90**		18.27**	
R-Squared	0.05		0.04		0.03		0.02		0.04	

\* p ≤ .05, \*\* p ≤ .01: Source: AmericasBarometer 2006

## CHAPTER 8 VICTIMIZATION AND LEGITIMACY

### **Bivariate Analyses and Multicollinearity Diagnostics**

Prior to performing logistic regression analyses, bivariate correlation analyses were performed as well as multicollinearity diagnostics. This was done both to examine possible relationships in the models, but also to assess if there were any multicollinearity issues that need to be addressed prior to running the regression models.

#### **Latin American Region**

For the entire Latin American region, the results of bivariate analysis revealed significant relationships between the dependent variable and all of the demographic measures used in this study. When looking at the data from all countries combined, there is a significant and positive correlation between victimization and sex (male = 1) ( $r = .04$ ), race, the level of education ( $r = .13$ ), race (White = 1) ( $r = .04$ ) and socio-economic attainment ( $r = .09$ ). Additionally there are significant negative correlation between the dependent variable and the respondent's marital status (married = 1) ( $r = -.03$ ), age ( $r = -.05$ ) and number of children ( $r = -.06$ ). The dependent variable is also significantly related to all of the theoretical variables. Results of the analysis show that victimization is significantly and negatively associated with the level of democracy ( $r = -.04$ ), court justice ( $r = -.07$ ) and trust of police ( $r = -.09$ ). Victimization is positively and significantly associated with approval of vigilante justice ( $r = .05$ ).

Among the variables a number of the measures were significantly correlated with one another. However, none of the bivariate correlations exceed a value of  $r \geq .5$ , so multicollinearity is not an issue. For this reason, additional multicollinearity diagnostics were not performed.

Looking at the bivariate analyses from the individual countries, there are fewer significant correlations both between the dependent and independent variables and among the independent variables. Below the results of each country's bivariate analyses are examined.

### **More Legitimate Countries**

#### **Costa Rica**

Bivariate analyses for Costa Rica show that victimization is significantly and positively correlated with only level of education ( $r = .17$ ) and socio-economic attainment ( $r = .09$ ). There is a significant negative correlation between victimization and marital status ( $r = -.08$ ) and number of children ( $r = -.07$ ). Only one correlation between the dependent variable and theoretical variables was present. Victimization was significantly and negatively associated with trust of police ( $r = -.11$ ). As with previous models, age and number children were significantly and positively associated ( $r = .68$ ). Due to the strong bivariate correlation between these two independent variables VIF scores were estimated and showed that no score exceeded two, therefore multicollinearity was not an issue.

#### **Uruguay**

The bivariate analyses for Uruguay show that there is a significant positive correlation between victimization and the respondent's level of education ( $r = .12$ ) and race ( $.07$ ). The dependent variable only had one significant and negative correlation with a theoretical variable. Bivariate analyses results for Uruguay reveal that victimization is negatively and significantly associated with trust in police ( $r = -.12$ ). None of the independent variables in the Uruguay models were correlated at a level of  $r \geq .5$ . Consequently VIF scores were not estimated since multicollinearity was not a problem.

## **Chile**

The bivariate analyses for the variables in the Chile model show that there are significant and positive correlations between victimization and an individual's level of education ( $r = .16$ ) and socio-economic attainment ( $r = .08$ ). Only one theoretical variable shows a significant negative correlation; the dependent variable is negatively associated with trust in police ( $r = -.09$ ). None of the independent variables in this model were correlated with a score of  $r \geq .5$ . Therefore, multicollinearity diagnostics were not performed since it is not considered a problem for this model.

## **Countries with Lower Levels of Legitimacy**

### **Bolivia**

Bivariate analyses for Bolivia show significant positive correlations between the dependent variable and sex (male = 1) ( $r = .04$ ), level of education ( $r = .11$ ) and socio-economic attainment ( $r = .13$ ). The dependent variable was also significantly correlated with three of the theoretical variables. The results also show significant negative correlations between victimization and level of democracy ( $r = -.05$ ), court justice ( $r = -.06$ ) and trust of police ( $r = -.08$ ). Similar to previous bivariate results, when examining correlations between independent variables used in these models, Bolivia's bivariate analysis showed an individual's age and number of children ( $r = .62$ ). However, after VIF scores were estimated it was shown that no scores exceeded a value of three, and multicollinearity was ruled out as a problem for this model.

### **Peru**

Bivariate analysis of the data from Peru shows that the dependent variable is significantly and positively correlated with sex (male = 1) ( $r = .07$ ), level of education ( $r = .08$ ) and socio-economic attainment ( $r = .11$ ). The dependent variable is also significantly correlated with one of the theoretical variables. Bivariate results also show a significant and negative correlation

between the victimization and trust in police ( $r = -.07$ ). The results also showed that among the independent variables age and number of children was again significantly and positively associated at a level of  $r \geq .5$  ( $r = .65$ ). Due to this high level of correlation, VIF scores were estimated and revealed that none of the variables had scores greater than three. Therefore, multicollinearity was excluded as a problem in the Peru model.

### **El Salvador**

For El Salvador, the dependent variable is significantly and positively correlated with an individual's sex (male = 1) ( $r = .07$ ), level of education ( $r = .23$ ) and socio-economic attainment ( $r = .21$ ). Bivariate analysis also showed the victimization had a significant and negative correlation with the respondent's age ( $r = -.12$ ) and number of children ( $r = -.12$ ). The dependent variable also had a significant association with all of the theoretical variables. There is a significant and negative association between victimization and level of democracy ( $r = -.14$ ), court justice ( $r = -.06$ ) and trust of police ( $r = -.13$ ). Among the independent variables, age and number of children were significantly correlated ( $r = .61$ ). Socio-economic status and level of education were also highly correlated ( $r = .60$ ) so again VIF scores were calculated to rule out multicollinearity; no score was greater than two. For this reason, multicollinearity is not considered an issue for this model.

### **Guatemala**

In Guatemala, victimization is significantly and positively correlated with sex (male = 1) ( $r = .07$ ), level of education ( $r = .18$ ) and socio-economic attainment ( $r = .18$ ). Among the theoretical variables, there is a significant and negative correlation between victimization and the level of democracy ( $r = -.10$ ) and trust of police ( $r = -.10$ ). There is a significant positive correlation between victimization and approval of vigilante justice ( $r = .08$ ). Among the independent variables, socio-economic attainment and level of education were significantly and

positively associated ( $r = .59$ ) as were age and number of children ( $r = .57$ ). To rule out multicollinearity, VIF scores were calculated for the independent variables in this model, and no scores exceeded two. Therefore it is assumed that multicollinearity is not an issue in this model.

### **Countries of Average Legitimacy**

#### **Mexico**

For Mexico, victimization is significantly and positively correlated many of the independent variables, including theoretical variables. The results of the bivariate analysis show a significant and positive association between victimization and sex (male = 1) ( $r = .14$ ), level of education ( $r = .10$ ), and socio-economic status ( $r = .07$ ). There exists a significant and negative association for age ( $r = -.08$ ), marital status (married = 1) ( $r = -.06$ ) and number of children ( $r = -.08$ ). The dependent variable is also significantly associated with two of the theoretical variables used in the analysis. There is a significant and negative relationship between victimization and court justice ( $r = -.09$ ) and trust in police ( $r = -.13$ ). Among the independent variables, age and number of children was positively and significantly correlated ( $r = .66$ ). To rule out multicollinearity, VIF scores were calculated for the independent variables in this model, and no scores exceeded two. So as with the model for the entire Latin American region, multicollinearity was not an issue for the Mexico model.

#### **Brazil**

Bivariate analyses on the variables in the Brazil model reveal a positive significant association between victimization and a respondent's level of education ( $r = .12$ ) and socio-economic attainment ( $r = .12$ ). The dependent variable is also significantly and negatively correlated with two theoretical variables, court justice ( $r = -.11$ ) and trust in police ( $r = -.06$ ). No correlations between independent variables in the model exceed a level of  $r \geq .5$ . As with the

other models, multicollinearity is not an issue among the variables in this model, therefore no further diagnostics were performed.

### **Venezuela**

Victimization has a positive and significant correlation with the individual's level of education ( $r = .12$ ) in the Venezuela model. Victimization is also significantly and negatively associated with a respondent's age ( $r = -.09$ ) and number of children ( $r = -.08$ ). As for the theoretical variables, all are significantly correlated with the dependent variable. Victimization is significantly and negatively associated with level of democracy ( $r = -.08$ ), court justice ( $r = -.14$ ) and trust in police ( $r = -.13$ ). Victimization has a significant and positive correlation with approval of vigilante justice ( $r = .10$ ). Among the independent variables in the model age and number of children are correlated at  $r = .61$ . Multicollinearity diagnostics reveal that no VIF scores of the variables had scores greater than two, ruling it out as an issue for this model.

### **Dominican Republic**

For the Dominican Republic, there are significant and positive correlations between victimization and level of education ( $r = .09$ ) and socio-economic attainment ( $r = .06$ ). Victimization is also significantly and negatively associated with age ( $r = -.05$ ) and the number of children an individual has ( $r = -.05$ ). Bivariate analyses show that two theoretical variables are also significantly correlated with victimization. Both court justice ( $r = -.08$ ) and trust in police ( $r = -.08$ ) have significant and negative correlations with the dependent variable. Among the independent variables in the model, only age and the number of children were correlated at a level that would indicate multicollinearity between the variables ( $r = .63$ ). However, when VIF scores are estimated for none exceed two. Thus, multicollinearity is not considered a problem in this model.

## **Jamaica**

For Jamaica, there is only one significant correlation between the dependent and independent variables. Victimization has a significant and positive association with an individual's socio-economic attainment ( $r = .07$ ). There are no other significant correlations with the dependent variable. Among the independent variables there are also no significant correlations where  $r \geq .05$ . Therefore in the Jamaica model, multicollinearity is not considered a problem.

### **Multivariate Analyses**

Since multicollinearity is ruled out as an issue for all of the models, binary logistic regression models are able to be run on all independent variables, including theoretical variables. These regression models are run on the combined data for the entire Latin America Region as well as all of the individual Latin American countries and test the empirical hypotheses made in Chapter 4 ( $H_8$ ,  $H_9$ ,  $H_{10}$  and  $H_{11}$ ).

## **Latin America Region**

Logistic regression results for the entire Latin American region appear in Table 7-1. Presented in the table are the beta and odds ratio (Odds) for each variable as well as the Chi-square ( $\chi^2$ ) and the Pseudo  $R^2$  which assess the goodness of fit for the estimated model. The Model Chi-square statistics indicate that the full model is a better fit than the model with only the constant with all the coefficients being held to zero. Results are presented in Table 7-1 ( $\chi^2=651.87$ ). This indicates that the model fits significantly better as a whole model than as an empty model.

Table 7 -1 shows that, in the model for the entire Latin American region, four demographic variables are significantly predictive of victimization: sex (male =1), level of education, race (White =1), and socio-economic attainment. Being male is predictive of

victimization in this model ( $b = .17, p \leq .01$ ). Individuals with higher levels of education are also more prone to victimization ( $b = .08, p \leq .01$ ). Being White was significantly and positively associated with victimization ( $b = 0.19, p \leq .01$ ). Finally, individuals who have a higher level of socioeconomic attainment have a higher probability of being victimized ( $b = .05, p \leq .01$ ). When calculated as percent probability, the possibility of victimization increases by 19 percent for males. Additionally, each additional year of education increases the likelihood of victimization by nine percent. The probability of victimization is 21 percent higher for Whites. Finally, with each incremental increase in socio-economic attainment, the risk of victimization rises by five percent.

Of the theoretical variables, all were found to be significantly associated with victimization, supporting all of our theoretical hypotheses. As predicted in H<sub>8</sub>, respondent's who report their country to be more democratic (on a scale of 1 to 4) are less likely to be victimized ( $b = -.06$ ). Furthermore, H<sub>9</sub> is supported; results indicate that respondents who report a greater trust in the police (on a scale of 1 to 7 where 7 indicates the greatest level of trust) are less likely to be victimized ( $b = -.10, p \leq .01$ ). Results indicate support for H<sub>10</sub> as well; individuals who report a greater level of trust in their nation's courts enacting justice (on a scale of 1 to 7 where 7 indicates the greatest level of trust) are less likely to report victimization ( $b = -.07, p \leq .01$ ). Lastly, H<sub>11</sub> is supported as we find that respondents who approve of vigilante justice (on a scale of 1 to 10, where 10 indicates the highest level of approval for vigilante justice) are more likely to be victimized ( $b = .03, p \leq .01$ ). When expressed as a probability, each increase in perception of democracy decreases the probability of victimization by six percent. As trust in court justice increases by one point, the likelihood of victimization decreases by six percent as well. The likelihood of being victimized decreases by nine percent for each incremental increase in the

level of trust of the police. Lastly, as approval of vigilante justice increases by one point, the probability of victimization increases by three percent.

### **More Legitimate Countries**

#### **Costa Rica**

Table 7-2 presents the findings for logistic regression analyses of the Costa Rica model. It shows that the full model is significant and a better fit than an empty model ( $\chi^2=73.07$ ). Education and marital status (married =1) are significant related to victimization. As an individual's level of education increases, the risk of victimization increases as well ( $b = .16, p \leq .01$ ). Married individuals in Costa Rica also have a lower probability of victimization ( $b = -.33, p \leq .05$ ). This indicates that in Costa Rica, as education increases by one year the odds of victimization increases by 13 percent. Being married decreases the odds of victimization by 28 percent.

Trust of police ( on a scale of 1 to 7) was the only significant theoretical variable in the Costa Rica model<sup>1</sup>. As predicted in H<sub>10</sub>, as a respondent's trust of police increases, victimization decreases ( $b = -.19, p \leq .01$ ). For each incremental increase in police trust, the likelihood of victimization decreases by 17 percent.

#### **Uruguay**

The results for the Uruguay model are presented in Table 7-2. This model was significant and a better fit than an empty model ( $\chi^2=42.86$ ). Results from the logistic regression analysis show that among the demographic variables level of education and race (White =1) are associated with the risk of victimization. An increase in an individual's level of education, increases risk of victimization ( $b = .12, p \leq .01$ ). Additionally, being White is positively and

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<sup>1</sup> Vigilante justice was approaching significance in this model ( $b = .04, p = .07$ ). The odds ratio was 1.04.

significantly associated with victimization ( $b = .45, p \leq .05$ ). Converting the odds ratios shows us that for every one unit increase in level of education, the probability of victimization rises by 13 percent. In addition, White individuals in Uruguay have 58 percent greater probability of being victimized.

Only  $H_{10}$  was supported in this model showing that trust in police was significantly related to victimization. As trust in police increases, victimization decreases ( $b = -.18, p \leq .01$ ). This means that as trust in police increases by one unit (on a scale of 1 to 7), the probability of victimization decreases by 17 percent. This finding supports the prediction made in  $H_{10}$ .

### **Chile**

Results for the Chilean model are shown in Table 7-2. The Model Chi-Square shows that the full model holds greater predictive power than an empty model ( $\chi^2=58.84$ ). Logistic regression analysis reveals that education and the number of children are significantly related to victimization. As the level of education increases, the risk of victimization increases ( $b = .18, p \leq .01$ ). And the number of children an individual has increases the odds of victimization ( $b = .10, p \leq .05$ ). In terms of percent probability, the results show that for each increase in years of education, the probability of victimization increases by 20 percent. For each additional child a respondent has the risk of victimization also increases 10 percent.

In the Chilean model, the only statistically significant theoretical variable is court justice. As predicted in  $H_9$ , respondents who report higher levels of trust in court justice (on a scale of 1 to 7) have a lower likelihood of victimization ( $b = -.13, p \leq .01$ ). This means that for each one unit increase in trust in court justice the probability of victimization decreases 12 percent.

## **Countries with Lower Levels of Legitimacy**

### **Bolivia**

Logistic regression analyses for Bolivia appear in Table 7-3 and show that the full model is a better fit than an empty model ( $\chi^2=80.79$ ). Of the demographic indicators only socio-economic attainment is significantly related to victimization.<sup>2</sup> As socio-economic attainment increases (on a scale of 1 to 11), the risk of victimization increases ( $b = .11, p \leq .01$ ). This means that for each one unit increase in socio-economic attainment the probability of victimization increases by 12 percent.

In the Bolivian model two of the theoretical variables are significantly associated with victimization. In support of  $H_8$ , results showed that individuals who reported higher levels of democracy (on a scale of 1 to 4) had lower levels of victimization ( $b = -.15, p \leq .05$ ). In addition,  $H_{10}$  is supported showing that as trust of police increases, victimization also decreases ( $b = -.10, p \leq .01$ ). This means that for every one unit increase in the perception of democracy, the risk of victimization decreases by 14 percent. As trust of police increases by one unit, the risk of victimization decreases as well by nine percent.

### **Peru**

Logistic regression analyses of data from Peru appear in Table 7-3. The full model is a better fit than an empty model ( $\chi^2=42.02$ ). Sex (male =1) and socio-economic attainment are both statistically associated by victimization. Being male increases victimization in Peru ( $b = .31, p \leq .05$ ). As socio-economic attainment increases so does the likelihood of victimization ( $b = .11, p \leq .01$ ). Males in Peru have a 36 percent greater likelihood of being victimized than females.

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<sup>2</sup> Both sex (male = 1) ( $b = .20, p = .08$ ) and level of education ( $b = .04, p = .07$ ) are approaching significance with respective odds ratios of 1.22 and 1.04.

Additionally, as socio-economic attainment increases by one unit, the probability of being victimized also increases by 11 percent.

Results from the Peru model show support for two of the proposed hypotheses,  $H_{10}$  and  $H_{11}$ . As trust in police increases, the likelihood of victimization decreases ( $b = -.12, p \leq .01$ ). As the approval of vigilante justice increases (on a scale of 1 to 10), the likelihood of victimization increases as well ( $b = .04, p \leq .05$ ). When expressed as percent probabilities, this shows that for every one unit increase in trust of police the likelihood of victimization decreases by 13 percent. Furthermore, individuals who report a greater level of approval for vigilante justice in Peru have a four percent increase in the probability of being victimized for every one unit increase in approval.

### **Guatemala**

The Model Chi-Square statistics for Guatemala (Table 7-3) show that the full model is more appropriate than an empty model ( $\chi^2=68.68$ ). Logistic regression analysis also shows that sex (male =1) and education are significantly associated with victimization<sup>3</sup>. Males in Guatemala are at a greater risk of victimization than females ( $b = .32, p \leq .05$ ). As the level of education for an individual increases, the likelihood of victimization also increases ( $b = .12, p \leq .01$ ). Expressed as probabilities, males in Guatemala have a 37 percent greater probability of being victimized. For each one year increase in the level of an individual's education, the probability of victimization increases by 12 percent.

Among the theoretical variables, level of democracy, trust in police and vigilante justice are all significantly related to victimization. Per the prediction in  $H_8$ , respondents who reported

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<sup>3</sup> Age ( $b = -.01, p = .054$ ) and Socio-economic attainment are approaching significance ( $b = .06, p = .08$ ) as is the number of children ( $b = .07, p = .08$ ). The odds ratio for age is 0.986 while the odds ratio for socio-economic attainment is 1.06; the odds ratio for children is 1.08.

higher levels of democracy (on a scale of 1 to 4) increases had lower levels of victimization ( $b = -.32, p \leq .01$ ). Additionally,  $H_{10}$  was supported; as the reported level of trust in police increases (on scale of 1 to 7), the risk of victimization also decreases ( $b = -.11, p \leq .05$ ). Lastly, in this model there is support for  $H_{11}$ , showing that as the level of approval of vigilante justice increase (on a scale of 1 to 10), the risk of victimization increases ( $b = .05, p \leq .05$ ). Interpreted as probabilities, the model reveals that individuals who report a greater perception of democracy in Guatemala have a 27 percent lower probability of being victimized for each one unit increase in democracy. Furthermore, individuals who report a greater trust in the police have a 10 percent lower probability of being victimized for each one unit increase in reported trust. Finally, as the approval of vigilante justice increases, the probability of victimization also increases by five percent, for each incremental increase in approval.

### **El Salvador**

Model diagnostics for the data from El Salvador show that the full model is significant and a better fit than an empty model ( $\chi^2=137.02$ ). Results from logistic regression analyses (Table 7-3) show that education, age and socio-economic attainment are all significantly related to victimization in El Salvador. Individuals with higher levels of education are more likely to be victimized ( $b = .10, p \leq .01$ ). As an individual's age increase, the likelihood of victimization decreases ( $b = -.02, p \leq .05$ ). Lastly as socio-economic attainment increases (on a scale of 1 to 11), the risk of victimization increases ( $b = .13, p \leq .01$ ). The percent probabilities of these findings demonstrate that for every one unit increase in an individual's education the risk of victimization increases by 13 percent. For every one year increase in age there is a two percent decrease in the probability of victimization. Lastly, for every one unit increase in socio-economic attainment the possibility of victimization increases by 14 percent.

Both democracy and trust of police are significantly associated with victimization in Guatemala.<sup>4</sup> In keeping with the prediction from H<sub>8</sub>, respondent's who report higher levels of democracy have a lower likelihood of victimization ( $b = -.29, p \leq .01$ ). There is also support for H<sub>10</sub> in the Guatemalan model which shows that as the respondent's trust in police increases the likelihood of victimization decreases ( $b = -.10, p \leq .05$ ). When expressed as percent probabilities, this shows that for every incremental increase in the perceived level of democracy, the probability of victimization decreases by 25 percent. Additionally, for every one unit increase in trust of the police, the probability of victimization increases by nine percent.

### **Countries of Average Legitimacy**

#### **Mexico**

Results from the logistic regression analysis of data from Mexico are presented in Table 7-4. These results show that the full model is a better fit than the model with only the constant with all the coefficients being held to zero ( $\chi^2 = 70.70$ ). Sex was the only demographic variable predictive of victimization.<sup>5</sup> Males are more likely to be victimized than females in Mexico ( $b = .65, p \leq .01$ ). In this model, the likelihood of victimization for males is 92 percent higher than it is for females.

Two theoretical variables are significant in the Mexico model, both court justice (1 to 7) and trust in police (1 to 7). As the respondent's trust in court justice increases, the risk of victimization decreases, which supports H<sub>9</sub> ( $b = -.09, p \leq .05$ ). Additionally, as the respondent's trust in police increases, the risk of victimization decreases which also shows support in the Mexico model for H<sub>10</sub> ( $b = -.15, p \leq .01$ ). Expressed in probabilities, this means that for each one

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<sup>4</sup> Vigilante justice is approaching significance in this model ( $b = .04, p = .08$ ). The odds ratio is 1.05.

<sup>5</sup> Age is approaching significance in the Mexico model ( $b = -.01, p = .06$ ). The odds ratio for age is 0.99.

unit increase in court justice, the probability of victimization decreases by eight percent. For each one unit increase in an individual's trust of police, the probability of victimization decreases by 14 percent.

### **Brazil**

Results from the Brazil model (Table 7-4) reveal that the full model is significant and a better fit than an empty model ( $\chi^2=40.77$ ). Logistic regression analysis reveals that education and socio-economic attainment are statistically related to victimization in Brazil. Level of education was significantly as positively associated with victimization showing that as education increases the likelihood of victimization increases ( $b = .07, p \leq .05$ ). Additionally, as the level of socio-economic attainment increases, the risk of victimization increases ( $b = .11, p \leq .05$ ). For every one unit increase in both level of education and socio-economic attainment the likelihood of victimization also increases by seven percent and 11 percent respectively.

Of the four theoretical hypotheses proposed, only  $H_9$  is supported by the findings from the Brazilian model. As a respondent's trust in court justice increases (where 7 indicates the greatest amount of trust), the likelihood of victimization decreases ( $b = -.14, p \leq .01$ ). For every one unit increase in court justice, the probability of an individual being victimized decreases by 13 percent.

### **Venezuela**

Table 7-4 presents the results for Venezuela. This model is statistically significant and a better fit than the empty model ( $\chi^2=146.96$ ). Regression results reveal that education is the only demographic variable significantly associated with victimization<sup>6</sup>. As the level education increases so does the risk of victimization ( $b = .08, p \leq .01$ ). The conversion of this finding into a

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<sup>6</sup> Age is approaching significance in the Venezuela model ( $b = -.01, p = .07$ ). The odds ratio is 0.99.

percent probability shows that for every one year increase in education, the probability of victimization increases by nine percent.

In the Venezuela model, three of the theoretical variables are statistically significant; court justice, trust in police and vigilante justice. Court justice is inversely related to the risk of victimization ( $b = -.03, p \leq .01$ ). Trust in police is also inversely related to victimization ( $b = -.13, p \leq .01$ ). Vigilante justice is positively and significantly associated with the risk of victimization in Mexico ( $b = .06, p \leq .01$ ). From the Venezuela model, results support  $H_9$  with, every one unit increase in an individual's perceived level of democracy decreasing the probability of victimization by 12 percent. Furthermore,  $H_{10}$  is supporting showing that every one unit increase in an individual's reported trust in police decreases the probability of victimization by 12 percent. Lastly,  $H_{11}$  is supported; as approval of vigilante justice increases by one unit, the likelihood of victimization increases by six percent.

### **Dominican Republic**

The model results for the Dominican Republic are in Table 7-4. Model diagnostics show that the full model is a more appropriate than the model with only the constant ( $\chi^2=41.66$ ). Logistic regression analysis reveals that level of education is the only demographic variable that is significantly related to victimization. An increase in the level of an individual's education increases the risk of victimization ( $b = .06, p \leq .01$ ). For each yearly increase in education the probability of victimization increases by six percent.

Of the theoretical variables, court justice is the only statistically significant variable in the Dominican Republic model<sup>7</sup>. In keeping with  $H_9$ , as a respondent's trust in the country's court justice increases (on a scale of 1 to 7), the risk of victimization decreases ( $b = -.08, p \leq .05$ ). For

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<sup>7</sup> Trust in police is approaching significance in the Dominican Republic model ( $b = -.06, p = .06$ ). The odds ratio for trust in police is 0.94.

each one unit increase in the individual's trust that Dominican courts ensure justice, the likelihood of victimization decreases by eight percent.

### **Jamaica**

The final regression model is for Jamaica (Table 7-4) and model diagnostics show that the full model is significant and a better fit than an empty model ( $\chi^2=22.02$ ). Age, number of children and socio-economic attainment are all significantly associated with victimization. Older individuals in Jamaica are at a greater risk of victimization ( $b = .02, p \leq .01$ ). The more children an individual has also decreases the risk of victimization in Jamaica ( $b = -.13, p \leq .05$ ) Lastly, an increase in socio-economic attainment is related to a greater risk of victimization ( $b = .09, p \leq .05$ ). For every one year increase in age, the risk of victimization increases by two percent. For each additional child that an individual has, the risk of victimization decreases by 22 percent. Finally, for every one unit increase in socio-economic attainment, the probability of victimization increases by 10 percent. None of the theoretical hypotheses proposed in this dissertation were supported with the findings from the Jamaica model.

Table 7–1. Logistic Regression Analysis based on Victimization for all Latin American Respondents

Variables	Latin America Total Sample (N=19,193)	
	Beta	Odds Ratio
Independent Variables		
Sex (male =1)	0.17	1.19**
Level of Education (years)	0.08	1.09**
Marital Status (married =1)	-0.03	0.97
Age (years)	-0.00	1.00
Race (White =1)	0.19	1.21**
Children (range 0-20)	-0.00	1.00
Socio-Economic Attainment (0-11)	0.52	1.05**
Theoretical Variables		
Level of Democracy (1-4)	-0.06	0.93**
Court Justice (1-7)	-0.07	0.94**
Trust of Police (1-7)	-0.10	0.91**
Vigilante Justice (1-10)	0.03	1.03**
Constant	-1.56	0.21
Chi-Square	651.87**	
R-Square	0.05	

\*  $p \leq .05$ , \*\*  $p \leq .01$  Source: AmericasBarometer 2006

Table 7-2. Logistic Regression Analyses based on Victimization for Costa Rica, Uruguay and Chile

Variable	Costa Rica N= 1,430		Uruguay N= 1,086		Chile N = 1,443	
	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio
Independent Variables						
Sex (Male = 1)	0.12	1.13	0.22	1.25	0.01	1.01
Level of Education (years)	0.15	1.16**	0.12	1.13**	0.18	1.20**
Marital Status (married =1)	-0.33	0.73**	-0.04	0.96	0.05	1.05
Age (years)	0.00	1.00	0.01	1.01	-0.00	1.00
Race (White =1)	0.13	1.13	0.46	1.58*	0.01	1.01
Children (range 0-20)	0.01	1.00	0.03	1.03	0.09	1.10*
Socio-Economic Attainment (1-11)	0.04	1.04	-0.06	0.94	-0.01	0.99
Theoretical Variables						
Level of Democracy (1-4)	0.06	1.07	-0.00	1.00	-0.11	0.90
Court Justice (1-7)	0.01	1.01	0.04	1.05	-0.01	0.88**
Trust of Police (1-7)	-0.19	0.83**	-0.18	0.83**	0.01	1.01
Vigilante Justice (1-10)	0.04	1.04	0.02	1.02	0.03	1.03
Constant	-2.41	0.09	-1.76	0.17	-1.66	0.19
Chi-Square	73.07**		42.86**		58.84**	
R-Square	0.08		0.06		0.06	

\*  $p \leq .05$ , \*\*  $p \leq .01$ : Source: AmericasBarometer 2006

Table 7–3. Logistic Regression Analysis based on Victimization for Bolivia, Peru, Guatemala and El Salvador

Variable	Bolivia N= 2,562		Peru N= 1,370		Guatemala N = 1,111		El Salvador N= 1,607	
	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio
<b>Independent Variables</b>								
Sex (Male = 1)	0.20	1.22	0.31	1.36*	0.32	1.37*	0.24	1.28
Level of Education (years)	0.04	1.04	0.03	1.03	0.12	1.12**	0.10	1.10**
Marital Status (married =1)	-0.04	0.96	-0.02	0.98	0.12	1.13	0.04	1.04
Age (years)	0.00	1.00	-0.01	0.99	-0.14	0.99*	-0.02	0.98**
Race (White =1)	-0.20	0.82	-0.13	0.88	0.03	1.03	0.01	1.01
Children (range 0-20)	-0.05	0.95	0.03	1.03	0.07	1.08	0.01	1.01
Socio-Economic Attainment (1-11)	0.11	1.12**	0.11	1.11**	0.06	1.06	0.13	1.14**
<b>Theoretical Variables</b>								
Level of Democracy (1-4)	-0.15	0.86*	0.11	1.12	-0.32	0.73*	-0.29	0.75**
Court Justice (1-7)	-0.06	0.94	0.02	1.02	0.06	1.05*	0.01	1.01
Trust of Police (1-7)	-0.10	0.91**	-0.12	0.89	-0.11	0.90*	-0.10	0.91*
Vigilante Justice (1-10)	0.03	1.03	0.04	1.04*	0.05	1.05*	0.04	1.04
Constant	-1.58	0.21	-1.76	0.17	-1.31	0.27	-1.48	0.23
Chi-Squared	80.79**		42.02**		68.68**		137.02**	
R-Squared	0.05		0.04		0.09		0.14	

\* p ≤ .05, \*\* p ≤ .01 Source: AmericasBarometer 2006

Table 7-4. Logistic Regression Analyses on Victimization for Mexico, Brazil, Venezuela, the Dominican Republic, and Jamaica

Variable	Mexico N= 1,389		Brazil N= 1,080		Venezuela N = 1,111		Dominican Republic N= 1,607		Jamaica N= 1,055	
	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio	Beta	Odds Ratio
Independent Variables										
Sex (Male = 1)	0.65	1.92**	0.22	1.25	0.03	1.03	-0.08	0.93	0.36	1.43
Level of Education (years)	0.05	1.05	0.07	1.06*	0.08	1.09**	0.06	1.06**	0.01	1.01
Marital Status (married =1)	-0.10	0.91	-0.17	0.85	-0.02	0.98	-0.05	0.95	0.15	1.17
Age (years)	-0.01	0.99	0.00	1.00	-0.01	0.99	0.00	1.00	0.02	1.02**
Race (White =1)	0.07	1.08	0.13	1.14	0.02	1.02	-0.18	0.84	-18.96	0.00
Children (range 0-20)	-0.00	1.00	-0.01	0.99	-0.01	0.99	-0.02	0.98	-0.13	0.88*
Socio-Economic Attainment (1-11)	0.01	1.01	0.11	1.11*	-0.03	0.97	0.02	1.02	0.09	1.10*
Theoretical Variables										
Level of Democracy (1-4)	0.01	1.01	0.05	1.05	-0.03	0.97	-0.01	0.99	0.08	1.08
Court Justice (1-7)	-0.09	0.92*	-0.14	0.87**	-0.13	0.88**	-0.08	0.92*	-0.06	0.94
Trust of Police (1-7)	-0.15	0.86**	-0.06	0.95	-0.13	0.88**	-0.06	0.94	-0.06	0.94
Vigilante Justice (1-10)	0.04	1.04	0.05	1.05	0.06	1.06**	0.02	1.01	0.04	1.04
Constant	-0.83	0.44	-2.33	0.10	-0.32	0.72	-1.21	0.30	-3.65	0.03
Chi-Squared	70.70**		40.77**		149.96**		41.66**		22.03*	
R-Squared	0.08		0.06		0.08		0.03		0.05	

\* p ≤ .05, \*\* p ≤ .01: Source: AmericasBarometer 2006

## CHAPTER 8

### DISCUSSIONS AND CONCLUSIONS

This study responds to the urging of LaFree (2007) and others (Marsh, 1967; Birkbeck, 1993; Willis et al, 1999) to test theory outside of the U.S. or European context and to acknowledge that theory grounded in the Euro-American culture might apply differently in other cultures. This dissertation project examined the role of legitimacy of law in 12 Latin American countries and its effect on individual victimization. A second the purpose of this dissertation project, was to test the theory not only in 12 countries but also using combined data from the entire region to determine if future studies such as this should disentangle data into country specific data in order to test for subtle or overt differences among countries in the region. Results from this study not only show support for the role of legitimacy of law in victimization, but also show that the results from individual countries vary, giving credence to the idea that context matters when studying victimization in Latin America.

#### **Latin American Region vs. Country Specific Models**

One of the interesting findings of this study is that in analyses containing only demographic variables and including theoretical variables, the model for the entire Latin American region was different from the country specific models. In the model expressed in Table 6-1, we find that sex, level of education, race and socio-economic attainment are all significantly associated with victimization. This supports H<sub>1</sub>, H<sub>2</sub>, H<sub>5</sub> and H<sub>7</sub> made in Chapter 3.<sup>1</sup> However, in sub-sequent country specific models there are different stories being told about victimization.

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<sup>1</sup> Note that this relationship differs from what victimization research from the United States tells us about victimization. In the United States, individuals with lower socio-economic status, education and non-Whites are more likely to be victimized.

## **Marital Status**

For example, while we do not see support for H<sub>3</sub> in the full model, marital-status (married = 1) was not predictive of victimization in the model containing responses from all individuals in the Latin American region, when we look at the model for Costa Rica, being married is significantly and negatively associated with victimization. Married individuals in Costa Rica are at a lower risk of victimization than are single individuals. This finding supports previous research from the region, which found that unmarried individuals were at a greater risk of victimization (Catalano, 2006; Smith & Jarjoura, 1989). This might be due to, in part, the guardianship that married individuals have over one another that might make them less susceptible to violent victimization. It might also be that they are at a lowered risk of property victimization in Costa Rica because there are at least two individuals to guard personal property. This nuance is missed when combining the samples from all countries as some previous studies have done (Fajnzyblber, Lederman, & Loayza, 1998; Gaviria & Pagés, 1999; Neapolitan, 1994).

## **Age**

Surprisingly, we find that in the full model, age is not significantly associated with victimization. This is contrary to previous findings on victimization in Latin America (Buvinić & Morrison, 1999). When we look at other trends in the full-regional model, however, the reason for age not being significantly associated with victimization might be that it is so strongly associated with socio-economic status in the region, rather than age. There might be high rates of victimization among older, more financially successful individuals which is affecting the findings for age. This is in keeping with previous research from the region (Gaviria & Pagés, 1999; Gaviria & Velez, 2001). ). Additionally, the effect of age on victimization is significant and negative in Guatemala, El Salvador and Venezuela, which is in keeping with H<sub>4</sub> made in Chapter 2. However, it is significant and positive in Jamaica, which is the opposite direction

from what was proposed in the hypothesis. The effect of combining the responses from all countries might be cancelling out the importance of age in these three countries. If researchers were to only look at the results from the Latin American sample as a whole, they would be missing the effect that age has in specific countries in the region.

In a few of the subsequent country specific models we see that age is indeed significantly associated with victimization. For example, in Guatemala and El Salvador older individuals are at a lower risk of victimization; we see this in Venezuela as well. Conversely, in Jamaica, older individuals have a higher risk of victimization. These nuanced differences in the findings between the specific countries are missed in models that contain responses from all individuals in the Latin American region. Knowing that younger individuals in Guatemala and El Salvador are at a greater risk of victimization not only helps researchers in understanding the trends of victimization within these countries, but also may speak to previous research that explains how historical events, such as the 30 year civil war in Guatemala and the 12 year civil in El Salvador, have disproportionately affected the young male population in the country leaving them vulnerable to economic strain and physical and property victimization (Kay, 2001; Kay, 2007). The similar legacies of these two countries also help explain how there are similar victimization trends. Both education and age were significantly associated with victimization in these two countries, and while sex was associated with victimization in Guatemala and not El Salvador and socio-economic attainment was associated with victimization in El Salvador and not Guatemala, the two countries still show similarities in the significant variables in the demographic models as well as similarities in the theoretical models which will be discussed more in a latter section of this chapter.

## Children

Another variable that is not significant in the model containing all respondents from all Latin American countries in this study is the number of children an individual has. While there is no support for  $H_6$  in the Latin American Region model, there is support for the hypothesis in both the Chilean and Jamaican models. However, the effects that the number of children has on the likelihood of victimization are different in each of these countries. In keeping with  $H_6$  proposed in Chapter 3, the greater number of children that someone has the greater the odds of victimization in Chile, where each additional child an individual has increases the probability of victimization by 10 percent. This finding might be a further indication of the effect of wealth or income acting as a buffer to victimization; more affluent individuals can afford security features for themselves, their home, their cars, and so on. It may be that lower income families in Chile have greater numbers of children, as is the case in Peru (Patrinos & Psacharopoulos, 1997) as well as in the United States (see for example, Becker, Duesenberry & Okum, 1960). We know from previous research that an increase in the number of children in the home adds to the levels of familial violence as previous research has found (Tennyson, 2004; Nikolic-Ristanovic, 2002). The direction of the relationship between the number of children an individual has and victimization is opposite of that proposed in  $H_6$  in the Jamaican model. Surprisingly, the number of children has the opposite effect in Jamaica. For each additional child in the home, the probability of victimization decreases by 22 percent. Jamaican families might be an example of how additional family members act as added guardianship from various forms of victimization, even if those family members are children. Lastly, as with age, the effects of children in the home might not be showing up in the full regional model because the opposing effects of children on victimization in both Chile and Jamaica may cancel each other out in the full regional model. While age and the number of children were not significant in the Latin American

Region model, there were several variables that were significant in that model as well as country specific models.

## Sex

We find support for H<sub>1</sub> in the full regional model and models in Peru, Guatemala and Mexico where victimization is higher among male respondents compared with female respondents. Sex (male = 1) was significantly and positively associated with victimization in the Latin American Region model. Males in this model were at a 19 percent greater risk of victimization than corresponding female respondents. This finding is being driven by the effect of sex on victimization in Peru, Guatemala, and Mexico. Male respondents in both Peru and Guatemala were more than 30 percent more likely to be victimized than were females. In Mexico, males were over 90 percent more likely to be victimized.<sup>2</sup> While we know from previous research that males are more likely to be victimized in the region (Gaviria & Pagés, 1999), it is likely that this study, as with previous studies, is missing domestic violence victimization against women. This is possibly due to the way the victimization question was asked. Women who are victims of domestic assault may frame the concept differently than they do violent assault from a stranger. It could also have to do with how domestic violence is legally conceptualized. In some Latin American countries, it is not *culturally* considered a criminal act. In others, certain forms of domestic abuse, such as sexual violence or coercion, are not *legally* considered criminal (UNIFEM, 2005). Also, many countries did not pass legislation against domestic violence until the 1990s and there might be reluctance culturally and by legal authorities, to accept abuse in the home as a crime (UNIFEM, 2005). It is clear that future

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<sup>2</sup> It should be noted that the sample from Mexico is highly skewed. Only 21 percent of the respondents were male while the vast majority was female. The original sample was 50 percent male, however, after list-wise deletion of missing cases for the variables used in the model, the sample was only 21 percent male. This is a huge limitation of the Mexico sample and severely limits the applicability of the findings. However, even given the skewed data, males are at a higher risk of victimization in Mexico.

research should specifically examine domestic violence and survey questions should be tailored to the unique nature of this crime.

### **Level of Education**

When we look at the effects of level of education on victimization risk in Latin America we find support for H<sub>2</sub> in that education is significantly associated with victimization risk in the entire region. We also find support for H<sub>2</sub> in Costa Rica, Uruguay, Chile, Guatemala, El Salvador, Brazil, Venezuela, and the Dominican Republic. The exceptions to this trend are Jamaica, Mexico, Peru and Bolivia. Since there is no test specifically for the effect of income on victimization in this study, an individual's level of education may be a proxy for income and this might be what is driving the higher probabilities of victimization among more educated individuals across the region and within the specific countries. It is surprising to see that education is significantly associated with victimization in Costa Rica, Uruguay and Chile. These countries not only have lower levels of income disparity than other countries in the region but the income gap is also narrowing (Psacharopoulos, Morley, Fiszbein, Lee & Wood, 1997; Lustig, 1995). However, the level of education among the victimized sub-sample is greater than the full samples for those three countries (See Table 5-1 and Table 5-2). This might be an indication that respondents with higher levels of education are merely more likely to report victimization, and not an actual risk factor for physical or property victimization. However, education is also significantly and positively associated with victimization in other countries that have higher levels of corruption and lower levels of stability. It is also significant in countries with higher levels of income disparity (Psacharopoulos et al., 1997; Lustig, 1995) which shows that individuals who have higher levels of education are being targeted, perhaps for their economic attainment or for their perceived economic attainment, throughout the region.

## **Socio-economic Attainment**

The idea that the significance of education is being driven by or is a proxy for income is further supported by the association found between socio-economic attainment and victimization in both the full model containing responses from all Latin American participants and various country specific models. The support for H<sub>7</sub> is very strong not only in the full model but in specific country models. Socio-economic attainment is significantly and positively associated with victimization, as predicted in Chapter 3, in both the full model and in Bolivia, Peru, El Salvador, Brazil and Jamaica. This is an increase of between 10 and 15 percent in the probability of victimization for each additional consumer good that individuals in these countries possess. In the full model, the effect of socio-economic attainment on victimization is less pronounced. There is only a five percent increase in the probability of victimization for each additional consumer good that an individual possess. However, there is still a significant and positive relationship between socio-economic attainment and victimization. The presence of items such as a personal computer or cellular phone might be a measure of how attractive an individual is as a target for property victimization. One of the limitations of using this index is that we are not getting at which consumer good makes someone a more attractive victim, which could be an area of future research. Clearly running water in the home would not be an incentive to break into someone's home, but the presence of a computer, on the other hand, might be.

The presence of these items may also be a proxy for income, which is how the variable was intended, and therefore we are confirming previous research findings that show that wealthier individuals are more prone to victimization in Latin America (Gaviria & Pagés, 1999; Gaviria & Velez, 2001; Heinemann & Verner, 2006). However, there is nothing to indicate that the absence of either a home or cellular phone might make someone *more* attractive as a victim of either property or violent victimization. The absence of these items might be a lack of adequate

guardianship, which could increase the probability of both property and physical victimization to the individual. Future research again should address this question.

## **Race**

Socio-economic attainment is significant in the direction that was predicted in Chapter 3 as is race. Race (White = 1) is significant and positive in the model for the full Latin American region (Table 6-1). This model shows that whites are 16 percent more likely to be victimized than non-White respondents. The hypothesis (H<sub>5</sub>) was proposed in this direction because the assumption was that White individuals might be of a higher income or socio-economic status than non-White respondents which would make them more attractive victims. This might not be the result expected for all countries in the region, given what we know about rural violence among indigenous populations in countries such as El Salvador and Guatemala (Kay, 2007). However, taking a closer look at the country models allows for more clarification.

What we see in the full-model is being driven solely by the results from Uruguay, the only country where race is significantly associated with victimization in any direction. In Uruguay, White individuals are 53 percent more likely to report victimization. There might be several reasons for this finding. First, it might be that White individuals in Uruguay are simply more likely to report being victimized. It also might be that they feel more outraged or have more lingering feelings regarding their victimization, which would also make them more likely to report the victimization on the LAPOP survey. While this is all merely conjecture, it also could be simply that White individuals are targeted more frequently in Uruguay. This might be due to a higher socio-economic status or income level, or it might be a reflection of racial animosity, particularly between White Uruguayans and indigenous groups in the country. In recent years there has been a rapid increase in the indigenous population in Uruguay and non-White citizens in Uruguay “have significantly lower levels of social development” than White citizens (Cabella

& Porzecanski, 2007). Another factor in race (White =1) being a significantly associated with victimization in Uruguay is that the vast majority of Uruguayans in this sample identify themselves as White (80 percent). This is not a skewed sample, but rather a reflection of the actual Uruguayan population, which is predominately White. The unique population distribution of Uruguay might be driving the results seen in Table 6-2 and in the full regional model seen in Table 6-1. The results for race in both the full and Uruguayan model really highlight the necessity for researchers to look at individual countries rather than assuming that the results from a full regional model are representative of victimization trends across the region. The issues driving the racial findings in Uruguay apply only in that country.

### **Discussion**

Overall when we look at the countries within the region, we do see some patterns that hold across most of the countries in the region, but none are universal. Age and marital status are not significant in the full Latin American region model. However, they are significant in country specific models. In Costa Rica marital status is significantly and negatively associated with victimization. Age has conflicting effects on victimization. In Guatemala, El Salvador and Venezuela younger individuals have a greater risk of victimization while in Jamaica older individuals are more likely to report being victimized within the previous year. While research that groups nations in Latin America together when performing quantitative research might be more convenient or might create a high degree of significance for the independent variables in the model, it simply misses key differences that are taking place in each country in the region. Nothing highlights this more than the significance of race in the full model, which is being driven entirely by what is happening in Uruguay. To look at the full model and assume that Whites across the entire region are being targeted for victimization might lead to gross policy errors, unnecessary racial tensions, or false assumptions about the nature of race and

victimization throughout the region. Instead of taking a step back to look at the region as a whole, researchers really need to take a closer look at individual nations within Latin America in order to appreciate the vast and significant, both statistically and contextually, differences among its many nations. Further evidence for the need to examine victimization within each specific country rather than as a whole can be seen in the R-square value for the non-theoretical logistic regression model for the full region (See Table 6-1). The R-Square value for this model is rather low, 0.03. In contrast, some of the country specific models have higher r-square values (Costa Rica, Mexico and El Salvador specifically). The demographic variables used in each model are coming across differently in the individual country analyses and are countering each other when used in the full regional model. This indicates that something is going on in each specific country model, even when only examining demographic predictors of individual victimization.

While many nations in the region have a shared Colonial history, the paths that each country has taken since that distant time have been markedly different. The level of development that each country has reached is also very different, socially, democratically, and culturally as well. These divergent paths have effects at the individual level on citizens of each country in the region. For this reason, we now turn to issues of legitimacy of law in the region to help explain what contextually is driving our findings regarding victimization in the countries of Latin America.

### **Legitimacy of Law**

Results from this study show that there is varying support for the theoretical hypotheses proposed in Chapter 3 (H<sub>8</sub>, H<sub>9</sub>, H<sub>10</sub> and H<sub>11</sub>). The impact of indicators of legitimacy of law on the likelihood of individual victimization in the 12 Latin American countries varies from country to country (Tables 7-1 thru 7- 4). When looking at the region as a whole, all aspects of legitimacy of law, including level of democracy, court justice, trust of police and support for

vigilante justice<sup>3</sup>, were significantly associated with victimization. This shows that, across the region, using legitimacy of law theory to understand risk of victimization is appropriate. These findings address the ongoing debate regarding the use of North American criminological and sociological theories to explain crime and victimization in other regions of the world. We see that, similarly to findings in the United States by Tyler and others, that the legitimacy of legal authorities does relate to crime, and in the case of this study, personal victimization. When there are low levels of trust of police, the legitimacy of the court system, and even the overall level of democratic governance across Latin America, there are increases in victimization. Furthermore, support for non-legal or extra-legal efforts to control crime through vigilante justice increase the likelihood of victimization across the region. This is in keeping with previous research on legitimacy of law done in the United States (See Tyler, 1990; Fagan & Tyler, 2004; Kane, 2005; Fagan, 2008). It is also in keeping with research done previously in Latin America (Seligson, 1980; Davis Rodrigues, 2006).

There are several reasons we find support for legitimacy of law relating to the likelihood of victimization in the entire Latin America region (Table 7-1). First, it is possible that the effect of combining all data from the 12 countries creates a dataset of sufficient size to “tease out” the results found in this model. However, elements of legitimacy of law are found to be significant in nearly all of the individual countries, which show that the legitimacy of legal authorities does indeed bear some relationship to victimization.

What this indicates is that low levels of legitimacy of forms of law enforcement and legal processes are associated with an increase in the risk of victimization to individuals within the region. When the legal authorities fail to provide security to citizens within these countries,

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<sup>3</sup> Level of democracy, court justice and trust of police are all coded from low to high on legitimacy. Vigilante justice is coded from high to low on legitimacy.

there is an increase in both violent and property victimization that, according to the results of this study, is felt most keenly among upper-class and educated members of society. This seems counter-intuitive to not only what we know about victimization in the United States, but also to what we know about how law has historically operated in the region. These are the same classes of people who, in the context of the United States, are afforded the greatest levels of security. However, in this region of the world where there is constant flux in the way that law operates, there is no assurance of such security. It seems that the legal authorities in the region have failed to the point that the upper classes, who historically have had a great deal of legal protection and even preferential treatment, are no longer protected either. If a researcher were only to look at this full regional model including responses from all individuals within the region, again, key contextual differences would be missed. As with the non-theoretical models where there were conflicting results between the full model and country specific models, we find that not all indicators of legitimacy of law are significant in each country specific model.

### **Level of Democracy**

Hypothesis 8 is supported in three of the twelve countries used in this study. Individuals who report higher levels of democracy are less likely to be victimized in Bolivia, Guatemala and El Salvador. Conversely then, individuals who report lower levels of democracy in these countries are more likely to report being victimized. These are the only three countries out of the 12 where level of democracy is significantly associated with victimization which indicates that it is only the responses from these three countries that are driving the results found in the full regional model. As proposed earlier in this dissertation, it is believed that the individuals who report higher levels of democracy are more likely to be politically insulated from the violence in their country or community or are not victims of political unrest. Keeping with the concept of capable guardianship from the routine activities perspective, individuals who feel that their

country is operating on a higher level of democratic governance are experiencing a greater degree of political protection from their government, as good democratic regimes provide for their citizens. It is the second aspect of democracy that was outlined in Chapter 2, pertaining to a government's ability to protect the social rights of its citizens that we are discussing here. It may be that those individuals who are reporting higher levels of democracy are reporting not only electoral democracy but rather full democratic citizenship and rights. As we discussed in Chapter 2, it is often this second aspect of democracy that is missing from transitioning or newly democratic nations. These countries have achieved free and fair elections which are the primary requirement for a democratic nation; however they have not secured their citizens' rights or safety as yet.

It is interesting that these three countries all have a shared association between the level of democracy and victimization since they have all undergone recent transitions to democracy. Bolivia transitioned to democracy in 1982 after a period of military rule, however, in recent years the country has experienced a great deal of unrest and even violent protest (Barr, 2005). Similarly, Guatemala transitioned to democracy after the end of their 36 year civil war ended in 1996. The transition in this country to democracy was rocky at best and there has been a great deal of violent and property crime which leads to vigilante justice (Snodgrass Godoy, 2002), public lynchings (Kincaid, 2000) and general governmental instability (Peréz, 2003). In El Salvador, the transition to democratic rule of law has also been relatively recent. Peace accords ushered in democratic rule of law in 1992 after a 12 year civil war. While the transition to democracy in this country was originally heralded for its resounding success, recent years have shown that there is still a great deal of unrest, corruption, and instability (Peréz, 2003). And while overall levels of police corruption are low, the democratic government in El Salvador still

seems to lack legitimacy. It would appear that in all three countries where level of democracy is significantly associated with victimization that full democratic rule of law has not been established since the governments have not been able to contain social violence, political protest or fully protect citizens' rights. Where this second aspect of democracy is missing, there are lower levels of democratic legitimacy and higher rates of victimization. It is not surprising then that Bolivia, Guatemala and El Salvador have the lowest mean scores on all levels of legitimacy of the countries in the region, excepting for Peru (See Table 2-1).

### **Court Justice**

The level of justice provided by the court system, or their level of legitimacy as an agency of law, is significantly associated with individual victimization in half of the countries in the region including Chile, Guatemala, Mexico, Brazil, Venezuela, and the Dominican Republic. Individuals who report lower levels of justice are provided by their country's court system are more likely to also report victimization in these countries. This is in keeping with H<sub>9</sub> from Chapter 3. This is an interesting collection of countries considering that Chile is considered to be a more consolidated democracy where there are both free and fair elections and protection of citizen rights by the court system. Whereas, the other countries where court justice is significantly associated with individual victimization are considered to be less protective of citizen rights, or among the countries of either average or lower levels of legal legitimacy. It could be that respondents in the Chilean sample are simply more likely to report victimization. It could also be, since there is no way to determine causal ordering from the cross-sectional data, that victimization preceded the respondent's perception of the court system. A negative experience with the court system in the country after being victimized could be what is driving the perception of court justice in Chile, and in all the countries for that matter. However, the mean score for all respondents in Chile on court justice was lower than that for the full region

(See Table 2-1) indicating that Chileans in general do not believe their court system provides adequate justice. It is not a belief held only by victims in the country.

When we look at the other countries where court justice is predictive of individual victimization, the results are less surprising. Mexico is known for a high level of legal corruption. Davis (2006) found that corruption was not only rampant among law enforcement officials, but also in the court system where bribes are routinely used. Individuals in Mexico are less protected by their court system. It is possible for individuals who are guilty of either violent or property crimes to go free if they have the right political connections, or the right amount of money (Lawson, 2000):

Government supporters and cronies had little to fear from the law, regardless of the crimes they committed...Revelations about official corruption are as stunning as they are frequent. They include everything from government protection for criminals...to active involvement in drug trafficking. (Lawson, 2000, p. 283)

This leaves individuals in Mexico vulnerable to victimization. The same can be said of individuals in Guatemala, Venezuela, Brazil and the Dominican Republic. In Brazil in particular, there historically have been abuses of the court system by wealthy or well connected citizens (Ratliff & Buscaglia, 1997; Buscaglia, Dakolias & Ratliff, 1995). Again, allowing violent or individuals to go free puts citizens at risk of being victimized in countries where these legal abuses take place. If the court system is not ensuring justice for the people in these countries, then they are put at a risk of being victimized due to a lack of guardianship on the part of the courts. This same risk of victimization due to less than capable legal guardianship certainly applies to the police.

### **Trust of Police**

The support for  $H_{10}$  is the most consistent across the region. Not only are low levels of trust in the police associated higher risk of victimization in the full regional model (Table 7-1),

but individuals who report lower levels of trust in the police in Costa Rica, Uruguay, Bolivia, Guatemala, El Salvador, Mexico and Venezuela also have a higher likelihood of being victimized. This result is surprising in Costa Rica and Uruguay, both countries considered to be highly democratically consolidated where there is a respect for due process and citizen rights. In Table 2-1 we see that Costa Ricans have the greatest amount of trust in their police when compared to respondents from the other 11 countries in this study. The mean score for trust of police was 5.54 (on a scale of 1 to 7), which was a nearly a full point higher than any other country in the region (Brazil's mean score was 4.59) and nearly two points higher than the grand mean for the region (3.55). However, the result in Costa Rica might be due in part to recent problems with policing that are affecting public opinions of the trustworthiness of their police (Lehoucq, 2005). This could also be due to the citizen's reactions to corruption in Costa Rica when it does exist. Lehoucq (2005) found that Costa Ricans are highly intolerant of governmental corruption, including police abuses of power. However, the recent problems with inadequate policing (Lehoucq, 2005) speak more to the theoretical assumption being made in this dissertation: there is a not adequate or appropriate police guardianship in Costa Rica, which leaves some citizens vulnerable to victimization.

The same cannot be said of Uruguay. Uruguay has one of the least corrupt police forces in the region. Uruguayans exhibit a high level of trust in their police, the highest in the region in previous studies (Cao & Zhao, 2005). In this current study, however, while Uruguayans on average had more trust in their police than respondents from other countries in the region, the mean score for trust in police (on a scale of 1 to 7) was only 4.17 (See Table 2-1). Brazilians exhibited more trust in their police force than Uruguayans. It could be that, like Costa Ricans, respondents from Uruguay are highly intolerant of police corruption when it does exist and that

they are more sensitive to the issue, which is why they have lower levels of trust in their police force. We cannot at this point rule out the possibility that causal ordering is an issue in Uruguay. The results from respondents in Uruguay could be a reflection of victimized individuals having less trust in the police rather than an overall lack of trust in police (due to corruption) making individuals more susceptible to victimization. This is an area for future research, and again the cross-sectional nature of the data used in this project make inferences about causation problematic.

While the results from Uruguay are surprising, the results we find from Bolivia, Guatemala, El Salvador, Mexico and Venezuela are in keeping with  $H_{10}$ . Both Bolivia and El Salvador rank among the nations in the region with lower levels of legal legitimacy. As noted in Chapter 2, Bolivia is “rife” with corruption (Domingo, 2005, p. 1728). The corruption among the police in Bolivia leave citizens open to victimization, not only by their fellow citizens but also from the police themselves who routinely bribe citizens (Seligson, 2002). While corruption is not as problematic in El Salvador, citizens in El Salvador are understandably wary of their police. There are still lingering authoritarian practices among the police in El Salvador left over from the military government of the 1990s (Peréz, 2003). Therefore the citizens of El Salvador may have overall lower levels of trust in their police due to their own lingering fears of authoritarian rule. Salvadorans may not feel comfortable going to their police when they are victimized.

In both Mexico and Venezuela, human rights abuses by the police are not uncommon. So it is not at all surprising that individuals in these countries who report lower levels of trust in their police are more likely to be victimized. In Mexico, bribes by police are routine as are shakedowns (Davis, 2006). The rampant corruption among Mexican police is reflected in the

Mexican respondents in this study reporting a low level of trust in their police (3.23 out of 7). Individuals who report lower levels of trust in the police in Mexico are more likely to be victimized and this speaks to the lack of capable guardianship by the police in Mexico. Venezuelans in particular have recently resorted to mob or vigilante justice as a means of resolving criminal issues. This mob justice really speaks to a lack of safety provided by the police or at the least, the perception that the police cannot maintain rule of law in Venezuela.

### **Vigilante Justice**

Respondents from all 12 countries were asked about their level of support for vigilante justice in the country. In accordance with  $H_{11}$ , we see that individuals in the full regional model who support vigilante justice are more likely to be victimized. In country specific models,  $H_{11}$  is supported in Peru, Guatemala, and Venezuela. The assumption behind this hypothesis is that where there is a great deal of support for vigilante justice, there is an inadequate guardianship from legal authorities which makes citizens more likely to support mob or vigilante justice.

As previously discussed, Venezuela has seen a recent rise in vigilante or mob justice. Venezuelans feel that their legal system, courts and police, cannot adequately deal with a growing crime problem. Similar to Venezuela, Guatemala has also seen a recent rise in vigilante justice, in the form of public lynchings (Snodgrass Godoy, 2002; Kincaid, 2000). The vast number of lynchings in Guatemala (as many as one per day in 1997) is evidence of a lack of public security and inadequate legal apparatuses to deal with crime. This also exists in Peru, so it is not surprising that vigilante justice is significant in the Peruvian model. Indigenous and mestizo populations in Peru have resorted to lynchings and mob violence in the absence of a legal presence in rural communities and even urban areas (Snodgrass Godoy, 2004). While mob justice may make citizens in these countries feel safer, in reality it actually makes them more prone to violent victimization.

As discussed in Chapter 2, innocent individuals sometimes fall prey to mob justice (Snodgrass Godoy, 2004; Sanjúan, 2000). A lack of due process and investigation can leave citizens open to being victims of retaliatory violence and even criminal victimization during a mob event. Therefore, the effect of support for vigilante justice on victimization is two-prong. First, individuals who report a support for vigilante justice probably also have inadequate guardianship from their legal authorities, leaving them vulnerable to victimization. Secondly, individuals who support vigilante justice may take part in these events, which would put them at risk of being victimized while participating in a mob justice event. While this is conjecture about the association between vigilante justice and victimization, it provides a possible explanation for the relationship.

As stated earlier, however, if the assumption of causal ordering is wrong in this analysis, it is possible that victimized individuals are more likely to support vigilante justice because they have not been able to obtain justice thru their own criminal justice system. However, if this were to be true, it confirms the hypotheses regarding trust of police and court justice, since these individuals are not being adequately guarded by the legal authorities in their own county. But this is merely speculation. Clearly more research is needed to disentangle the nature of the relationship.

### **Limitations**

One of the major limitations of the research presented in this dissertation is the cross-sectional nature of the data. Ideally, longitudinal data would be used in order to establish the causal ordering of the dependent and independent variables. This is a limitation of all cross-sectional data and specifically a limitation of this study. Theoretically, it can be assumed that it is victimization that is driving the respondent's perceptions of the democratic rule of law in their country and how well their justice systems operate. It is certainly possible that respondents who

have been victimized simply have lower levels of trust in both their court and police systems and they have higher levels of support for vigilante justice. This could be the result of such victimization. However, this project shows that, for the most part, in the countries where there is a history of police abuses, low levels of democratic rule of law, court systems that are not enacting justice and where there have been recent cases of vigilante justice, all of these factors are significantly associated with the likelihood of individual victimization. Furthermore, it has not been an assumption of this research that these factors predict individual victimization, but certainly that when an individual reports a low level of trust in the police, it might very well be that the police that this individual have had contact with are not providing adequate guardianship and therefore have left this individual open to victimization. This is the basic premise of this research, but it is by no means purported to be the only explanation for the relationships found in this study.

A further limitation of this study is the nature of the survey used. As stated in Chapter 4, this survey was not designed as a victimization survey. Preferably, when studying victimization there would be more information about the victimization experience, including information on time, place, the amount of property damage, the extent of physical victimization and so on. Even more importantly to the study at hand, information on the perpetrator of such victimization is essential. For example, if respondents in the survey have been victimized by a police officer, this would certainly have an impact on their perception of law enforcement and government in general. It would also impact their support for extra-legal justice in the country. Not having this information allows for a lot of questions regarding the nature of individual victimization in each country.

Out of necessity, in this study victimization types, both physical and property, were combined. While this was done out of necessity, not all countries asked the respondents which type of victimization they experienced in previous year, it is not ideal to combine these types of victimization, particularly given that kidnapping and property damage are collapsed into one form of victimization. This limitation might be why the results show income, education and socio-economic attainment having such an impact on victimization. It might be due in part to fact that the majority of victimization is actually property victimization (theft or property damage). In the countries where we do have information regarding the type of victimization experienced, the majority of victimization is either robbery without physical threat<sup>4</sup> (7.5 percent) or robbery with physical threat (4.5 percent). The other forms of victimization were all under 2 percent with property damage (1.2 percent) and home robbery (1.8 percent) having the next highest frequency. Victimization such as kidnapping and sexual assault had very low reporting numbers (less than 0.1 percent each). Due to the infrequent reporting of violent victimization and the fact that the type of victimization was not asked of respondents in all countries, it was statistically impossible to disentangle the types of victimization.

Another limitation of this study is the dichotomous nature of the dependent variable. Respondents were asked if the victimization had occurred, but there is no gauge of the frequency of victimization. It is certainly possible given the information we know about repeat victimizations, that respondents may have experienced multiple forms of victimization and multiple experience with the same form of victimization. There is no way to gauge if individuals who are reporting lower levels of legitimacy of are those individuals are more likely to undergo multiple victimizations.

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<sup>4</sup> This is how the question was posed to respondents.

Reliability of the data is always an issue when using self-reported survey data. There is always the possibility that individuals may under-report or even over-report victimization. This is entirely possible with some of the data used in this project. For example, in Jamaica only 10 percent of respondents reported being victimized in the previous 12 months. However, we know from current research that Jamaica has an ever increasing crime and violence problem which has escalated over the past three decades (Moser & Holland, 1997). A recent victimization study found that nearly two-thirds of the respondents of the survey (n= 3, 112) reported being victimized in their lifetime (61.4 percent) and that over a third of the respondents had experienced more than three criminal victimizations within their lifetime (Wortley, Gartner, Seepersad & McCalla, 2006). While these data were collected on lifetime experiences with victimization, the same study found that 23.7 percent of respondents had been victimized within the past 12 months and that 11 percent had experienced more than one criminal victimization in that same time period (Wortley et al., 2006). The disparity between reporting from the Jamaican National Crime Victimization Survey (JNCVS) and the data from the Latin American Public Opinion Project (LAPOP) the two numbers begs the question, how reliable is the LAPOP data from Jamaica? It might be the nature of the survey that accounts for the disparity, the survey conducted by Wortley and his associates was a victimization survey; the staff administering the survey was trained specifically to gather information on property and physical victimization. The LAPOP survey was primarily constructed to gather information regarding political climate, issues of democratization, et cetera. Victimization was not the focus of the survey, and therefore respondents from Jamaica might not have considered it essential to report their victimization to the survey administrators. There certainly exists the possibility that the data from other countries in the survey is either conflated or inflated as well. The list of limitations of this research is

certainly not exhaustive, but it does note that there are some problems with this study that should be addressed in future research.

### **Future Research**

This study is a preliminary step in toward understanding criminal victimization in Latin American and within specific countries in the region. The possibilities for future research are infinite. However, first and foremost, future research should address the limitations of this current study. Ideally, a thorough study of victimization across 12 Latin American countries would use data from a victimization survey that was designed to collect uniform information from all countries. The scope of such a project would be immense, however, some of the differences highlighted in this dissertation show that the need for more in-depth information regarding victimization across the region is also great. A survey that asked information regarding repeat victimizations, perpetrator victimization, domestic violence assault and so forth, would certainly add greatly to our current knowledge of victimization trends and how they differ throughout the region. Additionally, if more questions were asked of respondents in all countries regarding specific issues of law and order that affect perceptions of legitimacy of law, more theoretical variables could be included in a study such as this.

Future research should also address issues of legitimacy of law and how that impacts victimization. A longitudinal study that examines these issues and also looks at victimization experiences would help solve the causal ordering problem of this current study. Does legitimacy of law impact victimization or does victimization impact perceptions of legitimacy of law? Or is it cyclical? It could be entirely possible that individuals who hold already low opinions of the legal authorities in their country, once victimized, hold even lower opinions of these agencies. A longitudinal study comparing opinions across time and accounting for the impact of victimization would help answer this question.

### **Theory in the Latin American Contexts**

This project had two specific aims; the first was to test Tyler's legitimacy of law theory and determine how much citizens' perceptions of democracy and the legitimacy of legal authorities is associated with individual victimization. This project did in fact show that there is a strong relationship between the theoretical variables and victimization. In the country specific models there is also support for aspects of legitimacy of law. However, this comparative study shows that individuals in each of the countries in this study experience victimization differently and that not all aspects of legitimacy of law affect individuals in all countries. The support in some countries was greater than in others. For example, in Guatemala all aspects of legitimacy of law were significant in the directions predicted. In Venezuela as well three of the four theoretical variables were significantly associated with victimization. However, in other countries only one or two of the theoretical variables were significant. In Jamaica, none of the theoretical variables were associated with individual victimization. Undoubtedly this study shows that theory of legal legitimacy is not applicable in all Latin American countries. It does show, nonetheless, that the theory can be applied in divergent cultural contexts. Future research testing legitimacy of law, as well as other theories in Latin American countries and globally is warranted. Moreover, future research needs to focus on specific cultural or social conditions within a country and adapt current criminological theory to the context of that country.

The second aim of this dissertation was to examine how predictors of victimization, both demographic and theoretical, vary from country to country. In this aim, this dissertation project showed that individual victimization varies, often dramatically, from country to country. Certain demographic variables had competing affects from country to country. One of the most interesting findings of this study was how the variables associated with victimization from country to country did not fall into even patterns among the countries deemed to have more

legitimacy of law, lower legitimacy of law and average levels of legitimacy. This is important because it highlights one of the main points of this project: these countries are more dissimilar than similar and need to be treated as such. The idea that there is a “Latin American” victimization and violence problem is erroneous. There are specific problems within each country that need addressing. Some of these problems certainly can be addressed within the context of the region, but at the end of the day, these are autonomous countries with their own governmental agencies, and levels of democratization. That which impacts victimization in one country does not necessarily impact victimization in another.

Beyond these specific aims, this project attempted to answer the call by LaFree (2007), Marsh (1967), Reed and Yeager (1996) and others who have argued for more comparative research on crime and victimization, including non-Western or non-industrialized nations. There is a need to take into account the impact of governmental stability on issues of crime and victimization. As citizens of the United States, Canada or European countries often criminologists take for granted a stable democracy, a relative respect for due process and a criminal justice system that operates, for the most part, without pervasive corruption. These basic assumptions cannot be made in all Latin American countries.

While Costa Rica, Uruguay and Chile have in recent history been able to provide these things for their citizens, other nations, such as Guatemala and Peru, are far from achieving such stability. Ignoring these contextual differences among these countries does not allow for researchers to that take into account the broader context of individual victimization. The level of guardianship that an individual in Uruguay is provided by its police is certainly different from the guardianship provided to a citizen in Mexico. To ignore the impact that this has on physical or property victimization misses a huge piece of the puzzle as to what affects an individual being

victimized in one country versus another. Current theory, such as routine activities, needs to be broadened to include the guardianship of a legitimate system of law, that cannot be assumed when doing cross-national research. Conceptualizing guardianship in a way that includes the level of state guardianship provided to citizens, allows for the possibility that these theoretical concepts may operate on a grander scale. It is not just the daily guardianship provided by a security system, a dog, mace, friends or family that impacts one's personal security, it is the government, the police, the courts, and rule of law in general. The study of theory only in Canada, the United States or Europe can only push the field forward to a certain extent. Comparative studies that test current criminological theory are essential to development of criminology as a discipline.

Tests of criminological theory in "non-Western" nations are not just warranted, but essential. This includes tests of theories of law, but also should include testing victimization theories such as routine activities, offending theories such as social learning or even structural level theories would help not only to advance our understanding of what is happening with crime and victimization within the countries of Latin America, but advance the theories themselves. Understanding the cultural limitations of current criminological theory allows for the creation of new theoretical perspectives and still advances our knowledge of how law operates in society. Even if research does find that current criminological theory is culturally limited, it still propels the discipline forward because it encourages the creation of new theories or adaptation of existing theories to culturally diverse societies.

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## BIOGRAPHICAL SKETCH

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