

Why do Latin American Governments Violate their Citizens' Human Rights?

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Since the Cold War, heightened levels of instability and tension within Latin America have resulted in increased and widespread human rights abuses. Corruption, globalization, economic performance, democratization, and political institutions have all been identified as a catalyst for human rights abuses (Bacio-Terracino, 2010). While plenty of research has been conducted, El Salvador and Guatemala have a unique history that calls upon further research. The subsequent Civil Wars, in both countries, led to repercussions that impacted the levels and types of human rights abuses. Using V-Dem's Political Liberties Index 1990-2018, the Annual World Bank GDP Report, the Transparency International Corruption Index 1990-2018, House/Senate Foreign Relations Committee Hearings Reports, Freedom House, Amnesty International, and other non-profit data, this study identifies which factors led to heightened levels of human rights abuses in Guatemala and El Salvador. The research finds that corruption and unstable political institutions both led to heightened levels of human rights abuses. Economic performance and globalization did not yield the same results. Anti-crime efforts only led to heightened levels of human rights abuses in El Salvador, in Guatemala there was not enough research to support the theory.

Human rights have long been the subject of academic research, particularly in regards to authoritarian regimes. While tremendous strides have been taken to ensure that humans around the world have their fundamental human rights protected, Latin Americans have unfortunately nonetheless been subjected to governments and regimes that have indeed violated, suppressed, and abused their citizens and their subsequent rights. In addressing this issue, scholars have posed a variety of academic theories to explain why governments violate human rights. This paper will apply such the-

ories to Latin America in an attempt to determine why different Latin American governments violate their citizens' human rights. Furthermore, theories regarding government performance, democratization, and globalization will be assessed and applied to Latin America.

Literature Review

Government Performance

Corruption has long plagued Latin America.

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Undergraduate Journal of Political Science, Vol. 5, No. 1, Spring 2021. Pp. 100-122
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From Mexico to Chile, stories of corruption and abuses of power have become common occurrences and experiences for the citizens of these countries. As a result, varying research has attempted to find the links between human rights violations and the level of corruption within a country. It is important to make the distinction that corruption, in and of itself, does not violate any human rights. In his research, Bacio-Terracino (2010) argues that high levels of corruption within a state have the potential to lead to human rights violations. While a majority of corruption that occurs within states is "private to private," the possibility for the state itself to engage in corruption is high. Corruption can occur at every level, from local municipalities to the federal level. This corruption can lead to weak human rights practices. To prevent this corruption from occurring in the first place, states must diligently ensure that fundamental human rights, such as freedom of speech, are protected. However, this is a double-edged sword. In his study, Bacio-Terracino (2010) additionally finds that governments who engage in anti-corruption efforts might inadvertently create an atmosphere in which human rights are at a higher risk to be violated. This can be attributed to more intrusive law enforcement techniques that may be instituted as a method to fight corruption. It may be the case that a government has taken on a zero-tolerance policy when it comes to corruption. For example, to achieve some of the goals that they may have set out for themselves, the police or military may have been given more authority, power, and support to find the root of corruption. As a result, citizens may find themselves in a situation where their human rights are being violated in the name of justice and anti-corruption efforts. Abuse of power thus becomes easy to achieve.

As previously stated, there are varying theories as to why different countries violate human rights. A differential diagnosis is needed in each country to accurately determine what factors have caused those violations. One factor that is unique in every country is its economy. Mitchell and McCormick (1988) attempt to identify the economic and political explanation for human rights violations. This study found that contemporary governments, more ideologically progressive states, are less likely

to engage in behavior that has the potential to violate human rights. They make the distinction that the type of government that governs over a state may allow for either a greater or lower chance for human rights to be violated. It is the popular belief that governments with capitalist economies are less likely to violate human rights due to the inherent freedoms necessary to live in a capitalistic society; however, in this study, the authors determine that this may not be the case. Mitchell and McCormick (1988) make the distinction that capitalist economies do not automatically ensure the protection of human rights. They found no significant level of a higher quality of human rights with capitalist economies. However, it was concluded that countries that enjoyed higher levels of economic growth and stability are less likely to experience human rights violations. Taking a look at Latin America, specifically during the 20th century, fluctuating economic conditions were prevalent. Certain economic policies and eras of neoliberalism allowed for varying levels of economic stagnation and prosperity, which could be one of the factors that explain the low regard held for human rights in Latin American countries that experienced economic stagnation during the 20th century. Mitchell and McCormick (1988) also take a retrospective look to distinguish whether or not a country's history of colonization has any effect on that country's level of respect for human rights. While no conclusive evidence that would suggest that countries who were colonized have lower respect for human rights was found, it is important to point out that colonization has the potential to affect a country's economic prosperity. A majority of the Latin American countries have a history of colonization, which has the potential to affect their economic growth, which was determined to affect a state's level of respect for human rights.

As previously emphasized, different types of governments have the potential to affect a state's level of respect for human rights. More authoritarian regimes have been found to yield a lower level of respect than more democratic systems of governments. However, research has been able to more clearly determine and explain why different systems of government affect the level of respect for human rights. Literature supports the argu-

ment that democracies tend to yield higher respect for human rights, however, it is certain characteristics and aspects of democracy that truly play a role in improving the overall quality of life and assist in eliminating human rights violations. DeMesquita, et al. (2005) argue that significant improvements to human rights can only occur after a state has made significant progress in other aspects of both democracy and society. It was hypothesized that components of democracy do not heighten the level or quality of human rights. Therefore overall levels of increased democracy is not enough to improve overall human rights conditions and prevent future violations. Accountability is key. Institutional reforms that increase accountability must first occur. This leads directly to both institutional and behavioral changes. After creating a qualitative formula to measure democracy and human rights violations, the researchers determined that not all dimensions of democracy contribute equality to reductions in human rights. The researchers concluded that party compositions are key in reducing human rights violations. These parties must meet a certain level of transparency and accountability. They must be willing to truly represent and advocate for the needs and desires of their constituents. However, for this to be effectively instituted, states must first ensure that the institutional foundations for these parties to live and thrive in are established with a strong foundation. Without the necessary foundations, efforts to protect human rights may be short-lived.

A majority of the countries in Latin America identify as Presidential democracies. Many of these systems of government are modeled to have an executive, legislative, and judicial branch of government. While inherently democratic, past research research has led to suggest that countries who follow a Presidential system of government, like much of Latin America, have a higher possibility that partisanship within their judicial and executive branches may harm the quality of human rights. Specifically, Holzer (2020), suggests that in countries where both the President and the Justice Minister are of the same party, it is more likely for that country to have poor human rights practices. In the author's empirical research, he determines that it is more beneficial to focus on justice ministers, due to

their heightened role in administering court decisions, rather than just observing every single judge in the state. It is concluded that indeed co-partisan justice ministers are negatively associated with high government respect for human rights; Essentially, if the President and Justice Ministers stem from the same political party, it is probable that human rights violations are overlooked with the effort of either protecting the reputation of their party or just their overall loyalty. Holzer also makes the distinction that this is more prevalent in presidential democracies. Parliamentary systems of governments are less likely to experience this due to the dilution of power. Nonetheless, democracy as a whole continues to be seen as the best form of government to protect and respect human rights. This has led to democratization, which has also had an impact on the level of respect for human rights overall.

Democratization

For a variety of reasons, many states throughout the world have begun a democratization process; this ultimately means that states are attempting to establish a democratic structure of government to build up their democratic institutions and reputations. In this quest to build these structures, states can overstep their boundaries and further lower the respect for human rights in their state. This ultimately leads to human rights violations. This scenario has played out in Central America. Research has suggested that to reduce criminal violations, states may have increased the amount of state-sponsored violence. In his research, Cruz (2016) suggested that states can also directly contribute to the amount of domestic violence that occurs. Specifically in this study, the author demonstrates different ways that states within Latin America use state-sponsored violence to their benefit. Essentially, states promote this violence by extending what is permissible as "legitimate force" and provide a legal cushion for state officials so they can use excessive force without the fear of legal ramifications. Latin American governments have also begun to align themselves with criminal groups in an attempt to set an extrajudicial approach to combat domestic crime. It seems that in the name

of democratization, governments are ready to use excessive force and engage in extrajudicial justice to spread democracy and build up their institutions. This further supports the argument made by Landman (2002), where he argues that democratization is not directly attributed to high respect for human rights. He notes that throughout notable levels of development, democratization, and economic growth, the number of abuses in Latin America has remained stagnant for the most part.

Democratization has also been attributed to the repression of certain ethnic minorities. Lee, Lindström, Moore, and Turan (2004) argue in their study that democratization is likely to have a negative disproportionate impact on ethnic heterogeneous societies than homogeneous ones. They uncover that again in the name of democratization, governments can use coercion and physical abuse to further policies and initiatives that they believe will further build up their democratic institutions. Latin America has been known to house a variety of homogeneous societies. This theory could be used to further explain why Latin America has had the history that it has. Throughout the democratization process, the democratic institutions that are set in place are already very weak and susceptible to failure. These weak institutions can further tarnish and inhibit the state's ability to uphold certain human rights practices. If abuse stems from a centralized government, Haddfner-Burton (2014) suggests that the best course of action is to change the incentives of the political leaders in a hope that they will be more open to supporting and protecting human rights. They also reaffirm the theory that institutional instability, accountability, and corruption within governmental institutions are to blame for the low respect for human rights practices that ultimately lead to violations.

Globalization

One of the main reasons for the increased democratization that has been seen globally can be attributed to the increased globalization that the world is also experiencing. In her study, Brysk (2003) suggested that to identify the effects that globalization has had on human rights. She looks at Africa, Asia, Thailand, and Mexico to study these

effects. Brysk suggests that globalization is a double-edged sword. Globalization has led to more opportunities for human rights to be violated; however, it also allows for more resources in fighting these violations. Due to the rise of globalization, countries, and industries have more demand. This has led to child labor, forced labor, and abuses of different kinds. Simultaneously, globalization has allowed for increased connection, communication, and coverage of these abuses. Now individuals living in Oregon can witness abuses that occur in Thailand. The increased visibility of these abuses has also allowed for a greater number of NGOs, IGOs, and governments to work towards the eradication of these abuses. The increased visibility also has the potential to place pressure on governments and administrations to work towards a better society and help these communities. This theory has been supported by other research. Haddfner-Burton and Tsutsui (2005) suggest in their study that the coverage and attention that human rights have received, due to globalization, has created an international context in which governments are often under pressure to ratify human rights treaties. The legitimacy of human rights ideals in international society has led regimes to feel pressure from outside to institute these protections. The heightened legitimacy can be attributed to several variables. Firstly, globalization has brought these issues to the forefront of every country. It is a rare occurrence that large-scale human rights violations go under the global radar. This increased visibility has pushed two actors to have a more involved role in the eradication of human rights violations; Both non-governmental organizations and intergovernmental organizations have been credited with pushing both policy and substantive actions towards the elimination of human rights.

Taking a look at multiple NGOs, there is clear evidence and research that suggest that they are crucial in the fight against human rights abuses. In her study, Brysk (1993) suggests that transnational networks of NGOs can make a variety of contributions to social change, even in limited cases whether they lack conventional power resources and face repressive authoritative states. For this study, a case study of Argentina was conducted; A small group of protestors was able to advocate

and force sustained change in their government. Brysk (1993) suggests that what happened, while very unique, was not anonymous. When a country is experiencing social movements, such as the fight for social justice and human rights, they can reach out to the international system, to gain persuasions and crucial information on how to conduct themselves. This is directly correlated with globalization. Moreover, these social movements will be at their most powerful when several international actors are helping. Brysk notes that NGOs can be extremely useful in connecting all these organizations and individuals, as well as providing crucial resources that can prove to be helpful. Regardless of how repressive the government in question is, Brysk determines that with collection actions and NGOs, it is possible. This theory is supported by the research conducted by Howland (2008). In his study, Howland (2008) suggests the importance and role taken on by NGOs. He argues that NGOs are change agents and have the potential to assist in guaranteeing human rights even in the most repressive of governments. His research was on an NGO in El Salvador, El Rescate, that assisted in relief efforts throughout the Civil War. Howland's research corroborates much of what Brysk (1993) argued. We can determine that countries that human rights-related NGOs are located in have a higher probability of experiencing low respect for human rights. This also connects back to globalization and its role in increasing visibility.

Judicial Response

Despite passing and ratifying multiple human rights treaties, abuses and violations continue to occur. This has led researchers to attempt to identify why countries continue to violate their citizen's human rights, despite signing treaties. In his study, Hathaway (2002) suggests that countries who have committed themselves to progress concerning human rights often do have better human rights conditions. However, they on average have a very high percentage of non-compliance; countries do not fully commit themselves to all the provisions in the treaties. Hathaway finds that just because countries commit themselves to these treaties, does not mean that they already have poor human rights practices.

Essentially, there is not enough oversight to accurately enforce these treaties. These countries may not have the necessary resources to enforce these treaties. In a subsequent study, Hathaway (2007) suggests that the effectiveness of a treaty in a state, as the state's subsequent willingness to commit to it, is largely determined by the domestic enforcement of the treaty and the overall consequences of the treaty. The ratifications of these treaties have allowed for higher pressure in this regard and it has also shown that Latin America specifically has seen an increase in compliance with these international treaties; this is directly attributed to the international pressure caused by these treaties (Lutz & Shikink, 2000). Despite the increased pressure, abuses, and violations still occur (Mapp & Gabel, 2017).

While progress has been made, justice for past violations and some current violations remains stagnant. In a study conducted by McCormick and Mitchell (1997), they identify that for effective justice for past abuses to take place, the responsibility of applying justice cannot be held by one entity, the justice system must dilute the responsibility. However, they acknowledge that this may be why many cases of abuse go unpunished. Another hurdle in the way of justice is the fact that after a governmental transition, there are not enough individuals who take on prosecuting these crimes. A study conducted by Collins (2008) shows that specifically in El Salvador, there was no legal support by any executive, legislative, or justice member to seek justice post transitions. A similar issue played out in Chile where the judicial system did not want to hold universal or entities accountable for past human rights violations. This argument is supported by Dodson and Jackson (2004) where they note that the judicial systems in countries such as El Salvador and Guatemala, were ineffective in applying post-transitional justice and that a new office had to be created to hold individuals accountable. Even when these trials occur, their effectiveness is not as substantial as hoped (Sikkink & Walling, 2007). If the countries in which these abuses were committed do not seek justice, then it is a legal challenge to seek justice abroad (Jouet, 2006).

There have been major initiatives to expand human rights after significant events. This has led re-

searchers to believe that after the Cold War, human rights would see improvement worldwide. Cingranelli and Richards (1999) argue that this is true to a certain extent. Overall, specific human rights saw an increase in respect. In Latin America, a statistically significant increase in the government's respect for the right against political imprisonment saw a rise. Other human rights were not covered, which can be attributed to the lack of leadership in developed countries to protect these practices and assist in their enforcement worldwide (Henkin, 1994). Lack of political will to increase these human rights protections is also to blame, specifically in Latin America. Despite a new era of civil society, this did not prove to be enough for human rights to be protected (Pearce, 1998). Overall, different academic theories have given us different methods of analysis to truly determine why Latin American governments violate their citizen's human rights.

Methodology

To accurately identify the violations that occurred within Latin America, it is important to determine variables that will serve as the vehicle to test standing academic theories. The previous theories, in the aforementioned, can be applied to both El Salvador and Guatemala. To test these theories, V-Dem's Political Liberties Index 1990-2018, the Annual World Bank GDP Report, the Transparency International Corruption Index 1990-2018, House/Senate Foreign Relations Committee Hearings Reports, Freedom House, Amnesty International, and other non-profit organizations reports will be used as measures. A few key distinctions; this research will focus on human rights abuses perpetrated by domestic governments. Both the government and any subsidiary actors, of El Salvador and Guatemala, will be the only entities whose abuses will be used and tracked. This research will also be localized to events that occurred after the end of the Cold War; Regionally, there was a significant rise in human rights abuses throughout this period accompanied by large sets of availability for data. Both Guatemala and El Salvador also endured Civil Wars that created similar yet different conditions that will allow for an ideal environment to test the academic theories.

The dependent variable will be the level of human rights abuses throughout Latin America and the independent variables will be government performance (which will encompass corruption and the economy/economic performance), globalization, and democratization. In simple terms, this research will uncover whether government performance, globalization, and democratization have an impact on the level of human rights abuses in Guatemala and El Salvador.

Analysis

From the year 2016, which is still considered the post-Cold-War era, El Salvador and Guatemala saw a dip in overall political liberties. Data acquired from the Varieties of Democracy Project (2020) show a consistent trend following the immediate conclusion of the Cold War in 1991 (V-Dem, 2020). El Salvador and Guatemala, in regards to political liberties, were on an upwards trend with a few periods of regression. This coincides with data, research, and academia that suggests that following the conclusion of the Cold War, some countries within Latin America began the process of democratization, which would in essence lead to an overall rise in political liberties. Furthermore, subsequent data from the Varieties of Democracy Project also shows that in regards to democratization and the overall state of deliberative democracy, El Salvador and Guatemala both saw an increase in deliberative democracy from 1991 to around 2015 (V-Dem, 2021). Both the rise of deliberative democracy and political liberties seem to plateau at around 2015. 2015 was consequential for both El Salvador and Guatemala. Aside from the first documentation of the repression of political liberties, other incidents and data suggest that human rights abuses began to increase during this period as well. Extrajudicial killings of gang members in El Salvador saw a 36% rise and police within Guatemala began to make off-the-book negotiations with gang leaders and pledge their allegiance to certain gangs, which led to further human rights abuses (Brigida, 2019). It is also important to note that around this time, both El Salvador and Guatemala held consequential Presidential elections that resulted in strong-arm tough-on-crime presidents holding power.

Focusing on events from 2015 to the present, this research will be able to uncover whether corruption, political institutions, economic performance, globalization, and anti-crime efforts played a role in the increase in human rights abuses from 2015 to the present.

El Salvador and Corruption

Unfortunately, like most Latin American countries, El Salvador has had a long history of corruption. This corruption has not subsided in recent years. It is important to note that most corruption that occurs within any given country is mostly pri-

vate to private corruption; Corruption, when it does occur in the public realm, in and of itself does not lead directly to human rights abuses, but in particular circumstances, it can make committing human rights abuses easier.

In the case of El Salvador, we see that Transparency International has consistently ranked El Salvador with high levels of public corruption. Transparency International gives ranks and scores for each country on a scale of 0 to 100. The closer a country is to zero, the higher the level of corruption is. The average level of corruption for the entire globe, according to Transparency International, is 43. This puts El Salvador well over the

Figure 1

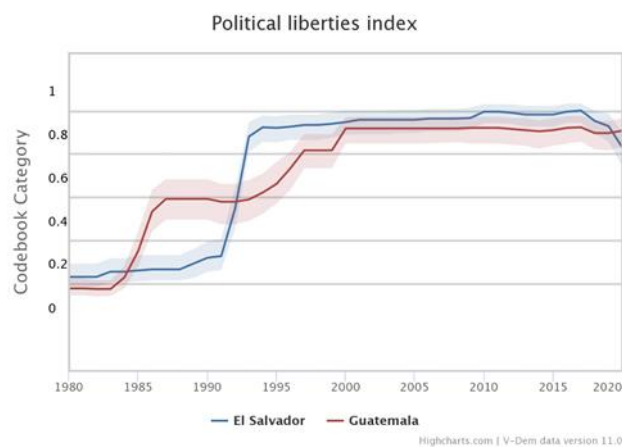
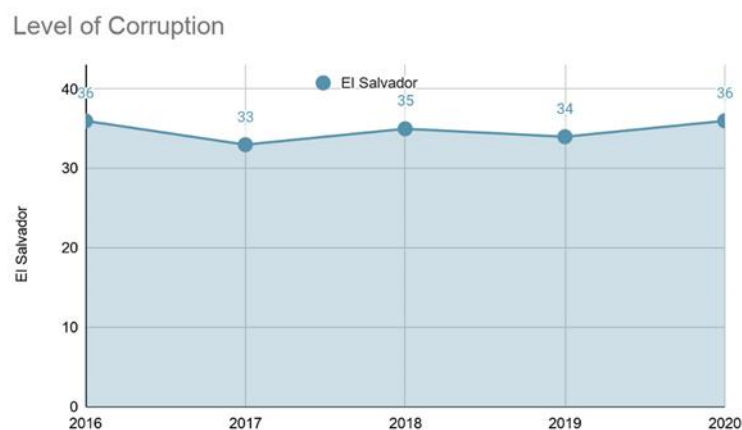


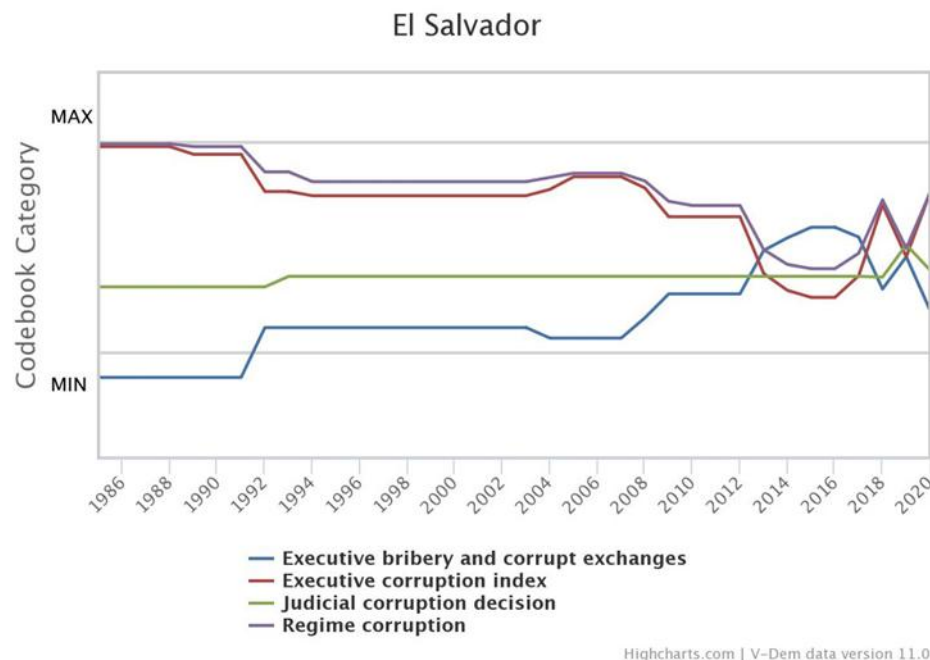
Figure 2



average level of corruption, classifying them as a highly corrupt country (Transparency International, 2021). It is important to note that since 2016, levels of corruption have risen and fallen, but not enough to declare El Salvador corruption-free. While there are different types of corruption occurring, one of the most damaging and prevalent types occurs within the country's police force, security forces, and military. In a study conducted by the organization known as Human Rights Watch, it was uncovered that the police in El Salvador, from 2014 to 2018, engaged in multiple human rights abuses ranging from, extrajudicial executions, sexual assaults, torture, and enforced disappearances. Perhaps most damaging is the fact a majority of these heinous acts go unpunished since the majority of the perpetrators are granted some sort of impunity. From 2018 to the present, Human Rights Watch and the Ombudsperson for the Defense of Human Rights, otherwise known as the PDDH, gathered that over 116 extrajudicial killings occurred during this period (HRW, 2020). Of these extrajudicial killings, only 14 resulted in

hearings. The military in El Salvador has also been accused of further abusing human rights, especially when it comes to confronting gangs. According to data acquired by Human Rights Watch and the PDDH, security and military forces in El Salvador killed over 1500 through 7 years; Of these killings, a majority of the victims were gang members who were unarmed and unsuspecting at the time. Further research conducted by the PPDH, found that in 116 killings conducted by security forces, 70% of victims were unarmed, 37% of the crimes resulted in the policing hiding or manipulating evidence, and 30% of the victim's bodies showed gruesome signs either torture or sexual assault (HRW, 2020). The data points to the fact that as levels of corruption rise within the country, so does the number of human rights abuses conducted by either the corrupt police, security forces, or the military. Data gathered from the Varieties of Democracy Project, demonstrates this fact further. Right around 2015, which is when the Human Rights Watch Project and the PDDH started to acknowledge the heightened level of human rights abuses within El Salva-

Figure 3



dor and a year after the election of Salvador Ceren, the level of different public types of corruption within El Salvador also saw fluctuation (Bureau of Democracy, Human Rights and Labor, 2020). The judiciary, executive, and regime corruption all went up around the same time that the corruption within the police forces, security forces and the military was rampant; This was followed by high levels of abuses of human rights. Most telling is the number of investigations in which corruption in El Salvador was the subject; Since 2013 The United States, Canada, the United Nations, and the Organization of American States all launched investigations regarding corruption within El Salvador's government and their security forces, encompassing both the police and military forces (Brigdia, 2019).

The main driver and motivation behind these investigations all stemmed from concerns over human rights since human rights abuses in El Salvador rose accordingly with the level of corruption. Furthermore, as corruption within the policies forces spread, so does the cover-up effort. The Salvadorian Attorney General conducted an investigation in 2020 that led to the discovery that the current President of El Salvador, Nayib Bukele, and police leaders, had created a specialized task force within the police department that focuses on making sure that any acts of corruption conducted by the police force stays hidden (El Faro, 2020). Seeing how many human rights abuses are perpetrated by the police, this is troubling and evidence that corruption is linked to human rights abuses.

El Salvador and Political Institution

El Salvador is a Presidential democracy that elects a new President every 5 years. After the Cold War, specifically from 2015 to the present, El Salvador has elected very specific types of leaders who possess similar qualities, goals, and ideologies. Moreover, Salvador Ceren and Nayib Bukele are the two Presidents who consequently led El Salvador to heightened levels of human rights abuses. According to the Varieties of Democracy Project, El Salvador has consistently, since 2013, been regressing in terms of political stability (V-Dem, 2021). For the basis of this project, political institutions will

encompass political stability, electoral change, ideology, agendas, election promises, and any policy changes. The first President in question, Salvador Ceren, came into power in 2014, preceding Mauricio Funes. Ceren, stemming from the left-wing party, FMLN, otherwise known as Farabundo Marti National Liberation Front, holds modest left-wing views as the political party FLMN emerged as an umbrella group following the Salvadoran Civil War. Initially, on the campaign trail, Ceren hesitated to take a strong stance on corruption but vowed to take down the gangs that plague El Salvador and take a firm strict position on organized crime. Ceren also focused and ran his campaign on the promise of expanding social programs, fixing infrastructure, and expanding the state's role in the economy (Thale, 2016). Once elected, Ceren, being a tough-on-crime president, kept his promise and drafted policy with the hopes of taking control back and eradicating gangs. The method used by Ceren revolved around heavily arming the police to ensure that they would never be outmatched by gangs. Throughout the height of the policy, over seven thousand officials, of the military and police force, were sent out to the streets to combat organized crime. Special groups and forces were created to target specific crimes and gangs. With this new wave of policy, an act was enacted that would make it borderline impossible for members of the armed forces to be put on trial for the death of any gang member. Once this law was instituted in 2015, data from USAID suggested that extrajudicial killings increased substantially because police officers and military personnel rarely ever were subject to investigation (Kinosian, 2018). While reports from the Salvadorian Department of Justice, and an investigation conducted by local reporters in El Salvador, do not suggest that a widespread policy of "kill-on-sight" was adopted, however, the loosening of investigation standards, under the Ceren administration had a direct effect on the number of extrajudicial killings that occurring from 2015 to 2019. When the current President of El Salvador was elected, Nayib Bukele, many of the same agenda items and campaign promises were once again used; Bukele promised to eradicate the gangs that plague El Salvador and developed a very firm tough on crime policy. Amidst all of this, many interna-

tional actors have been concerned that the respect for human rights has been minimized amid these tough-on-crime stances; Matters were only made worse once the COVID-19 pandemic reached El Salvador (Nava). During the middle of the very restrictive lockdowns instituted by Bukele, the Ombudsperson's Office saw over 1,600 complaints citing the violations and instructions on human rights (HRW, 2021). Furthermore, Bukele has consistently dismissed any accusations of abusing human rights and has even gone as far as discrediting internationally respected organizations such as Amnesty International (Navgovitch, 2020). In April of 2020, multiple organizations, such as Amnesty International, the Center for Justice and International Law, and Due Process of Law Foundation, joined together and condemned El Salvador, and the Bukele administration, for their role in the heightened level of complaints submitted to the PDDH office. A majority of these complaints centered around Salvadorian security forces and continually human rights abuses (Tucker, 2020). These abuses appear to be more prevalent within prisons. According to a report published by the organization known as Freedom House, President Bukele, during the middle of the pandemic ordered for all prisoners to be held in inhumane conditions and instituted a policy in which security forces, military, and police personal, could use lethal force against anybody involved with gangs (Sheridan, 2020). This new policy resulted in higher amounts of police-involved shootings and historically low investigations and trials for said shootings, resulting in a significantly high level of extrajudicial killings (Thale & Amaya, 2017). This policy was masked under the facade that it was going to help save helpless innocent Salvadorian lives (Freedom House Press Release, 2020). Regardless, the policy has pleased the Salvadorian people as the President has a very high approval rating and his party has taken over control of the legislature. The political institutions in El Salvador since the end of the Cold War have created an atmosphere in which human rights abuses are more prevalent.

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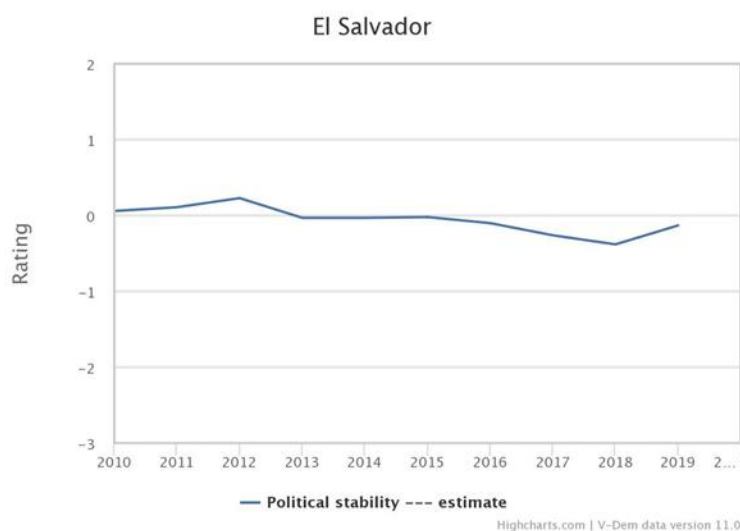
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El Salvador and Economic Performance

El Salvador has never historically been an eco-

Figure 4



nomic powerhouse. However, steps and initiatives have been taken to close the gap between El Salvador and other more developed nations. In terms of GDP, in 2011, El Salvador endured a substantially large drop in GDP, however, it has been on the mend since 2014; El Salvador has consistently been raising their GDP gradually. Figure 5 provided by the World Bank, demonstrates just how El Salvador has managed to do so. The fall in twenty-eleven is attributed most, by experts, as a direct result of the United States recession that had global ramifications (World Bank, 2021). Current academic theories suggest that more economically prosperous

nations, with higher GDPs, often experience lower levels of human rights abuses; this is because oftentimes, economically developed nations have more infrastructure set in place to protect the worker. El Salvador also has the advantage that its economy is fairly open with adequate amounts of personal financial freedom. This is where El Salvador's underdevelopment starts to show; El Salvador has a very large informal sector meaning that a majority of the working class is not supervised or overseen by a government entity.

There are several downsides to this, primarily, the government is incapable of being able to direct-

Figure 5

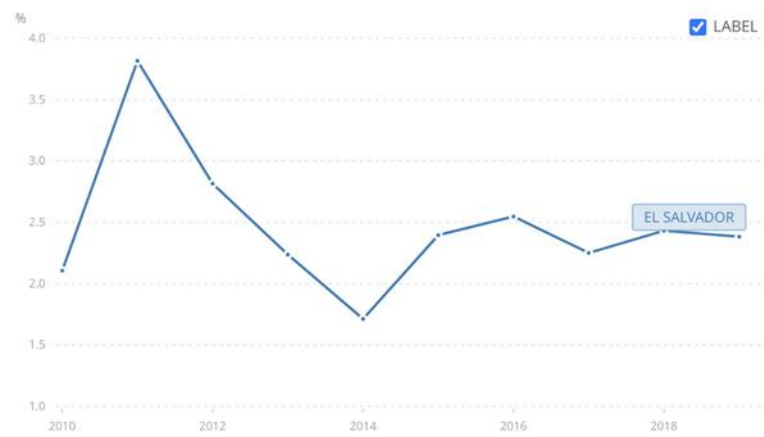
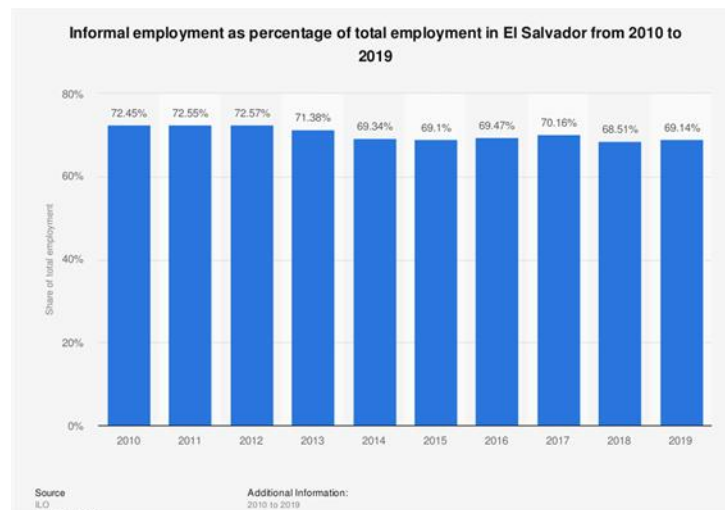


Figure 6



ly tax these sectors. Secondly, it is more difficult to institute work-safety standards and to ensure that every worker is treated fairly in accordance with the law. A majority of the workforce in El Salvador comes from the informal economy, as shown in figure 7 (Pasquali, 2021). In El Salvador, the large informal sector has led to several child-labor cases and investigations being held. In a report released by the United States Department of State, it was found that in 2017, over 140,700 children were believed to be laboring within the formal sector and the The Department of State categorized many of the jobs being done by children are dangerous. It is assumed that the number of children working dangerous jobs within the informal sector is greater than the previous number. Of all the research gathered, it was found that a very low percentage of children endured labor that was abusive or exploitative; Despite this, it is difficult to find a connection between worsening GDP and an increase in human rights abuses. while EL Salvador has had generally relatively low GDP. The most economically driven human rights abuses occurred during the Cold War and during the Salvadoran Civil War in which 70,000 individuals lost their lives. Socio-economic conditions and tensions in El Salvador are what ultimately led to numerous human rights violations by the government (Robinson, 2019). However, this falls outside the scope of this research; Furthermore, post-Cold-War, the government of El Salvador did not engage in any actions or initiatives, with the goal of economic prosperity, that caused human rights abuses to increase; The historically low GDP has not caused the level of human rights abuses to fluctuate in any direction.

El Salvador and Globalization

Globalization and the economy are very closely correlated. Historically, as the economy of a country begins to improve and develop in an upward trajectory, the more likely it is for foreign and public monetary investment to occur. This investment then comes full circle and allows a country to experience more economic growth. Following the Cold War, and the Civil War, El Salvador saw extensive amounts of globalization, just like many other countries throughout this period. The internet

boom suddenly created ease of connectivity and created new sectors and opportunities for growth. Globalization in El Salvador affected a few key aspects, and sectors, of the economy, most notably manufacturing and apparel. What allowed El Salvador to thrive in the age of globalization was the eagerness and willingness of leadership to adapt to fairly open and free markets that brought in large amounts of foreign investments.

El Salvador also experienced a rather unique state of stability, both in the economic and political realm. This allowed for the legislature to draft and pass legislation that encouraged foreign direct investment (Grandolini, 1996). This is most prevalent in the manufacturing industry. According to data gathered from the World Bank in 1990, a year before the Cold War concluded, El Salvador was exporting around \$287 million in manufacturing exports. Fifteen years later, that number was raised to just over USD 1 billion. Foreign Direct Investments in El Salvador also experienced a sustained jump through this period. Certain sectors of the Salvadoran economy saw an over \$250 million raise in Foreign Direct Investment, while other sectors saw their foreign investment grow by almost five times its original amount. With that being said, post-Cold-War globalization in El Salvador had beneficial impacts on the economy. Accompanied by a bettered economy, the citizens of El Salvador also experienced better working conditions, wages, job security, and oversight. The more financial investment was made into each one of these sectors, the more money companies had to ensure that workers were properly and fairly compensated for their work and that the buildings and properties in which workers labored were up to code and compliant with new federal guidelines. Unfortunately, this was not the case for every single sector; Furthermore, the positive effects of globalization seemed to be on an upward trend until plateauing roughly around 2006 (World Bank, 2021). It is also important to note that globalization only provided limited benefit to the formal Salvadoran economy; This is important considering that around the time when globalization was at its height, the formal economy only employed around 30% of El Salvador's working class. In regards to human rights, there is not sufficient data

to suggest that as globalization spread through El Salvador, human rights abuses increased accordingly. Globalization, however, did lead to increased oversight of El Salvador. Many nonprofit organizations and intergovernmental organizations began to increase their involvement with the country. As a result, more pressure was placed upon El Salvador, and its leadership, to ensure that any human rights violations were addressed and taken care of.

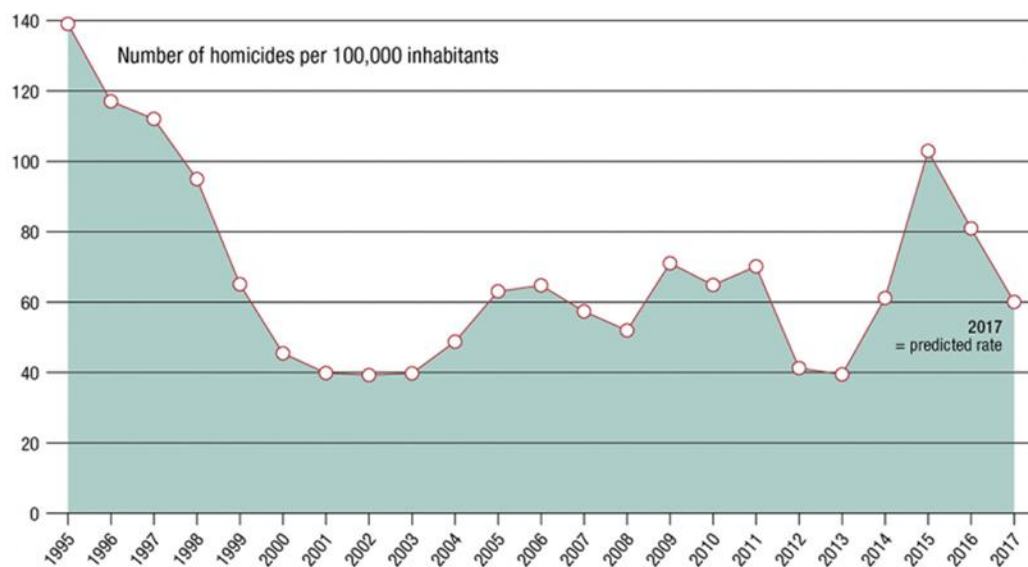
The newfound pressure that El Salvador found itself did not, however, guarantee that they would take a strong initiative in eradicating human rights abuses. As is evident from previous data shown, human rights abuses continued to occur in El Salvador during the peak of the globalization era. Despite the limited benefits derived from globalization, there is insufficient data to argue that globalization led to an increase in human rights abuses. Data shows that after the Cold War, El Salvador experienced an economic boost, which led to globalization, however, the number of human rights abuses occurring within the country remained stagnant. An increased amount of visibility can be attributed to globalization, which led to increased pressure from foreign institutions, how-

ever, the number of actual abuses was unwavering.

El Salvador and Anti-Crime Efforts

As previously stated, anti-crime efforts within El Salvador, specifically anti-crime policy pushed out by left-wing administrations, have left El Salvador in a unique situation. Since 2015, crime has been on a downwards trend. Figure 7 data presented by the National Civilian Police and the United States Department of Homeland Security. In 2015, El Salvador began a steep drop in the number of homicides per 100,000 inhabitants; It is important to note that El Salvador had one of the highest homicide rates in the hemisphere. 2015 was also the year that former President Salvador Ceren was elected and sworn into office. Ceren kept many of his campaign promises regarding being tough on crime and eradicating El Salvador of gang violence. Previous Presidents had also pushed out policies that specifically targeted gang violence, as it was and continues to be the most prevalent type of crime in El Salvador. Salvador Ceren, during his Presidency, launched multiple initiatives involving both military and police forces. While initially, these opera-

Figure 7



tions were meant to take down gangs via finances, they soon moved into a physical confrontation. The two main operations that Salvador Ceren oversaw were Operation Jaque and Operation Tecana. Both of these operations were somewhat successful in reducing the number of homicides with El Salvador, however, multiple non-profit organizations and intergovernmental organizations were alarmed with the methods utilized by the police and military forces. During this period, complaints to the PDDH of police brutality and extrajudicial executions tripled. It is important to note, that these policies were heavily supported by politicians on both sides of the spectrum and citizens throughout the country.

Statistically speaking, security forces in El Salvador, both the military and the national police, are extremely dangerous jobs. The gangs are at war with the security forces and often go out of their way to retaliate against them. This is why multiple Presidents, including Salvador Ceren, have paved a way for legislation to be created in which police officers, and any other national security forces, have legal protections if they ever kill any gang members. It is almost as if they have impunity against murder charges so long as they claim that they were acting in self-defense. The Judiciary system often sides with the Police and works with the government in either dropping charges or throwing out cases. Less than 30% of killings conducted by police lead to an investigation, and around 6% of all investigations lead to a conviction (Department of Justice, 2018). Many of the killings in question were forms of human rights abuses. According to the United States Department of State, the most common complaint to the PDDH office in El Salvador revolved around unlawful killings of gang members, torture, cruel and inhuman treatment in prison, and degrading punishment of those detained by police or military personnel. There is a clear lack of due process as a result of anti-crime policies pushed by the Ceren administration. These policies were only increased when Nayib Bukele was elected into office as his campaign ran a very heavy and strict anti-crime agenda.

During the first year of the Bukele administration, the homicide rate in El Salvador dropped 60% (Navgovitch, 2020). The main basis of

Bukele's iron-first policy also revolved around the fact that police and military personnel could use lethal force whenever they felt threatened. Bukele's policy also changed the way the prison system operated. A report published by Human Rights Watch found that prisoners were held in inhumane conditions; The report even goes on to state that in many prisons, inmates do not see any bit of sunlight and during the 2020 Covid-19, prisoners were not being isolated or quarantined (Sheridan, 2020). Human Rights Watch noted that after the implementation of many of Nayib Bukele's tough-on-crime policies, more and more human rights abuses were reported. Human Rights Watch accounts that over 80% of the human rights abuses reported in El Salvador are committed by the police forces. It is also important to note that the Attorney General of El Salvador, during an investigation uncovered that the President of El Salvador, Nayib Bukele, had given the green light for a police task force whose sole purpose would be to help cover up any allegations of corruption (El Faro, 2020). This is noteworthy because as was found earlier, it is through these tough-on-crime policies that corruption can thrive; The anti-crime efforts by the Bukele administrations have made it easier for abuses against human rights to go uninvestigated as police and security forces have achieved immunity in this regard. In both cases, Salvador Ceren and Nayib Bukele have proved that producing left-wing tough-on-crime legislation is a catalyst for human rights abuses.

Guatemala and Corruption

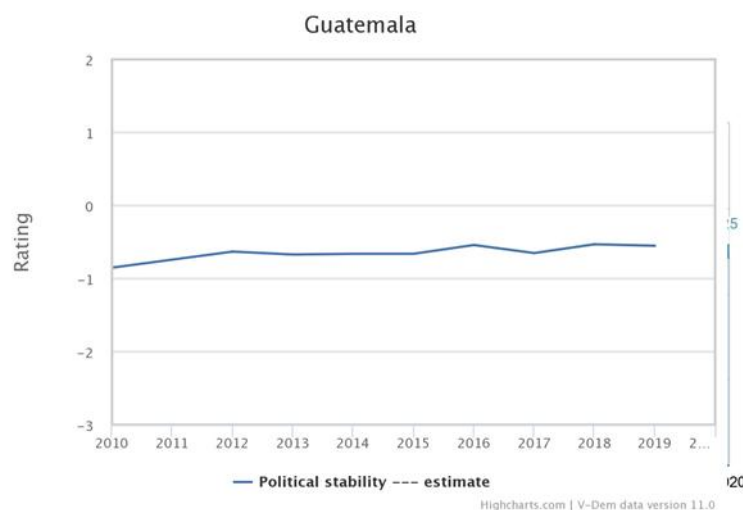
Guatemala, like the rest of the region, has experienced waves of corruption in most facets of its government. However, they have had a legacy that differs from most in terms of corruption. Guatemala experienced a rather powerful and influential anti-corruption movement that resulted in many politicians, elites, and public officials facing accountability for their off-the-books negotiations. This movement began in 2006 and was supported and partially backed by the United Nations; The International Committee Against Impunity in Guatemala, known as the CICIG, was created and assisted the public prosecutor of Guatemala in

conducting multiple high-profile cases. Over 100 investigations were conducted, 660 individuals were prosecuted, and 400 individuals faced convictions. Unlike El Salvador, a majority of the corruption was found in political offices, however, further investigations show that corruption could also be found within military and police forces

This corruption has the potential to result in human rights abuses, especially since there was no accountability for the police officer in the judiciary (HRW, 2021). Despite all these efforts, we see that Guatemala has historically had high levels of corruption; Utilizing the same data and scale used to rank El Salvador, we see that Transparency International has consistently ranked low, globally and regionally, for levels of corruption. Figure 8 shows the state of corruption after the conclusion of the Cold War, specifically from 2016 to the present. Here we can see that Guatemala has consistently been below the global average for corruption, which stands at 40. It is important to note that the closer the number is to 0, the higher the level of corruption within the country. Corruption can be found within the government, specifically within the security forces, which includes the military and the police. In a report released by the United States Department of State and the United States Justice Department, it was found that following

the 2015 election in Guatemala, in which James Ernesto Morales Cabrera, locally known as Jimmy Morales, was sworn in as the President, there was an increase in police-related shootings throughout the country (Bureau of Democracy, Human Rights and Labor, 2018). Perhaps most consequential, despite continued high levels of corruption within the country, Cabrera opted in not continuing the efforts made by the CICIG, as he did not permit them to continue their efforts in Guatemala once their contract expired. From 2015 to approximately 2019, Guatemala also experienced high levels of extrajudicial killings, inhumane conditions within their prisons, dangerous and unlawful levels of child labor, and abnormally high levels of human trafficking (Bureau of Democracy, 2021). In 2012, the former police chief of the National Civil Police was investigated by the CICIG for his role in multiple extrajudicial killings that occurred over five years; It was later uncovered that there was an entire ring of police officers working together to commit these unlawful and abusive killings (McClesky, 2017). There seemed to be corruption at every level within the police force, from the highest-ranking officer to low petty officers. Despite breakthroughs like this, the incoming administration still chose to terminate its contract. Almost immediately as the International Committee Against Impunity

Figure 8



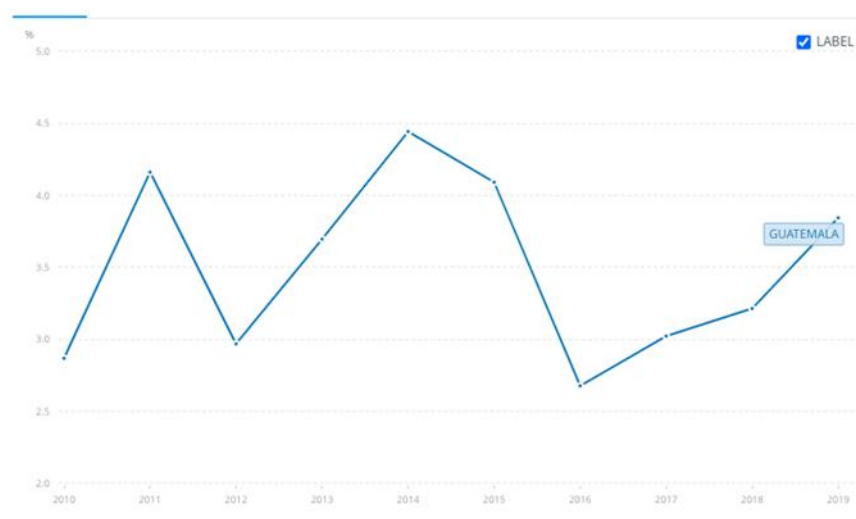
in Guatemala was removed, corruption began to thrive in multiple sectors of the government again; While the National Civil Police had no official investigations regarding any human rights abuses, there were multiple non-profit organizations and foreign governments, including Human Rights Watch and the United States, that received multiple complaints from citizens citing that the police continuously overstepped their authority and were committing heinous acts against. When there is corruption within the police force and political/governmental institutions, human rights abuses can flourish because there lacks a system of accountability and oversight. Similarly, as in El Salvador, corruption within Guatemala was a catalyst for an increase in human rights abuses perpetrated by security forces.

Guatemala and Political Institutions

Guatemala elects a new president every four years to one term. Since the end of the Cold War, Guatemala has had several Presidents from both the right and the left. Former President Jimmy Morales, Served from 2016 to 2020 and was very consequential for both Guatemala and the region. Morales represents the FCN, otherwise known as the National Convergence Front; The FCN is

a right-wing political party that has historically been conservative and has expired moderate success when it comes to eliciting time. The election of Jimmy Morales was monumental for the party and it allowed them to set in place their agenda and platform. On his inauguration, President Morales vowed to combat theft and corruption; Despite focusing on Other important social issues like education and health care, the main driver behind his successful campaign was to eradicate corruption and be tough on crime (Brown, 2015). To eradicate corruption, Morales vowed to enact transparent policy that created a system of accountability and trust with the public. Again, for the basis of the project, political institutions will encompass political stability, electoral change, ideology, agendas, election promises, and any policy changes (Arana, 2016). Data acquired from the Varieties of Democracy Project show that historically, Guatemala has never yielded high levels of political stability; However, it is important to note that despite their rather low level of political stability, they have remained consistent through the years and have not wavered significantly in any direction. Many attribute this consistency to the CICIG since they were able to weed out a significant amount of corruption; Despite running his campaign on a very strict anti-corruption agenda, Morales was quick to re-

Figure 9

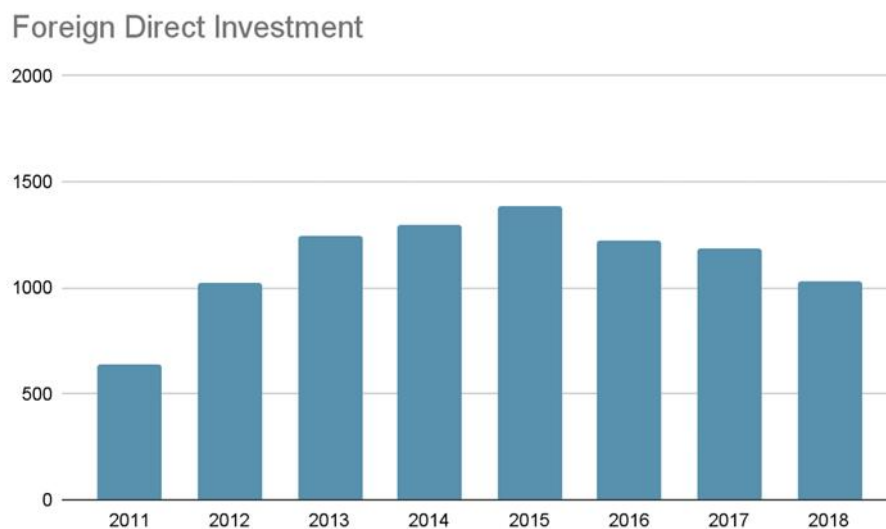


move one of the strongest safeguards against corruption, the CICIG. Without the oversight, the police, and other security forces, were free to conduct themselves the way that they saw fit and under the direction of abusive and corrupt leadership, the already delicate situation in Guatemala worsened. According to data released by the United States Department of State, following the inauguration of Morales, unlawful killings, with the lack of due process, saw a rise in Guatemala (Bureau of Democracy, 2021). Previously, Guatemala had had diverse Presidents stemming from the far left and the far right. Regardless of which political party they stemmed from, they all carried with them an agenda that was tough on crime and violence. I believe that this is derived from the fact that Latin America as a whole is one of the most dangerous regions on the entire planet (Otis, 2012). Politicians have to be a crime to captivate voters, such was the case in Guatemala. The evidence supports the argument that presidents who fill their campaign with promises of eradicating crime and corruption are more likely to create an investment in which human rights abuses are violated and prevention safeguards are removed.

Guatemala and Economic Performance

Guatemala has unfortunately been subjected to periods of economic stagnation; Regionally, Guatemala has consistently ranked towards the middle-end of the spectrum when compared to the rest of Latin America. Guatemala has yielded, in recent years, a higher GDP than EL Salvador. However, since the election of President Jimmy Morales, the GDP per capita took a substantial hit. Figure 10, provided by the World Bank, shows just how much fluctuation Guatemala has experienced in terms of GDP. While they are currently on the mend, they are still on the road to full recovery. As previously highlighted, academic theories suggest that more developed nations, with a higher GDP per capita, are less likely to experience high levels of human rights abuses. Guatemala currently has a mostly free economy that is developing every year. Economically speaking, Guatemala is in a prime position to use its economy towards the betterment of human rights. Guatemala continues to be underdeveloped in the year 2021, which has the potential to create a pathway towards human rights abuses. Most damaging for Guatemala is the fact that over 75% of the working class works for the informal economy; This means that only 25% of the working class in Guatemala is contributing to the overall economy. This is one of the highest percentages in the entire globe. This does two things for Guatemala (World

Figure 10



Bank, 2021); Firstly, it inhibits the annual GDP growth, which creates more opportunities for human rights abuses. Secondly, just like El Salvador, the lack of infrastructure and oversight creates the opportunity for companies to create working conditions that may lead to human rights abuses, especially in cases revolving around children. However, in the case of Guatemala, the number of children working in inhumane conditions is rather low; Subsequent evidence also demonstrates that the informal economy has led to an increase in human rights abuses. As the economy has fluctuated, human rights abuses regarding the informal economy have remained stagnant.

Guatemala and Globalization

After the end of the Cold War, Guatemala was also subjected to the effects of globalization. Compared to the rest of the region, Central America to be precise, Guatemala experienced one of the lowest direct foreign investments of all countries. However, this did not relieve Guatemala from experiencing the effects of globalization for itself. While some benefits were experienced, a report released by the International Dialogue on Migration found that globalization within Guatemala led to an increase in drug trafficking, the displacement of the indigenous community, and the exploitation of natural materials, such as oil and lumber (Montejo, 2006). This report was released after the conclusion of the Cold War and when foreign direct investment in Guatemala was still relatively low. The amount of foreign direct investment since then has increased, which has led some experts to believe that the number of abuses caused as a result of globalization has subsequently increased as well. Figure 11 utilizes numbers from the Economic Commission for Latin America and the Caribbean, also known as the ECLAC. This data shows just how much foreign direct investment has fluctuated recently. Figure 11 should be adjusted to millions (Barcena, 2019). It is important to note that before Jimmy Morales took the office, foreign direct investment was on the rise, it plateaued in 2015 and has been on a downward trajectory ever since; Multiple policy changes and a change in direction in fiscal policy could be to blame for this

downward trend. Nonetheless, abuses to already underserved and vulnerable communities continue. Unlike El Salvador, globalization in Guatemala has led multiple countries to base their operations and manufacturing efforts within Guatemala. Due to the very loose working restrictions and the lack of oversight, foreign corporations have taken advantage of the local communities. Further data released by the International Dialogue on Migration found that aside from inhumane working conditions, globalization left many indigenous communities within Guatemala homeless because they were forced out of their land and forced to find new homes (Montejo, 2006). While this is not a common scene throughout Guatemala, it is worth noting that globalization has the potential to lead to certain abuses. While the violations may differ in terms of violence, they still occurred. Further evidence would be needed to see if these variations continued past the initial occurrence.

Guatemala and Anti-Crime Efforts

Guatemala has historically been a dangerous country who at times, has been the most dangerous country in Latin America. Currently, the OSAC has declared a critical threat in Guatemala and the United States Department of State has advised citizens not to visit Guatemala on the grounds of both Covid-19, and the criminal threat, gangs, and drugs are all over the streets of Guatemala (OSAC, 2020). The heavy presence of drugs and crimes has led multiple Presidents and politicians to push anti-crime policy. One of the main institutions that were helping fight crime in Guatemala was the CICI; However, as was stated earlier, the President opted to not renew their contract to work in Guatemala, taking away a very large help in the fights against both corruption and crime. In a study published by Human Rights Watch, it was found that a decision made by former US President, Donald Trump, may also set Guatemala a few steps back. The United States cut the amount of funding that Guatemala could use for anti-crime efforts (Avalos, 2020). As far as a specific policy was produced during this period, there was not much importance placed by the Morales administration on producing legislation that would increase the power of the

police or extend the power of the judiciary to punish violent criminals and gang members.

It is important to note, that despite the current threat of violence, in a study conducted by the non-profit organization, Insight Crime, it was found that organized crime in Guatemala, is not as prevalent as in other countries like El Salvador or Nicaragua (Avalos, 2020). While still accounting for 35% of the country's homicides, gangs and drug traffickers are more active in neighboring counties. The main policy that was pushed throughout the focused period, is a recategorization of gang members. Under the new policy present by the Interior Ministry gang members would be charged as terrorists. Guatemala has had insufficient data to test whether more radical and strict anti-corruption legislation would have resulted in higher human rights abuses (Avalos, 2020). However, by looking at neighboring countries, research suggests that if President Jimmy Morales would have had a stricter crime agenda, then the policy would have created an atmosphere in which human rights are easily violated.

Discussion

In both of my cases, I find strong evidence that supports the theory that as a country experiences high levels of corruption, an atmosphere is created in which human rights abuses are more likely to occur; this occurs because there is a lack of accountability within the government and its subsequent actors. Police and security forces are also the entities that are most likely to commit human rights abuses. Political institutions, specifically surrounding the victories of far-left tough on crimes Presidents, acted as a catalyst for human rights abuses in both Guatemala and El Salvador. Since both El

Salvador and Guatemala have high levels of crime, drug-trafficking, and violence, citizens are inclined to vote for presidents with strong anti-crime agendas; El Salvador experienced heightened human rights abuses as anti-crime policy was instituted and carried out by security forces; This was not the case in Guatemala as a lack of legislation did not allow for there to be enough data to accurately test this theory; However, it is expected that if stronger anti-crime policy was instituted, human rights abuses would increase as well. There was a lack of evidence to support the theory that argues that low economic performance heightens human rights abuses in both El Salvador and Guatemala. While having higher economic prosperity can definitely lead to a higher level of infrastructure that can prevent human rights abuses, there is no direct link between low economic performance and a government using it as a distraction to carry out human rights abuses. Globalization only circumstantially affected Guatemala; It appears that in the initial transition of certain companies led to very issue-specific human rights abuses; As a whole, globalization did not affect the level of abuses in El Salvador. It is important to remember that Latin America as a whole is very diverse. Further research should assess countries with more disparities, as El Salvador and Guatemala had fairly similar conditions.

Conclusion

Corruption, political institutions, and anti-crime efforts were all strong catalysts for human rights abuses within Latin America, in this specific case study. While El Salvador and Guatemala share many similarities, there are specific charac-

Figure 11

Theory	El Salvador	Guatemala
Corruption	Strong support	Strong support
Political Institutions	Strong support	Strong support
Economic Performance	No	No
Globalization	No	Somewhat
Anti-crime efforts	Strong support	No

teristics, to each country, that led to their respective differences. What stands out the most is that research and case studies suggest that in order for an underdeveloped country, like El Salvador and Guatemala, to achieve domestic peace, economic prosperity, a healthy democracy, and better living conditions for their citizens, they must first take steps that go against the goals. It seems as if the common trend in Latin America has been that the end will justify the means. Some Latin American governments have decided that a particular strain of violence and inhumanity is allowed, so long as the majority of the population is free from having to deal with gang violence and its consequences as a result. Strong leadership, on either side of the isle, can result in effective policy that gets the jobs done despite violating human rights, like the case in El Salvador. Factors like globalization and economic prosperity require many different actors and steps

to fall into place in order to see change, it could be argued that these factors are harder to control. Corruption, anti-crime efforts, and political institutions are all factors that could drastically change depending on specific individual people. Essentially leading to the conclusion that human rights depend largely on individual men and women and their initiatives. Despite this, it is important to remember that each country is different. In order to truly identify the root causes of Human Rights abuses in each individual country, a differential diagnosis is needed to best identify the factors that contribute towards abuse. However, Latin America has a very similar history with very similar problems. Gang violence, drugs, and crime are all common to Latin America; This research finds that in Latin America, corruption, political institutions, and anti-crime efforts are all reasons as to why Latin American governments violate their citizens

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