

Review Essay

Civil War Legacies, The Prohibition of The Drug Trade, and Armed Politics in Latin America

Daly, Sarah Zukerman. *Violent Victors: Why Bloodstained Parties Win Postwar Elections*. Princeton: Princeton University Press, 2022. Illustrations, bibliography, index, appendices, 408 pp; hardcover US\$120; paperback \$39.95.

Krystalli, Roxani. *Good Victims: The Political as a Feminist Question*. London: Oxford University Press, 2024. Illustrations, bibliography, index, 232 pp; hardcover GBP£71; paperback GBP£19.99.

Schmidt, Rachel. *Framing a Revolution: Narrative Battles in Colombia's Civil War*. New York: Cambridge University Press, 2023. Illustrations, bibliography, appendices, index, 302 pp; hardcover US\$110.

Rachel A. Schwartz. *Undermining the State from Within: the Institutional Legacies of Civil War in Central America*. New York: Cambridge University Press, 2023. Illustrations, bibliography, appendix, index, 300 pp; hardcover GBP£85; paperback GBP£26.99.

The 2016 peace agreement between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) has been heralded as the end of the Cold War-era, Marxist insurgencies in Latin America, and even guerrilla wars more generally (Gutiérrez 2020, 187). Research on such civil wars and the state in Latin America for the past few decades has been dominated by a “subnational turn” (e.g., Sánchez and Meertens 1983; Reyes 1994; Ramírez Tobón 2001; Wood 2003; Romero 2003; Gutiérrez 2004; Giraudy et al. 2019; González 2014; Arjona 2016; Luna and Soifer 2017). The subnational turn generated new questions, theories, and empirics that advanced our understanding of the dynamics of civil wars and state-building. The four excellent books under review return to the state level, and shift the

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focus to the political legacies and effects of civil wars in Guatemala, Nicaragua, El Salvador, and Colombia.¹ They draw on subnational insights while taking account of national-level factors that also influence politics (Balcells and Justino 2014; Pepinsky 2019; Eaton 2020), through different institutions within the same state (Schwartz); political party behavior within and across states (Daly); competing narratives of protagonists within the Colombian civil war (Schmidt); and different actors creating and navigating transitional justice within Colombia (Krystalli). Though all integrate state-level conditions that help us to grapple with politics writ large, they stop at state boundaries.

In this article, I review each book, and then move to the transnational level to extend the implications of each. I argue that the international prohibitions on the drug trade is a transnational factor that conditions the legacies of civil wars in the region.² How armed groups involved in the drug trade operate within and across the states in the region, and how states respond to them, vary in important ways (Duncan 2022). But I argue that this transnational backdrop is necessary to incorporate in analyses of civil war legacies and politics at the national and subnational levels in Latin America.

UNDERMINING THE STATE

In the prologue to her outstanding book, Rachel Schwartz recounts playing Bancopoly, a local version of Monopoly, with friends outside of Guatemala City in 2015. The game is full of metaphors for a state that extracts but does not provide. The same year, we learn, the United Nations supported an investigation into wartime legacies of predation embedded in the Guatemalan state. It is a fitting context for Schwartz to ask “how conflict dynamics affect state institutions and how wartime institutional transformations continue to structure state activities in the postwar period” (5). Her answer, developed through deep engagement with qualitative material and transparently inductive theorizing, focuses on the creation and persistence of what she calls “undermining rules,” “[...] those that produce institutional outcomes that contravene core state activities like the collection of tax revenue” (4). Rather than “wrong kind” of war to build states, “civil war instead often builds the ‘wrong kind’ of institutions” (10).

Empirically, Schwartz traces wartime coalition formation and the undermining effects they have on three central administrative institutions in Central America: customs and policing in Guatemala, and land formalization in Nicaragua (reflecting three core “domains” of modern states). She then traces persistence of the rules that emerged in wartime in corresponding chapters. The detailed qualitative data reveal that “fraudulent customs practices crystallized into a series of rules structuring behavior in ways that directly undermined the state’s official extractive aims,” spearheaded by a military intelligence clique (103). Schwartz documents how extrajudicial killings in Guatemala emerged from non-state paramilitaries’ practices to “[...] a function of structure and regulation from the top of the organizational hierarchy rather than recklessness and a lack of discipline at the bottom” (114), subverting the rule of law (121). In Nicaragua, in response to a reactionary insurgency

in the Contras, Schwartz shows that the Sandinista government “[...] permitted individual and provisional titling of unregistered parcels, [which] subverted the state’s ability to regulate land ownership” (129), in an attempt to impose “[...] social control and rendering the population ‘legible’ amid heightened fears of insurgent defection” (145).

Based on her cases, Schwartz argues that where and when a counterinsurgent elite coalition can frame the war as “existential” and a risk of insurgent infiltration in the state is possible, they claim the authority to create new practices. Further, she argues that rules persist over time when the initial counterinsurgent coalition expands to a “wartime distributional coalition.” What looks like weakness is actually just a different logic (17) (echoing Staniland 2021 and González 2014), and this logic is tied to the coalitions that form during counterinsurgency and expand to entrench rules that survive transitions. These insights are important not only for theory-building in comparative politics, but also for postwar interventions, as Schwartz points out: “Formal political turnover and bureaucratic purges are not necessarily sufficient to dismantle undermining rules if the parties with a stake in them find new political and economic spaces through which to ensure their survival” (59).

In addition to these developments, future research could pin down *ex-ante* expectations about which institutions are vulnerable to undermining rules developed by elite coalitions during war. Schwartz expects that they occur “[...] in institutional domains deemed vulnerable to insurgent penetration or critical to eliminating the rebel threat” (51), but it seems like such potential penetration is also vulnerable to framing by an elite that targets institutions for other reasons. For instance, to facilitate illicit trade, or to target competitors in illicit markets (possibilities that Schwartz affirms in Guatemala (172, 213)). What are the boundaries on where and when a threat can become “existential”?

Another avenue for extending Schwartz’s important work is whether and how counterinsurgent coalition formation relates to democratic politics. In Guatemala, Schwartz identifies the transition to democracy itself as a process that “enabled the persistence of the undermining rules through political parties (the counterinsurgent coalition became part of the FRG), which won elections” (191). I was curious about the extent to which the counterinsurgent coalition helped form the party, and how much the creation of the broader distributional coalition depend on the party and transition to democracy.

VIOLENT VICTORS, FROM WAR TO ELECTIONS

Sarah Zukerman Daly takes up the question of wartime parties’ impact on postwar electoral politics and voter support for perpetrators of extreme repression during war. Daly argues that voters support parties that are connected to wartime human rights abusers when security is the primary cleavage, and the rights abusers won the war. These violent victors, she argues, have credibility when they claim they can provide security. Daly also develops expectations for which campaign strategies political parties should adopt during the first elections following the end of the war in terms of issue

valence, framing their violent past, ideological positioning, electoral targets, and candidates fielded (57). Political parties associated with war winners should campaign as “restrained leviathans,” with war losers as “tactical immoderates,” and if they were non-belligerents, as “rule abiders.” Restrained leviathans—the primary focus of the book—should endorse “iron fist” security policies, mitigate their violent past, moderate stances on other dimensions, target swing voters and nominate candidates who were “key strongmen” and civilians, while purging the worst rights abusers or hiding them in closed lists.

Daly mounts an exhaustive and multi-method research design that incorporates survey experiments and observational analyses to test individual-level mechanisms in the context of Colombia, case studies of political party behavior in El Salvador, Guatemala, Nicaragua—each with different war outcomes that allow her to test variation across rebel/state winners—and cross-national quantitative analyses of wartime winners and electoral outcomes. The individual-level analyses in the context of Colombia support the claim that voters prioritize security. The case studies, built on archival documents, interviews and text analysis, set out to test whether political parties fit the expected type. She finds support for the theory, and the cases point to additional factors that also influence the outcome of founding elections, such as the role of the media control shapes the salience of security, and that outside players, such as the United States, influence elections.

Daly assembles troves of new data on voter and party behavior and their relationship with violence perpetrated during war and war outcomes. One challenge is that given the compound nature of a key dependent variable—campaign tactics that fall under one type—it is at times difficult to see how measures are determined. Colombia is a case in point: while Daly argues that the successor party led by former president Álvaro Uribe moderated, Francisco Gutiérrez (2020; 148) writes: “They haven’t only represented, but also consciously wanted to represent all sectors that believed that the state had the right to use whatever method, even if it were the most brutal and homicidal, to defeat the subversion during the armed conflict.” It is unclear how to reconcile these judgments, but perhaps Daly could argue that the *uribistas* maintained a dual nature, a moderate position in public and through their presidential candidate, while placating the extremists in private. Regardless, it raises the question of how to identify a party that is moderating *ex-ante*.

Finally, the assertion that voters favor the violent successor parties because they are perceived to be credible when they claim that they can provide security could use more persuasive evidence. (The experimental survey data from Colombia did not find that victors are viewed as more credible in their security claims (82–86)). It is also unclear why a party’s reputational credibility on security also implies that belligerent parties will effectively provide security (61). Empirically, Daly uses a subnational regression discontinuity analysis of the governance records of paramilitary mayors who narrowly won within Colombia. She finds that security improves on average, suggestive evidence about the trade-offs that “violent victors” make as governors. At the same time, national-level politics and the possibility of counterinsurgent coalitions identified by Schwartz could lead to unexpected outcomes, such as the police threatening security as much as providing it.

FRAMING PARTICIPATION IN AND EXIT FROM WAR

Part of the political party strategies Daly studies relate to how they communicate with voters, including how they frame the violence they perpetrated during the war (44). Schmidt takes such frames as the core of her study and asks, “What do these frames and labels achieve, and what is their long-term effect on Colombia’s fragile peace? And how do these gendered and racialized framing contests between insurgent groups and the government affect combatants’ perceptions of their alternatives and their transitions to civilian life?” (5) She argues that “the outcome” of the contests explains if combatants demobilize or not, and their experiences after demobilization. Further, she writes: “I argue that how these competing frames operationalize gender norms—including narratives of brotherhood and masculinity, of women as victims, and of gender equality—influence not only troop cohesion but also the way combatants perceive their investments and possible alternatives, and the way they experience post-demobilization life” (8).

Following an overview of amnesty and reintegration programs, the book’s chapters are structured around three frames and “counter-frames”: victims versus perpetrators; revolution/self-defense versus “narco-terrorists”; and loyalists versus deserters (257). To describe the frames and their influence in decision-making among former combatants, Schmidt prioritizes the narratives of 12 former combatants among the 114 she interviewed, whom she takes as representative of key characteristics and illustrative of post-demobilization trajectories.

The book is a window into the demobilization and reintegration programs in Colombia, including the rural, isolated camps where former FARC members initially demobilized and where some remain. It also reflects key political debates over the years by protagonists of the civil war. For instance, the government labeled the FARC and ELN as “narco-guerrillas” and then “narco-terrorists.” As Schmidt recounts, this label served both the US and Colombian governments in how they combatted the guerrillas. For the United States, it permitted the expansion of aid while dismissing concerns about funding counterinsurgency in Colombia (Tate 2015). For the Colombian government, it delegitimized the insurgent groups’ claims of fighting for just causes. Schmidt then connects these competing frames to individual combatants’ decisions to remain in or leave the group.

Frames account for a large share of combatants’ decisions in the book. At the same time, the way that frames work is not always clear: do the frames shape preferences and beliefs, or are they mobilized to make sense of the decisions that former combatants already made, or some combination of the two? If these frames were widely embraced, what explains why only some demobilize, or why they demobilize when they do? Schmidt offers one explanation: security. People she interviewed say they demobilized when they faced an urgent threat. In these cases, it seems that frames may help them to understand their decision, not to make it.

Empirically, I wondered when frames shift. With the passage of the “Victims Law” in 2011, the government officially recognized the internal armed conflict, after a hotly contested public debate led by former president Álvaro Uribe attacking his

former Defense Minister and successor Juan Manuel Santos repeatedly in various media. This step was arguably a crucial one to launch the peace negotiations, treating the FARC as an organization in political rebellion (which the law had already recognized them as since the late 1990s), rather than “narco-terrorists.” Did this recognition not shift the frame? Or did it not change how the combatants thought others “society wide” perceived them? (259) The difference seems important, and it would be helpful to know how to identify the duration of a frame, and which frames and counter-frames persist and continue to influence their targets. Finally, Schmidt is also sometimes skeptical of her interlocutors, as in this passage: “[. . .] but again, this is Colombia. By this point, I had heard dozens of unbelievable stories” (138). Reflections on the reliability of sources are important, but it is unclear how the reader should weigh this skepticism.

MAKING VICTIMS AND THE STATE

Historian Gonzalo Sánchez (2021, 26) writes that the advent of the “Victims Law” in 2011 was significant:

If before there were policies for the treatment or incorporation of the armed actors into the *institucionalidad* (amnesties, peace agreements, demobilization schemes), now there are more than anything policies for those excluded from the political order; and policies for those that have experienced all the violences, in other words, for the victims, more than the *guerreros*.³

In Krystalli’s (2024) thought-provoking and often moving book, she focuses on this “institutionality” and how the bureaucrats that populate it—not just the wartime violence—make victims through “bureaucratic affirmation” (4). The book is an essential introduction to the Colombian state and its transitional justice institutions, increasingly popular subjects (Tappe Ortiz 2023). It will also speak to those already intimately familiar the country, through the way Krystalli reflects the hope, generosity, and joy of her interlocutors, alongside the grief and frustration.

Krystalli illustrates how transitional justice professionals navigate, alter, and sometimes reject the ideals of “good victims”—those who are “patient, pleasant, obedient and diligent” (14). She develops the intriguing insight that interactions between the bureaucrats and victims also foster ideals of the “good state,” a provider responsive to the needs of victims. Throughout the book, she demonstrates “. . . the power the victim category can carry—[. . .] to direct attention and resources to distinguish and prioritize subjects and experiences in the wake of war, to validate certain kinds of political claims [. . .]” (17).

After an incisive description of the multiple violences Colombia has experienced, as well as the development of the transitional justice frameworks, Krystalli offers a thorough reflection on ethics and the choices she made over the course of her fieldwork. Krystalli’s ethnographic work was based in the national-level Victims’ Unit in Bogotá, the Office of the High Advisory for Victims, Peace, and Reconciliation in Bogotá, and the Municipal Victims’ Team in Medellín (81). She also attended victims’

“Mesas,” victims’ forums comprised of elected representatives (87) and observed how they interacted with state officials.

Krystalli’s work shows who and what constitute the state in Colombia—bureaucrats of varied political beliefs and experiences, though they tend to lean left. One, a former member of the People’s Liberation Army (EPL) reflected on the documentation of victims and the state’s technocratic approach:

“Look, our model of attention to victims is good, but it lacks political content. Do you understand me?” . . . “Having political content means talking about power. We barely ever talk about power. We have a lot of data, databases, variables, processes. But we barely ever talk in our institutions about what is political about victims and about working with them. Being in the EPL or in any NGO, we talked about power all the time” (115–116).

In contrast, Krystalli interrogates the power inherent in the expectations that victims be professional in their encounters with state bureaucrats, and its implications: “[. . .] the process of professionalization also does political work,” because it creates state “presence” in documenting victims in Excel files and meeting attendance sheets. “In this way, professionalization produces not only a ‘victim’ subject, but also the ‘state’ during transitions from violence” (137). The book goes on to question how the state categorizes victims (woman, indigenous, disabled) in these processes.

The book closes with reflections about the future of victimhood, a set of questions about what it means to transcend victimhood, or not to. Again, Krystalli describes differences among the bureaucrats themselves, with some perceiving victimhood as something individuals should leave behind in order to become “political subjects”; others reject this as patronizing. Among victims themselves, too, there are different perspectives on political agency.

These reflections prompted me to wonder about the future of the politics of victimhood at the aggregate, and of the possibility of transcending “victim” as a politically salient category in Colombia. What do the “good victim” and “good state” mean for new political cleavages? Those recognized as victims are roughly 20% of the Colombian population. To what extent is “victim” a new political identity? At the same time, as Krystalli points out, there are also many more victims of other types of violence in Colombia, through what is labeled “private” violence, but also criminal violence. What does it mean for the state to prioritize victims of the civil war over victims of other armed groups?

A TRANSNATIONAL TURN

These books advance our knowledge and point to new questions, grounded in keen observation and listening. Each author approaches their question differently, but all center them within state boundaries. Just as a key trade-off of subnational studies is the potential to miss national-level influences on subnational units (Eaton 2020; Schwartz 2023, 254), remaining at the national level risks missing key influences on politics that originate at the supranational level.

Political order and violence in the region are undoubtedly influenced by a key transnational factor in particular: the prohibition of the drug trade. In this context, various organized armed actors challenge national and subnational autonomy—as well as the autonomy of citizens—in various ways in the region, as a rich literature has documented and explained (Kalyvas 2015; Durán-Martínez 2017; Trejo and Ley 2020; Duncan 2022). This is particularly relevant for questions of the state, democracy, and justice topics the books in this review cover. How do the wartime and postwar legacies documented by these books relate to the armed orders produced within the transnational prohibitionist framework?

As Schwartz and others (e.g., González 2014, 514–15; Staniland 2021, 269–70; Harbers and Steele 2020) have pointed out, the concept of “weak states” is analytically unhelpful. It is also ironic, given that the “strong” states that fret about “weak” ones are also those that impose prohibitions on drugs, which hinder producer states’ ability to regulate commodities. The demand for elimination rather than regulation undermines a core function of states in markets, and creates incentives and opportunities to create rules that undermine other core state functions, just like those documented by Schwartz.

Schwartz’s work hints that wartime undermining rules intersect with the prohibition of the drug trade and create new motives to protect these rules after the war. For example, in Guatemala, infiltration into the customs administration allowed trafficking in illicit goods, like drugs and weapons (172). To what extent did these opportunities reinforce the resolve of coalition members to protect these rules?

In addition to undermining core state functions, Latin American states will continue to face armed groups that emerge, spread, morph, collude, and splinter, given the context of international drug prohibition. Schmidt writes that to make demobilization and reintegration effective and sustainable, the Colombian government needs to provide “[...] better options than being remobilized with the military or paramilitaries—both of which, at present, give ex-combatants the highest financial return and the most stable economic situation, even if they provide little physical or psychological security” (275). However, in a context where a multitude of armed organizations exist to produce and traffic drugs, offering attractive alternatives for specialists in violence would be difficult for any state in similar circumstances.

Even when the conflict is among armed groups involved in the drug trade, insurgent groups, and the state does not take violent form, the presence of these groups nevertheless challenges state and civilian autonomy.⁴ Barnes (2017, 967) points out, “criminal organizations negotiate (sometimes violently) with the state over not just the control of the drug trade or access to illicit markets but over who is the dominant authority on a local level: who controls violence, provides order, and makes the rules that govern society.” This should make us worry about the quality of democracy under conditions of the prohibitionist drug trade. A key condition in Przeworski’s (1991, 12 emphasis added) definition of democracy—“[...] a system of processing conflicts in which outcomes depend on what participants do but *no single force controls what occurs*”—is unmet at the local level in many states in the region. Armed organizations

can and do tip the balance of power in their favor, often without observable violence, with a host of potential consequences for the health of democracies and the state in the region (Nathan 2023). Paramilitary groups—which depending on the region and the time period are difficult to pin down as “political” or “criminal”—have had tremendous influence on politics in Colombia (e.g., López 2010).⁵

How should we conceive of the political parties vying for votes in this context? What are “free elections” in localities where armed groups use coercion to vet candidates and secure favorable electoral outcomes? It seems plausible, extending Daly’s work, that parties formed in the wake of wartime victory, associated with the perpetrators of the largest share of atrocities, may also find it convenient to tap the resources of wealthy armed groups engaged in the drug trade. How does this possible affinity influence these new political parties’ ability to campaign on security, to influence or take over the media, and to gain votes?

In the context of more and less open hostility between and among states and armed groups involved in the drug trade, security will remain at the top of the agenda; and Daly’s hope that security becomes less compelling for voters as time passes since wartime atrocities may be too optimistic. Voters continually support *mano dura* policies (Schwartz 202), even when their community is the one targeted by repressive violence (Tiscornia and Pérez Betancur 2022). What are the congruences between endorsing harsh repression and voting for those who used extreme violence during civil war? These voter preferences and the general security context empower the police, which Yanilda González (2019) shows is another channel through which democracy is undermined: the police resist reforms by threatening to withhold their coercive power, meaning elected officials and citizens struggle to hold them accountable.

The violence perpetrated by states and armed groups is an ongoing danger for Latin American citizens (Masullo and Morisi 2023). How can Krystalli’s work help us consider transitions more broadly when the conditions for victimization remain? Moncada (2022) documents how armed organizations engage in long-term and repeat extortion, which is often unaccompanied by physical violence. How can Latin American states offer protection, let alone redress, under conditions of the prohibition of the drug trade? Can we imagine a world in which not only Latin American states, but also the states where the majority of consumers live, have an obligation to those victimized by the organizations that use violence to protect its product?

Looking forward, what are the prospects for changing the transnational context? In 1987, a group of researchers commissioned by the Colombian government to study the ongoing violence, recognized the importance of the drug trade for the dynamics of the civil war—and suggested a transnational response. The commission recommended that producer states form a coalition to insist that consumer states recognize the burden they place on them, and to change the balance (Comisión 1987, 90), including suspending international treaties against drug trafficking. The prospects for forming such a coalition today seem even more challenging than 37 years ago: transnational organizations have fragmented, amassed more resources, and gained allies within government coalitions like those Schwartz identified. Yet, there are some indications that governments in the region are relaxing enforcement (Winter 2024).

The current president of Colombia, Gustavo Petro, also called for a new approach during a much-viewed speech at the UN, even if change is slow in coming (Rueda and Fundación Ideas para la Paz 2023). Scholars based in Colombia affiliated with the Centro de Estudios de Seguridad y Drogas (CESED) at the Universidad de los Andes have also proposed alternatives to the current system and its enforcement (e.g., Marín Llanes et al. 2022).

Within this reality, scholars—particularly those of us from consumer countries that also demand drug trade prohibition from Latin American states—should question the categories that politicians have created and be attuned to the logics that derive from their own impositions. For one, the persistence of transnational armed organizations is inevitable under these conditions, regardless of what Latin American states do. In this light, “post-(armed) conflict” and “weak states” are concepts with questionable provenance and utility. Until a shift occurs within the prohibitionist regime, scholars need to attend to the political possibilities and limitations that stem from the transnational level for how states function, what “postwar” means, and the paths to civilian autonomy from armed groups and the state in the region.

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NOTES

1. Peru is notable for its absence among the books reviewed here. See Soifer and Vergara (2019).

2. Osorio, Schubiger, and Weintraub (2021) demonstrate the legacy of the Mexican Civil War for contemporary civilian resistance to armed groups involved in the drug trade.

3. One of Krystalli's (2024, 118) interlocutors explains “*institucionalidad*” as: “We have an awful lot of institutions in Colombia, but the *institucionalidad* is more than institutions. It is more abstract than a single entity. It is a gigantic ghost of the Colombian state.”

4. This is also a good reason to avoid the term “post-conflict.” Conflict is endemic in society, and one of the core roles of political institutions is to regulate conflict. As Brubaker and Laitin (1998, 426) point out: “Violence is not a quantitative degree of conflict but a qualitative form of conflict, with its own dynamics . . . The study of violence should be emancipated from the study of conflict and treated as an autonomous phenomenon in its own right.” Scholars should also be aware of the political origins of “post-conflict,” coined after the Cold War by UN Secretary General Boutros Boutros-Ghali (Hozic 2014).

5. I prefer the term “armed groups” for this reason, and because the modifier “criminal” stems from a political decision. Further, the condition some scholars rely on, that criminal armed groups do not seek to overthrow the state, does not clarify the distinction in either direction. Criminal groups can and do challenge state sovereignty locally (Barnes 2017). Gutiérrez (2020, 191) suggests the concept of “irregular” groups, the strongest of which “[. . .] are still connected to the criminal, but at the same time they develop a territorial program that allows them to articulate the political system [. . .].” See also Duncan (2022, 87). But they also engage in national politics: Haitian armed groups—“gangs”—recently demonstrated that they

could force a prime minister to resign. In Colombia, an armed group involved in the drug trade with extensive influence in the northwest of the country even claims to control international migration through the Darién Gap between Colombia and Panama (International Crisis Group 2023). On the other side, “political” armed groups also engage in illicit activities, and even when they have a declared aim to overthrow a government, in practice they may foster state-building, as the FARC did in some regions of Colombia (Peñaranda et al. 2021).

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