



*AmericasBarometer Insights: 2009 (No.19)**
**Should Authorities
 Respect the Law When
 Fighting Crime?**

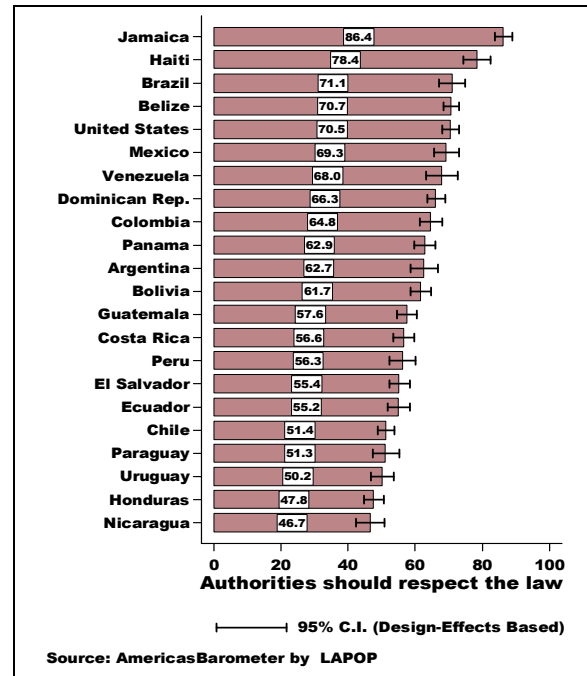
José Miguel Cruz
 Vanderbilt University
 jose.m.cruz@vanderbilt.edu

The wave of criminal violence that has spread throughout Latin American countries in the last two decades has spurred intense debates about the best ways to fight crime. Paradoxically, this wave emerged and grew after transitions from authoritarian rule took place in Latin America; hence much of the debate has focused on the challenge of building the rule of law and tackling crime without resorting to the old repressive institutions that were so characteristic of former authoritarian regimes (see Bailey and Dammert 2006; Fruhling et al. 2005). Overcoming residues of authoritarian practices in the fight against crime depends importantly, in our view on the extent to which citizen attitudes favor the rule of law, the observance of due process, and the respect of human rights, even when it comes to those suspected of committing crimes. Public support for the respect for the rule of law not only provides legitimacy to the institutions of the regime, but also may ultimately translate into reduced abuses in the fight against crime.

* The Insights Series is co-edited by Professors Mitchell A. Seligson and Elizabeth Zechmeister with administrative, technical, and intellectual support from the LAPOP group at Vanderbilt.

This *AmericasBarometer Insights Series* report examines public support for the authorities' respect for the law when fighting criminal violence.¹ Using the 2008 round of the AmericasBarometer, we asked 36,021 respondents from twenty-two countries in the Americas whether authorities should always obey the law or, instead, if they can disregard the law in order to catch criminals.² The question was formulated as follows: AOJ8. "In order to apprehend criminals do you think that the authorities should always respect the law or that occasionally they can operate at the margin of the law? (1) They should always respect the law; (2) Can operate at the margin of the law occasionally."

Figure 1.
Percentage of People in the Americas Saying That the Authorities Should Always Respect the Law, 2008



¹ Prior issues in the *Insight* series can be found at <http://sitemason.vanderbilt.edu/lapop/AmericasBarometer/InsightsSeries>. The data on which they are based can be found at: <http://www.vanderbilt.edu/lapop/datasets>.

² Funding for the 2008 series mainly came from the United States Agency for International Development (USAID). Important sources of support were also the IADB, the UNDP, the Center for the Americas, and Vanderbilt University.

In this report, for brevity's sake we will use the term "support for the rule of law" to refer to the opinion that authorities should always respect the law in their efforts to catch criminals.³ Figure 1 shows the percentage of people in each country that support the rule of law in the fight against crime.⁴ Four points are worth-noting. First, in sixteen countries in the Americas, a majority (55% or more) said that authorities should always respect the law. Second, despite the apparent overwhelming support for the rule of law in many countries of the region the region, there are important variations across countries: in Jamaica and Haiti, support for the law is higher than 75%, whereas in countries such as Chile, Uruguay, and Paraguay, the citizen's call for respect the law is only slightly higher than the appeal to ignore the law by the authorities. Third, in the Central American countries of Honduras and Nicaragua, the averages tip the balance in favor of disrespecting the law. And fourth, it is interesting to note that the countries that make the top five percentages in favor of the rule of law (Jamaica, Haiti, Brazil, Belize, and the U.S.) do not have a history of predominant colonization by Spain. These findings suggest the possible powerful influence of long-term cultural origins.

The differences we find across countries, however, might be the result of demographic and socioeconomic patterns that influence the outcome per country, but an examination of the results controlling by age, gender, education, and wealth did not return significantly different results.

Factors Associated with the Support for the Rule of Law

Which factors are associated with support for the respect of the law in Latin America? More

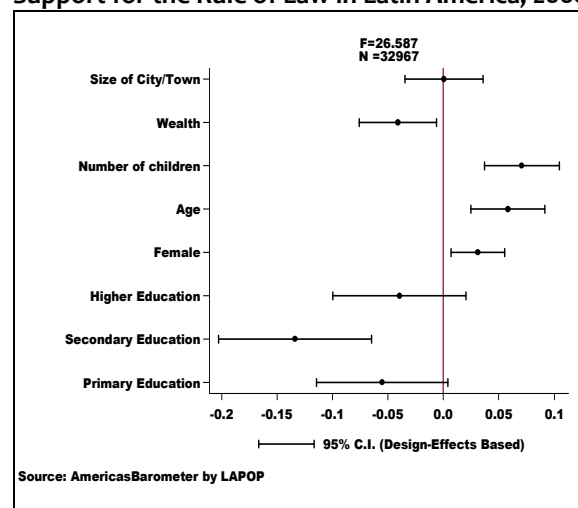
³ We are aware that the term "rule of law" entails more than authorities observance of the law. Nevertheless, since this behavior is an important component of the rule of law, we will use here the term to abridge the text.

⁴ Non-response was 9.7% for this question for the sample as a whole.

important, which factors erode people's willingness to support the rule of law in authorities' behavior? The recent literature on violence in Latin America has pointed out that the prevalence of skyrocketing levels of crime and public insecurity may erode not only police and judicial systems legitimacy, but also citizens' readiness to comply with the rules of the system (Koonings 2001; Méndez 1999; Whitehead 2002).

In this report we test whether crime and insecurity affect attitudes of support for the rule of law. But before that, we examine the socioeconomic and demographic factors that lie behind the support for the rule of law. A logistic regression performed on the Americas Barometer 2008 database⁵ reveals that gender, age, wealth and education are variables related to support for the rule of law (see Figure 2).⁶

Figure 2.
Demographic and Socioeconomic Determinants of Support for the Rule of Law in Latin America, 2008



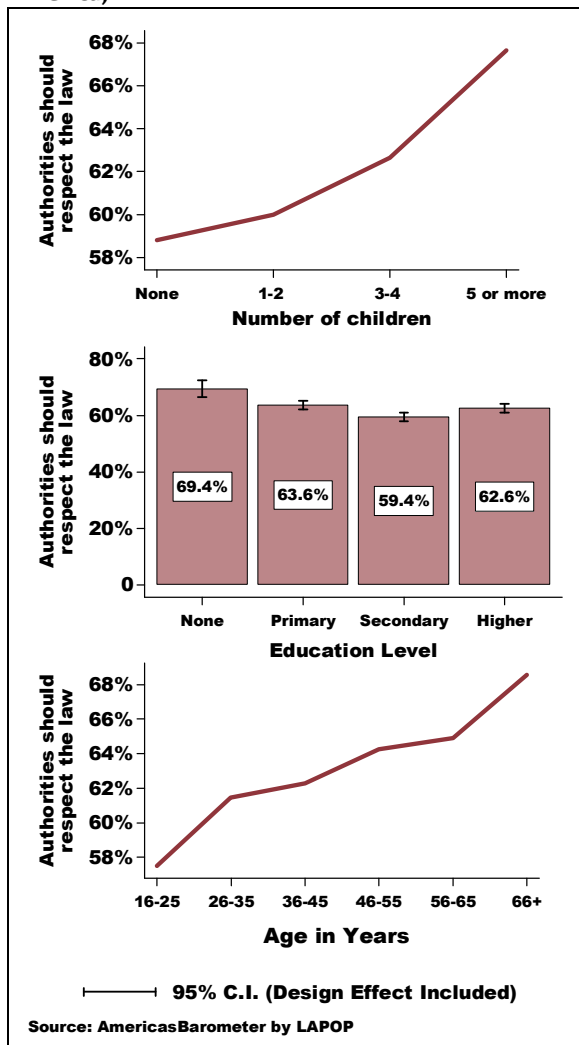
In Figure 2, we show graphically the standardized coefficient of each variable using a dot around the vertical "0" line (in red). If the dot

⁵ All statistical analyses reported in this article were conducted using Stata v10, and they are adjusted to consider the effects of complex sample design.

⁶ The analysis includes "dummy" variables for each country included in the overall sample, using Uruguay as the base category.

falls to the right of the “0” line, it implies a positive impact, as in the cases of “Female”, “Age”, and the “Number of children.” If the dot falls into the left zone of the “0” axis, as in “Wealth” and “Secondary education”, it means a negative impact on the dependent variable (support for the rule of law). The horizontal lines crossing each dot represent the confidence intervals: only when the confidence intervals do not overlap the “0” axis we can say the variable is statistically significant ($p < .05$).

Figure 3.
Percentage of People Who Think Authorities Should Respect the Law According to Number of Children, Education Level, and Age, in Latin America, 2008



In other words, women—more frequently than men—tend to respond that authorities should respect the law when fighting crime. Older people and parents with children are more likely to support the idea that authorities should always respect the law than younger people or persons with no children. And people with secondary education significantly tend to more frequently state that authorities should disregard the rule of law in order to tackle crime.⁷

Yet, the most interesting relationships are found when regressing citizens’ opinion that authorities should respect the law on variables such as support for the system, political tolerance, interpersonal trust, ideology, crime victimization, perception of insecurity, and corruption victimization.

Figure 4.
Determinants of Support for the Rule of Law in Latin America, 2008

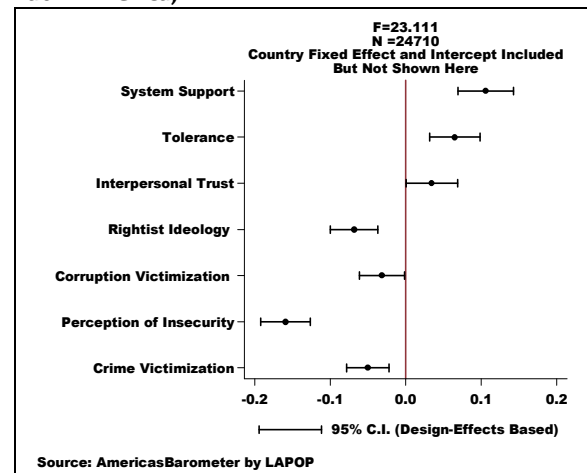


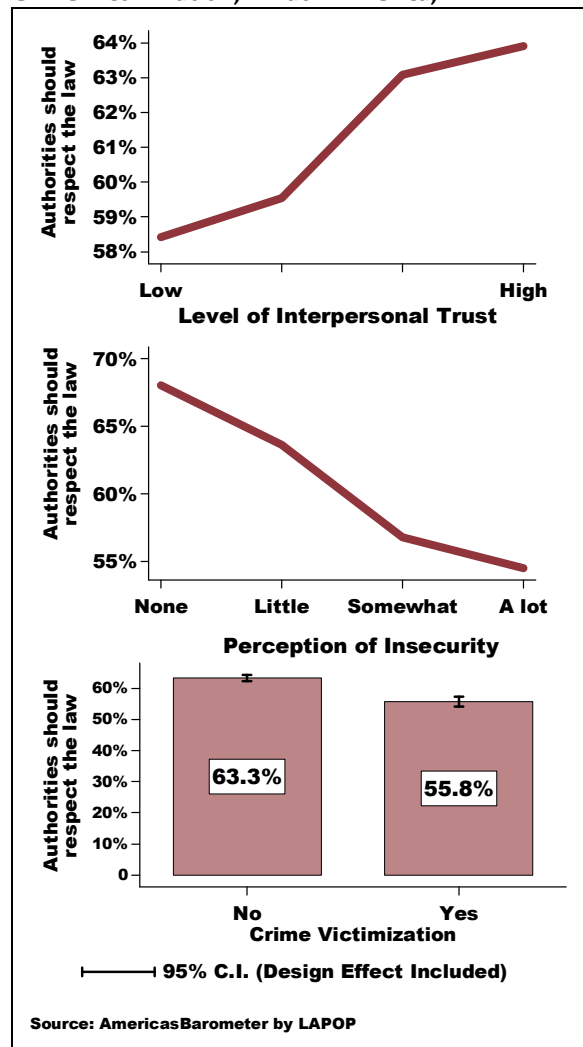
Figure 4 shows that, holding other variables constant, support for the rule of law increases along with support for the system, political tolerance, and interpersonal trust; while it decreases among people who hold rightist ideology⁸, who have been victims of crime and

⁷ Results in figures 3 and 5 show only bivariate relationships. The graphs in these figures do not control by other variables included in the regression models.

⁸ It is important to note, however, that when including the variable about ideology, the number of cases in the regression decreases significantly because of the high rate of

corruption, and who perceive high levels of insecurity.

Figure 5.
Percentage of People Who Think Authorities Should Respect the Law According to Interpersonal Trust, Perception of Insecurity, and Crime Victimization, in Latin America, 2008



In other words, the more people support the system as a whole, the more likely they will demand authorities to observe the law in the fight against delinquency. Likewise, the more tolerant people are the more support for the rule of law they will show. Data also show (see

“no response” in the ideology question (24.7%). Yet, we decided to keep this variable in the regression to show the importance of political ideology on weighing the importance of the rule of law.

figures 4 and 5) that interpersonal trust boosts the responses in favor of support for the rule of law. Such a finding suggests that trust among the population not only helps to strengthen community bonds fundamental for social capital but also provides support for the rule of law.

There are, on the other hand, a number of variables that impact negatively support for the rule of law. First, rightist political ideology seems to reduce support for the observance of law. People who lean to the right in ideological preferences tended to agree that authorities can act at the margins of legality in order to capture criminals, more than those in the center or left of the ideological spectrum. Second, victims—whether of corruption or of crime—also tended to disregard the respect of law by authorities. AmericasBarometer 2008 shows that crime victimization and corruption victimization erode support for the rule of law in the Americas. In the case of crime victimization the idea of authorities respecting the rule of law drops from 63.3% among no-victims to 55.8% among victims. These results suggest that countries with high levels of violence and corruption may also face citizen’s cynicism toward laws, and their authorities may feel unbound by legal restraints in fighting criminal violence.

But the most significant factor undermining support for the rule of law across the Americas is citizens’ perceptions of insecurity. As shown in Figure 5, insofar as people feel insecure in their neighborhood, support for the rule of law plummets in the Americas. Insecurity destroys confidence in the legal procedures and boosts attitudes that support extralegal activities in the security institutions.

Policy and Program Implications

How do we reduce support for extralegal activities in the institutions that provide public security and supervise order? How do we ensure that policemen and the military observe

the law in the fight against crime? This report of the AmericasBarometer *Insights* series provides some hints for policy-makers and democratization program managers interested in reducing public support attitudes for extralegal actions in the public sphere.

First, it is important to deal with perceptions of insecurity. Insecurity not only erodes public trust, it also erodes support for the rule of law. Although the control of perceptions of insecurity is always a complex task, the results shown here suggest that controlling feelings of insecurity and—what criminologists have termed—“moral panic” is an important goal in the construction of the rule of law. Of course, it is difficult to reduce insecurity when crime is rife, but the literature has also shown that perceptions of insecurity do not always run parallel to real crime trends. Often, panic is sown by the media, which build viewers and readers by following the maximum: “if it bleeds it leads.” Policy-makers could significantly advance their agendas in the strengthening of democratic security institutions by finding ways to communicate important facts about crime, and crime prevention, while also being vigilant with respect to the sensationalization of crime in the media in order to provide a more balanced perspective that might then counter such sensationalized stories. In so doing, they can contribute to institutional building by educating the public, and especially the media, about the real situation of crime and violence in the country, both the bad and good sides of the issue. A trusted system of information that feeds responsible measures is far better than alarming calls to crusades.

Scholarship across several social science fields suggests that, while individuals may have a tendency to express intolerance when responding to threat and fear, the encouragement of thoughtful reflection and/or reminders of core democratic values can counter such tendencies (see e.g., Merolla and Zechmeister 2008). So, when presenting information about rampant crime, it is beneficial to a climate of tolerance

that elites not only present a balanced perspective, but also remind the public about the core democratic values that undergird democratic political systems.

Second, the results shown here have also suggested the importance of interpersonal trust in the commitment to legal procedures. A community that trusts itself, that establishes strong bonds of constructive cooperation, is a strong promoter of legality and an effective deterrent of extralegal activities by the authorities. As we have seen in previous *Insights* reports, problems such as police abuse and corruption by public officials are still problems that pervade some Latin American countries; the promotion of interpersonal trust at the community level could play an unexpected but constructive role in advancing the rule of law in the Americas. Much of the programming effort, beyond that directed at the media, needs to focus on communities and the way local trust and aversion to panic can be established.

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Appendices

Table 1.
Socio-Demographic Determinants of
Support for the Rule of Law in Latin America, 2008

	Authorities should respect the law	
	Coefficients	(t)
Primary Education	-0.055	(-1.82)
Secondary Education	-0.134*	(-3.81)
Higher Education	-0.040	(-1.30)
Female	0.031*	(2.51)
Age	0.058*	(3.42)
How many children do you have?	0.071*	(4.11)
Wealth	-0.041*	(-2.30)
Size of City/Town	0.000	(0.02)
Mexico	0.162*	(7.14)
Guatemala	0.042*	(2.24)
El Salvador	0.034	(1.81)
Honduras	-0.026	(-1.31)
Nicaragua	-0.037	(-1.68)
Costa Rica	0.052*	(2.67)
Panama	0.105*	(5.33)
Colombia	0.119*	(5.95)
Ecuador	0.054*	(2.01)
Bolivia	0.118*	(4.42)
Peru	0.044*	(2.07)
Paraguay	0.006	(0.32)
Chile	0.011	(0.65)
Brazil	0.172*	(7.29)
Venezuela	0.152*	(6.01)
Argentina	0.111*	(5.00)
Dominican Republic	0.115*	(6.28)
Haiti	0.238*	(8.21)
Jamaica	0.354*	(13.36)
Belize	0.170*	(9.13)
Constant	0.455*	(24.53)
F	26.59	
Number of Obs.	32967	
* p<0.05		

Table 2.
Determinants of Support for the Rule of Law in Latin America, 2008

	Authorities should respect the law	
	Coefficients	(t)
Crime Victimization	-0.050*	(-3.50)
Perception of Insecurity	-0.159*	(-9.55)
Percent of Population Victimized by Corruption	-0.032*	(-2.08)
Ideology Scale	-0.069*	(-4.26)
Interpersonal Trust	0.035*	(2.00)
Tolerance	0.065*	(3.83)
System Support	0.106*	(5.63)
Primary Education	-0.057	(-1.51)
Secondary Education	-0.145*	(-3.33)
Higher Education	-0.049	(-1.34)
Female	0.047*	(3.18)
Age	0.066*	(3.30)
How many children do you have?	0.059*	(2.82)
Wealth	-0.036	(-1.79)
Size of City/Town	0.059*	(2.98)
Mexico	0.165*	(7.10)
Guatemala	0.050*	(2.48)
El Salvador	0.054*	(2.81)
Honduras	0.002	(0.07)
Nicaragua	-0.029	(-1.32)
Costa Rica	0.073*	(3.38)
Panama	0.111*	(5.29)
Colombia	0.124*	(6.07)
Ecuador	0.136*	(5.02)
Bolivia	0.134*	(4.76)
Peru	0.083*	(3.64)
Paraguay	0.029	(1.44)
Chile	0.031	(1.69)
Brazil	0.211*	(8.47)
Venezuela	0.187*	(6.64)
Argentina	0.160*	(7.05)
Dominican Republic	0.127*	(6.47)
Haiti	0.311*	(10.93)
Jamaica	0.371*	(13.35)
Belize	0.171*	(7.62)
Constant	0.462*	(23.28)
F	23.11	
Number of Obs.	24710	
* p<0.05		