Crime and Public Support for the Rule of Law in Latin America and Africa

Shannon I. Smithey^a and Mary Fran T. Malone^{b,*}

^aDepartment of Political Science, Westminster College, 319 S. Market St., New Wilmington, PA 16172-0001, USA

^bDepartment of Political Science, University of New Hampshire, 321 Horton Social Science Center, 20 Academic Way, Durham, NH 03824, USA

Abstract

Crime poses a formidable obstacle to democratization in many parts of the developing world. New democracies in Central America and sub-Saharan Africa face some of the highest homicide rates in the world. Politicians, citizens, and policy-makers have raised the alarm about the growing tide of criminality. Public insecurity, coupled with inefficient and often corrupt justice systems, makes democratization uncertain. Even if new democracies do not revert to dictatorship, the quality of democracy may suffer if crime continues to rise. One particularly vulnerable component of democracy is the rule of law, as public insecurity may fuel support for extra-legal justice, and a willingness to disregard the law while aggressively pursuing suspected criminals. To test these relationships, we assess the ways in which criminal victimization, as well as fear of crime, affect citizen support for the rule of law. We utilize public opinion data collected in select countries in Latin America and sub-Saharan Africa through two widely used sources – the Latin American Public Opinion Project (LAPOP) and the Afrobarometer surveys.

Keywords

Crime; Rule of Law; public opinion; Africa; Latin America; democratization

1. Introduction

Contract theorists argue that people create government in order to improve their lives. Without centralized authority, people are free to do whatever they can get away with. Human life is insecure (if you're Hobbes, "solitary, nasty, brutish and short") because there is no agency to protect you from neighbors with nefarious desires. To protect ourselves against the predations of others, self-interested individuals make a deal – we trade some of our freedom to government in exchange for enhanced security for our lives and property, thereby improving quality of life.

*) Corresponding author, e-mail: Mary.Malone@unh.edu. Shannon I. Smithey is Associate Professor of Political Science at Westminster College. Mary Fran T. Malone, Ph.D, is Associate Professor of Political Science at the University of New Hampshire.

While few would see this account as historically accurate, contract theory does help make a case for the legitimacy of the state. Government earns our allegiance because it provides us with benefits that we can't obtain on our own. In civil society, you are no longer required to sleep with one eye open, to avoid being burgled or attacked. Though the state cannot make us completely safe, it can promise to take on our injury as its own and deal with it more fairly and effectively than we can ourselves. One of the great advantages of life under government is the provision of a legal system to deliver justice, rather than leaving us to seek our own vengeance. The essential legitimating claim for state power hinges on its ability to provide protection and justice.

Public approval of state power becomes more pressing with the advent of democracy. The share of governments worldwide that is democratic more than doubled between 1974 and 1990. During that period, democracy's "Third Wave" crashed into southern Europe, then Latin America, Eastern Europe and finally parts of sub-Saharan Africa. As a result, a significant share of political leaders now (at least formally) recognizes public approval as the basis for the legitimacy of their governments.

Just because a democracy begins, of course, does not guarantee that it will last. There have been places where the waves of democracy have receded. Scholars have devoted considerable attention to the causes of democratic reversal. Past experience with democratic government decreases the odds of returning to authoritarianism, but public satisfaction with governmental performance also plays a role.¹ Nodia (2010) argues that

Countries that experienced failed democratic transitions tended to be those where the central government could not carry out such basic functions as keeping order and providing essential public services. . . . activists may look back on the freewheeling 1990s with nostalgia, but most citizens recall the decade as a time of misery and uncertainty that naturally and legitimately created a demand for serious course corrections involving a stronger and more effective state that could secure the goods of public order, economic growth, political stability, and a modicum of national pride (Nodia, 2010: 140–141).

Authoritarians may mount an appealing challenge if democracy cannot fulfill its (at least implicit) promise to provide for enhanced quality of life. Democracy has to perform well to maintain public allegiance in the face of authoritarian competition. This is problematic in new democracies as they tend to struggle with performance, particularly in providing security. Still, justice institutions in authoritarian countries tend to be weak; they may or may not be more effective in upholding public order in new democracies.

Even if new democracies do not revert back to dictatorships, democratic quality can suffer if crime continues to rise, as recent studies have linked public fear of

¹ For a discussion of additional contributing factors, see Bermeo (2003), Huntington (1991) and Cheibub (2007).

crime to support for undemocratic alternatives, such as extra-legal justice. Many scholars have noted that while the rule of law is one of the cornerstones of democracy, it is the cornerstone that is most vulnerable when crime rates rise (Pérez, 2003; Briscoe, 2006). In countries wracked by high levels of crime, citizens often appear willing to disregard the rule of law to catch suspected criminals.

In this paper, we examine crime's potential to undermine the quality of democracy at the micro level. It examines the ways in which criminal victimization, as well as fear of crime, affect citizens' support for the rule of law. To analyze these relationships, we examine public opinion data from Latin America and sub-Saharan Africa. For Latin America, we rely on survey data from the 2010 Latin American Public Opinion Project (LAPOP) in a national survey of Central American countries and Mexico. To study sub-Saharan Africa, we utilize the 4th round of the Afrobarometer survey, conducted in 2008–2009.

2. Historical Overview of Democracy and Crime in Africa and Latin America

Latin America has had more experience with democratic forms of government than sub-Saharan Africa, though it has also had more democratic reversals. Most Latin American countries gained their independence in the 19th century and have experienced both democratic and authoritarian governments since that time. Currently, 94% of Latin American countries are considered democracies, though only 55% have sufficiently free and fair elections and sufficient protection of civil rights to be considered liberal democracies by Freedom House.

Focusing on the Spanish-speaking countries of Central America, where the problem of crime is most critical, we find 2 liberal democracies and 5 electoral democracies, with an average Freedom House score of 2.4. Only Costa Rica has had a consistently robust democratic system. The Failed State Index reveals challenges for the continuation of many Latin American governments.² Only Costa Rica and Panama are considered essentially stable ("moderate risk"), ranked toward the top third of 177 countries. The other five are all ranked in the "warning" category, with Guatemala given the greatest risk of state failure (see Table 1).

Africa entered its colonial period about the same time that most Latin countries became independent. Most African countries gained independence during the Second Wave, only to experience quick democratic reversals. Except for Botswana, power was held by authoritarian or military leaders, who were removed primarily by "coup, violent overthrow or assassination" (Posner and Young, 2010: 62). Elections might be held, but seldom provided meaningful choices. However,

² The Failed States Index is available online at <http://www.fundforpeace.org/global/>. Scores for 2007 are located at <http://www.fundforpeace.org/global/?q=fsi-grid2007>. Freedom House scores are available online at <http://www.freedomhouse.org/>.

Table 1. Democracy and state capacity in Mexico, Central America and Africa

	Type of democracy (Freedom House, 2006)	Freedom House political rights and civil rights score	Failed State rank 2007	Failed State score for public services/respect for law and human rights
Central America and Mexico				
Costa Rica	Liberal	1.0	140th	2.9/3.5
Panama	Liberal	1.5	131st	5.6/4.7
Mexico	Electoral	2.5	102nd	5.7/5.1
El Salvador	Electoral	2.5	92nd	6.9/6.9
Honduras	Electoral	3.0	94th	6.6/5.8
Nicaragua	Electoral	3.0	72nd	7.0/5.4
Guatemala	Electoral	3.5	60th	6.6/7.1
Sub-Saharan Africa				
Ghana	Liberal	1.5	125	6.9/4.5
South Africa	Liberal	2.0	133rd	5.7/4.1
Botswana	Liberal	2.0	119th	6.5/4.8
Benin	Liberal	2.0	104th	8.1/4.8
Senegal	Electoral	2.5	117th	6.7/5.6
Lesotho	Electoral	2.5	62nd	8.9/6.7
Mozambique	Electoral	3.5	81st	8.0/7.0
Zambia	Electoral	3.5	69th	7.9/5.8
Tanzania	Competitive authoritarian	3.5	76th	7.8/6.0

democracy made a comeback during the Third Wave. Since the end of the Cold War, elections are more frequent and provide more opportunities for people to express real choices.³

By the end of 2006, 48% of countries in sub-Saharan Africa were considered democratic. For this study, we drew a 9-country sample of those countries, based on similarities on their Failed State Index (2007) and Freedom House scores (2006). Four of these (Ghana, South Africa, Botswana, Benin) were considered

³ Posner and Young (2010: 63) argue that elections are “becoming more intensely contested. In only 2 of the 26 presidential elections held in Africa in the 1960s did the incumbent actually face an opponent. The vast majority of presidential elections during this period were little more than plebiscites . . . By the 1990s, however, more than 90% of presidential elections were contested, and by the 2000–2005 period, this share had risen to 98%. This dramatic change reflects the growing recognition by African leaders that, to maintain legitimacy in the eyes of both their own citizens and the international community, they must subject themselves to elections in which opponents have at least a theoretical opportunity to win.”

liberal democracies, with an average Freedom House score of 1.9. An additional four (Senegal, Lesotho, Mozambique, Zambia) are electoral democracies. Tanzania is considered competitive authoritarian. South Africa qualifies as moderately stable, while all the rest are in the warning category, reflecting the challenges to state capacity present in the region. Diamond considers democratic government in both regions to be characterized primarily as insecure:

A comparative list of the world's "at risk" democracies would have to count most of the 22 democracies with populations over one million in Latin America and the Caribbean; six of the ten Asian democracies (including the Philippines, Indonesia, Sri Lanka, and Bangladesh); all of the non-EU post-Soviet democracies; and virtually all of the roughly 23 democracies in Africa, save for the oldest ones, Botswana and Mauritius (Diamond, 2008: 295).

As Table 2 illustrates, it is clear that many parts of Latin America and Africa also currently confront a crime crisis. In many cases the crime epidemic is exacerbated by weak deterrence institutions, some of which are buttressed by military involvement. Narcotics trafficking is a major challenge in Mexico, Central America and southern Africa. Violent crime also presents a challenge to public safety in these regions. South Africa is particularly plagued by violent crime, having one of the highest rates of murder and sexual assault in the world (Butler 2009). In the 2007 World Values survey, significant majorities of residents in every Latin American and African country listed crime as a "very big problem" for their country.⁴

3. The Linkage between Crime and the Rule of Law

Observers have warned that the crime epidemic could undermine democracy in both regions, and recent research has focused on assessing the relationship between crime and democratization empirically. Much of this research examines crime's impact on democracy within individual countries, or comparatively among a few countries that share geographic and/or socioeconomic characteristics. To date, most empirical assessments of the relationship between crime and democratization have not been cross-regional in nature, particularly at the micro level.⁵ We contribute to this growing literature in two ways. First, we seek to enhance the generalizability of prior research by examining the relationship between crime and democracy cross-regionally, including cases from both Latin

⁴ See *A Global Look at Public Perceptions of Health Problems, Priorities and Donors: The Kaiser/Pew Global Health Survey*, available online at <http://www.kff.org/kaiserpolls/upload/7716.pdf>. South Africa had the highest percentage of residents declaring crime to be a very big problem (93%), but 2/3 of respondents expressed the same view in all but two of the Latin American and African countries included in the survey.

⁵ For a notable exception, see Kuenzi and Fernandez (2006).

Table 2. National homicide rates (per 100 000), late 2000s

Costa Rica	11.3
Nicaragua	13.2
Mexico	18.1
Panama	21.6
Guatemala	41.4
Senegal	8.7
El Salvador	66.0
Honduras	82.1
Mozambique	8.8
Benin	15.1
Botswana	14.5
Ghana	15.7
Tanzania	24.5
Lesotho	33.5
South Africa	33.8
Zambia	38.0

Data from Central America and Mexico are from 2010, as listed in the 2011 UN Global Study on Homicide. Additional UN data are from 2007 for Mozambique, 2008 for Benin, Ghana, Senegal, Tanzania and Zambia, 2009 for Botswana, Lesotho, South Africa.

America and Africa. Second, we narrow the focus of prior studies to focus specifically on one crucial foundation of democracy – public support for the rule of law. This focus is particularly important, as it appears that support for the rule of law is the most vulnerable when crime rates rise.

Until recently, scholars of democratization tended to overlook the importance of regime performance in the area of public security, but a review of the literature notes some important exceptions. In one of the earliest empirical examinations of the impact of crime on democracy, Bermeo (1997) found that crime is likely to have played a decisive role in democratic breakdown in interwar Europe. She finds that what “seems to distinguish the casualties from the survivors in the interwar story is less the behavior of an actively anti-democratic public than the state’s capacity to provide what might be called civic order” (Bermeo, 1997). Bermeo’s conclusions raise alarms for observers of Latin America and Africa, particularly since she finds that the newer democracies had fewer resources and less time to develop institutions to achieve civic order. Several Central American and African governments have faced the additional burden of disarming insurgents and reintegrating them into peacetime society (Diamond, 2008).

Since newer democracies are not well-equipped to maintain order, it is easy for social unrest and violence to escalate beyond state capacity. Even when institutions are not necessarily new, authoritarian legacies can render them underdeveloped.⁶ In African countries, police may also be viewed as promoting the interests of a single ethnic or racial group over other parts of society.⁷

Recent scholarship has built upon Diamond's (2008) and Bermeo's (1997; 2003) foundations, particularly by examining crime's impact on democratic political attitudes. Parás and Coleman (2006) find a link between victimization and support for authorities' circumvention of the law, and Pérez (2003) finds that crime can create pressure for "democradura," or strong government action, which can result in repressive, undemocratic measures. The effects of crime can be nuanced, rendering citizens more willing to support authorities' circumvention of the law in some countries but not others (Malone 2012). Cruz (2003, 2008) also considers national context crucial since countries vary in their ability to control the spread of crime and insulate the public from crime's pernicious effects.

We need a more nuanced understanding of the impact crime can have on public support for democracy and its foundational components. To understand this linkage, we assess the impact that three aspects of crime (personal victimization, fear of crime in the neighborhood, and fear of crime in the country) have on public support for the rule of law in selected countries in Latin America and Africa.

4. Public Support for the Rule of Law in Latin America

To examine the impact of crime on democracy, it is important to distinguish between the actual personal experience of crime and public perceptions of crime (Smulovitz, 2003). This distinction is essential for understanding exactly how crime might weaken democracy. Fear of crime relates to victimization and objective crime rates, but it is also heavily influenced by socioeconomic status, trust in law enforcement, media exposure, and economic and political insecurities (Pain, 2000; Walklate, 2001; Dammert and Malone, 2006). Fear of crime, especially in terms of personal vulnerability to violence, tends to be greater than an objective assessment would justify (Smulovitz, 2003; Bailey, 2009). Citizens may clamor for the state to address deficiencies in public security based on their personal experiences, or their perceptions that crime has soared beyond what is acceptable. Consequently, officials formulating public policy must take both objective crime rates and public perceptions of crime into account.

⁶ Transparency International revealed that Africans report paying bribes more frequently to the police than to any other national institution or official, see http://www.transparency.org/news_room/latest_news/press_releases_nc/2011/2011_10_20_east_african_bribery_index_2011.

⁷ For example, in South Africa under apartheid, the police were viewed as an extension of white power over the majority black population.

To measure personal victimization in Latin America, we rely upon the following survey item: *“Were you the victim of a type of crime in the past twelve months?”* Respondents were coded as (1) *yes* and (0) *no*. This question taps respondents’ self-reported experiences with crime, but there are some limitations associated with this measure.⁸ To assess public fear of crime in Latin America, we employ two measures. Just as the literature on economic voting distinguishes between pocketbook evaluations (personal welfare) and sociotropic ones (evaluations of the country’s economic well-being), we examine the impact of respondents’ assessments of personal security in their neighborhoods, as well as their perceptions of crime in the country as a whole. To measure sociotropic evaluations of crime in the country, the survey asked respondents, *“Now speaking of the country as a whole, how much do you think that the level of crime we have currently represents a threat to our wellbeing in the future?”* Responses included: (1) not at all; (2) very little; (3) somewhat; (4) a great deal. This question focuses on the national context, gauging fear of crime in more general terms. In the context of countries like El Salvador and Mexico, this measure tends to tap into public perceptions of violent crimes instigated by organized crime.

To estimate respondents’ evaluations of their own security, the survey posed the following question: *“Now speaking of the neighborhood in which you live, and thinking of the possibility of being a victim of an assault or robbery, do you feel (1) very safe; (2) somewhat safe; (3) somewhat unsafe; (4) very unsafe.”* This question measures respondents’ assessments of the likelihood they will be personally victimized in their immediate environment. In contrast to the measure of fear of crime in the country, this measure asks respondents to indicate their fear of victimization by more “commonplace” crimes, as opposed to those sensationalized drug-related crimes that feature so prominently in the media.

While these measures of crime share some commonalities, they do tap into different aspects of crime. By distinguishing among these different components, we hope to specify how crime might jeopardize democracy. Is personal experience with crime the driving factor, or is it fear of crime generally that affects democracy most? Is fear of crime driven by people’s perceptions of their immediate surroundings, or by their views of the country as a whole? Do these micro level relationships differ according to national context?

It is also imperative to include an indicator of perceived institutional performance. Victimization and fear of crime may not be enough to affect respondents’ support for the rule of law. It may be important to take into account whether

⁸ Respondents’ definitions of an incident might not be the same as the legal definition of a crime, and this tendency can lead survey measures to over-report crimes against property and under-report crimes of violence (Bergman, 2006). Sometimes respondents report crimes that occurred outside the given scope (in this case in the past 12 months). While it is important to note these limitations, such survey measures of victimization are considered to be the best indicators available of a phenomenon that can be difficult to measure.

respondents penalize the justice system for perceived failures to deal with the problem of crime, instead of blaming some other institution or the underlying causes of crime (e.g., poverty). To address the issue of institutional performance, LAPOP included two questions: *“If you were the victim of a robbery or assault, how much would you trust the judicial system to punish the guilty party? (1) not at all; (2) very little; (3) somewhat; (4) very much.”* This question was then repeated to gauge respondents’ trust in the police to apprehend the guilty party. These two survey items were combined into an additive index.⁹

In order to determine the impact of these measures of crime, one must also control for individual level attributes. Scholars note the importance of ideology and socioeconomic characteristics in explaining political attitudes and behaviors. To take these characteristics into account, this analysis follows the conventions of survey research and incorporates variables measuring sex (men=1, women=0), age (measured in years), and education (measured as the number of years of formal schooling respondents completed). It also contained a variable measuring the size of respondents’ hometowns,¹⁰ and measured income according to the number of household possessions owned by respondents.¹¹ We also include respondents’ ideological orientation, based on responses to the following question:

On this card there is a scale of one through ten that goes from the left to the right. Today many people, when discussing politics, talk about people that sympathize more with the left and of people that sympathize more with the right. According to the understanding that you have of the terms “left” and “right,” when thinking about your political views, where would you put yourself on this scale? Indicate the point that is closest to your own position.

Respondents were shown a card where a value of one indicated the far left, and a ten the far right.

4.1. *Public Support for the Rule of Law*

To estimate respect for the rule of law, we focus on respondents’ willingness to allow authorities to circumvent the law: *“To capture criminals, do you think that authorities (1) should always respect the law or (0) on occasion act on the margin of the law?”* This item taps into a key issue in the fight against crime, as human rights advocates have worried that in some cases the military and law enforcement

⁹ The additive scale records respondents average responses to both of these questions (Cronbach’s alpha = 0.787).

¹⁰ The variable measuring the size of respondents’ town or city was coded as: (1) rural area; (2) small city; (3) medium city; (4) large city; (5) capital city.

¹¹ The income scale was calculated based upon answers to the following survey items: Do you or any member of your household have any of the following possessions? TV; car; refrigerator; telephone; cell phone; computer; microwave oven; washing machine; drinking water; sewage system. Responses were coded as (1) yes and (0) no. We created an index of personal income using a means formula that included a case if there were valid responses to at least 8 of the 10 items.

Table 3. Binomial logistic regression results for respect for the Rule of Law

Independent variable	Mexico	Guatemala	El Salvador	Honduras	Nicaragua	Costa Rica	Panama
Victimization	-0.230 (0.164)	-0.195 (0.173)	-0.314* (0.149)	0.285 (0.178)	-0.168 (0.174)	-0.185 (0.177)	0.191 (0.226)
Fear of crime in the neighborhood	-0.276*** (0.074)	-0.444*** (0.074)	-0.142* (0.059)	-0.439*** (0.077)	-0.133 (0.072)	-0.015 (0.077)	-0.321*** (0.077)
Fear of crime in the country	0.284*** (0.077)	0.238** (0.092)	-0.221* (0.099)	0.060 (0.078)	-0.165 (0.105)	-0.110 (0.105)	0.265** (0.093)
Perception of institutional performance	0.023 (0.073)	-0.041 (0.075)	0.196** (0.066)	0.269** (0.082)	0.143 (0.076)	0.121 (0.079)	-0.031 (0.077)
Sex (Men)	-0.191 (0.124)	-0.011 (0.133)	-0.284* (0.116)	-0.071 (0.121)	-0.164 (0.131)	-0.532*** (0.134)	-0.096 (0.122)
Education	-0.046* (0.019)	0.023 (0.020)	-0.005 (0.015)	-0.008 (0.019)	0.032 (0.018)	-0.022 (0.018)	-0.037 (0.020)
Income	0.651* (0.314)	-1.463*** (0.362)	-0.018 (0.318)	-0.473 (0.291)	0.112 (0.351)	-0.797* (0.399)	-0.210 (0.314)
Age	0.003 (0.004)	0.000 (0.005)	0.020*** (0.004)	-0.001 (0.005)	0.018*** (0.005)	0.006 (0.004)	-0.005 (0.004)
Size of town	-0.111* (0.047)	0.103 (0.053)	-0.018 (0.044)	0.173*** (0.050)	-0.122** (0.046)	-0.103* (0.041)	0.210*** (0.044)
Ideology (conservative)	0.013 (0.027)	0.019 (0.028)	-0.082*** (0.021)	-0.044 (0.026)	-0.037 (0.020)	-0.012 (0.025)	-0.017 (0.033)
Nagelkerke pseudo R^2	0.065	0.084	0.074	0.068	0.055	0.060	0.054
N	1277	994	1549	1174	1010	1017	1190

The results for the models where personal victimization fell short of attaining statistical significance, appearing to be due to problems with multicollinearity, are italicized.

* $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$.

officials have stretched the law and abused human rights, and that fearful citizens have endorsed such measures. Table 3 reports the results of the empirical analysis for each country.

The results reported in Table 3 indicate that crime does influence public support for the rule of law, but the relationship is nuanced. In three countries with gang violence problems – Mexico, El Salvador, and Guatemala – both personal victimization and fear of crime in the neighborhood emerge as important predictors of citizens' willingness to allow authorities to act on the margin of the law. Fear of crime in the neighborhood is negative and highly significant. Victimization is also negative and significant in El Salvador, and close to attaining significance in Mexico and Guatemala. In Honduras, only fear of crime in the neighborhood is significant; personal victimization does not have an impact on support for the rule of law and this does not appear attributable to multicollinearity.

Very different patterns emerge when examining the impact of fear of crime in the country, however. In Mexico and Guatemala, perceptions of crime in the country were significant and positive. That is, respondents who were more fearful that crime was a threat to the country were more likely to state that authorities should always respect the law. This relationship was quite puzzling, but might be better understood when placed in the context of the contemporary crime crisis. As numerous reports implicate police and other law enforcement officials in criminal activities, those who are more fearful of crime at the national level might associate crime with official misconduct, such as complicity in narco-trafficking. Preferring that authorities always respect the law might be a reaction to perceptions that authorities are corrupt and colluding with criminal organizations. Still, it is important to note that in El Salvador, fear of crime in the country reversed the sign; respondents who were more fearful of crime in the country were *less* likely to state that authorities should always respect the law. In El Salvador and Honduras, perceptions of justice institutions also were important, as those who perceived the courts and police as capable of apprehending and sentencing criminals were more supportive of the rule of law. In other words, respondents satisfied with the current working of the system did not wish to grant extra-legal processes to officials. In all three of these countries, the social identity variables yielded inconsistent results.

Panama followed a similar pattern to that of Mexico and Guatemala, as both fear of crime in the neighborhood and fear of crime in the country were significant. Respondents who feared victimization in their own neighborhoods were more likely to give authorities leeway to circumvent the law. However, as was the case with Mexico and Guatemala, higher levels of fear of crime in the country had the opposite effect – as fear of crime in the country increased, support for extra-legal measures decreased. In Panama, size of the town was the only other variable to register statistical significance, as those from larger municipalities were more willing to allow authorities to act on the margins of the law.

In Costa Rica and Nicaragua, crime was not a significant predictor of support for the rule of law. Instead, socio-economic characteristics emerged as significant, particularly the size of municipality. In both, respondents in larger cities, where crime is a much larger problem, were more likely to give authorities leeway in apprehending criminals. Perceived institutional performance came close to attaining statistical significance ($p < 0.07$) in both countries. These countries share one commonality – rates of violent crime are far lower than the regional average. While observers agree that the Costa Rican justice system outperforms that of Nicaragua (see Freedom House scores), but Costa Rica's higher cross-national ranking hides an important point, as it does not capture longitudinal trends. While Costa Rica's justice performance is high for the region, this performance has deteriorated over time. Both international observers like Freedom House, as well as Costa Ricans themselves have noted that today's performance is much lower than that of the past. Prominent officials suggest that this reflects recent increases in crime, which while modest for the region, have overwhelmed a justice system accustomed to much lower levels of criminality.¹²

5. Crime's Impact on Public Support for the Rule of Law in sub-Saharan Africa

We now turn our attention to the same relationships in our nine African countries. Unfortunately, the questions employed in the African and LAPOP surveys are worded somewhat differently. Where possible, we have used identical questions. Where identical questions were not available, we used questions that came closest to those from LAPOP. To assess support for the rule of law in Africa, we employ two questions: Please tell me whether you agree or disagree: 1. *The courts have the right to make decisions that people have to abide by.* 2. *The police always have the right to make people obey the law.* Possible answers ranged from Strongly Agree to Strongly Disagree on a 5-point Likert scale. Individuals were coded as supporting the rule of law if they agreed or strongly agreed with both statements.

The demographic independent variables were very similar to those used in LAPOP, with a few exceptions. The Afrobarometer asks about fear in the home instead of fear in the neighborhood.¹³ For the "socio-tropic" view of crime, the Afrobarometer provides a question of government performance in handling crime.¹⁴ For institutional performance, we combine answers to two questions, one about the likelihood that the guilty will be punished, and the other rating

¹² Author interviews, July 2010.

¹³ Over the last year, how often, if ever, have you or anyone in your family feared crime in your own home? Just once or twice; several times; many times; always.

¹⁴ How well or badly would you say the current government is handling the following matters? Crime. Very badly; fairly badly; fairly well; very well.

trust in the police.¹⁵ For income, the Afrobarometer asked: *Over the past year, how often, if ever, have you or anyone in your family gone without cash income?* Possible responses varied from *never, once or twice, several times, many times, and always*.¹⁶ For “size of town” the Afrobarometer divides respondents’ residences into urban or rural categories. We do not include a measure for ideology because that concept is generally viewed as problematic in the African context.¹⁷

In Table 4 we find significant relationships between perceived performance of the justice system and support for the rule of law in all nine African countries. The greater someone’s trust in courts and police, the more likely they are to feel obligated to follow the law. In half of our sample, positive evaluations of the government’s ability to handle crime significantly increases public support for the rule of law. Local fear, while not as widely important as in Latin America, is significant in three countries (and only narrowly misses significance in two others). Personal victimization also plays a role in people’s support for rule of law in Senegal and Lesotho. Over all, in Africa, we have more a “socio-tropic” than individualist approach to respect for the rule of law.

6. Discussion

This paper aimed to examine the impact of crime on people’s political attitudes, and whether that impact was similar across regions. This comparison of selected democracies in Latin America and sub-Saharan Africa revealed that crime’s impact on people’s political attitudes is quite nuanced. As Table 5 summarizes, overall crime does shape people’s attitudes towards the rule of law, but different elements of crime were important in different national contexts. Personal experiences with crime reduced support for the rule of law in only three countries – El Salvador, Lesotho, and Senegal (although this variable fell just shy of statistical significance in several additional countries). Perceptions of crime yielded a far greater impact on support for the rule of law, as fear of crime in one’s neighborhood significantly reduced support in most of the Latin American cases. In all of the African countries, institutional performance was significantly linked to respect for the rule of law. In the African cases, fear of crime in the home was also significant in Benin, South Africa, and Tanzania. Perceptions of crime at the national level were also

¹⁵⁾ 1. In your opinion, how often in this country do ordinary people who break the law go unpunished? Never; rarely; often; always. 2. How much do you trust each of the following: the police? Not at all, just a little; somewhat; a lot. Responses were combined so that higher values represent greater faith in the performance of the justice system.

¹⁶⁾ Responses were reversed in all the models, so that shorter periods without cash income were expected to be associated with a greater propensity to support democracy.

¹⁷⁾ Conroy-Krutz and Lewis (2011) argue that ideology is of little salience in African politics, since parties tend to reflect personal or ethnic loyalties more than programmatic differences, and preference for government power in general is highly dependent on whether one’s preferred party is in power (Conroy-Krutz and Lewis, 2011: 15, 17). It therefore seems highly incomparable to the Latin American ideology measure.

Table 4. Binomial logistic regression results for the Rule of Law

Independent variable	Benin (N=1032)	Botswana (N=1109)	Ghana (N=1063)	Lesotho (N=1059)	Mozambique (N=905)	Senegal (N=924)	South Africa (N=2077)	Tanzania (N=1136)	Zambia (N=1096)
Crime victim	0.230 (0.155)	-0.176 (0.181)	-0.002 (0.153)	-0.433* (0.209)	-0.282 (0.172)	-0.584*** (0.172)	-0.130 (0.110)	0.051 (0.176)	-0.085 (0.139)
Fear in home	-0.236*** (0.074)	-0.029 (0.065)	0.098 (0.061)	0.014 (0.865)	0.037 (0.070)	-0.118 (0.064)	0.155*** (0.041)	0.229** (0.083)	-0.107 (0.059)
Government coping with crime	0.450*** (0.076)	0.111 (0.103)	0.060 (0.067)	0.036 (0.083)	0.246* (0.103)	0.023 (0.086)	0.158** (0.055)	0.496*** (0.077)	0.160* (0.068)
Institutional performance	0.172*** (0.052)	0.307*** (0.064)	0.092* (0.046)	0.150* (0.060)	0.136* (0.053)	0.393*** (0.056)	0.178*** (0.033)	0.419*** (0.059)	0.176*** (0.045)
Sex	-0.283* (0.143)	-0.032 (0.064)	0.183 (0.145)	0.154 (0.190)	0.259 (0.168)	0.040 (0.171)	-0.103 (0.100)	0.080 (0.145)	0.098 (0.134)
Education	-0.108*** (0.037)	-0.011 (0.053)	-0.010 (0.041)	-0.016 (0.065)	-0.103 (0.060)	-0.008 (0.046)	-0.030 (0.034)	-0.069 (0.063)	-0.099* (0.044)
Cash income	0.156* (0.062)	-0.036 (0.062)	0.068 (0.051)	-0.133 (0.074)	-0.103 (0.060)	0.170* (0.077)	0.102* (0.041)	0.012 (0.062)	0.028 (0.067)
Age	0.062* (0.027)	0.034 (0.032)	-0.027 (0.022)	-0.008 (0.027)	-0.120* (0.060)	0.008 (0.786)	0.033 (0.018)	0.004 (0.025)	0.023 (0.024)
Size of town	-0.088 (0.142)	-0.020 (0.178)	0.172 (0.148)	-0.289 (0.235)	0.375* (0.172)	0.092 (0.185)	-0.121 (0.108)	0.144 (0.161)	0.084 (0.147)
Nagelkerke pseudo- R^2	0.131	0.052	0.019	0.029	0.087	0.120	0.049	0.137	0.056

In these models, the relationships in italics narrowly miss attaining statistical significance.

* $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$.

Table 5. Countries where crime has a significant impact on respect for the Rule of Law

Victimization	Fear of crime in the neighborhood or home	Crime as a national problem	Institutional performance
El Salvador	Mexico	Mexico	El Salvador
Lesotho	Guatemala	Guatemala	Honduras
Senegal	El Salvador	El Salvador	Benin
	Honduras	Panama	Botswana
	Panama	Benin	Ghana
	Benin	Mozambique	Lesotho
	South Africa	South Africa	Mozambique
	Tanzania	Tanzania	Senegal
		Zambia	South Africa
			Tanzania
			Zambia

significant in most cases, but the direction of this relationship varied. Fear of crime at the national level significantly reduced support for the rule of law in El Salvador, but increased it in countries like Mexico and Guatemala. The latter positive relationship is most likely tied to the perceptions of collusion between government officials and organized crime in some countries, and this finding underscores an important point – crime’s impact on public support for the rule of law is nuanced, and varies with national context.

For those concerned with the quality of democracy in the developing world, this analysis brings both good and bad news. The bad news is that crime has the potential to erode the quality of democracy by eroding public support for rule of law, leaving citizens in some countries more willing to permit authorities to act on the margins of the law. Personal experience with crime can affect support for the rule of law, but perceptions of crime can matter too. The good news is that this is not always the case. Crime matters more in some contexts than others. Victims of crime do not automatically entertain extralegal means as viable mechanisms for fighting crime. Likewise, higher levels of fear do not necessarily affect evaluations of the rule of law.

What could explain these national-level differences? The magnitude of the crime crisis most likely plays a role. However, elite framing of the crime epidemic and potential responses might also be important. This individual level analysis examines respondents’ attitudes about crime, authorities, and the rule of law in the abstract; specific questions about anti-crime legislation or individual leaders are not included. It could be that some leaders are able to manipulate citizens into turning their fear of crime against the rule of law. For example, crime has become

politicized in South Africa and Guatemala. The current president of Guatemala, Otto Perez Molina, had encouraged Guatemalans to “vote with an iron fist,” linking a vote for his candidacy to public frustration with crime rates that are among the highest in the world. In contrast, in Nicaragua crime has not been heavily politicized, and has not featured as prominently in political campaigns. Crime will most likely exert far more of an impact on political attitudes like respect for the rule of law in cases where it has been politicized. When elites frame the issue of crime and crime-fighters, they might sway citizens to support alternatives that respect the rule of law, or undermine it.

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