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Violence and Political Action

The Importance of political action considering the crisis regions of Palermo/Sicily and Rio de Janeiro

Since the 80s of the last century there had been a lot of research on the processes of democratisation in countries like those of Latin America. There were three main aspects: In the beginning the focus was directed towards the transition to democracy, then later in the 90s the main interest was directed towards the institutionalisation of democracy, the so-called 'institution building', and a short time later towards the problems of politics or the so-called 'good governance'. After more or less 20 years of democratisation a fourth aspect came to the fore, concentrated on the difficulties of the consolidation of democracy. These difficulties are in brief the following:

- lacks in the election of the representatives,
- the insufficient enforcement of the civil rights,
- the insufficient control of the government actions and finally
- spaces without law enforcement.

Wolfgang Merkel and Hans-Jürgen Puhle call these difficulties in their recent publication the problems of a defective democracy.¹ They plead for strengthening the institutions of the separation of powers in order to eliminate corruption and illegal spaces.

Until today, research tends to neglect the importance of political action and prefers to talk about institutions. Tonight, I will present you some examples of action against violence to underline the importance of political action to overcome the defects of democracy under very difficult conditions. Such political action does not only fight against these defects but contributes at the same time to the emergence of a political citizenry. I will discuss this assumption with the help of two examples: first, the fight against the Mafia in Sicily and second the experiences of the fight against violence in the Brazilian cities, especially in Rio de Janeiro. In both cases we are

¹ Wolfgang Merkel, / Hans-Jürgen Puhle, e.a., Defekte Demokratie, Bd. 1: Theorie, Opladen 2003; Merkel/Puhle, e.a., Defekte Demokratie, Bd. 2: Empirische Analysen, Opladen 2004

confronted with the violence of the organized crime which created elements of a parallel state and seems to leave hopeless any action of the police or even the army to enforce the law. We are therefore confronted with the phenomenon of a weak state.

In the following I will start with a description of the situation in Sicily and in Rio de Janeiro, then present elements of the underlying weak state; in the third part I will describe political reactions towards Mafia and violence and finally draw some conclusion about the importance of the political action.

1. Violence and Organized Crime in Sicily and Rio de Janeiro

Until today there exists a solid and powerful structure of various Mafia groups in Sicily. Their story goes back to the beginning of the 19th century when the inadequate presence of the state made possible the emergence of local Mafia-like organizations. During 300 years, various Spanish dynasties, at last the Bourbons, resigned to install an efficient local administration and left it to the local noble families to care for their own security by using their private armies. The representatives of the state were always foreigners who were repudiated by the majority of the population. Conflicts were regulated privately. When the noble families moved to the cities and left their big properties to leaseholders, Mafia-like persons established themselves as durable and increasingly powerful mediators between the state and the population. Thus the political society and the rule of law were based in the first place on a traditional clientelism, which barred the way to a rising modern citizenry and a civil society. Until the dictatorship of Mussolini, who persecuted the Mafia, the growing mafia-like local power was stronger than the power of the state.

After WW II, the American occupying forces put members of the Mafia into political power as enemies of the Italian fascism. Until 1989, they were more or less tolerated by the Italian governments as helpful enemies of the Communist Party of Italy in a divided Europe. But the times had changed. The post-war Mafia had only little in common with the Mafia of the beginning of the 20th century. In the 20s, the Sicilian Mafiosi had emigrated to the USA where they carried on illegal economic activities and created structures of organized crime. For that purpose they loosened the traditional personal relations. They no longer attached the question of

personal honour, which played a very important role in the tradition, to the prestige but to the financial income. The post-war Mafia in Sicily underwent a similar modernization. She occupied among others the booming construction industry, which was highly subsidized, and used very successfully the instrument of the traditional clientelism. In the 70s, the Mafia controlled on an average about 8 % of the votes in Sicily, but in a number of towns considerably more, and used this influence to start a strange bargain with politicians: they changed votes for economic commissions.

During the following years, the Mafiosi even emancipated from the politicians thanks to the enormous incomes from drugs and arms trade. They no more played the role of mediators between the politicians and the population but more and more the role of the orderers of the politicians. They started for example to designate their own candidates for elections. In the 80s, their influence increased widely over Sicily and reached to the financial place of Milano for money laundering, to the Prime Ministers Andreotti and Craxi for reasons of political influence and to the secrete lodge P 2 as a meeting point of Mafia, politicians, secret services and terrorism.² At the same time, Mafia wars for spheres of influence in Sicily erupted in which alone 30 mayors were killed.

Since the construction boom of the 60s, various mayors, representatives and the city administration of Palermo collaborated in a clientelistic way with the Mafia. In the end the Mafia controlled large parts of the municipality: she was the main property developer in the construction sites, she ensured the ruin of the historical centre and its partly demolition, she took over the water supplies and the garbage collection and let houses in their own possession to the school administration who closed at the same step by step public school buildings.

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In Rio de Janeiro violence is not used by few established groups of the organized crime but by many groups founded during the last 25 years. Their rivalries for influence and power positions in drugs trafficking became increasingly violent and brutal over the last years. In the meantime they established stable connections with the Mafia of Columbia and thereby also with the

Columbian guerrilla. Thus, the drug trafficking comprises today also the arms trafficking, not only with the Columbian Mafia but also with corrupt groups within the police and army of Argentina and Paraguay. The background of their inclination to organize themselves and to bear firearms is somewhat strange. It dates back to a common time in the 70s, in which the first generation of these criminals in prison came together with militant political prisoners. The newer increasing contacts with Columbia are leading currently to first signs of a politicisation of various of these Mafia-like groups. They call themselves 'Red Command', 'Third Command' or 'Friends of Friends'. There is some evidence that they are working on a strategy to originate a social movement among the poor and to offer forms of a political organization in order to strengthen their power position.

This development does not only happen in Rio but in all bigger cities of the country. Each year 40.000 people are shot in Brazil, 7.000 of them alone in Rio. This is an increase of 100% in the last 15 years. 10 % of them shot the police. The killing rate is about four times higher than that of New York or Los Angeles, but only slightly more than a quarter of that of Johannesburg and Medellin.³ The violent confrontations happen above all in the favelas between rivalling drug gangs. A big number of non-involved loose their lives by „lost bullets“ near wild gunfights. In the favelas of Rio with 3 million of inhabitants there are presumably about 10.000 inhabitants under arms. Outside the favelas small drug consumers are the committers of most cases of theft and robbery. About 2/3 of all inhabitants of Rio had been threatened or attacked at least once over the last years. The wealthy part of the population lives barricaded behind bars and walls restricting public life more and more. In the words of the Brazilian anthropologist Teresa Calderia Rio has turned into a „fortified city“.⁴

In Brazil violence is not only committed by drug gangs. Violence is part of all-day life like corruption and paternalism. Peasant labourers and occupiers of land are killed by the orders of mighty landowners as well as inconvenient journalists or judges even today by the orders of corrupt politicians. In the federal state of Espirito Santo recently the president of the Parliament had been arrested because of having founded a criminal group within the Parliament. Police and justice are not very efficient. Less than 10 % of the arrested criminals are sentenced by law.

² Peter Müller, Die politische Macht der Mafia, Frankfurt, o.J.

³ PNUD, Relatório de Desenvolvimento Humano Sustentavel da Cidade do Rio e Janeiro, 1999

Violence is also committed by the police and not effectively controlled. The notorious military police being in charge of fighting crime is not subject to any civil justice. Policemen were involved in a killing of street children ordered by shop owners in Rio. When last year the Special Rapporteur of the UN- Commission on Human Rights came to Brazil to investigate 349 extra judicial executions alone 2 of the witnesses were killed immediately after their hearing.

2. The Weak State

Basis of the power structure of the Mafia as well as of the organized crime is the weak state. State does not mean an authoritarian state apparatus but in both cases the institutions of a liberal and democratic republic. The political scientists Juan Linz and Alfred Stepan evaluated the democratic development in Latin America by using the elements of a, as they call it, „consolidated democracy“.⁵ Such a consolidated democracy disposes

- first of a civil society bases on the freedom of assembly and on the communication among the citizens;
- second of a political society based on the freedom of elections,
- third of the rule of law, based on the constitution,
- fourth of a state apparatus with his rational norms of administration and finally
- fifth of an economic society with its institutionally guaranteed free market.

In contrast to these elements of a consolidated democracy existing in Western Europe and Northern America, the consolidation of democracy in the Latin America countries is characterized over the last 20 years – with the exception of Chile, Uruguay and Costa Rica – by the weakness and inefficiency of the state. Therefore the former Secretary of State for Human Rights in Brazil, Paulo Sergio Pinheiro, talks of five uncivilized areas in Brazil:

- the uncivilized society
- the restricted political society being accessible only for the elites
- the unlawful state
- the non accountable state apparatus and finally
- the completely deregulated economy.

⁴ Tersa Caldeira, A Cidade Fortficada, in: Folha de São Paulo, 22/09/96

According to Pinheiro, these elements designate a democracy without citizenry.⁶

Like in Sicily there had been neither the development of a modern administrative state in Portugal and its colonies, nor the emergence of a political citizenry. The traditional self-conception of the Brazilians to be a person integrated into narrow social relationships prevailed by far. To define oneself as a citizen would imply a more abstract and a more common self-conception as a political person. Concerning the political society, paternalism instead of independence and equality reigns until today. The rule of law is heavily restricted by a predominating clientelism and the activity of the state apparatus is determined by a variety of group interests.

Since the times of the Portuguese colonial administration the state in Brazil is of little efficiency. Even the military dictatorship after 1964 was less dictatorial and brutal than for example in Argentina or Chile. The democracy established after 1984 is even characterized by a further weakening of the state. The Parliament and the parties are lacking of efficiency and reputation because of the dominance of clientelistic group interests. The country is lacking of lawfulness, that means of the access to law, of law enforcement and of legal certainty. There are no reforms of the so-called second generation, that means the vital and indispensable reforms of justice, rights and administration as well as of the accommodation of the fiscal politics and of the social systems. These micro-political measures are the highly important for a functioning state, but so complex at the same time, „that they cannot be accomplished satisfactorily without the cooperation of social actors.“⁷ But this cooperation is very conflictive because the establishing of political equality, more social justice and the liberalization of the foreign trade does not only lead to enormous contradictions to the traditional elites. It requires also to give up traditional values like the already mentioned paternalism and clientelism as well as the traditional distance of the population to state and laws. Here more than in Sicily the pre-modern self-conception of the citizens is at present.

⁵ Juan Linz and Alfred Stepan, *Toward Consolidated Democracies*, in: *Journal of Democracy*, Vol. 7, no. 2, April, 1996, 14-33

⁶ Paulo Sergio Pinheiro, *Introdução. O Estado de Direito e os Não-Privilegiados na América Latina*. In: Juan E. Mendez u.a., (Hg.), *Democracia, Violência e Injustiça. O Não-Estado de Direito na América Latina*, São Paulo, 2000, S. 12

⁷ Jörg Faust, *Staatsversagen in Lateinamerika - der „verweigerter Leviathan“*, in: *Zeitschrift Internationale Politik*, 08/2002

This tradition implies various types of relationships between the common law and alternative systems of norms by which the state is weakened. The Latin Americanist Peter Waldmann distinguishes in his book ,The Anomic State“⁸ these types, describing them in an increasingly deviating distance to the common law. There are

- first complementary norms like a good turn (that means among friends) or a justice open to bribery,
- second dualistic norms regarding for example public offices as private property,
- third autonomous norms „in the shadow of the Leviathan“, existing above all in areas with no access for the state, for example in those parts of the favelas being under the control of drug bosses, and
- fourth the anomy where no consistent norms of behaviour exist anymore, for example in areas serving as battle fields for the fights between rivalling gangs.

According to these types the Sicilian Mafia used the first two forms: deals among friends and the use of public offices as private property. But in addition to that she based her power also on the third form, the areas without access for the state and public law, partly within the state apparatus itself. Compared with this situation, Brazil is also threatened by the fourth type, the anomy, the loss of consistent forms of behaviour.

Conclusion: The fight against violence proves to be a fight against the structural weaknesses of the state.

3. Political Action against Mafia and Violence

With respect to the serious situation in both cases, the probability, that political representatives or the civil society can successfully act, seem to be very few. Representatives in Italy declared that we should simply make the best of a life with the Mafia. And in Rio, last year the former governor and actual responsible for security, Garotinho, declared resigning that crime has got out

⁸ Peter Waldmann, Der anomische Staat. Über Recht, öffentliche Sicherheit und Alltag in Lateinamerika, Opladen 2002

of control. Both declarations are at least capitulations and announcements that these political actors gave up to act.

Nevertheless, political action can emerge anytime, spontaneously and selective, practised by single persons, without any conceivable certainty and with nothing more than a deep confidence. Such action is extremely risky and can fail. In Palermo the former mayor Leoluca Orlando succeeded during his 9 years time of office in braking the control of the Mafia over the city council and the public administration.

Orlando worked as an adviser of the President of the Sicilian Regional Parliament since 1978. He stimulated laws to reduce the power of the regional treasurer and to equalize the Sicilian norms and regulations for constructions to those of Italy. When two years later this President was killed Orlando ran for the election of the city council of Palermo and was elected as supporter of the politics of the former President. Orlando belonged to a small anti-Mafia group which formed a minority list within the Christian-Democratic Party – a possibility offered by the Italian party system. In the city council Orlando got to know the common silence about the activities of the Mafia and he decided to make them public. During the following years Orlando went to the public, turned videos about the situation of the schools, organized public debates and presented himself as a dissident of the Christian- Democrats. At the same time the brutality of the Mafia culminated in the second Mafia war in 1981. In the same year the General of the Carabinieri Dalla Chiesa was killed, who had been sent by the Italian government to control the regional financial activities. He died when he just had discovered the embroilment of Prime Minister Andreotti. But there were also 366 Mafiosi being arrested. And for the first time the Church in the person of Cardinal Papalardo spoke against the Mafia after the Pope had remained silent once more during his recent visit in Sicily. In this tense situation Orlando was elected mayor of Palermo in 1985. He started the rearrangement of the public contracts, reorganized the nearly completely disappeared traffic police and the garbage service, started to restore the historical centre, the parks and the theatres as parts of the public space and appeared as joint plaintiff in the so-called maxi-trial against the Mafia.

During that time Orlando developed the theory of the so-called ‚Sicilian chart‘. A chart with two wheels who can move the chart only in accordance. These wheels represent the legality and the

culture that means the fight against crime and the cultural development. The legality alone was unable to fight the crime efficiently because of the corruption. So it was necessary to mobilize the population. But in the beginning larger parts of that population supported the Mafia as their employer and therefore organized demonstrations in favour of her. But the mood changed for the first time with the recovery of the public space, the reopening of the public schools and the establishing of public relationships between the population and the city. So, sponsorships by children were created for 158 churches, 400 palazzi, 500 monasteries and 7 theatres. And the mood changed definitely with a new wave of violence in which the Mafia killed the well-known judges Borsallino and Falcone. Thereupon the population offered Orlando protection. He remembers in his autobiographical book: „We started with practicing a citizen conscience which is self-evident in most of European and American cities. The fight which we started up against the Mafia, was no open battle between two armies but rather a street fight in which we tried to reconquer our civic life from house to house, from quarter to quarter.“⁹

The risk war very high as well as the success: Orlando lived separated from his family in a barrack, he even withdrew for one month in a time of highest threat to the twin town Tiflis in Georgia, but his actions contributed to reopen the city and furthermore in Italy to the foundation of the independent so-called movement of the hundred cities and of a reform network beyond the parties.

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In Rio there are no comparable activities of politicians. On the contrary, in the city and in the federal state a populist mood prevails which either, as I already mentioned, holds the crime for uncontrollable or bets all on violent but finally helpless measures. So, the actual mayor of Rio let deploy the army at junctions around some favelas and discussed plans to isolate the most explosive areas by the erection of a wall. But in Rio even less than in Sicily the battle can be won with the wheel of the legality alone. In the labyrinth of the favelas all police action simply ends in heavy gun battle.

⁹ Leoluca Orlando, Ich sollte der nächste sein, Freiburg 2002, p. 130

Though there is no adequate politics, a lot of NGOs had been founded, among them the biggest „Viva Rio“. „Viva Rio“ was founded in 1993 after two massacres of street children and inhabitants of favelas. Her task is social work with social and political goals at the same time, that is the professional training and the creation of work places for adolescents on the one hand and campaigns for a general disarmament, the reform of the training of the police and state action against arms trafficking and possession of firearms on the other. After 10 years, „Viva Rio“ works with 900 employees and more than 3.000 volunteers in projects by which 90.000 persons are reached directly and 2 million indirectly. Until today, „Viva Rio“ made possible some sort of professional training of about 20.000 young people, granted 3.000 small loans, established a regional radio station and organized public campaigns to exercise pressure on the city council and the national government. The campaign to aggravate the law on firearms led to the destruction of 114.000 weapons and in the meantime to a new law on firearms.

„Viva Rio“ is one of the many Brazilian NGOs who try to substitute the absent welfare-state. But it also acts politically. „Viva Rio“ creates networks by sponsorships between businessmen, media, unions and local personalities and works on the pacification of both sides, the favelas as well as the police. She wants to overcome the division of the city and to re-conquer the public space. The big non-material and material support for „Viva Rio“ shows the large willingness of the population to act against the anomic tendencies in state and society. This willingness already became manifest in 1992, when the so-called „Movement for morale in politics“ mobilized the population against the corrupt President Collor de Mello and provoked his impeachment.

4. Consequences for the Importance of Political Action

The experiences in these different crisis regions are inspiring. In the discussion about defective or consolidated democracy political action should find its own place as an independent concept, based on experience. I would like to present some thesis concerning the importance of this action as well as its particular features.

Referring to the importance, we can notice that political action cannot be discussed without considering the importance of the institutions, especially of the executive. Only in the position as mayor, Orlando was able to combine the civil and the political society and to open the way to

consolidate also the other elements of democracy. Compared to Palermo, in Rio both spheres remain separated until today: the executive of the city continues to divide the community, the national government of Lula is committed to reduce poverty, sure, but not to fight violence, corruption and clientelism, while on the other side „Viva Rio“ as part of the civil society has no executive power and can only formulate demands how the executive should act and try to exercise pressure. The many NGOs existing in Brazil show that there is some sort of civil society. But the democracy as a whole, as Pinheiro noticed, remains a democracy without citizenry. Until today civil society only exists in a divided country: the political institutions on the one side and the civil society on the other. A consolidated democracy needs a common citizenry. But a common citizenry can only come into existence with the overcoming of the weaknesses of the state and the division of the society. As long as this division exists a further weakening of the democracy will not be impossible – unless the example of Orlando would find an imitator.

Referring to the features of such a political action, three elements are of importance: the art of action, the tasks and the means. Leoluca Orlando had practiced the first aspect, the art of action, in a virtuoso manner by. His politics is an example for the insight of Machiavelli that the success of action requires at the same time courage, happy circumstances and personal skills. So, when we talk about democracy we should not only refer to the classics of modern political theory like Locke, Montesquieu and the Federalists. We should also include Machiavelli with his valuable insights into the ways of action under difficult conditions, the need of sophisticated political capacities to overcome existing defects against the heavy resistance of the adversaries.

The second aspect, the tasks of political action, not only consist in fighting against organized crime. They consist at the same time and foremost in action against the defects within the institutions and in executing the second reform, I mentioned, which is not easy at all. The tasks do not consist only in eliminating the parallel and anomic spheres. They have to integrate the population and to create the public space as a common space.

Referring finally to the means, we can conclude that they are identical with the goals. They consist in the enforcement of what Orlando calls the „culture of legality“. This culture does not consist in a temporary mobilization of the population, not in a tactical hegemony but rather in the forming of a citizenry.

The political experiences of Orlando make clear that the „culture of legality“ in its double meaning of political and lawful culture make necessary a republican understanding of politics. A republican understanding based on a common public realm and a consciousness of common responsibility for the common good. In this respect, Orlando is an outstanding example of a public citizen, and he can explain it in one sentence:

„If it is true,“ he wrote, „that there is a relationship between democracy and peace, it is also true that peace is far too important for it to be entrusted solely to the military. Palermo reminds us that there is a relationship between democracy and legality, but that legality is far too important to be entrusted only to policemen and public prosecutors.“¹⁰

¹⁰ Leoluca Orlando, *The Sicilian Cart*, Veröffentlichung des Sicilian Renaissance Institute, o.J.