

# PUBLIC SECURITY IN THE NEGOTIATED STATE

Policing in Latin America and Beyond

MARKUS-MICHAEL MÜLLER

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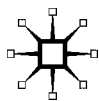
# Public Security in the Negotiated State

**Policing in Latin America and Beyond**

Markus-Michael Müller

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*To my parents*

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# Abbreviations

AFI	Federal Investigative Agency ( <i>Agencia Federal de Investigación</i> )
AFL	Armed Forces of Liberia
BW	Broken Windows
CCE	Coordinating Business Council ( <i>Consejo Coordinador Empresarial</i> )
CDHDF	Human Rights Commission of the Federal District ( <i>Comisión de Derechos Humanos del Distrito Federal</i> )
CESPEDES	Center for Sustainable Development Studies of the Private Sector ( <i>Centro de Estudios del Sector Privado para el Desarrollo Sustentable</i> )
CROM	Regional Confederation of Mexican Workers ( <i>Confederación Regional Obrera Mexicana</i> )
DF	Federal District ( <i>Distrito Federal</i> )
ERUM	Emergency and Rescue Unit ( <i>Especialidad de Rescate y Urgencias</i> )
GDF	Government of the Federal District ( <i>Gobierno del Distrito Federal</i> )
GTZ	German Society for Technical Cooperation ( <i>Deutsche Gesellschaft für technische Zusammenarbeit</i> )
ICISS	International Commission on Intervention and State Sovereignty
ICESI	Citizen's Institute for the Study of Insecurity ( <i>Instituto Ciudadano de Estudios Sobre la Inseguridad</i> )
INEGI	National Statistical and Geographic Institute ( <i>Instituto Nacional de Estadística y Geografía</i> )
LCC	Civic Culture Law of the Federal District ( <i>Ley de Cultura Cívica del Distrito Federal</i> )
LNP	Liberian National Police
LPC	Citizen Participation Law of the Federal District ( <i>Ley de Participación Ciudadana del Distrito Federal</i> )
MP	Public Prosecutor ( <i>Ministerio Público</i> )
NAFTA	North American Free Trade Agreement
NDMC	National Diamond Mining Company ( <i>Sierra Leone</i> )
NGO	Non-Governmental Organization
NYPD	New York City Police Department

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OECD	Organization for Economic Co-operation and Development
PA	Auxiliary Police ( <i>Policía Auxiliar</i> )
PAN	National Action Party ( <i>Partido Acción Nacional</i> )
PB	Neighborhood Police ( <i>Policía de Barrio</i> )
PBI	Banking and Industrial Police ( <i>Policía Bancaria e Industrial</i> )
PC	Complementary Police ( <i>Policía Complementaria</i> )
PF	Federal Police ( <i>Policía Federal</i> )
PPF	Federal Preventive Police ( <i>Policía Federal Preventiva</i> )
PGJDF	Attorney General of the Federal District ( <i>Procuraduría General de Justicia del Distrito Federal</i> )
PJF	Federal Judicial Police ( <i>Policía Judicial Federal</i> )
PNR	National Revolutionary Party ( <i>Partido Nacional Revolucionario</i> )
PRD	Party of the Democratic Revolution ( <i>Partido de la Revolución Democrática</i> )
PRI	Institutional Revolutionary Party ( <i>Partido Revolucionario Institucional</i> )
ProDh	Human Rights Center Miguel Augustin Pro Juárez ( <i>Centro de Derechos Humanos Miguel Augustin Pro Juárez</i> )
PRM	Party of the Mexican Revolution ( <i>Partido de la Revolución Mexicana</i> )
PT	Labor Party ( <i>Partido del Trabajo</i> )
SEGOB	Ministry of Government ( <i>Secretaría de Gobernación</i> )
SEPROBAN	Bank Security and Protection ( <i>Seguridad y Protección Bancaria</i> )
SFB 700	Collaborative Research Center ( <i>Sonderforschungsbereich 700</i> )
SSPDF	Public Security Secretariat of the Federal District ( <i>Secretaría de Seguridad Pública del Distrito Federal</i> )
UNDP	United Nations Development Program
UNIPOL	United Police Command Program ( <i>Programa de Mandos Únicos Policiales</i> )
UNPOL	United Nations Police
UPC	Citizen Protection Unit ( <i>Unidad de Protección Ciudadana</i> )
USJFC	United States Joint Forces Command
ZTP	Zero Tolerance Policing

# Introduction: The State, Policing and (In)Security in 'Most of the World'

The state has once again been brought back into the center of contemporary academic and policy debates. What distinguishes this current revival from previous rounds of 'bringing the state back in' (Evans et al. 1985; Jessop 2001) is that this renewed interest in the state expresses a deep preoccupation that there is something wrong with the state of the state, or to be more precise, with the state of states in 'most of the world' (Chatterjee 2004). Whereas states in 'those parts of the world that were not direct participants in the history of the evolution of the institutions of modern capitalist democracy,' but that actually constitute 'most of the populated modern world' (Chatterjee 2004: 8), had once been addressed through the lens of developmentalism or authoritarianism, concepts which somehow acknowledged a certain potential of state strength and power, current debates increasingly tend to describe them in terms of 'weakness,' 'fragility,' 'failure,' or even outright 'collapse.' More than anything else, these notions relate to the obvious incapacity of many states to efficiently police their territory and borders and to provide public security for their citizens. This reflects a widespread consensus that among the different state functions and goods provided by the state, '[n]one is as critical as the supply of security' (Rotberg 2003a: 3). But 'must a political entity provide security to its citizens in order to be a state, or is this simply a particular type of state that most wish to see developed?' (Reno 1995a: 119).

By taking this question seriously, a question that for many would be unnecessary, if not unimaginable, to consider critically, the present book is an invitation to readers to rethink our understanding of the state in 'most of the world' by transcending conventional views about what states normally are and do. These views, the book argues, provide little insight for a deeper understanding of states, state-society relations and

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larger workings of power in 'most of the world' beyond analyzing them according to concepts of deviation, incompleteness, fragility or outright failure.

In order to move beyond such myopic understandings, the book takes the vantage point of Mexico. Although this country is undeniably one of the more successful candidates in terms of political and economic development as well as state formation in 'most of the world,' Mexico is currently facing dramatic problems of insecurity, violence and state fragmentation:

In 1910, Mexico entered the new century with the first successful social revolution of the twentieth century. The *Partido Revolucionario Institucional* (Institutional Revolutionary Party, PRI), which emerged out of revolutionary turmoil, brought Mexico a unique political stability under one-party rule, at least by most Latin American standards. The 71 years of the PRI's 'perfect dictatorship,' as Mario Vargas Llosa termed it, spared Mexico from military rule and for decades successfully 'managed' its political, social and economic development through a mixture of populist politics, political co-optation and selective repression. In 1994, Mexico joined the North American Free Trade Agreement (NAFTA) with the United States and Canada and became a member state of the Organization for Economic Co-operation and Development (OECD). In 2000, Vicente Fox Quesada of the conservative *Partido Acción Nacional* (National Action Party, PAN) was elected Mexican president. This event signaled the national breakthrough of the formal democratization process of the Mexican political system, a process that had already begun at the subnational level in the 1980s, and brought an end to the era of one-party rule in the country with the 11th largest economy in the world (Villareal 2010: 2).

Of course the real story is more complex than this whirlwind overview of Mexico's political development over the last one hundred years indicates. In fact, there were many problematic aspects about Mexico's social, economic and political order that concerned the national and international public, as well as the political and academic communities. Whereas there was much debate about Mexico's economic performance or its authoritarian regime, throughout most of the twentieth century, one issue, which from our contemporary perspective has acquired a pervasive presence in Mexico's democracy, was strikingly absent in these debates: insecurity.

During most of the twentieth century it would have been largely unimaginable that in the four years after Felipe Calderón Hinojosa (PAN), Mexico's second post-PRI president, took office in 2006, more

than 28,000 people would lose their lives (Olson et al. 2010: 1) in a 'criminal insurgency' (Sullivan and Elkus 2008) characterized by violent confrontations among competing drug trafficking organizations and between them and the Mexican state. Alone in 2010, these confrontations caused the death of more than 15,000 people (Ríos and Shirk 2011: 5). However, this 'criminal insurgency' is only the most dramatic manifestation of a larger and pervasive deterioration of Mexico's security situation throughout the last decade or so (see, for instance, Bailey and Chabat 2002: 3; Ruiz Harrel 1999; Shirk and Ríos Cázares 2007: 8; Zepeda Lecuona 2004: 24, 36). Although, at least according to official data, crime rates have declined since the late 1990s, they are still high compared with the historical experience of criminality in Mexico, and the overall sense of most Mexicans, according to local opinion polls, is that crime and insecurity are the most pressing problems in their daily life.

In light of these developments, a growing number of observers openly question the capacity of the Mexican state to protect its citizens and to exercise its authority throughout its national territory. In other words, they see Mexico as heading down the road of state 'weakness' or even of becoming a 'failed state' (Grayson 2009; Kurtzmann 2009; Williams 2009). Even the US Joint Forces Command stated in 2008: 'In terms of worst-case scenarios for the Joint Force and indeed the world, two large and important states bear consideration for a rapid and sudden collapse: Pakistan and Mexico' (USJFC 2008: 36).

What, in light of these developments, makes Mexico both interesting and applicable for rethinking our understanding of the state in 'most of the world' is precisely what Mexico is *not*. Though in terms of violence, the obvious incapacity of Mexico's state to protect its subjects and to exercise its state authority throughout its territory, Mexico shares important commonalities with many other states that are qualified as 'weak,' 'fragile' or even 'failing,' most interpretations regarding the causes of state 'weakness' or 'failure' cannot account for the Mexican case. For instance, Mexico has been an independent state since 1821. It therefore hardly qualifies as one of the 'new nations' that emerged out of the wave of decolonization in the twentieth century that 'waver precariously between weakness and failure' (Rotberg 2003a: 1). Mexico is not a 'quasi-state,' whose existence and survival were largely dependent upon 'external support structures' (Jackson 1990: 25), mostly derived from resources stemming from Cold War super power rivalry that financed and maintained states-cum-clients throughout 'most of the world.' Hence, the end of the Cold War cannot account for the abovementioned



problems (on these issues, see Reno 1998). Nor has the Mexican state been caught in a 'state-strength dilemma,' in which 'weak' states try to enhance their strength through 'predatory and kleptocratic practice' by playing upon 'social tensions between the myriads of communities that make up society,' a situation which leads to a 'vicious circle' that further consolidates state weakness or might even lead to state failure (Holsti 1996: 117). Additionally, and in more positive terms, hardly any other so-called 'failed,' 'fragile' or 'weak' state has such an impressive record of economic development and international diplomatic power as Mexico.

In light of this situation, the present book claims that an in-depth analysis of Mexico's 'negative case' offers fresh theoretical insights for a deeper understanding of the relationship between the state and (in)security in 'most of the world.' In order to develop such an understanding, the book offers a historically informed empirical analysis of the state-security nexus through the lens of policing in Mexico City. Based on this analysis, the study argues that policing in Mexico is highly fragmented and selective, overdetermined by informal politics and practices of negotiation. These practices of negotiation enable a wide variety of actors to appropriate the police for private purposes, depending upon available social, political and economic capital. This reflects the underlying characteristics of a specific type of state, which, due to the centrality of informal political negotiations, I will call *negotiated state*.<sup>1</sup> The study further demonstrates that in contrast to frequently made assumptions, although policing in the negotiated state is a predominantly unpublic and politicized issue, people do not abandon the state as a security provider but continue to turn to the state, in formal and informal ways, for resolving security problems. Moreover, they even have normative expectations regarding the state and policing-centered security provision, which stand in striking contrast to their own experiences with inefficient, abusive and selective policing practices. By looking beyond Mexico, the book shows that features of the negotiated state can also be identified in other states in Africa, Asia and Latin America, suggesting that the negotiated state might be the predominant type of actually existing states in 'most of the world.'

In the remainder of this introduction, I will first discuss in more detail current perspectives—and their shortcomings—on the state and security provision in 'most of the world.' Next, I introduce theoretical and conceptual building blocks on which this study is based. Then, I will demonstrate why Mexico City is a promising context for this study in empirical and theoretical terms and describe the research design and the sources this book draws upon. Finally, I will offer a brief outline of the study.

## **Current perspectives**

In the post-Cold War and post-9/11 world, it seems undeniable that 'the contemporary social and political [as well as academic] imagination is similarly dominated by the lexicon of security and the related idea that we are living in an increasingly insecure world' (Neocleus 2008: 2). Obviously, most of the recent security-related attention by political scientists and policy makers is inseparable from political developments in states throughout 'most of the world' and the implications and challenges these developments are imagined to represent for global security and stability. According to a growing body of related studies on 'weak,' 'fragile,' 'collapsed' or 'failed' states (Bates 2008; Beisheim and Schuppert 2007; Ghani and Lockhart 2008; Koonings and Kruijt 2004; Paul 2010a; Rotberg 2002, 2003b; Schneckener 2006a; Starr 2009), the precarious character of the state in those particular world regions, which manifests itself in the fragility or absence of a monopoly of violence, deficient state capacity, territorial fragmentation and chronic political instability, has been identified as an important threat to global stability. This is most of all due to the fact that these seemingly 'ungoverned spaces' (Clunan and Trinkunas 2010) have become safe havens and breeding grounds for (transnational) criminal and/or terrorist activities where 'violent attacks on states and governing regimes both within home territories and abroad' can be launched (Davis 2009a: 221). Therefore, for many observers the existence of 'weak,' 'failed,' 'collapsed,' or 'fragile' states has become 'one of the most important foreign policy challenges of the contemporary era' (Krasner and Pascual 2005: 135). Reflecting the closely related centrality of an 'imperative of state-building' (Fukuyama 2004) in international politics, it seems clear that 'today, the state is once more at the centre of security concerns' (Chandler 2006: 27).

The related emergence of 'the language of a "responsibility to protect"' (Krause and Jütersonke 2007: 5), which stresses the state's responsibility to protect its citizens and to provide 'conditions of public safety' (ICISS 2001: 36), calls for international interventions and assistance when states do not meet these goals. This brought the institution of the police and questions of policing and public security provision to the forefront of international interventions and state-building practices (and the related academic literature). Be it in the guise of international peacekeeping missions with UNPOL participation, post-conflict policing operations, the promotion of police reform or security sector reform programs and so on (Bayley and Perito 2010; Bryden and Hänggi 2005; Call and Barnett 1999; Goldsmith and Sheptycki 2007b; Hänggi and

Scherrer 2008; Hartz 1999; Higate and Henry 2009; Hills 2009a; Oakley et al. 1998; Stodiek 2004), 'the export of western democratic policing ideologies and technologies has become a crucial component of the international response to global conflict' (Linden et al. 2007: 153). For some observers, this development even diminishes the role of military forces in international interventions in favor of the police and policing tasks (Goldsmith and Sheptycki 2007b; Hardt and Negri 2002; for a discussion see Dean 2006).

The aforementioned studies focus predominantly on the ways states can be (re)enabled to police their territories and provide security for their citizens. The related question of what a limited or 'weak' state presence implies for the provision of security has been a central concern of another important strand of literature, which increasingly looks 'beyond the state' and the state police—in empirical as well as in conceptual terms.

Reflecting multiple developments within the realm of security provision throughout the last decades, such as the growth of the private security sector, the related outnumbering of state police personnel by their private counterparts in many countries around the globe, the emergence of new security partnerships between state and non-state actors, and the growing commercialization and privatization of security provision and coercion-wielding (see, for instance, Abrahamsen and Williams 2009; Avant 2005; Krahnmann 2010; Jones and Newburn 2006; Rigakos 2002; Wakefield 2003), a growing number of scholars shifted their focus away from the state and the central role of the state police and instead emphasized the new role of non-state actors for the provision of security. This seeming de-statization of security provision has been interpreted as a transformation from government to governance within the realm of security provision in and beyond 'most of the world.' Security governance, throughout the world, it is argued, 'is increasingly beyond the state, and is entwined with a broader rearticulation of public-private and global-local relations' (Abrahamsen and Williams 2009: 3; see also Bryden and Caparini 2006; Chojnacki and Branović 2007; Johnston and Shearing 2003; Wood and Dupont 2006; Wood and Shearing 2007).

These strands of literature have undeniably enhanced our understanding and knowledge regarding the state of the state and the problems of security provision in our contemporary world. Nonetheless, they are marked by a number of shortcomings that limit their analytical and explanatory potential.

First, the renewed interest in the state in 'most of the world,' as expressed in the literature on 'weak,' 'failed,' 'fragile' and so on states, is

grounded in a simplistic and functionalist (and in most cases a-historical and a-empirical) perspective on the state that leads to its reification. These studies proceed "as if" the state was indeed a universal a priori predicate to our social existence rather than a product of our social existence.' Hence, this perspective endows 'the state with ontological qualities not its own and abstracts [the state] from the realm of social relations' (Bratsis 2006: 9). These reified ontological qualities of the state are in most cases derived from the interpretations of the processes of state formation in the West, thereby converting the Western state ideal into *the* benchmark against which the trajectories of non-Western states are measured. This further adds to the reification of the state, because it is assumed

that the state as it has developed in Europe and North-America over recent centuries is 'accomplished', 'mature', and 'stable', while the state in the global South is 'undeveloped', 'pre-modern', and 'fragile'. Thus, 'the state', has become a reified idea, a 'thing', which is *a priori* assumed and taken for granted. (Hagmann and Hoehne 2007: 21, emphasis in original; see also Boege et al. 2009; Bøås and Jennings 2005)

Because of this, the resulting '*deficit-list-approach*' (Schuppert 2010: 110, emphasis in original) is hardly capable of analyzing in their own right and complexity the real-existing forms of the state and the different 'configurations of statehood' (Schneckener 2006b: 32–4) in 'most of the world' (see also Schuppert 2010: 129; Zürcher 2007). Moreover, because of its exclusive focus on the materiality of the state, its institutions, capacity and functions, the '*deficit-list-approach*' downplays and neglects the imaginary and symbolic dimension of the state. This makes it impossible to account for and understand why an overall positive, indeed mystifying, image of the state 'seems to persist in the face of everyday experiences of the often profoundly violent and ineffective practices of government or outright collapse of states' (Hansen and Stepputat 2001: 2).

Similar reification processes are at work within much of the recent studies on policing and public security provision in 'most of the world.' Many of these studies are based on what Reiner called 'police fetishism,' that is, 'the ideological assumption that the police are a functional prerequisite of social order so that without a police force chaos would ensue' (Reiner 2010: 3). This fetishism is frequently based on a taken-for-granted assumption that 'we' as political scientists know what the police

do, how they do it 'here' and what they should do 'there.' This, however, is not the case. Political science scholarship has shown a remarkable lack of interest in questions of policing (Stanley 2009; Wimmer 2009: 21–2, 293). Within the field of international relations, for instance, '[t]o the degree that the police have been of interest, it has been as quasi-military agents. By virtue of the discipline's key analytical assumptions, therefore, policing is expelled as a topic from the very start' (Krogstad 2010: 2). The record of other areas of the discipline is not much better. As a consequence of the dominance of a military and war bias in political science research, the police and questions of policing have remained of marginal interest for the various subfields of the discipline. Because of this neglect, the theoretical and empirical knowledge accumulated by political scientists about the police and policing in states of the so-called 'developed world' is seriously limited (Wimmer 2009: 21–2, 293). And when it comes to states in 'most of the world,' we are confronted with an equally serious 'lack of scholarly knowledge about policing systems in the developing world or their interaction with the local political environment' (Hinton and Newburn 2009: 3; see also Hills 2009a: 212; Schlichte 2005: 138, fn. 87).

With regards to the security governance literature, a first problem consists in the frequently made assumption that the state is no longer providing security as a monopolist and that contemporary security governance is marked by a growing pluralization of security providers and practices of security provision 'beyond the state.' By making these claims, many studies wrongly assume (implicitly and in many cases explicitly) that there was once a time when the state possessed a monopoly on security provision—which, as policing scholars and criminologists have convincingly argued—it never did (Andreas and Nadelmann 2006: 246; Garland 1996, 2001; Jones and Newburn 2006: 6; Reiner 2010; Zedner 2009: 91–6).

In addition to this, as most of the research on security governance in 'most of the world' is predominantly interested in the material *practices* of security provision, it operates with an instrumental and minimalist conception of security as the actual provision of safety (of persons and property). In very similar ways to the 'deficit-list-approach' criticized above, this ignores the affective, emotional, ideological and imaginary dimensions of security provision as well as the related place of the state and its claim to provide *public security*. By downplaying this symbolic aspect, many security governance studies can hardly account for the fact that even in so-called 'weak,' 'fragile' or 'failing' states, where policing is frequently an overly inefficient, predatory and repressive activity, there

'remains a strong grassroots demand for better state-provided security, a demand that cannot and will not be satisfied by non-state security providers.' This indicates that 'the ideal of a *protective state* seems to survive even in the worst histories of state repression and abuse of the citizenry' (Goldsmith 2002: 9, emphasis in original). By failing to come to terms with this state-centered 'horizon of legitimacy' (Börzel and Risse 2010; SFB 700 2009/I: 41), an exclusively provision-centered perspective on security governance misses an important element for determining the role of the state within actually existing (in)security governance arrangements in 'most of the world.'

### **The present approach: General reflections**

For moving beyond the abovementioned limits and problems, this book draws on and further develops insights from recent developments within research on the state and politics in 'most of the world.' In particular, this book joins other studies that call for shifting our analytical attention from a perspective on the state as an abstract centralized binding decision making entity, which efficiently exercises its authority throughout a given territory, towards a processes-centered view of 'doing the state' (Migdal and Schlichte 2005: 14). Instead of taking the state as an abstract binding decision making entity for granted, this perspective is interested in identifying how states actually centralize and exercise their authority and how they implement their decisions. In this regard, this approach highlights the centrality of political negotiations, accommodation, informal bargaining processes, power-sharing arrangements and activities of political mediation (see, for instance, Barkey 1994; Barnett and Zürcher 2009; Boone 2003a; Hagmann and Péclard 2010; Joseph and Nugent 2004; Menkhaus 2007; Migdal 2001; Migdal and Schlichte 2005; Perdue 2005; Renders and Terlinden 2010; Reno 1995b; Schlichte 2005; Schlichte and Wilke 2000; Stepputat 2007). What this analytical perspective indicates is that the exercise of state authority, the 'reach of the state' (Shue 1990), and binding decision making are not simple top down all-or-nothing games in which states either succeed or fail—a failure which is ultimately defined as 'weakness' or a lack of 'state capacity.' Rather, the abovementioned studies tell us that there are many routes to state centralization that can differ significantly from the (still) dominant paradigm of (Western European) state formation, and that these 'other' routes are not mere deviations or anomalies. By highlighting the 'limits of the European experience' (Wong 1997), these studies stress the broad variety of existing, and undeniably innovative, solutions

that have been adopted by state builders and rulers in different contexts for centralizing—and exercising—state authority. In other words, if there are many ways to state centralization, there are also many ways how states, centralized by ‘other means,’ exercise their authority, implement their policies and give their decisions a binding character, however compromised and ‘weak’ these states might look through the paradigm of the European experience. As Karen Barkey, in her landmark study on Ottoman state centralization, has summed it up: ‘Where others see state weakness, I see state strength’ (Barkey 1994: 193).

The present book follows such a revisionist perspective as the most helpful and stimulating way of moving beyond the ‘deficit-list-approach’ and its limitations. By developing the concept of the *negotiated state*, it is one central aim of this book to offer a new theoretical perspective on the state in ‘most of the world’ that acknowledges the centrality of processes of political negotiation, bargaining and accommodation. By placing these processes at the center of a new theoretical understanding of the state in ‘most of the world,’ the present book moves beyond the more descriptive and heuristic focus of most of the abovementioned studies, which in general offer ‘neither a theory nor a concept in the strict sense, but rather a way of looking at and grasping dynamic complex dimensions of statehood’ (Hagmann and Péclard 2010: 544).

One important step towards this new theoretical perspective consists in departing from an understanding of the seemingly ‘fragile’ or ‘weak’ states or ‘ungoverned spaces’ as specific spatio-political configurations of ‘areas of limited statehood’ (hereinafter without quotation marks). Areas of limited statehood are political spaces where the state’s ‘ability to enforce rules or to control the means of violence can be restricted along various dimensions: territorially; sectorally (i.e. with regard to specific policy areas); socially (i.e. with regard to specific parts of the population); and temporarily’ (Börzel and Risse 2010: 119). This dynamic and flexible approach explicitly acknowledges that areas of limited statehood are not an exclusive feature of states in ‘most of the world’ (Börzel and Risse 2010: 119; Risse 2011; Risse and Lehmkuhl 2007:14; SFB 700 2009: 30; see also O’Donnell 1999: 133–58). In this view, the notion of areas of limited statehood avoids an exoticizing portrayal of the state in ‘most of the world’ as the absolute other of the seemingly successful state in the West. Moreover, it invites us to think about these states beyond an outright state-centric perspective by adopting a relational point of view interested in state-society relations, or what Migdal called a ‘state-in-society’ approach (Migdal 2001).

If we accept the empirical fact that states in 'most of the world' are—and have always been—characterized by the existence of quite substantial areas of limited statehood, we are confronted with the challenging question of why this is the case and what this implies for the respective states' practices, the exercise of political authority and the resulting state-society relations. By addressing these questions from the vantage point of Mexico, this book contributes to our knowledge on areas of limited statehood, as it provides new insights into the single most important context factors behind their existence and reproduction: the way state rulers organize political order, centralize and exercise political authority, as well as the challenges they face in these processes. In order to address these crucial issues, this study analyzes an institution which can be conceived as the hard core of state power and an outstanding point of condensation of state-society relations: the police. In fact, if coercion-backed decision making is widely assumed to be the ultimate resource at the state's disposal for giving its authority an authoritative character, the police, as the state's central internal coercion wielders exclusively in charge of the dual task of the 'protection of the personal safety and public order' (Weber 1995: 516), are a very promising analytical entry point for assessing the questions how political order is organized by state rulers in 'most of the world,' how they exercise their authority, what challenges they face and how this affects state-society relations.

## **Conceptual building blocks**

This section will offer theoretical building blocks upon which the analysis in the remainder of this book draws. In particular, I will present my understanding and use of the terms state and policing.

### **The state**

This study develops a new theoretical concept for grasping a particular type of state: the negotiated state. The reference to 'type of state' indicates that our contemporary (and past) world is populated by more than one state or *the* state. By taking up Wittgenstein's notion of 'family resemblance' (Wittgenstein 2003), we can assume that there exists a huge 'family' of states. In other words, there are basic characteristics which define family membership, but also a broad spectrum of different properties unique to the individual family members. Whereas one of these members of the state family, the negotiated state, will be introduced in the next chapter, the present section outlines and discusses my



understanding of the state (with capital S) by identifying basic properties and characteristics shared by all members of the ‘family.’ It is against this background of commonalities that the particularities of the negotiated state become identifiable.

This book follows a theoretical tradition which grasps the state as an institutional condensation of social relations (see, for instance, Bratsis 2006; Demirovic et al. 2010; Jessop 1990, 2002, 2008; Oszlak 1981; Poulantzas 1978). Following this approach, the state, as a ‘social ensemble’ (Jessop 2002: 40), is conceived as the (contingent) result of a permanent material, symbolic, ideological, discursive and emotional process of reference by the state’s subjects towards the institutional representations of the state. It is this social process of reference which provides the ‘idea of the state’ (Abrams 1988) with an institutional materiality and political reality, thereby enabling the state to function as a factor of social cohesion.<sup>2</sup>

The state-idea may create a unity of practices and solidify the role of the state as a factor of cohesion by creating points of view and cognitive categories among citizens and state managers that do function as factors of cohesion and do result in there being a unity of practice. If we believe in the state-idea, the state has achieved its function as a factor of cohesion, and its practices will be judged to be united given the appropriate categorization of them. Even things apparently unrelated as wine and sociology may be united by placing both under the category ‘French’. Just by being ‘state’ institutions, political institutions gain unity and cohesion. (Bratsis 2006: 16)

This social process of reference can be defined as a ‘state effect,’ which crafts the state ‘as a structure containing and giving order and meaning to people’s lives’ (Mitchell 1991: 94). The state, following this line of argument, is at the same time an institutionalized form of social relations, as well as a *social process* (Marenin 1988; Migdal 2001: part III, 1997: 211; Migdal and Schlichte 2005: 19–22; Schuppert 2010).<sup>3</sup> It is the centrality of ‘state imaginations’ (Hansen and Stepputat 2001) which stands at the heart of both of these dimensions, connecting them and endowing the state with a reality and embeddedness within social life, consolidating and (re)producing the state as a ‘relation of domination [*Herrschaftsverhältnis*] of men over men’ (Weber 1995: 822). In this regard, one central argument of this study is that although the institutional materiality of the state is undeniably important, it alone cannot account for the existence and reproduction of the state as a ‘social

ensemble.' By taking into account the cognitive, imaginary and process-like character of the state, this book claims that it is not only and probably not predominantly the actual existing materiality of the state which determines its strength or survival. Rather, it is 'the realm of ideas and sentiments,' where 'the fate of the state is primarily determined' (Holsti 1996: 84).

However, as the state is not only a social relation, but an *institutional condensation* of social relations, it obviously has a particular materiality. This materiality is well captured in Michael Mann's definition of the state, which identifies the four core aspects proper to all members of the state 'family.' These are:

1. The state is a differentiated set of institutions and personnel
2. embodying centrality, in the sense that political relations radiate to and from a center, to cover
3. a territorially demarcated area over which it exercises
4. some degree of authority, binding rule making, backed by some physical force. (Mann 1993: 55)

Mann's definition, to which we should add a fifth element—that of international political recognition—although explicitly inspired by Weber (see also Mann 1986: 112), I suggest, allows more flexibility than the original formulation by Weber, who defined the state as a 'human community that within a given territory—that "territory" is one of the characteristics [of the state]—(successfully) claims the *monopoly of the legitimate use of physical force*' (Weber 2006: 566, emphasis in original). Mann's definition allows for more flexibility by avoiding the notions of *legitimacy* and *monopoly of violence*. Incorporating these notions into a definition of the state is problematic, because as Vu, in a recent review article on new insights from current studies on state formation, has correctly summed it up: 'Not all states are legitimate and many do not have a monopoly of violence in their territories' (Vu 2010: 165). As the notions of 'legitimacy' and 'monopoly' (of violence) are still omnipresent concepts used to describe, analyze and understand the state in 'most of the world,' a brief discussion of these issues seems necessary.

While the notion of legitimacy is central for those following Weber, not only with regards to the 'monopoly of violence' but with respect to the state and political domination as such, it is important to bear in mind that Weber might have been more ambivalent about the necessary relation between domination and legitimacy than much of

the related literature suggests. In *Economy and Society*, Weber pointed out that:

[A] system of domination [*eine Herrschaft*] can also—and *this often occurs in practice*—be so completely protected by an obvious community of interests [*augenfällige Interessensgemeinschaft*] between the ruler and his administrative staff (body guards, Pretorians, ‘red’ or ‘white’ guards) as opposed to the dominated subjects [*Beherrschten*] and their defencelessness, that it *can even neglect* [*verschmähen*] *the claim to ‘legitimacy’*. (Weber 1995: 123, emphasis added)

This quotation suggests that state legitimacy, rather than an ontological attribute of the state—as a ‘relation of domination of men over men’—might be more adequately grasped as a contingent variable (Vu 2010: 165). In other words, the existence or absence of state legitimacy cannot, *ex ante*, be assumed. Nor can it be turned into a defining characteristic of the state. Rather, it is an empirical question. Yet, in searching for indicators of measurability, we are confronted with another problem, which Margaret Levi identified in her work on states and government. She ‘self-consciously’ avoids the notion of legitimacy because ‘[l]egitimacy is a complex concept that includes many elements but no one—including Weber himself—has successfully sorted out which of the various elements are necessary or how to measure indicators or their interaction’ (Levi 2006: 6 fn. 6). I agree with this observation, and as it is far beyond the scope of this book to engage with or to solve this problem, working with Mann’s definition avoids important problems that have to be discussed in detail elsewhere.

A similar argument can be made for, or better, against, the notion of the (‘legitimate’) ‘monopoly of violence.’ In contrast to the seductive simplicity of a superficial and literal reading of this term, which acquired a life of its own in many studies on ‘failed,’ ‘fragile,’ ‘weak’ and so on states, Weber’s own understanding of this term is quite complex. For Weber, far from simply describing the actually existing capacity of the state to really monopolize the means of violence in a given territory, the core of the monopoly of violence resides in its *legal* dimension. As Weber puts it in *Politics as Vocation*: ‘Specifically, at the present time, the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it. The state is considered the sole source of the “right” to use violence [*alleinige Quelle des “Rechts” auf*

*Gewaltsamkeit*'] (Weber 2006: 566). Therefore, for Weber, '[t]he specificity of the modern state is not the monopoly of violence, which it never really achieves, but the complete appropriation of the latter's legitimate exercise' (Colliot-Thélène: 2007: 40; see also Pierson 1996: 10), an exercise whose legitimacy stems from its legality. Guillermo O'Donnell, by pointing out ambiguities and inconsistencies in Weber's use of the term 'monopoly of violence,' even suggested modifying Weber's definition in terms of 'the monopoly of the *legitimate authorization* (i.e. legally-validated) of the direct and indirect use of physical force' (O'Donnell 2010: 52, emphasis in original) in order to account for the centrality of its legal core. However, this legal claim, to be successful—and success, although in brackets, is a defining feature of Weber's concept—needs a coercive underpinning. It is through the latter that the state is enabled to successfully enforce its will and claim to rule against internal competitors as well as other political forces resisting this claim. In this regard, the *legal* monopolization and the *de facto* monopolization of the means of violence are two sides of the same story (Colliot-Thélène 2007: 45).

Besides bringing in the abovementioned problematic aspects of the notion of legitimacy, what is most problematic about Weber's concept of the 'monopoly of force,' from the vantage point of the present study, is that this concept, even as an ideal-typical construct, is too detached from the empirical realities of most states in the world. Many states throughout the world can hardly be examined or adequately grasped in their own right as states through an exclusive focus on (rational) formal-legal claims and monopoly-style coercion wielding. In this regard, the idea of the 'monopoly of violence' too quickly leads one down the path of the 'deficit-list-approach' criticized above. By taking this concept, which in analytical terms is an implicit all-or-nothing game, as the benchmark against which states in 'most of the world' are assessed for the sake of conceptual clarity, they are by definition almost always doomed to end up as deviations from a taken-for-granted ideal-type-cum-norm. This is not a very stimulating analytical endeavor, as it unnecessarily limits the horizon of our conceptual and theoretical imagination by presenting the ordinary as the extraordinary (see above) as based on an ideal-type whose construction and the resulting conceptual clarity are always dependent upon the *subjective* perspective of the investigator. It is through the latter that '[c]oncepts are clarified as certain characteristics are emphasized over others in the construction of the ideal-type. This "point of view" of the investigator is the critical component in this equation' (Koch 2007: 26). When considering, for instance, the opening pages of *The Protestant Ethic and the Spirit of Capitalism*

(Weber 1992: 16–17), in which Weber explicitly states that the modern state as a *rational* state could only emerge in the Occident; or central passages in *Economy and Society*, where he relates the ‘modern concept of the state as the ultimate source of legitimacy of the physical use of force’ to the ‘*rationalization* of these rules guiding its [physical violence] application’ through a ‘legitimate legal order’ (Weber 1995: 519, emphasis added); and later in *Economy and Society* where he introduces his concept of the monopoly of force with explicit (and exclusive) reference to this *occidental rational* state (Weber 1995: 815, 821–2), it might not be too far fetched to suggest that the subjective ‘point of view’ that informed Weber’s ideal typical state has a clear empirical point of reference: that of the state in the West. The resulting consequences for an analysis of the state in ‘most of the world’ through the lens of this ideal-type are well depicted by Migdal, who argues:

... Weber’s use of an ideal type state monopolizing legitimate force and ruling through rational law gives scholars precious few ways to talk about real-life states that do not meet this ideal. Actual states are deviations from the idea or corrupted versions of the ideal. ... With Weber’s definition as the starting point, variations can be conceptualized and measured only as distance from the ideal type. As long as the idea of the state is uniform and constant, the variation of states, even the failure of some states, can be expressed only in terms of deviation from the standard. If real states fell short of the standard, as they were bound to do, all sorts of words had to be invented to express the gap between actual practice and the ideal. Terms such as corruption, weakness, and relative capacity implied that the way things really worked were somehow exogenous to the normative model of what the state and its relations to society are or should be. Comparison comes in specifying and measuring deviation from the norm or the ideal. (Migdal 2001: 14–15)

By arguing against the notion of the *monopoly* of violence, I do not question either the merits of Weber’s work and its continued relevance or that violence and the claimed and/or real exercise of physical force are important for an understanding of the state. Quite the contrary. State rulers are always concerned with controlling and centralizing the means of violence in their territory. But they can do so in a variety of ways which do not necessarily culminate in the consolidation of something like a ‘legitimate monopoly of violence.’ Broadening our analytical and theoretical horizon by making us sensitive to such ‘other,’ yet globally

predominant, forms of state formation is one of the central concerns of this study. In this respect, there is much to gain and little to lose when avoiding a notion like the 'monopoly' of violence, which even leading scholars on Weber perceive as problematic and challenging in both conceptual-theoretical as well as practical-political terms (Anter 1995: 44).

### **Police, policing and public security**

I already argued above that the state *never* and in *no* society was the only actor involved in the provision of security. This is reflected in the widely accepted distinction policing scholars and criminologists make between police practices and policing. In view of this, policing in general refers to 'an aspect of social control processes which occurs universally in all social situations in which there is at least the potential for conflict, deviance or disorder' (Reiner 2010: 8). In contrast to this broad conception, policing conducted by the state's police refers to practices of a professional public bureaucracy, that is, a state *institution* (Deflem 2002: 1–32). The police, 'as the state's primary legal enforcers and embodiment of the law' (Hinton and Newburn 2009: 2), have the formal-legal right to use physical force with the goal of 'preserving the security of a particular social order, or social order in general' (Reiner 2010: 4). If not stated otherwise, I use the term policing in order to refer to public policing done by the police.

In this regard, although routine crime prevention and 'thief catching' are part of police activities—activities in which the police are far less efficient than the common sense knowledge would suspect and which are frequently neither their top priority nor their principal routine activity (see Dixon 2005 for a discussion)—at the most abstract level of analysis, their main function consists in the 'fabrication of social order' (Neocleus 2000). This converts the police as 'reproducers of order' (Ericson 1982: 7) into an important 'means of modelling ... society around a particular vision of order' (Neocleus 2008: 4; see also Hills 2009a, 2000; Loader and Walker 2007: 96–105; Marenin 1982; Reiner 2010; Stanley 2009). The reference to *particularity* highlights the political dimension of policing as an order maintenance activity, which always had priority over the more routine law enforcement and security provision activities for the public at large (Haberfeld and Gideon 2008: 8).

However, it would be overly misleading to draw the conclusion that the police are simply a repressive instrument at the exclusive service of the state. Most of all, this would ignore that the police are not just a

passive appendage of the state but that 'the execution of state intent, and the definition of social order are influenced by the interests of the police' (Marenin 1982: 381) and the institutional practices and cultures inside a given police force (Goldsmith 1990).

Hence, the important aspect, which the arguments about the order maintenance function of the police indicate, is not that policing equals outright repression, but that it does not operate beyond the realm of politics and power relations and is therefore political (Reiner 2010: 32). Three levels of power relations are particularly important in this regard: first, power relations among different actors (in and outside the police apparatus) that lead to a particular style of policing. Second, the negotiation of power through policing, and third, power struggles stemming from policing (Hills 2009a: 53). It is in light of these power relations that the provision of security by the police can be described as a 'selective project' (Hills 2009b), because underlying power relations and struggles, not abstract and universal interests, norms or objectives, determine which form police activity takes in a particular context and under given circumstances.

This has important consequences for the actual existing degree of publicness of policing, because in practice it rarely if ever achieves a public character defined by non-excludability and non-rival consumption, indicating that 'the purity of security's credentials as a public good in the economic sense do not withstand close inquiry' (Loader and Walker 2007: 147). As Adam Crawford claimed, 'the distribution of safety as a "public good" is rarely just or even. Policing is a good example of a "quasi-public" good' (Crawford 2006: 119). In other words, it is a good whose 'positive' (protective) and 'negative' (repressive) dimensions are in practice 'favouring some groups at the expense of others' (Reiner 2010: 33). As Loader and Walker write: 'Much policing and much security work generally is more directly targeted—whether incident-specific, victim-specific, offender-specific or otherwise locale-specific—and to that extent it is transformed into a scarce resource with unequal distributive consequences' (Loader and Walker 2007: 149). Against this background it becomes apparent why Garland called the assumption that the modern state, through its police, is capable of providing security and crime control as public goods within its territory 'one of the foundational myths of modern societies' (Garland 1996: 448, see also 2001: 109–10).

In fact, from a historical perspective, the pacification of societies, even in Europe, was not primarily a policing issue. In contrast to the predominant 'police fetishism,' the internal pacification and increasing

safety of Western societies was most of all related to the incorporation of the working classes by the granting of political and social citizenship rights, as well as the closely related pacification of the relationship between workers and capitalists (Mann 1993: 403–12). As Reiner has put it for the United Kingdom: 'The police had been symbolically acclaimed as the guardians of the public against the threat of crime and disorder, but the real work achieving this was an array of economic, social, and cultural processes that incorporated most sections of society into a common status of citizenship and held tensions and conflicts at bay' (Reiner 2010: 31).

Reiner's observation not only questions the 'security first' imperative that informs much of the contemporary debates on international police reform—in particular in areas of limited statehood. Additionally, his argument that the police 'had been symbolically acclaimed as the guardian of the public' refers to another crucial dimension of the police which is of particular importance for the present book: the symbolic dimension in which the police represent 'the most public manifestation of governmental authority' (Bayley 2001: 13). A good starting point for exploring this symbolic dimension can be found in the following passage, drawn from David Bayley's classic study *The Police and Political Development in India*, in which he identifies four aspects particular to police activity:

First, they are thoroughly and widely visible. Since they are uniformed, their activities are difficult to disguise; since their responsibilities permeate all corners of social activity, they are brought into contact with everyone. Other government servants touch only very specialized parts of human life and when they do so they attract little public attention. Second, police possess a near-monopoly on the instruments of force. They are society's regulators, imbued with power denied to everyone else. This creates around them an aura of apprehension, of anxiety, of fear. They are imbued with emotional significance that does not attach to other agents of government. Third, they have responsibility for safeguarding the most basic elements of human life. Theirs is the power to protect or not to protect, to save or not to save. Moreover, they intrude into individual lives at moments of stress and tribulation. Policemen are identified with the greatest of life's crisis. Fourth, police are immediately identified with law. In many respects, they are more important than law, for they implement its strictures and decide when it is to be applied. (Bayley 1969: 14–15)



These remarks indicate not only the widely acknowledged level of discretion involved in everyday police activities. More important than this, they point towards the unique character of the police in comparison with other state institutions by arguing that the police are a widely visible state institution in contact with almost everyone and imbued with the capacity to create a particularly dense kind of affections and emotions. In this regard, Ian Loader (1997) convincingly argued that the police as a public institution are ascribed with social meaning and popular sentiments which are frequently in striking contrast to the actual results of police work. By adopting the term 'structure of feelings' from Raymond Williams, Loader argues that the police are embedded in such a 'structure of feelings' while simultaneously contributing to its transformation. The police, through their routine activities, evoke fears and anxieties, but also hopes and fantasies, and can therefore be conceived as a 'condensation symbol' which articulates and condenses different and contradictory meanings in a symbolic form:

The routine activities and symbolic forms that comprise the social phenomenon of policing cannot easily be divided. The craft skills and coercive powers that police officers deploy on a daily basis are not just goal-oriented. They serve too to communicate meaning, not only about police and their role, but also about power and authority in society. (Loader 1997: 9)

In another publication Loader and Walker stress that the police are most of all a *state institution* and highlight the fact that the symbolic link between the police and the state contains a deep recognition 'of the relationship between policing and "*publicness*"' (Loader and Walker 2001: 24, emphasis added). Therefore, the police are 'capable of framing a deep commitment to the idea of the nation as a community of attachment, to a political community whose members can legitimately lay claim to certain rights, and acknowledge certain mutual responsibilities, simply on account of being members of that community' (Loader and Walker 2001: 24). In this regard, the police, through the attributed and proclaimed image of their public character, as well as through their unique empirical qualities captured in the quote from Bayley, possess a kind of symbolic dominance over other state institutions. This converts the police institution into the emblematic expression of everyday state power and authority, and even into an essential justification for the very existence of the state (Zedner 2006: 78, 82). Since Hobbes, this justification is deeply inscribed into the modern political imagination

and 'state idea' in the form of an 'implicit social contract' between the state and its subjects, which holds the state directly responsible for providing security and public order (Holsti 1996: 94; Moore 1987: 42–4). The police have undeniably become *the* incarnation and institutional materialization of this 'implicit social contract,' notwithstanding the far more ambivalent and less all-powerful role the police have historically played within the provision of security and protection of the state's subjects. It is this aspect of the police as a 'condensation symbol' of the state, which in addition to their role within the (re)production of order at large, makes them an ideal object for the empirical analysis of the state, state-society relations and the resulting 'state imaginations' that follows in the remaining parts of this book.

### **Mexico City as an object of study<sup>4</sup>**

The reason for selecting Mexico City as the empirical setting of the present study stems from the theoretical and empirical relevance related to Mexico City's character as a *city*. In empirical terms, it is important to keep in mind that over the last decades the majority of the local outbursts of violence, insecurity, terrorism and armed conflict in 'most of the world,' that is, the most visible manifestations of what others identify as signs of state 'failure,' 'fragility' or 'weakness,' happen in urban areas. This converts cities into extremely violent and conflict-ridden spaces where, even in peacetime situations, the local residents suffer from high levels of violence and insecurity (Abrahamsen et al. 2009; Appadurai 2000; Davis 2008; Hills 2009a; Koonings and Kruijt 2009). This general pattern can be identified in Latin America as well, which is 'the most highly urbanized region in the global South. With 78 percent of its population living in cities, its degree of urbanization is second in the world only to that of North America, which is 81 percent urban' (Perlman 2010: 146). Given this high degree of urbanization, the different manifestations of the 'new [predominantly criminal] violence' (Koonings and Kruijt 1999, 2004b) that have haunted the region for two or so decades have a predominantly urban face (Arias 2006; Caldeira 2000; Koonings and Kruijt 2007a; Moser and McIlwaine 2004; Rodgers 2009). In this regard, Latin America is a showcase for the increasing urbanization of violence, insecurity and fear that shapes the daily life of urban populations throughout 'most of the world.'

Mexico City's urban environment does not stand apart from these larger global and regional trends. In fact, as widely acknowledged, since the mid 1990s Mexico City experienced a veritable 'metropolization of

crime' (Castillo 2008: 181), leading to a serious deterioration of the local security situation (César Kala 2000: 222–3; Davis 2006: 65; Pansters and Castillo Berthier 2007: 41). Although local crime data should be considered with caution, even if we only use this data as an approximation at the local (in)security context, the picture is frustrating. Local crime rates rose from an average rate of 1,700 crimes per 100,000 residents per year in 1993 to 2,835 in 1995. During this period violent crimes increased by nearly 500 percent, and between 1995 and 1998 the citywide crime rate increased by nearly 300 percent (Davis 2009b: 196). In contrast to official crime statistics, which indicate a decline of reported crime rates since 1996, victimization studies challenge such positive public statements (Alvarado 2006: 300–8). Non-governmental organization (NGO) members interviewed for this book speak of 'statistical politics' that are supposed to make the government and its security policies 'look good.' Additionally, according to a recent representative victimization survey on urban insecurity in Mexico, 87 percent of Mexico City residents feel unsafe in their city, a percentage which ranks Mexico City at the top of all other large urban agglomerations in the country (ICESI 2008). As a result, according to local opinion polls, security issues have become the central concern for most of the Mexico City residents—and policy makers. Therefore, it seems undeniable that in contemporary Mexico City, '[t]he single-most relevant issue on the urban agenda today is fear' (Castillo 2008: 181). As one observer noted: 'Mexico City residents form part of a society that has become accustomed to accepting victimization: they experience it, but are not sure that attempts are made to try and fix it' (Alvarado 2006: 307). This observation clearly indicates that as for the country in general, the question of insecurity is not just a crime issue in a narrow sense. As will become evident throughout the remaining parts of this book, the question of insecurity is closely related to two interconnected aspects. First, it is related to general problems of Mexico's police forces. These problems include the lack of adequate human resources and training, high turnover rates, a lack of vocational ethics, deficient and outdated equipment, low salaries, police corruption, the absence of a clear normative framework of action and the frequently direct participation of police agents in organized (and unorganized) crime and violence (Bailey and Chabat 2002; López Portillo Vargas 2002, 2004; Martínez Murguía 1999; Müller 2006; Ruiz Harrell 1998: 57–69; Suárez de Garay 2006: 29–32). Second, the question of insecurity stems from the embeddedness of the Mexico City police forces within the larger workings of power in Mexico's negotiated state, whose presence and impact is particularly pronounced in this locality.

This pronounced presence of Mexico's negotiated state stems from the fact that Mexico City is not just any urban space: it is the nation's capital. As a capital city, Mexico City is not only home to the country's most important political institutions, the largest agglomeration of the country's working and middle classes, and likely the central place for foreign and national capital investment (Davis 1994: 4). Additionally, Mexico City is characterized by a 'unique overlap of local and national dynamics' (Davis 1994: 5) that contributes to an extremely dense condensation of the workings of power of Mexico's negotiated state—most visible in the deeply negotiated character of local urban politics (Becker et al. 2008). This condensation materializes itself most of all in the complex political-administrative architecture of the city and its more recent transformation: from 1928 until 1997 the head of the local government was directly appointed by the Mexican president, a political constellation which inscribed the basic parameters of the post-revolutionary institutionalization of Mexico's negotiated state under PRI hegemony in local urban politics. The resulting configuration of urban order—including its impact on policing—has been dramatically altered by the intersection of the national and local democratization processes. After 71 years in which Mexico City's head of government was appointed by the Mexican president, the democratization of local governance in 1997 gave the local population the right to directly elect their mayor—a post which since 1997 has been held by the *Partido de la Revolución Democrática* (Party of the Democratic Revolution, PRD)—for a six-year term. Additionally, since 2000, the borough mayors (*jefes delegacionales* or *delegados*) of the city's 16 *delegaciones* (boroughs) are no longer appointed by the mayor but directly elected by the boroughs' residents for a three-year term. In light of this scenario and the previously mentioned 'unique overlap of local and national dynamics,' an analysis of Mexico City offers a very promising context for assessing the impact of local-national interactions and dynamics of regime change on Mexico's negotiated state—and its police forces. In other words, Mexico City is a locality which more than any other setting in the country condenses and connects larger national and local political developments, including the widely visible presence of spatio-political as well as public security related areas of limited statehood (Braig and Stanley 2007). When we further consider that the recent democratization of Mexico City politics and its rise to the status of a Global City (Graizbord et al. 2003; Parnreiter 2002, 2007) were accompanied by a growing transnationalization of policing, unmatched by other cities in the country, the Mexico City case study additionally offers insights

into the interaction of these transnational policing transfers with the political and policing structures of Mexico's negotiated state.

In addition to these empirical reasons for selecting Mexico City, there are also theoretical and analytical motivations behind this choice. First, cities have historically played a crucial role within larger state formation processes, in particular with respect to the importance of urban centers' concentration of capital and their control over means of coercion for state formation purposes (on the 'entangled' relationship between cities and states, see Sellers 2002; Tilly 1994). But cities not only served as resources for state makers. They were also spaces in which state formation processes inscribed themselves in the attempt to convert urban space into a 'legible' and governable (Scott 1998) state space, mirroring the basic political parameters of the larger political order in the guise of the state. This intimate relationship between the city and the state creates deep analytical linkages between both entities. These linkages allow us to gain in-depth insights into the state from an urban perspective, because it is at the urban level 'where all this comes together, where an abstract global reach [of the state] attains everyday coherence' (Merrifield 2005: 697). If the city, in this regard, can be considered as the state *en miniature*, this holds particularly true for capital cities like Mexico City. These urban spaces literally 'absorb' the state (Lefebvre 1975: 79), an outcome which is most visible within the realm of policing. It is because of the intimate relationship between the state and the capital city that the latter becomes *the* geographic representation of the 'political center,' that is, 'the center of the order of symbols, of values and beliefs, which govern society' (Shils 1982: 93). These symbols and values—as well as their institutional representations—of the political center in the form of the capital city are intimately connected to the questions of policing. It is the public and ritualized demonstration of a state ruler's capacity to control and to police the capital city which is an indispensable symbolic dimension and key feature of rulers' claims to wield internal political power and to obtain external political recognition (Myers 2002: 2–3; Schlichte 2003). If the police are an urban invention and 'the problems for which police regulations were designed to remedy were largely problems associated not only with the local but with urbanization' (Valverde 2008: 9), then a capital city-centered case study provides unique theoretical insights for an analysis of policing and the resulting state-society relations.

Finally, the Mexico City case study helps to overcome two important research gaps in the contemporary literature on security provision in areas of limited statehood. First, it helps to overcome the striking lack of

in-depth studies on urban police forces in contemporary Latin America. In this regard, it was already noted in 2002 that 'studies on big city police forces in Latin America are almost nonexistent' (Dietz and Myers 2002: 332). In the years following this observation the situation has only slightly improved. Second, most of the central areas of political science relevant to the present study, such as security studies or international relations, have largely failed to address the question of security provision from an urban perspective. As Abrahamsen et al. observed in this regard: 'For these disciplines, which have traditionally been focused at the level of interstate relations and whose intellectual roots are firmly in clear distinctions between politics "inside" and "outside" the state, between crime and war, and between the police and military, the city is an awkward object of analysis' (Abrahamsen et al. 2009: 364). By bringing this 'awkward object of analysis' and its practices of policing to the center of the present study, this book hopefully also demonstrates to the related debates the merits of analyzing larger questions of state-society relations and security provision from an urban perspective.

### **Sources and research design**

The book is based on 127 qualitative interviews with academics, journalists, NGO members, members of the local administration of justice, politicians, bureaucrats, local entrepreneurs and local residents conducted between 2005 and 2009 in Mexico City. Parts of the interviews in the boroughs of Coyoacán and Iztapalapa (see below) were conducted by Nils Brock and Carlos Alberto Zamudio Angles, who administered the questionnaires under my supervision. As many people explicitly asked not to be cited with their names, I decided to make anonymous the names of all interviewees. If names appear in this book, they are fictitious. Besides the formal interviews, this study also includes notes from my field diary, in which I wrote down relevant information obtained through informal conversations with, for example, local residents, taxi drivers or local merchants. Furthermore, although I did not conduct a participant observation in the strict ethnographic sense of the term, permanent and recurrent visits to particular places and institutions permitted me to capture impressions of and insights into local dynamics and everyday processes of social interaction beyond the information provided in the narrative accounts of the interview partners; these observations were written down in my field diary and also form part of the analysis below. Finally, and in addition to available scholarly sources from a broad variety of disciplines, the study draws upon NGO reports,

newspaper and magazine articles, and government documents, including laws, administrative manuals, official statistics and institutional reports.

These sources formed the basic material I drew from in order to develop the concept of Mexico's negotiated state through the analytical lens of Mexico City policing. I followed a multi-level research design which moves beyond the problems inherent in the necessarily abstract nature of macro-structural analysis, an analysis that frequently misses the nuanced complexity of political realities at the micro level, as well as the equally problematic danger of micro-level research, which in many cases does not pay sufficient attention to the lasting impact of larger macro-structural processes on local settings. In order to avoid such problems this book's methodological approach gives equal analytical weight to macro-, meso- and micro-level analysis by combining them into one single analytical framework. In this regard, the book moves from an abstract analysis of the relationship between Mexican state formation and policing at the macro level, to the unfolding of these 'general relations' (Lefebvre 2003: 79) at the meso level of Mexico City. Finally, by scaling down one step further to a comparative analysis of the two boroughs of Iztapalapa and Coyoacán, the book traces the impact of the previously identified patterns of policing at the micro level. This micro-level analysis does not only allow for capturing the most intimate aspects of the social dimension of the state: its social embeddedness (symbolic, discursive, imaginative, cognitive, emotional and so on) and the resulting 'everyday forms of state formation' (Joseph and Nugent 1994) in Mexico City. What is more, through the comparative approach, the micro-level analysis of the middle-class borough of Coyoacán and the marginalized borough of Iztapalapa provides important insights into the hypothesized socio-economic and political bias of policing in the negotiated state (see above).

### **Outline of the study**

The book is organized as follows. Chapter 1, situated at the most abstract level of analysis, introduces the concept of the negotiated state through a historical macro-level analysis of Mexican state formation and policing. This chapter demonstrates that the Mexican state formation process and the related centralization of political authority were the result of a negotiated pattern of state formation marked by informal bargaining processes between state elites and local power holders—the personalized incarnations of areas of limited statehood. The chapter argues

that the rulers of Mexico's negotiated state decided to convert the state itself into a locally appropriable resource in order to enhance its reach through the local appropriation of its parts, including the police, under informally negotiated rules of the game. This outcome gave Mexican policing a predominantly informal, negotiable, appropriable and political character.

Chapters 2, 3 and 4, situated at the meso level of analysis, address the unfolding of these abstract features of Mexico's negotiated state and their impact on policing and citizen-police relations in contemporary Mexico City. Chapter 2 presents an overview of important formal aspects of Mexico City's contemporary police forces, including organizational structure, personnel strength and legal status. In light of these formal aspects, this chapter moves on to the de facto practices of the local police forces and the resulting citizen-police relations, which are predominantly shaped by paralegal, criminal and abusive practices but also by forms of informal police appropriation, all of which undermine the public character of local security provision as laid down in the legal regulations.

Chapter 3 turns to the political origins of these policing practices. It demonstrates how the impact of Mexico's post-revolutionary state formation process contributed to the emergence of a highly autonomous police apparatus and inscribed the informal political practices of Mexico's negotiated state into the heart of Mexico City policing. Against this background, the chapter presents an analysis of the politically negotiated character of Mexico City policing and citizen-police relations. It then turns to the centrality of patron-client relations as important resources for governing a highly autonomous and internally fragmented police force and the more recent modifications of patron-client structures through the impact of the local and national democratization processes.

Chapter 4 addresses the recent transnationalization of local policing that accompanied the local democratization process and Mexico City's rise to the status of a Global City. By focusing on the import of community policing, a widely assumed 'international best practice,' and the implementation of zero tolerance policing, associated with the activities of Rudolph Giuliani within the context of the 'rescue project' of downtown Mexico City, this chapter analyzes the interaction of these policing imports with the previously identified formal and informal features of the local context. It demonstrates that far from transforming local policing, these efforts do not escape the negotiated, appropriable and informal character of local policing. Rather, these policing imports



themselves become important resources for intervening and modifying informal political structures, permitting local political actors to improve their negotiation power for establishing new informal rules of the game.

Chapter 5, the most concrete level of analysis, analyzes citizen-police relations in the middle-class borough of Coyoacán and the marginalized borough of Iztapalapa. This chapter highlights in detail the socio-economic bias of local policing stemming from the informal workings of power in Mexico's negotiated state. Additionally, this chapter shows that despite predominant negative perceptions of and experiences with the local police forces, the residents of both boroughs do not turn away from the state or the police as security providers and even imagine the state and the police as the most desirable security actors at the local level.

The concluding chapter returns to the concept of the negotiated state. In light of the empirical analysis presented in the previous parts of this study, Chapter 6 looks beyond Mexico and identifies features of the negotiated state, their impact on policing and the pervasive presence of the state's 'horizon of legitimacy' throughout Africa, Asia and Latin America. This chapter concludes by pointing towards the implications of this study for future research on the state, policing and security governance in areas of limited statehood throughout 'most of the world.'

# 1

## The Negotiated State and Policing in Mexico

This chapter will introduce the concept of Mexico's negotiated state. In order to develop this concept, I will offer a historical macro-level analysis of Mexican state formation and its impact on policing—the main theoretical interest of this study. By historically reconstructing how and why Mexico's state formation process was and continues to be a decisively—and largely informally—negotiated issue between the central state and local centers of power, the following analysis will help us to understand why contemporary Mexican policing operates the way it does. My decision to resort to such a historical approach is based on the conviction that policing in contemporary Mexico is unintelligible if we do not take into account the historical legacy of local policing stemming from its embeddedness within the processes of Mexican state formation. This, however, should not be interpreted as a simple 'history matters' argument, which is indeed 'both true and trivial' (Levi 1997: 28)—and probably applicable to every topic of interest for political science research. My decision to take such an approach is instead based on the analytically more relevant assumption that 'the historical past represents a context that is causally significant' (Rueschemeyer 2009: 148), that is, historically informed analysis has a highly promising explanatory potential for political science research, or in the words of Charles Tilly, 'explanatory political science can hardly get anywhere without relying on careful historical analysis' (Tilly 2006: 521).

Applying a historical perspective to the analysis of the relationship between policing and state formation in Mexico, however, does not and cannot, for simple reasons of space, entail an effort to tell the entire history of Mexican state formation or of Mexican policing. Instead, in what follows, I will present a historical narrative analysis of the relationship between Mexico's negotiated pattern of state formation

and Mexican policing through the lens of a 'strategic narrative,' which selects its elements 'in response to a clearly articulated theoretical backdrop' (Goldstone 2003: 50; Stryker 1996) and which is 'carefully focused on the explanatory argument' (Mahoney 1999: 1175). Parts of the theoretical backdrop have already been indicated in the introduction, and the first section of the present chapter will explain them in greater detail. With regards to the explanatory argument, this chapter claims that the Mexican state, since colonial times, has been characterized by a deeply fragmented political geography, both the cause and consequence of a pattern of state formation marked by constant informal negotiation processes between the central state and local power centers. Part and parcel of this process are what I will refer to as the *politics of appropriation*.<sup>1</sup> This term describes the ever present possibility of appropriating state resources, including the police, for private (coercive, political and economic) purposes, as an important element of a strategy of rule. This strategy aims at enhancing the 'reach of the state' by converting the state itself into an appropriable resource for a variety of local actors. By appropriating the state under informally negotiated rules of the game, the appropriators guarantee a mediated form of political governability for state elites whose ability 'to make binding decisions for people and organizations juridically located in a particular territory and to implement these decisions using, if necessary, force' (Rueschemeyer and Evans 1985: 46–7) is constrained in spatio-political terms.

This argument, which places central emphasis on the lasting impact of colonialism, reflects what Arthur L. Stinchcombe called 'the causal structure of historicist explanation' and the 'causal loop' created by 'historical causes.' In this causal structure, 'an *effect* created by the causes at some previous period *becomes a cause of that same effect* in succeeding periods' (Stinchcombe 1968: 103, emphasis in original). In our case, the impact of Spanish colonialism on the territorial organization of political authority and the resulting impact on policing caused a particular configuration of informally negotiated 'power-sharing' (see Boone 2003a, 2003b) as the most viable way of exercising political authority. The legacy of this configuration still shapes the exercise of political authority and policing in contemporary Mexico. This outcome should not be interpreted as if Mexican state formation has been marked by stasis. Quite the contrary. As will be shown below, there have been important moments of change. Nonetheless, these changes only gradually modified rather than overcame the predominantly informal and negotiated way Mexico is policed and state power is exercised, an

outcome which stems from the conscious decisions of Mexican state rulers to follow a negotiated pattern of state centralization and a mediated exercise of political authority in light of the persistence of local strongmen, endowed with high levels of relative bargaining power, within a fragmented political landscape inherited from colonialism.

This finding somehow resembles Mahoney's observation regarding postcolonial economic development in Spanish America: '[W]ith a few important exceptions, relative levels of development inherited from the colonial period have persisted until our time' (Mahoney 2010: 205). Although from a normative perspective, such 'an emphasis on stability is discouraging, showcasing as it does just how rare major changes have been' (Mahoney 2010: 205), Mahoney is correct to argue that 'objective information on the real challenges of transformation, even when this transformation generates pessimistic conclusions, can still be useful for those committed to transformation,' in particular for those 'who already know that enduring macrolevel transformations have not to date been frequently or easily accomplished' (Mahoney 2010: 205).

Acknowledging the persistence of Mexico's negotiated state and the resulting patterns of policing over more than four hundred years is particularly important for overcoming the 'authoritarian rule' bias in much of the current literature on Mexican policing, which tends to ignore the deep historical roots of the contemporary policing problems and tries to explain them almost exclusively with reference to the direct heritage of the 71 years of PRI one-party-rule (see, for instance, González Ruiz et al. 1994: 87–9; Lozano Garcia 2001: chapter 1; Shirk and Ríos Cázares 2007: 18–19; Suárez de Garay 2006: 29–32). By providing a historical assessment of Mexican policing, however frustrating the identifiable pattern of continuity might be, I hope that this exercise possibly contributes to a more accurate and realistic assessment of potential challenges and obstacles, but also possibilities of future change, regarding Mexico's (in)security problems.

This chapter is organized in three sections. The first section is largely theoretical. Here I develop the concept of Mexico negotiated state, as a state form marked by informal political negotiations and the politics of appropriation. These theoretical reflections form the background for the subsequent historical narrative analysis which will demonstrate how, since the colonial era, informal negotiation processes between the central state and local power holders—the political personifications of areas of limited statehood—have become the defining characteristic of the political geography of the Mexican state shaping the way policing operates in Mexico. The chapter will close with a conclusion summarizing

the main findings and indicating their implications for the analysis of policing in Mexico City that follows in the next chapters.

### **The argument: Negotiating state centralization**

In order to understand why Mexico's state, like the state in many other countries in 'most of the world,' developed as a negotiated state, it makes sense to consider the following question posed by Henri Lefebvre: 'Is not the secret of the state, hidden, because it is so obvious, to be found in space?' (Lefebvre 2002: 87). Lefebvre answers this question in a positive way. He argues that 'state and territory interact in such a way that they can be said to be mutually constitutive' (Lefebvre 2002: 87). From the viewpoint of political rulers, the relationship between state and space is indeed vital, but it has to be crafted in a way which converts the relationship between state and space into a *state space* proper. As Scott argued, the decisive challenge for political rulers for managing their territories 'is to devise an ideal "state space": that is to say an ideal space of appropriation' (Scott 2009: 40). For the creation of such a state space, from and in which state rulers can appropriate essential resources for the reproduction and protection of the state and their own political authority—like taxes, economic surplus, or soldiers—or 'intensive' state power (Mann 1993: 6–9), violence and coercion are indispensable resources.

I already suggested in the introduction that we should consider the relationship between coercion, violence and the state beyond the language of monopolies. Nonetheless, it is undeniable that the constitution of the modern state is inseparable from an effort to if not monopolize then to *centralize* and *concentrate* the existing means of violence and the regulation of their exercise, making the latter's endurance and extensiveness a defining characteristic of modern statehood (Tilly 2003: 41).

This basic pattern is well reflected in most research on European state formation, where the 'socio-genesis of the state' (Elias 1976/II), which is inseparable from the constitution of a political entity with enclosed, clearly defined borders, a fact unknown to pre-modern political entities (Giddens 1987; Poulantzas 1978; Reinhard 2000), is the result of a successive '*primitive political accumulation*' (Althusser 1998: 320, emphasis in original). This term signals that during the process of state formation, actual or potential political competitors in the guise of territorially based local power centers, endowed with their own coercive resources, have been successfully defeated by state makers. As we know from Marx's

work on the nature of primitive accumulation (Marx 1975: 741–91), the latter was a highly violent process, and indeed, the modern state's emergence was predominantly (but not exclusively) achieved by the exercise of violence against internal and external competitors (Tilly 1990, 1985; Elias 1976/II). It is this intimate relationship between the founding violence of the state and the resulting possibility of constructing a state space with a *tendential* internal homogeneity and seemingly clear-cut geopolitical lines of demarcations (borders) that enables the state to materialize itself as the internally undisputed and externally recognized sovereign political 'power container' with a territorial grounding (Giddens 1987: 13), capable of appropriating taxes, manpower and other resources essential for its own reproduction.

In most European cases this process, it is widely accepted, was triggered by warfare (Tilly 1985, 1990). Although elite politics, coalition building and the organization of local governments might have also played an important role as did the impact and patterns of capital accumulation and cultural and confessionalization-related politics (see, for instance, Corrigan and Sayer 1985; Ertman 1997; Giddens 1987; Gorski 1999, 2003; Spruyt 1994; Steinmetz 1999), the ideal-typical endpoint of this process, at least in Western Europe, was the creation of a 'legible' (Scott 1998) and 'administratively controlled and even policed space' (Lefebvre 2009: 188).

From a global perspective, however, this pattern of state formation, in which the intersection of war, elite politics and capitalism, in addition to a good portion of 'luck' with regards to world historical timing—and geopolitical location—caused the emergence of states that for many observers resembled coercion-wielding 'monopolists' as well as coherent, internally homogeneous sovereign power containers, seems to be the exception rather than the rule (see introduction).

The Mexican case illustrates the related consequences and challenges rulers faced when confronted with such 'other,' albeit globally predominant, forms of state formation, and it provides important insights into their political strategies for creating spaces of appropriation by means that did not follow a war-centered path of state centralization.

In this respect, insights from recent 'revisionist' studies on the Mexican state are illuminating. Contrary to the longstanding dominant view on the Mexican state, which portrayed it as a nearly almighty Leviathan, these studies have convincingly argued for a perspective on the Mexican state as a more decentered and fragmented political entity (Lewis 2005; Nuijten 2003; Rubin 1996, 1997), an outcome resulting from a state formation process that did not culminate in either an

enduring centralization of the means of violence or an efficient regulation of their exercise within the state apparatus (Knight 2001: 189–90, 202). This result is closely related to the fact that, in contrast to many European cases, war did not contribute to the centralization of the means of violence within the Mexican state apparatus. For instance, Mexico's war with the United States, despite the fact that it was 'the most important of the conflicts fought by a Latin American country' (Centeno 2002: 59), as well as the other international wars Mexico fought throughout the nineteenth century after its political independence, did not trigger a state formation process that culminated in the consolidation of a centralized coercive state apparatus endowed with the capacity to implement collectively binding decisions throughout its territory. Two core features of Mexico's international war efforts were consequential for this outcome. First, a high degree of elite conflict and disunity, amidst the occupation by foreign troops, with regards to the form of government Mexico should take. Therefore, instead of confronting foreign invaders, 'much of the Mexican military effort was expended on domestic struggles' (Centeno 2002: 60). Second, Mexican armies were far from modern, disciplined and 'logistically complex.' Indeed, 'the government of Mexico was never able to muster enough authority or will to field anything approaching a modern army' (Centeno 2002: 61). As a result of the intersection of these processes, nothing similar to the European 'coercion-extraction-cycle' (Finer 1975; see also Benz 2001: 203–13), triggering what Elias termed 'monopoly mechanism,' where 'the free use of military powers [*militärische Machtmittel*] is denied to the individual and reserved to a central authority' (Elias 1976/II: 142), unfolded in Mexico.

Under these conditions, Mexican state space itself, far from resembling a homogeneous, standardized and legible space of appropriation, took the shape of a 'notably regionalized, substantially disarticulated society' (Van Young 1992: 11) of 'many Mexicos' (Simpson 1974). This 'disarticulated society,' in combination with the underlying dispersion of the means of violence, created an opportunity structure for the emergence of local political power centers whose existence inside the territory of Mexico's state contributed to a 'fragmented sovereignty' (Davis 2009a) with a pervasive presence of areas of limited statehood dominated by local strongmen and political brokers, a challenge to both rulers' aims of appropriation as well as to their exercise of political power.

The way these obstacles and the related limitations of the state's 'despotic power' (Mann 1986: 113) were politically resolved, that is, how an appropriable state space as well as state-centered governability

was crafted in Mexico, was through two interrelated processes. First, Mexican rulers, aware that they were unable to effectively coerce local power centers, integrated them through negotiation and bargaining processes into Mexico's state, an outcome which explains the constantly negotiated character of political order and domination in Mexico (Braig forthcoming; Beezley et al. 1994; de la Peña 1986; Gledhill 2001; Joseph and Nugent 1994). In this regard, Mexico's state formation process produced and reproduced a permanently negotiated state.

However, it should be kept in mind that rulers' bargaining and negotiation power, decisive for the reproduction of this pattern of state formation, 'is determined by the extent to which others control resources on which rulers depend and the extent to which rulers control resources on which others depend.' This implies that in order to enhance their bargaining power, Mexican rulers had to make 'others [local strongmen] depend on them' (Levi 1988: 17). Due to the limitations with regards to the available coercive resources, the large-scale use of force was discarded as a viable strategy for creating such dependence. Consequently, the most rational option for enhancing the bargaining power of Mexican rulers, as well as for deepening the 'reach of the state' and for appropriating valuable resources, was the crafting of a state form which in order to appropriate—and to govern—had to become appropriable itself. Therefore, the Mexican state only extends throughout its territory 'on the condition that it be locally appropriated (usually by local elites) and that some of the benefits of this appropriation spill over to the rest of the local population' (Lomnitz 2001: 163). I will call these processes of local state appropriations aimed at enhancing the 'reach of the state' the *politics of appropriation*.

Therefore, far from being manifestations of 'public' policy, Mexican '[g]overnment-created rights and programs are sources of positive incentives in the form of bribes, patronage, or other material inducements' (Levi 1988: 20). As Paul Friedrich observed in this respect: 'All officials are permitted to accept gifts from individuals desiring to influence them' (Friedrich 1986: 117). Material inducements which facilitate such forms of the appropriation of institutional parts of the state for private purposes are largely provided through informal channels. They are mostly illegal, but the violation of legal standards is officially tolerated and even encouraged. This indicates a particular mode of governance or strategy of rule, which enables central state elites to govern Mexico's negotiated state. In exchange for the tolerated informal appropriation of 'public' resources—through a wide spectrum of practices ranging from patronage, to corruption, to outright theft and plunder—provided by



the central state, local power holders pave the way for the implementation of central state policies and projects, facilitate the appropriation of local resources, mobilize voters or guarantee 'order' in their zones of influence. By fulfilling these tasks, local strongmen provide state rulers with 'a fulcrum for indirect rule, a negotiation partner and someone who might be held responsible' (Scott 2009: 114).

Following Klaus Schlichte (2005; Schlichte and Wilke 2000), we can describe the resulting scenario of the workings of state power as the 'rule of intermediaries,' a rule operating on the basis of 'structures of mediation,' which 'function independently of democratic formality, although they have a solid and stable "popular" base, composed of a broad but marginal social segment' (Bartra 2007: 30, see also 1999a: 26–30). It is the 'high degree of institutionalization (legal and informal) achieved by this structure of mediation, which explains to a considerable extent [*en buena medida*] the famous stability of the Mexican political system' (Bartra 1999a: 27). This outcome implies that informal and paralegal, rather than formal-legal standards are the guiding rationalities for political action in Mexico's negotiated state.

Although the Mexican state presents and imagines itself as an impersonal power under the rule of law, as, for instance, embodied in its constitution, this formal-legal dimension is permanently overdetermined and subverted by informal politics. In this regard, the following observation made by Holston for the case of Brazil also holds true for the Mexican case where the realm of legality is a terrain where 'illegal practices produce law and extralegal solutions are smuggled into the judicial process. In this paradoxical situation, law itself is a means of manipulation, complication, stratagem, and violence by which all parties—public and private, dominant and dominated—further their interests' (Holston 2008: 203–4). But, as this observation illustrates, and as Bartra reminds us, legality and even formality play an important role for structuring informal politics. For instance, local strongmen frequently hold public office and their related capacity to resort to formal-legal resources is vital for enhancing their political power, for example, through the legal distribution of patronage resources. What is more, legality and formal access to the law also serve as permanent resources for intervening into informal politics. For example, by deciding to enforce otherwise unenforced legal standards against a political competitor or oppositional actor, local strongmen can modify existing power relations at the local level in their favor. In a similar way, state elites can resort to the law in order to sanction or remove local strongmen who may have violated tolerable levels of the appropriation of public resources, who

become troublemakers or who otherwise cease to be functional. Publicly resorting to such legal practices has a double meaning, as formal-legal intervention disguises the fact that what is at stake in such situations is more than anything else an intervention into the realm of informal politics (Helmke and Levitsky 2006: 21). It is precisely this possibility of intervening into—and modifying—the off-stage realm of informal politics (see Scott 1990) by formal-legal means which, as we will see throughout this book, explains the continued political relevance of formal-legal practices within Mexico's negotiated state, where the unrule and not the non-rule of law has acquired a structural character.

The aforementioned features of negotiated state formation, marked by informal negotiations, politics of appropriation and paralegal practices have two important consequences. First, as this path of state formation does not eliminate local centers of power but rather integrates them into the state through informal negotiations and the politics of appropriation, it creates a deeply fragmented political geography marked by the pervasive presence of areas of limited statehood. Whereas such a fragmented political landscape is frequently perceived as a source for high levels of political instability and the result of unsuccessful or even failed state building, negotiated state formation, if skillfully managed by state rulers, I suggest, can be hypothesized to produce a more positive outcome with regards to both, political stability and state integration. This is most of all related to the following pattern, stemming from, underlying and reinforcing this path of negotiated state centralization:

Negotiated state formation is marked by the fact that state rulers, facing the large-scale existence of autonomous power centers inside the territory over which they claim to rule, but which they are unable to coerce or militarily defeat, decide to convert the state into a resource to be appropriated by local strongmen in order to create a state space as a space of appropriation as well as to enhance the 'reach of the state.' Opting for political accommodation can be a conscious and rational decision based on the calculation that becoming an undisputed coercion wielder in a given territory by violent means is unachievable in political as well as in military terms. This decision may also stem from a more contingent outcome in which the de facto appropriation of parts of the state is an inherited legacy of previous forms of political rule and a well-established rule of the game which state rulers have to deal with when pursuing their state formation projects. Furthermore, this decision may even result from a political lack of interest in establishing a penetrating form of exercising state power throughout the state's territory, because integration of and collaboration with existing local

power structures in the guise of an informal contract of appropriation might be less costly and more efficient for state elites—in political, coercive and economic terms—than, for example, creating, extending and maintaining the necessary infrastructure of rule themselves.

Whatever the underlying causes, or combination of causes, may be, if state rulers decide to tolerate, stimulate and support the appropriation of state resources by local power centers as the most viable way to appropriate vital resources for state ruler's political survival and the institutional reproduction of the state itself (taxes, manpower, votes, the capacity of policy implementation), this decision can be expected to initiate a sequence in which an increasing number of local power centers join this process. This enhances the negotiation power of state elites and thus their position for setting the rules of the game, because enhancing the mediated and negotiated 'reach of the state' also enhances the coercive powers of state elites. In addition to the acquisition of more military resources on the basis of an enhanced extractive capacity, state elites can also use their informal access to the private military powers provided by allied local powerholders in order to discipline and coerce those trouble-making strongmen that are unwilling to collaborate with the central state.

Moreover, the more extensive the alliance between state elites and local strongmen becomes with regards to its spatial scope, the more the remaining 'outsiders' are pressured into tactical forms of accommodation with the state in order to guarantee their own political survival. In this regard it is important to keep in mind that from the local strongmen's point of view, joining in the game of negotiation with the central state is related to the fact that they benefit from this alliance in material and political terms. With increasing access to local spaces of appropriation, state rulers not only increase their own capacity of extraction. The more they appropriate, the more resources can be redistributed through the state to local power centers, enhancing state-centered patronage structures and the 'reach of the state' as such. By allying themselves with the state, local strongmen gain access to these resources and 'end up with an enhanced bargaining position or with posts in the state itself that influence important decisions about the allocation of resources and the application of policy rules' (Migdal 2001: 92). Furthermore, this access to state resources, like a post in the local administration, privileged non-enforcement of laws, or infrastructure provision, such as roads or sewage systems, can be translated by strongmen into political as well as economic and even coercive capital. Whereas this spill-over effect is important for

maintaining and enhancing their local support base, it additionally provides strongmen with a competitive advantage over potential rivals. This creates a demonstration effect that signals that collaboration with the central state and incorporation into the 'structures of mediation,' rather than active resistance, might be the most profitable way for enhancing one's local political power, an overall outcome that converts the state into 'the grand arena of accommodation' (Migdal 2001: 92).

Although this is definitely not the classic 'monopoly mechanism' identified by Elias, *if* state rulers are capable of successfully establishing the rules of the game through patterns of accommodation with local strongmen, in a mutually reinforcing process, state elites empower local strongmen but also make them dependent on the state, thereby enhancing state power, the 'reach of the state' and political governability as such. In the end, if successful, state elites can enhance their political bargaining power, which gives them the capacity, albeit in a mediated form, to exercise state authority and make *tendentally* binding decisions—however compromised this outcome might look from the 'classic' European experiences. The outcome of this process can be imagined as a dialectical process in which 'mediation converts itself into direct power and the latter becomes mediation' (Bartra 1974: 161). That dialectic processes are by definition contradictory and crisis-ridden is obvious, and we will observe many contradictions and moments of crisis stemming from these processes below. Nonetheless, it is neither inevitable nor deterministic that these outcomes will by definition lead to state disintegration or state collapse. Indeed, the Mexican case illustrates the longevity of negotiated state formation.

A second, in fact closely related, consequence relates to the question of institution building in the negotiated state. If institutions 'are the art of the state' (Galvin et al. 2006: 1), a negotiated pattern of state formation marked by the predominance of informal politics tends to favor an institution building strategy that Catherine Boone called 'powersharing.' This term refers to a path of institution building in which state institutions provide infrastructure in the peripheral areas of the state that can be appropriated—in the Mexican case in informal ways—by local strongmen who then become dependent on these resources and therefore clients and agents of the state (Boone 2003a, 2003b). If strong institutions are those 'that are stable and enforced' (Levitsky and Murillo 2005: 270), then the power-sharing strategy of institution building under the conditions of negotiated statehood seems to indicate institutional weakness, if not instability. However, at a

closer look, it becomes apparent that power-sharing arrangements create (formal) institutions which are *stable*, but whose rules remain unenforced, or better, selectively enforced. Levitsky and Murillo recently suggested calling this type of institutions 'window dressing institutions.' They write: 'In other words, rules remain on the books for long periods of time but are routinely ignored. Because state actors are unable or unwilling to enforce them, they serve, in effect, as "window dressing" institutions. In such cases, political actors often play by informal rules of the game' (Levitsky and Murillo 2005: 273; see also Helmke and Levitsky 2006: 6). It is not just by coincidence that the authors argue against the assumption that a lack of enforcement of formal institutional rules undermines institutional—and political—stability, with reference to post-revolutionary Mexico. In a passage particularly relevant for the argument of this chapter they state:

Take electoral rules in postrevolutionary Mexico. Had these rules rigorously been enforced, such that elections were free of fraud and other abuses, they would likely have generated intense political conflict that could have threatened the stability of the regime. In other words, the extraordinary stability of the post-1917 Mexican regime rested, in part, on the systematic failure to comply with core elements of the 1917 constitution. (Levitsky and Victoria Murillo 2005: 274)

This observation clearly echoes the predominance of informal politics which stand at the heart of Mexico's negotiated state and their impact on its institutional architecture. If this state can only reproduce itself as a social ensemble through the 'informal rules of the game,' which include informal negotiations, the politics of appropriation and a power-sharing pattern of institution building, then crafting institutions that operate through the strict and permanent enforcement of formal rules, embodied in the legal ceremonies of Mexico's 'public transcript,' (Scott 1990) would indeed be incompatible with this type of state and threaten its capacity for achieving social and political cohesion. 'Window dressing institutions' are better suited for this purpose. Their 'weakness,' which does not only stem from a lack of resources or 'capacity' but from their embeddedness within a political environment dominated by informal politics, provides the necessary institutional flexibility for the exercise of power in the negotiated state, an exercise which, it is important to keep in mind, also takes place through the enforcement of formal rules.

In fact, the latter are not in a state of permanent non-enforcement. Rather, as we will see throughout this book, strategically resorting to formal rules is an important resource for setting, transforming and maintaining the informal rules of the game that form the basis of the exercise of state power in the negotiated state, making institutional 'weakness' a selective and context-dependent outcome.

This calls attention to the limits of the 'good institution' perspective in much of the rational-choice inspired literature (Peters 2005: 66–8) which, to put it bluntly, assumes that institutions are designed for overcoming shortcomings of markets or political systems 'leading to happy-end outcomes of productive solutions as well as harmonious, consensual relations among the interacting parties' (Rueschemeyer 2009: 208). What the power-sharing strategy of institution building and the idea of 'window dressing institutions' tell us instead is that institutions do not exist in isolation from society and beyond the realm of power relations, conflicts and political bargaining processes in a given context (Knight 1992; Moe 2006; Rueschemeyer 2009: chapter 12). This calls for an 'embedded' perspective (see Hollingsworth and Boyer 1997 on economic institutions), or to paraphrase Migdal, an institutions-in-society perspective, that pays particular attention to the role 'deeply embedded social arrangements' play 'in shaping ruler's institutional choice' (Boone 2003b: 20) and the mutual constraints societies put on their institutions and institutions on their societies (Arias 2010: 259).

## **Policing and state formation in Mexico**

Taking into account the argument made in the previous section, it seems more than doubtful that Mexico's negotiated pattern of state formation contributed to outcomes such as those described in much of the European state formation literature, where state makers limited the powers of local strongmen by 'encouraging the creation of police forces that were subordinate to the government rather than to individual patrons' (Tilly 1985: 175). But what was the Mexican outcome regarding the relationship between policing and state formation? To address this question, in what follows I will reconstruct the relationship between policing and state formation from the colonization of Mexico to the more recent processes of democratization and Mexico's security crisis at the beginning of the new millennium and analyze how a negotiated pattern of state formation left its mark on the exercise of police power.

### **The colonial heritage**

Historical research on Mexico has shown that the colonial administrative apparatus possessed only a limited capacity to penetrate the colonial territory<sup>2</sup> in spatio-political terms (Carmagnani 1994; Coatsworth 1982). In line with the self-imagination of the political body of the Spanish monarchy, dominated by the image of a loose association of its territories and thus accepting the resulting dispersion of political power into a plurality of relative autonomous centers, the establishment of a centralized political entity in New Spain was neither aimed at nor achieved (Carrera 2005: 23–5). This low degree of political centralization was also due to more material reasons: the cohesion of the colonial political structure could neither be achieved nor imposed by a colonial administration lacking both financial and personal resources for such an endeavor. Instead, it was the result of a permanent, and largely informal, negotiation process within a political network structure. This ‘network of interests’ connected different autonomous regional power centers with each other and with the colonial center, Mexico City (Hamnett 1986: 2; Pérez Herrero 1992: 137). Within this network, Mexico City, due to its concentration of political, economic and symbolic resources, much of them centered on the figure of the viceroy, held a dominant position (Lomnitz-Adler 1992: 285). Nonetheless, because of the city’s dependence on the constant access to peripheral resources, its political power was constantly overdetermined by the totality of this network structure and its hierarchy of different centers of power.

It would be mistaken to identify the existence and survival of these autonomous regional power centers, or areas of limited statehood, exclusively with their capacity to resist centralization efforts from the colonial state. In fact, active resistance was rarely necessary for achieving relative autonomy. It was a common practice that the colonial state itself, by means of formal or informal delegation of legal and political powers, strengthened or even created such autonomous power centers (Chevalier 1992: 29). The logic behind this seemingly paradoxical behavior can be explained by the permanent lack of financial and administrative resources of the colonial state and by the difficult access to the remote areas of the colonial territory. Under these conditions, the colonial state apparatus was unable to make its presence felt in large parts of the colony. The Spanish Crown often welcomed the possibility of delegating political power to local strongmen under the condition that their activities did not undermine the larger goals of colonial rule. In consequence, colonial policing arrangements were characterized by

this fragmentation of rule and converted local strongmen into the principal agents for the maintenance of law and order and the provision of security at the local level (Gerdes 1987: 82). The decisions of the colonial state concerning the possible delegation of such tasks were in general guided by a spatially selective cost-benefit rationale.

Naturally, it [protection] was allocated to those regions that could yield maximum returns for the cost of governing. The process of selection favored areas with dense native populations whose labor was allocated to Spaniards (under *encomienda*), such as central Mexico, or the South American *altiplano*; it also favored regions with mines, like northern Mexico. . . . Regions with marginal land, no mines, and low population density tended to be those in which governments delegated their authority to private citizens more often than in other regions. These men paid the costs of colonization and defense, but they were compensated through the acquisition—by legal and not so legal means—of huge tracts of land. (Duncan Baretta and Markoff 2006: 36)

One of the main consequences of these arrangements was that in areas dominated by such strongmen, the local administration of justice and the provision of security were totally dependent upon their personal interest. This converted the delegated coercive resources at the strongmen's disposal into an important resource for engaging in extralegal practices, like illegal land acquisition, thereby severely limiting the public character of colonial policing. This was tolerated as long as the activities of these strongmen did not threaten the general interests of the Spanish Crown. Anthony MacFarlane uses the notion of an 'unwritten contract' to capture the nature of such arrangements. This contract between the crown and local political actors, he argues, was based on the informal and frequently illegal granting of privileges and immunities before the law in return for political loyalty to the crown. The principal victims of such negotiated arrangements were in general indigenous communities and other subaltern groups (MacFarlane 1996: 56).

In the late colonial period, the Bourbon reformers under the regencies of Phillip V (1700–1746), and in particular Carl III (1759–1788), launched a project of political centralization aimed at a modification of the relationship of forces within the 'network of interests' in favor of the political forces in Mexico City. Inspired by Physiocratic ideals, the corrupt and abusive powers of the local strongmen were now more and more identified as serious threats to the colonial (and imperial)



economic development, because 'an ignorant and miserable population, subjected to parasitic practices, could not effectively produce or consume' (MacLachlan 1988: 77). In line with such reasoning, and convinced of the fact that a successful maintenance of law and order would directly contribute to economic growth (Scardaville 2000: 4), the Bourbon reformers aimed to put an end to the existence of the locally based spheres of power by extending the reach of the colonial administration of justice to the seemingly forgotten peripheries of the colonial territory.

The most important instrument in this regard was a special police force called *acordada* (MacLachlan 1974). Founded in 1719 and initially focused on rural areas, by 1756 its jurisdiction was extended to include the urban centers of the colonial territory. Although its official mission included a wide range of responsibilities such as robbery, physical violence, arson, the illegal appropriation of property and women (*sic*), as well as the regulation of illegal beverages, special attention was given to the fight against rural banditry and highway thieves (Bazán Alarcón 1964; Fernández-Menasque 1950; MacLachlan 1974; Rodríguez-Sala 2008). Besides such official preoccupation with the fight against crime, in practice, the *acordada* was also used as a repressive police force in the fight against local insurgencies (Hamnet 1986: 59). In this respect, the *acordada* functioned more as an institution responsible for moral and political coercion than for the provision of public security and the fight against crime (Meraz and Parra 2000: 27). Its success on both fronts was, however, very limited. Members of the *acordada* (in general volunteers) were not immune to appropriation efforts by local power holders and their search for local 'order.'

The fact, that many hacendados or other influential inhabitants held a lieutenancy [in the *acordada*], and commissioners were frequently the employees of such powerful people, made it difficult to enforce strict compliance with the regulations. . . . The vested interest of the local hacendados and merchants in the peace and security of their districts, together with the disdain held by the upper social and economic class for the lower classes, did not lead to an overconcern for justice. Order interested them above all. (MacLachlan 1974: 74–5)

Moreover, the de facto power relations between the colonial center and the strongmen entrenched in the peripheral areas of the colonial state, in addition to the persisting lack of economic and coercive resources, made it clear to the Bourbon reformers that they had to abandon their

ambitious goals of expanding the domination of Mexico City to the peripheries. Instead of using the *acordada* as a tool for political centralization, their continued dependence on informal negotiations with local power holders converted the *acordada* into another resource that could be locally appropriated by strongmen in exchange for political loyalty. Therefore, the *acordada*, invented as an instrument for imposing the power of Mexico City on the local spheres of power, ended up as another tool in the coercive arsenal available to local strongmen, thereby making its contribution to a centralized form of security provision more symbolic than real: 'It [the *acordada*] reminded common rural Mexicans who was the boss, and by granting rural elites the means to enforce their will, the crown hoped to ensure a loyal constituency in the countryside' (Vanderwood 1981a: 22), a fact that contributed to the survival of locally based 'thoroughly despotic regimes independent of Mexico City' (Archer 1977: 128) throughout the late colonial period.

Further centralization projects capable of reversing these developments were not yet in sight. The political consequences of the Napoleonic wars and the political processes leading to Mexican independence in 1821 were accompanied by high levels of political instability and disintegration that made every centralization endeavor impossible. The following decades brought even more political disintegration and instability. The severe confrontations between liberals and conservatives; the rise and fall of a Mexican empire under the reign of Augustín de Iturbide (1822–1823); the war between the United States and Mexico (1846–1848); the military intervention of Spain (1829), France and Spain (1838), France and England (1862); and, finally, the French intervention (1862–1867), which led to the foundation of another empire under Maximilian (1864–1867), converted the political landscape of Mexico into a 'chaotic' environment (Hamnett 1999: 141–7), a context which, as argued above, despite widespread domestic and national wars raging on Mexican soil, did not initiate a path of war-centered state formation.

This situation not only prevented the formal political independence of Mexico from Spain from being accompanied by a process of territorial and institutional state consolidation. Furthermore, this situation even provided many political opportunities for the consolidation and emergence of new local strongmen, leading to a change in the balance of forces between the central and peripheral forces of the 'network of interests' in favor of the new and old regional power holders, largely at the expense of central state authority (Tutino 1986: 215–27). This also

undermined the capacity of Mexico City to function as the central point of gravitation capable of ordering the political orbit of Mexico's fragmented political geography and framing it within a political network structure (Lomnitz-Adler 1992: 287–96)—with serious consequences for the power and reach of the independent Mexican state.

The defining characteristic of the independent Mexican central state during the first half century of its existence was its chronic weakness due to its limited territorial reach which was basically reduced to the territory around Mexico City, the most important harbors and some border checkpoints. . . . This development manifested itself in the fact that the state dissolved itself more and more into a plurality of local and regional spheres of power. (Tobler 1999: 38)

The emergence and consolidation of new local power centers in these years is inseparable from the militarization that was haunting Mexican politics during this period. Not only were local insurgent leaders and Creole officers, backed by their private military power, able to bring whole regions under their personal political control, but groups of bandits and brigands, often composed of former soldiers, knew how to profit from the chaotic political situation and established themselves as new local strongmen (Tobler 1999: 39). Especially in rural-peripheral zones, based on the economic organization of large landed estates, or *haciendas*, the phenomena of strongmen politics (*caudillaje*) became the general form under which local political domination was exercised. Even though *caudillos* can be identified as classic social agents of the colonial era, what followed Mexico's independence added a new political quality to this phenomenon.

During the Wars of Independence, large parts of the population had access to arms which, in turn, allowed access to wealth and political power. One important source of the *caudillos'* power was their embeddedness in complex, clan-like networks, characterized by clientelistic relations and personal loyalties, as well as a specific kind of charisma attributed to the *caudillo*, frequently evoked through the use of physical violence as a means of symbolic communication (Riekenberg 2003: 60). Another essential pillar of *caudillo* power was the fact that the local *caudillos* 'maintained private armies to fend against the intrusions of the national government and local competitors alike' (Frazer 2006: 51). Besides the capability of offering a certain degree of security to his followers, what was essential for the local *caudillo's* success on both fronts was his ability to appropriate and distribute wealth through plunder. This explains why the exercise of violence and the resulting

insecurity in areas under *caudillo* dominance became central organizational features of the *caudillo* system (that guaranteed its internal coherence) (Wolf and Hansen 1992).

In sum, widespread violence and extra-legality became the basis for the establishment of local political careers which the still young Mexican state was unable and unwilling to confine. Although political elites in Mexico City were well aware of the problems of public insecurity, the state's limited financial resources were primarily consumed by confrontations between liberals and conservatives and the fight against foreign military invasions instead of being used to establish a centralized public security structure.

Faced with this situation, the political elites in Mexico City decided to hand over the responsibility for policing to the different states, many of them *de facto* beyond the reach of the political authorities in Mexico City. This reflects the successful local resistance against the establishment of a strong federalized police apparatus, which from a local perspective seemed to threaten the achieved levels of autonomy in favor of Mexico City. Moreover, as in colonial times, the central state itself continued to create, strengthen and formally recognize such local power centers. In 1849, for instance, the creation of the state of Guerrero by Mexico's central government officially recognized and formalized the personal rule of Juan Alvarez, the dominant local strongman of this region, by appointing him as the first state governor (Jacobs 1980: 79).

Even after the final triumph of the liberal over the conservative forces in 1854, which was then followed by a period of political reform, the victorious political factions were unable to establish an efficient police apparatus suitable for bringing central state authority as well as legality and security to most parts of the country. Although they identified security problems as a serious threat to attracting foreign investment, all attempts to create a centralized (and centralizing) public security architecture collapsed in the face of resistance from local power centers (Vanderwood 1981b: 23), reflecting the incapacity of the nineteenth-century Mexican state to establish a hegemonic ordering of violence in its territory (Riekenberg 2001: 125).

### **From order and progress to chaos and anarchy: Porfiriato and revolution**

The long hoped for (at least by the political elites in Mexico City) possibility of modifying this situation finally seemed within reach with the formation of a liberal-oligarchic regime<sup>3</sup> under Porfirio Díaz

(1876–1911)<sup>4</sup> and the regime's capacity for political stabilization under the *Pax Porfiriana*. During this time, Díaz's regime achieved new levels of state centralization and—by means of opening up large parts of the Mexican territory for railroads—a previously unequalled institutional penetration of the Mexican territory by state institutions (Knight 1986/I: 15–36; Tobler 1992: 34–48). In reality, however, this peace was not very peaceful. Political violence and repression against potential opponents and the popular classes were some of its crucial features, a fact which led Knight to characterize it as a 'Roman peace' (Knight 1999: 108). Notwithstanding these violent manifestations of the Porfirian political order, the continuity of national government and the absence of large armed conflicts represented a welcomed experience for many Mexicans, especially if they belonged to the economic and political elites: 'The problems that plagued Mexican elites for over half a century appeared resolved under Díaz. Elites became richer, the state stronger and more stable, and together they ruled the nation more effectively' (Tutino 1986: 278). These developments, embedded in the flow of new financial resources, and with a more extensive grip over the national territory, substantially enhanced the bargaining power of the central state vis-à-vis the local power holders. But these processes only transformed and did not overcome the patterns of informal accommodation and bargaining between the central state and local strongmen. Although the Porfirian regime possessed 'most of the weaponry of contemporary colonialist states' (Knight 1999: 108), these weapons, however helpful they were for selective acts of large-scale repression, were hardly enough for triggering a coercion-centered phase of state centralization capable of converting the fragmented political landscape of Mexico's negotiated state into a centralized Leviathan. Therefore, informal negotiations continued to be the cornerstone of Mexican politics, but Díaz achieved a fundamental modification: if during previous phases the relationship between local strongmen and the state was mostly dominated by the peripheral forces of the network structure, Díaz was finally able to reverse this tendency. Through various stages, and by means of informal negotiations and personal ties, as well as supported by enhanced access to appropriable, exploitable and revenue generating resources such as—and probably most importantly—foreign loans, Díaz forged new alliances with local strongmen. These alliances not only brought Díaz himself to the top of the national political power structure. They also established a generally accepted frame of reference for political aspirations: the Mexican central state with Porfirio Díaz himself at the center of power, capable of providing local strongmen with an attractive flow

of appropriable patronage resources in return for political loyalty (Jacobs 1980: 76; Wasserman 1993: 3).

Therefore, the Porfiriato also re-established Mexico City as the nation's political center to which the peripheral powers in Mexico's negotiated state began to gravitate once again, thus leading to the re-emergence of the 'network of interests.' After the previous decades of political turmoil and 'chaos,' the consolidation of Díaz's rule can be described as a veritable institutionalization of Mexico's negotiated state and the resulting forms of informal politics.

The big merit of Díaz was that he achieved a unification of these already existing relations of fidelity around his person and converted them into the trellis [*el armazón*] of the whole political system. The fidelities and local or regional influences converted themselves into factors of political integration instead of being a factor for the weakening of the cohesion of the country. (Guerra 1992/I: 236, see also 93–107)

The local strongmen were consequently able to keep their autonomy, but the price they had to pay was an unquestionable loyalty to Díaz and support for his political project. Loyalty to Díaz provided them with 'opportunities for graft and plunder' (Lieuwen 1968: 1), largely in the form of impunity for extralegal activities as well as access to patronage resources they could appropriate and distribute among their political friends and followers. But if they failed or refused to demonstrate their willingness to obey Díaz and turned themselves into political troublemakers, threatening the political rules of the game and the stability of the regime, Díaz did not hesitate to eliminate them politically (and sometimes even physically).

The aforementioned aspects had serious consequences for Porfirian policing. A paradigmatic example of this can be found in the political fate of the *jefaturas políticas*, one of the most important institutions of political centralization under Díaz. Based on the conviction that his regime would not be able to survive without a strong institutional presence in the peripheries of Mexico, Díaz revived the *jefaturas*, an institution whose origins can be traced back to the Constitution of 1824 and even the Bourbon Reforms (in particular to the *Ordenanza de Intendentes* of 1786) (Delgado Aguilar 2004), with the aim of achieving the needed local embeddedness.

Several hundred federally appointed *jefes políticos*<sup>5</sup> would guarantee the regime's political projects' anchorage in the daily lives of the

Mexican population and that possible sources of political upheaval would not convert themselves into serious problems (Knight 1986/I: 24–31). For this purpose the *jefaturas* assumed a variety of legal, police and even military powers, all of which were necessary for the fulfillment of their most important task: the maintenance of public security, an overly political function for which they had access to the entire coercive arsenal of the local state (Falcón 1984: 42, 1994: 123–4).

Since in the Porfiriato public security became identified with political stability, the public mandate to provide security for the local populace was turned into the political task of securing regime stability. Furthermore, many *jefes* privately appropriated their legal and police powers and used them for their own advantage: ‘It was not at all unusual for them to deprive individuals of their liberty at whim or convenience, to imprison all sorts of opponents, and to appropriate the labor not only of prisoners but also of drunkards, vagrants, even villagers and rancheros’ (Falcón 1994: 117). Moreover, it happened that the *jefaturas*, contrary to the expectations of the Porfirian elites in Mexico City, forged close alliances with local strongmen interested in appropriating the *jefaturas*’ powers for their private interests. This made Porfirian policing even more selective and seriously undermined its state centralization project.

In terms of the construction of a modern state, it is striking, that as late as the last decade of the nineteenth century, Mexico still had not clearly designated the agencies responsible for monopolizing and attempting to legitimate the state’s power to use force. In this context the *jefaturas políticas* were local centers of power that concentrated any number and variety of functions. . . . By law, and often in real life, the *jefaturas* were the essential instrument of the governor and the president for imposing the state’s presence and control on its regions, towns and villages. But at other times they did just the opposite: as zealous champions of regional elites or community interests, they acted as bulwarks of local autonomy against state or national efforts to concentrate authority. (Falcón 1994: 127)

The *jefaturas* were not the only part of Porfirian policing with traits of individual, local and political appropriation and arbitrary conduct. Similar patterns can be observed in the case of the *Fuerzas Rurales de la Federación*, or simply *rurales*, a police force which together with the *jefaturas* became ‘the cornerstones on which the maintenance of the Porfirian status quo depended upon in the last instance’ (Falcón

1984: 42). Although, as in the case of the *jefaturas*, their origins can be traced back to pre-Porfirian times (they were formed by President Juárez in 1861), the ‘real,’ or famous, *rurales* were a creation of the Porfiriato.

As soon as Díaz came to power in 1876, he reorganized the existing rural police force with the aim of combating banditry. The urgency of this reorganization was due to the threat banditry posed for the centralization project and—by making obvious the regime’s incapacity to protect private property—the urgently needed foreign investments. While the reorganization of the corps during the first years of Díaz’s rule consisted mainly in the assignment of more personnel and the creation of more units, in 1880 the *rurales* received a precise legal regulation defining their mission as the maintenance of security on Mexico’s roads, the assistance to urban police (whenever needed), crime prevention and the prosecution of criminals. Additionally, the regulation demanded that in case of national emergencies, the *rurales* had to serve as auxiliaries of the Mexican army. Notwithstanding such legal definitions, in their daily routines the *rurales* showed anything but a strict adherence to the law. They became notorious for their arbitrary use of violence, most visible in their frequent recourse to the *ley fuga* (the killing of a prisoner under the pretext of his or her attempt to escape), of which there were more than 10,000 cases during the Porfiriato (Kitchens 1967: 44–6).

Additionally, as various examples in Paul Vanderwood’s studies of the *rurales* demonstrate, their overall contribution to public security was marked by inefficiency and corruption as well as non-sanctioned and widely tolerated efforts of political and personal appropriation of the *rurales*, both from local and national elites (Vanderwood 1981a, 1981b).<sup>6</sup> Such forms of appropriating parts of the state’s coercive powers, however, were generally accepted by the political elites as well as by Díaz himself—at least as long as they were in line with the informal rules of the game—as this was in tune with the overall workings of power during the Porfiriato and its political machinery: ‘Arbitrary law enforcement was also another form of the approved corruption that everywhere greased the Porfirian machine. It bred loyalty, salved discontent, and, in general, allowed Díaz himself to be the ultimate law’ (Vanderwood 1981b: 87).

In this respect, the Porfiriato resembled a striking continuity—although in a substantially transformed political context—with the previous patterns of policing, informal politics and essentially negotiated center-periphery relations during Mexico’s colonial era. Whereas this continuity indicates the successful re-crafting of negotiated statehood



after decades of post-independence political turmoil, the ultimate dependence of this entire political structure upon the person of Díaz, it would turn out, became increasingly problematic for maintaining political order and the stability of the negotiated pattern of state centralization in times of crisis and conflict. And conflict there was.

Despite its achievements in terms of political stability, the Porfiriato was far from being a regime spared from political turmoil. The latter manifested itself in the following ways: existing regional resistance against political centralization, an ever growing gap between those parts of Mexican society that benefited from the capitalist modernization project and those that were obviously excluded by it, and finally, the political inflexibility of the regime and the incapacity of the Porfirian elites to handle the question of Díaz's succession. During the first decade of the twentieth century, these conflicts came to a climax that finally culminated in the Mexican Revolution—which would bring an end to both the *rurales* and the *jefaturas políticas*.<sup>7</sup>

If one considers the fact that the political centralization achieved under the Porfiriato was ultimately based on Díaz's personal ability to manage the integration of local strongmen through informal negotiations into his political machinery, it should be of no surprise that the Mexican Revolution offered new space for these political forces to maneuver: 'It can be no wonder that by the time the revolution came around it was a heterogeneous uprising, linked to the specificities of local and regional societies. The "Many Mexicos" revolted for an equally varied number of reasons. The result was ... a *refeudalization* of power' (Ouweneel and Pansters 1989: 16, emphasis in original). This modification of the balance of power between central and peripheral political forces and the resulting disintegration of Mexico's negotiated state posed a serious challenge to the victorious forces of the Mexican Revolution and their efforts to reconstruct a post-revolutionary state.

### **The post-revolutionary constellation**

In 1911, the year Díaz went into exile, no political institutions capable of holding the centrifugal powers of Mexico's political landscape together existed (Falcón 1984: 13). This situation was further aggravated by the dissolution of Mexico's federal army in 1914, which meant that '[w]ith the surrender and demobilization of the *federales*, political power in Mexico rested in the hands of 150,000 armed revolutionaries' (Lieuwen 1968: 27, emphasis in original). These former soldiers fueled the ranks of competing revolutionary factions that between 1914

and 1915 battled each other but were incapable of achieving a decisive military and political victory. It was the military victory of the Carranzista armies, under the leadership of Álvaro Obregón, over the famous Northern Division of Francisco Villa in 1915 which established Venustiano Carranza as the dominant national political actor. This victory confronted Carranza with the task of institutional reconstruction and sustainable state building, an effort in which he largely failed (on these issues see Knight 1986/II: chapters 2 and 3; Tobler 1992: 334–64). In 1920 Carranza was ousted (and later killed) by Obregón, whose efforts of state reconstruction during the four years of his presidency were met by a very unfavorable political environment:

The Sonorans, or middle class, stood uneasily among the popular classes, twenty or so regional factions, powerful revolutionary generals (out for their own good), Porfirian oligarchs, and local bosses. None alone could challenge them, so they [the national revolutionary elites] had to satisfy the demands of each group enough to keep it from allying with one or more of the others. (Wasserman 1993: 6)

With regards to local strongmen, the national revolutionary leadership largely depended upon them in order to keep this precarious balance of power stable and manageable, implying a negotiated mutual transfer of resources. For example, Felipe Carrillo Puerto, the dominant regional strongman in Yucatán, tactically offered his political, military and financial support to Obregón and his successor Plutarco Elías Calles in exchange for access to federal troops which Carrillo could use to eliminate competing regional strongmen in ‘his’ state (Joseph 1980: 209–11). Such deals were widespread. They not only illustrate the incapacity of the national revolutionary leadership to pursue an efficient strategy of coercion-centered post-revolutionary state formation and the continued relevance of informal negotiations and the politics of appropriation. They also signal that at the local level, political conflicts and violence among rivaling local power contenders were still the order of the day. Aware of the potentially destabilizing consequences of this situation, in the 1920s, the ‘national revolutionary elite concluded that violence must end. Regionalism and personalism would have to give way to a strong national state’ (Wasserman 1993: 49).

The resulting challenge of establishing a lasting balance of power between the central government and local strongmen, capable of achieving national integration and internal pacification under the auspices of a centralized political authority, was finally solved through

the creation of a party. With the foundation of the *Partido Nacional Revolucionario* (National Revolutionary Party, PNR) in 1929, the victorious revolutionary forces, under the leadership of president Calles, were able to transform the fragile network of competing local strongmen into a kind of confederation, thereby institutionalizing informal negotiations between the national revolutionary elites and local strongmen: 'The PNR's creation was thus a deal between the center and the regions, involving the incorporation of regional elites into the national party in exchange for local autonomy' (Gibson 1997: 349).

Based on the consensus on the non-re-election principle of the Mexican president, the internal coherence and stability of this arrangement, institutionalized through party structures, was achieved through informal networks and negotiations, linking the central state to the local strongmen and their coercive powers. The latter continued to be vital resources for confronting challenges to revolutionary power throughout the 1920s and 1930s. The most dramatic challenge to both the revolutionary project as well as state consolidation was probably the Cristero Revolt (1926–1929), a large-scale armed insurgency under the banner of Catholicism. Local strongmen like Saturnino Cedillo, who on the basis of previously negotiated deals with the national government, similar to those of Carrillo Puerto, could command thousands of armed followers in the state of San Luis Potosí, were decisive resources for the national leadership to successfully confront and repress such challenges (Ankerson 1980; Falcón 1984).

It was the presidency of Lázaro Cárdenas (1934–1940) that would signal an important modification of this constellation. In order to strengthen his own political power as well as to consolidate central state authority, Cárdenas drastically enhanced the scope of the political integration of the popular classes (peasants and workers) into the post-revolutionary state. By integrating them directly into the institutions of the Mexican state, he undermined a decisive pillar of local strongmen's sources of political power: their capacity of mediating between the local population and the central state. Whereas agrarian and labor-reform laws were one crucial element of this strategy, a reorganization of the PNR was equally important. If the PNR initially represented a compromise between the different regional and local strongmen of the Mexican Revolution, and was henceforth dominated by a territorial organizational structure, this changed with the foundation of the *Partido de la Revolución Mexicana* (Party of the Mexican Revolution, PRM) in 1938. The territorial mode of organization was transformed into an organizational structure that was based on sectorial integration of the best organized and most active social forces in the post-revolutionary

political landscape of Mexico, which in addition to labor and peasants also included the military and the state bureaucracy. Cárdenas's decision to empower the popular classes by inserting them into the institutional channels of the central state decisively strengthened the national political leadership, as it created bonds of loyalty and dependence between the state and the newly incorporated groups, thereby shifting the balance of power between the peripheral political forces and the national government definitively in favor of the latter (Gibson 1997: 349). This arrangement, achieved by Cárdenas, which was again modified in the 1940s with the exclusion of the military and the renaming of the PRM to PRI in 1946, represented the political solution for the contradictions of the earlier efforts of post-revolutionary state formation and the point of departure for the consolidation of the Mexican political system under one-party hegemony (Bartra 1999b: 117).

This political structure served as a corporatist integration machine for the Mexican populace, as well as an articulation channel for the relationship (and negotiations) between the central state and local strongmen who became increasingly dependent clients of the central state. With this structure, a mode of governance was established that permitted the political elites in Mexico City to govern the country successfully: in exchange for formal and informal access to state resources—infrastructure, development programs, jobs—local strongmen paved the way for the implementation of important state policies in the peripheries, guaranteed the 'right' outcome of elections and maintained 'order' at the local level (see below). These forms of coalition building guaranteed for decades that the PRI was successful in integrating local strongmen into its ranks and political projects. This in turn made it possible for the PRI to achieve coherence as a national political force that provided the Mexican state with a (albeit fragmented and mediated) capacity for penetrating the national territory (Braig 2004, forthcoming; Braig and Müller 2008; Gibson 1997). It additionally re-established the unquestioned rule of Mexico City, which re-emerged as the political center of the post-revolutionary political system (Parnreiter 2007: 103–7), over the peripheries. The resulting consolidation of the post-revolutionary version of the 'network of interests,' no longer held together by personal incarnations of political authority, like viceroys or a national dictator such as Díaz, but articulated through party structures, also signaled the emergence of 'new paths to power':

The new paths to power required the exercise of new political skills, including the distribution of patronage, manipulation of organizational rules, informal alliances... The bulk of these activities [were]

carried out by the Party, but to reinforce the controls the government has frequently used formal-legal institutions as well as extralegal covert violent measures such as kidnapping of protesters, assassinations in the provinces and armed intervention in constitutionally protected meetings. (Stevens 1977: 239)

Local strongmen were crucial players within this game, in particular with respect to its more violent and ugly dimensions. By providing 'political subordination [of the local population] in exchange for material rewards' (Fox 1994: 153), local strongmen 'rather than army bayonets' provided the regime with 'alternative means of securing social control' (Knight 2005: 16). The price the population had to pay for these forms of intra-elite compromise was high and became increasingly evident in the realm of policing. By opting for a political pact with local strongmen that converted them into a functional pillar for keeping the national political machine running, the post-revolutionary Mexican state, as well as its historical predecessors, guaranteed them a high degree of autonomy, most of all with regards to their selective use of violence. This manifested itself in the fact that the Mexican state usually turned a blind eye to the individual accumulation and extortion strategies of local strongmen, whose mode of local domination was based on the exercise and threat of violence (Villareal 2002: 480–1) or the symbolic instrumentalization of violence (de Vries 2005; Friedrich 1986).

Furthermore, in order to comply with their main function, the maintenance of local 'law and order' in their areas of influence, local strongmen were allowed to have access to loyal, quasi-paramilitary troops of armed followers/clients who provided them with the necessary means of coercion. But still more important were local strongmen's formal and informal access to the post-revolutionary Mexican police apparatus (see, for instance, the many examples referred to by Knight (1997: 112–13).

In fact, this possibility of local strongmen appropriating the post-revolutionary 'public' security apparatus became a structural feature of the workings of the post-revolutionary police forces in Mexico. Such forms of appropriation, frequently facilitated by local strongmen holding political or administrative posts, were possible due to the high level of *de facto* autonomy of the post-revolutionary police apparatus in relation to the central state. Therefore, in order to ensure the political control over Mexican policing, the police forces were integrated into the political regime through informal politics and patron-client structures that aimed at 'buying' the Mexican police forces' loyalty to the

regime (Pimentel 2000, see Chapter 3 below): ‘Such loyalty [was] guaranteed through negotiated mutual commitments and benefits between those who represent[ed] the police and those who represent[ed] the regime. This complicity, surrounded by a wide margin of impunity, constitut[ed] the main bond that simultaneously unit[ed] and benefit[ed] both parties’ (López Portillo Vargas 2002: 110–11). As we will see in the next chapters with regards to the experience of Mexico City, a context which reflects the political decisions leading to this outcome as well as their impact on police activities in a paradigmatic way, this situation opened up an opportunity structure for a plurality of actors on different levels within the Mexican political system for appropriating the police for their particular (political, private and economic) interests—depending upon their access to political, economic and social capital. In line with the general pattern of post-revolutionary informal politics, such arrangements were tolerated as long as the police did not fail in their main political task: the repression of competing and potentially destabilizing political actors to PRI dominance (López Portillo Vargas 2002: 116–17; Müller 2006: 512–15). Under such conditions, the police, but also violence and the law, were being transformed into the personal property of local strongmen (Maldonado Aranda 2005: 247). If, as argued in the introduction, policing is about the creation and maintenance of political order, it was through the embeddedness of the Mexican police within these structures of negotiation, appropriation and informal politics, that policing contributed to the crafting and protection of political order in Mexico’s post-revolutionary negotiated state.

Although the post-revolutionary constellation of the ‘network of interests’ increasingly disintegrated in the context of the debt crisis of 1982 and the subsequent implementation of a neoliberal development model based on state downsizing, economic opening and international competitiveness, neither the consolidation of a semi-peripheral version of a national competition state (Soederberg 2005), nor tendencies towards political pluralization, decentralization, and democratization since the late 1970s (culminating in 2000 when Vicente Fox Quesada of the PAN was elected president of Mexico), deprived local strongmen of the foundations of their autonomy (Müller 2010a). This is the case because none of the abovementioned developments changed the underlying structure of Mexico’s negotiated state and the informal politics of negotiation and appropriation. The corresponding ‘hidden compromise behind and beneath the exercise of power’ (Gledhill 2005: 400) is still operating and determining the informal relations between center

and peripheries in contemporary Mexico—as well as Mexican politics in general. As Jean Riveleis reminds us, the transformation processes that Mexico experienced during the last decades most of all represent the transition from a bureaucratic-clientelistic state to a liberal-clientelistic one. This left the underlying spatio-political dimension of Mexican politics in the guise of a politically fragmented state space and the related exercise of state power through informal negotiations with local strongmen largely untouched (Riveleis 2003).

Not only were local strongmen associated with the PRI frequently successful in consolidating their zones of influence (mainly in the southern states of Mexico) in a form of ‘subnational authoritarianism’ (Gibson 2005; Snyder 1999). Moreover, the neoliberal restructuring of state and economy in Mexico generated further opportunities for the emergence of new local strongmen who were able to insert themselves in the local social fabrics suffering from serious social and political disintegration under neoliberal transformation (Gledhill 1998, 2001). What distinguishes them from their political predecessors is the fact that these political agents often demonstrate low levels of party loyalty. Moreover, as José Eduardo Zárate Hernández has shown, even alleged democratic parties, such as the PRD and the PAN are still dependent on the abilities of local strongmen to guarantee local ‘law and order.’ Reflecting on the construction of a new political coalition under PAN leadership in Jalisco, he concludes: ‘The businessmen that form this coalition and control the PAN in the state have common interests that have made it possible for PRI caciques to negotiate political recognition with PAN governors in exchange for maintaining public order’ (Zárate Hernández 2005: 283).

The growing flexibility of local strongmen with regards to party loyalty signals a general weakening of those patron-client relations that held the centralized PRI machine together. This outcome also had important repercussions within Mexican policing, as it undermined previous patterns of patronage-centered state control over the police apparatus: ‘With the PRI unable to control the state and its budget, the police turned away from the same informal practices of patronage and rent seeking that in prior decades had kept them loyal to the state’ (Davis 2010: 50). This seriously affected the capacity of Mexico’s negotiated state to articulate, negotiate and repress criminal actors, leading to Mexico’s current insecurity problems and the underlying growing power of organized crime, in particular drug trafficking.

When addressing this issue, it must be kept in mind that during the decades of PRI rule, the Mexican state and political elites established a quite intimate relationship with organized crime, whose activities were

largely protected and even facilitated by lax and overly selective law enforcement. Reflecting the basic pattern of post-revolutionary policing and informal politics described above, the appropriation of law enforcement agents by criminal actors—as well as the participation of the police in criminal activities—was largely tolerated, as long as it did not challenge the political and economic projects of the PRI elites, which, in fact, it rarely did. In this context, the police forces served as a ‘communicative platform’ (Baur 2009) through which the PRI regime, by means of patron-client structures running through the police forces and connecting them with different political layers of Mexico’s federal system, was capable of exercising a certain level of control and discipline over criminal activities—as well as guaranteeing the loyalty and governability of the police apparatus (see also Chapter 3).

As long as criminal actors accepted the informal rules of the game set by PRI elites, that is, unless their activity threatened ‘the revolutionary mystique and Mexico’s image at home and abroad, *embarrasse[d]* Mexican leaders in power, weaken[ed] central government or party control in some significant area, or [got] subordinated to non-Mexican actors,’ their activities could flourish (Reuter and Ronfledt 1992: 100). But when the limits of what was considered to be acceptable were passed, the police were sent in to (re-)enforce discipline:

The PRI, a political monopoly, has been a ‘patron-client,’ authoritarian type of system for seven decades and has used its social control forces (military, police, and internal security agencies) to control, tax, and extort the organized criminal elements. The political authorities provided immunity from prosecution for the criminal groups while obtaining money for development, investment, and campaign funding for the party, as well as for personal enrichment. The criminals were expected to pay and obey the authorities, and if they became a liability or could no longer produce, they were ‘liquidated’ or incarcerated. (Pimentel 2000: 33–4)

This kind of state-crime nexus also captures the basic parameters that defined the relationship between the political elites and drug trafficking (Astorga 2000: 67). However, whereas ‘the entire drug production-trafficking phenomenon failed to pose a serious threat to regional stability in the minds of Mexican officials until the mid 1970s’ (Craig 1980: 359), the situation began to change throughout the 1980s. Throughout this decade, previously established patterns of ‘state-sponsored-protection-rackets’ (Snyder and Dúran 2009) became



increasingly undermined by the mutually reinforcing consequences of the growing political democratization, the related pluralization of political actors and the repercussions of these processes inside the entire law enforcement apparatus. In addition to the abovementioned unraveling of patronage structures that linked the police forces to the PRI state and guaranteed a centralized form of informal crime control, the growing presence and impact of Colombian drug traffickers—predominantly engaged in the cocaine trade—gave Mexican drug trafficking a new quality. In response to the Florida Task Force's success in intercepting Colombian smuggling routes, the latter increasingly resorted to trafficking routes running through Mexican territory (Chabat 1994) and collaborated with Mexican traffickers like Miguel Angel Félix Gallardo, who controlled drug smuggling along Mexico's northern border (Payan 2006: 12). The resulting growing relevance of the cocaine trade within Mexico's illicit economy was further enhanced by the impact of trade liberalization. Trade liberalization destroyed classic contraband trade between Mexico and the United States, thereby depriving Mexican customs officials of vital sources of extra income in the form of 'taxes' and bribes, which Colombian traffickers were more than willing to pay (Sadler 2000). On the other hand, the dramatic increase in cross-border trade made large-scale inspections of vehicles crossing the US-Mexican border impossible (Payan 2006: 92–3). Finally, the disintegration of the PRI system of centralized and centralizing patronage structures and the decrease of material rewards (jobs and money) that could be derived from it created a far more unpredictable environment for bureaucrats and politicians. In order to compensate for the loss of patronage resources, many of them decided to 'turn to criminal groups for backing to fund political campaigns or to retain substantial personal income, in keeping with the standard of living of the elite during the nondemocratic era of the political system' (Benítez Manaut 2000: 136). It was the intersection of these processes which culminated in the breakdown of Mexico's state-crime nexus, 'resulting in an escalation of drug related violence' (Snyder and Dúran 2009: 73), an outcome which, despite the lip-service all major parties paid to the vocabulary of liberal democracy and the rule of law, was facilitated by the fact that 'none of Mexico's major parties remained ethically or genetically immune from corruption' and involvement in post-PRI trafficking arrangements (Astorga and Shirk 2010: 40).

From the analytical perspective of this chapter, these developments are not an exclusively 'criminal' phenomenon. Rather, we should approach them from a perspective that places the recent escalation of

drug trafficking and violence within the realm of the informal negotiations and bargaining processes that shape Mexico's negotiated state. In this regard, it can be argued that the breakdown of the national PRI machine in addition to the influx of external actors (Colombian drug traffickers) opened up a political juncture that enhanced traffickers' bargaining power and autonomy vis-à-vis the Mexican state, an outcome which traffickers want to have recognized by the political elites. 'They do not necessarily seek to take over the political power that shielded and nurtured them; but they do want to be considered among the major players in the new game with its new power relationships' (Astorga 2000: 80–1).

In light of this observation, drug traffickers' perverse acts of violence, in particular those directed at public officials, such as the selective killings of law enforcement personnel—including high-ranking federal agents—the mutilation of their victims' bodies for communicating messages to the public and the government, as well as openly recruiting members of the military forces through veritable public advertisements promising them 'a good salary, food and help for their families' (quoted in Davis 2009a: 228), are expressions of a symbolic display of power and autonomy by applying 'strategic violence' (Snyder and Durán 2009) in order to pressure the central state to accept the new rules of the game. This was made possible by a highly uncertain political environment created by the mutually reinforcing impact of democratization and trade liberalization. These processes dismantled basic pillars of the post-revolutionary 'network of interests' and its patterns of policing and empowered peripheral actors involved in illicit activities at the expense of the political center, limiting the latter's capacity to enforce its interests throughout the political landscape of Mexico's negotiated state. It is against this background that we can understand why the recent police reform efforts under the first two PAN administrations are predominantly centered on the strengthening and centralization of police agencies under the authority of the federal government as well as the move towards a growing militarization of law enforcement. Whereas this centralization could at first sight be explained with the existing legal separation between local and federal level jurisdiction (*fuero local* and *fuero federal*), which in Mexico defines more serious crimes like terrorism, drug trafficking and other forms of organized criminal activity, as exclusive to federal intervention and prosecution, an exclusive legal perspective neglects that Mexico's legal system does not stand apart from the negotiated character of Mexico's state. In this context, the definition of some forms of 'serious' criminal activities as exclusive to federal

intervention also provides the central state with important formal-legal resources for intervening in local matters that potentially threaten the internal cohesion of the negotiated state (on the political embeddedness of Mexico's legal system, see Braig and Müller 2008: 409–10; Müller 2009a).

Moreover, when taking into account that the pluralization of political actors and the dismantling of the PRI political machine weakened the ties and chains of control that previously linked local political actors and police institutions to the federal government and guaranteed their political loyalty, focusing primarily on the makeover, recreation and strengthening of federal police forces is the most appealing policy option for federal actors aiming to regain political control over Mexican policing and to re-establish the rules of the game with regards to the exercise of political authority over organized crime. Most of all, because these are literally the only parts of the police apparatus directly under the control of the central state. Indeed, we should expect that the federal government is well aware of the fact that in particular the local law enforcement agencies in Mexico frequently act in response to the interests of local strongmen—including organized criminal actors (Benítez Manaut 2000: 137). This is most visible in the widespread persistence of 'resistance enclaves' (not only at the local level). They consist of networks between local political authorities, the upper and middle echelons of the police apparatus and ordinary police agents, who out of a joint interest in not altering the paralegal workings of power within Mexico's police forces, successfully managed to circumvent a structural transformation of Mexico's security apparatus (Bergman 2007: 90–2). For instance, fearful of losing control over 'their' security forces, and with little sympathy for more transparency, governors and local political leaders successfully resisted the initiative of the Fox administration for a reform of the criminal justice and public security system in 2005, which failed in Congress (Bergman 2007: 110).<sup>8</sup>

Therefore, we should expect that Calderón's government as well as most political actors in Mexico are well aware that even in Mexico's contemporary democratic context

the presence of more or less hidden informal networks and decision-making structures outweigh the importance of formal bureaucratic rules and structures, [which means that] the informal realities governing police and criminal justice procedures greatly undermine many reforms (like introducing institutional controls) from having much influence on actual police practices. (Uildriks 2010: 204–5)

Confronted with this situation, the increasing militarization and further centralization of Mexican policing at first sight seems to be a logical political option for enhancing federal control over increasingly autonomous illegal actors operating in Mexico's negotiated state. These developments seem to resemble basic parameters of the political conjuncture after the fall of Díaz, where 'too many people with too many weapons' (Knight 1999: 109), were struggling for dominance within a highly fragmented political landscape by violent means. In light of this, the recent efforts of Calderón's government can be conceived as a genuine state formation effort in which the massive deployment of the coercive powers of the Mexican state serves the primary purpose of establishing the political authority of the central state over local power centers engaged in drug trafficking. However, as the historical narrative presented in this chapter demonstrated, such coercion-backed centralization efforts have largely failed throughout Mexico's history. If we further consider the observed persistence of the basic structural pillars of Mexico's negotiated state and their impact on policing—as well as the extremely high and sophisticated coercive powers of Mexican drug traffickers—the long-term success of such a coercion-centered initiative of re-establishing the political authority of the central state over local armed actors seems more than doubtful.

This also explains a certain type of PRI nostalgia I observed in informal conversations with members of the law enforcement agencies and also with parts of the academic community. They were very skeptical that, if taking into account Mexico's geographical location between major drug producing countries in the South and one of the world's biggest drug markets and weapon producers at its northern border, large-scale drug trafficking in Mexico will ever be eradicated once and for all. Therefore, for many people I spoke to, the only 'realistic' long-term options to reduce the levels of drug-related violence seem to be either a legalization of drugs and a state-controlled drug market or informal negotiations with traffickers that could re-establish previously acquired levels of informal control and 'peace.' Of course, in the current international political climate, dominated by a 'global prohibition regime' marked by 'the primacy of criminalization,' which frequently, due to the power of 'transnational *moral* entrepreneurs,' hinders and undermines 'the functional needs to respond to the globalization of crime' (Andreas and Nadelmann 2006: 224–5, emphasis added), the first option is more than unrealistic in both the near and distant future (see also Astorga and Shirk 2010). The second option, in turn, might be more realistic, not only because of the history of Mexico's negotiated state, which

in a certain way demonstrated the unfeasibility of establishing central state control by coercive means, but also because, as recent experiences in countries like Afghanistan indicate, growing parts of the international community recognize how crucial informal negotiations with illicit, criminal and terrorist actors might be for achieving long-term political stability (see, for instance, *New York Times*, 11 March 2009). Although I cannot predict if and how the disassembling of the post-revolutionary 'network of interests' will be brought to a halt and remade into a more stable political configuration, nor do I want to engage in such speculation about processes whose outcome only time will tell, from the observations presented in this chapter, I would expect that informal negotiations and political accommodation will play a decisive role in this process.

## **Conclusion**

This chapter argued that Mexico's state formation process did not follow a war- and coercion-centered route to state centralization. Rather the centralization and institutionalization of state authority in Mexico was achieved by a pattern of state formation centered on informal negotiations processes between state elites and local power holders. By converting the state into an appropriable resource, state elites enhanced the 'reach of the state' by tolerating the private appropriation of public resources under informally negotiated rules of the game. These politics of appropriation and the underlying informal negotiations provided Mexican state rulers with a mediated form of political governability within a context marked by a highly fragmented political state space and the inexistence of a monopoly-like centralization of the means of violence and the regulation of their exercise within the state apparatus. This chapter furthermore demonstrated how the resulting power-sharing strategy of institution building, which provides local strongmen with formal and informal access to state institutions that they can instrumentalize and appropriate for their purposes, left its mark on Mexican policing. By analyzing the relationship between Mexican state formation and policing from the colonial era until the present day, it was clear that informal trade-offs and negotiations between the central state and local power holders always included the latter's possibility of appropriating and instrumentalizing police forces for their personal interest, as long as the latter did not threaten the projects of the central state's elites. Although these basic patterns were transformed and renegotiated during critical conjunctures of Mexico's political development,

such as the establishment of liberal-oligarchic rule under Porfirio Díaz or the post-revolutionary state formation project, their transformation did not imply their abolishment. In this respect, these structures became perpetuated and defining features of Mexico's political history and the negotiated character of Mexican statehood and its moments of crisis.

Based on these reflections, we can conclude that the central parameters of Mexican policing, stemming from its embeddedness within the workings of power in Mexico's negotiated state are *its politicized, negotiated, informal and appropriable nature*. By scaling down the level of analysis to the empirical setting of Mexico City, the next chapters will turn to the question of how these general features of Mexican policing unfold at the local level, how they shape the institutional design and practices of the local police forces and how they affect police-citizen relations.

# 2

## The Contemporary Mexico City Police

The preceding chapter, by offering a theoretically informed historical narrative analysis of the Mexican state formation process, outlined, on an abstract level, basic features of Mexico's negotiated state and their impact on Mexican policing. The remaining parts of this study, beginning with this chapter, will turn to the question of how these 'most abstract, although essential relations' (Lefebvre 2003: 79) of Mexico's negotiated state unfold in Mexico City, how they shape the structures and practices of local policing as well as the resulting citizen-police relations. The present chapter will set the stage for this endeavor. It will first provide an overview of the formal institutional structure of the contemporary Mexico City police forces and the legal framework of local policing. By addressing these issues, the present chapter, in addition to approaching the Mexican state's formal-legal self-imagination with regards to its role as a public security provider, also serves as an analytical entry point for assessing the *de facto* workings of Mexico City policing. Addressing the latter issue implies looking beyond formal aspects and identifying the degree of structural 'compliance' with or 'deviation' from formally established structures, rules and procedures in routine police activities. This will be done in the second part of this chapter, where I will turn to the actual practices of the local police forces and the resulting citizen-police relations. A brief conclusion will then summarize the main findings of this chapter. The argument to be developed in the following pages is that notwithstanding extensive legal regulations, the institutional design and the internal culture of the local police forces, stemming from their embeddedness within Mexico's negotiated state, contribute to a highly fragmented and selective form of security provision, marked by high levels of unpublicness, informality and arbitrariness.

## The formal dimension

Since 1917, Mexico's police have been divided into investigative and preventive police forces. Whereas the first are acting on behalf of the Public Prosecutor (*Ministerio Público*, MP), the latter are primarily responsible for maintaining public security and order (in its narrowest sense) and for doing the usual police footwork. Although in practice these formal divisions can be blurred, and recent reform projects at the federal<sup>1</sup> and local level, including Mexico City,<sup>2</sup> try to overcome this division of labor and separation of police powers by creating more unified policing structures, in Mexico City during both the period of my fieldwork and by the time of my writing, the formal-legal separation between investigative and preventive police forces was still in operation. In Mexico City, the Public Security Secretariat of the Federal District (*Secretaría de Seguridad Pública del Distrito Federal*, SSPDF) has authority over the Preventive Police (*Policía Preventiva*), and the Attorney General of the Federal District (*Procuraduría General de Justicia del Distrito Federal*, PGJDF), has authority over the Judicial Police (*Policía Judicial*).

As a reflection of the previously mentioned police reform projects, Mexico City's Judicial Police have recently been renamed as Investigative Police (*Policía Investigadora*). This is based on the enactment of a new Organic Law of the PGJDF (*Ley Orgánica de la Procuraduría General de Justicia del Distrito Federal*) by the Mexico City Legislative Assembly in September 2009. However, I have decided to refer to the Investigative Police as Judicial Police throughout this book. This decision is based on the following two factors. First, local academics and NGO members stated that this reform only changed the name of the Judicial Police without creating a new institution, and second during my fieldwork the name of the police forces under the authority of the PGJDF was Judicial Police, which is how it appears in the interview accounts. Therefore, and in order to avoid confusion, referring to one single appellation for the police forces under the authority of the PGJDF seemed to be the most practical option. With this in mind, we can now take a closer look at the individual forces.

## The Preventive Police

The Preventive Police forces under the authority of the SSPDF are organized along territorial and functional lines. In territorial terms, there are 70 so-called *Coordinaciones Territoriales de Seguridad Pública y Procuración de Justicia* (Territorial Coordinations of Public Security and



Administration of Justice). These were created in 2001 with the aim of promoting more efficient coordination among the different institutions responsible for the local administration of justice. Each Territorial Coordination is composed of a representative of the Mexico City mayor (*Jefe de Gobierno*), one agency of the public ministry, one civic court (*Juzgado Cívico*), public defenders (*Defensores de Oficio*), medical examiners (*Médicos Legistas*), the coordinator of the respective citizen participation program and a coordinator of the citizen participation department of the Federal District. Additionally, with the objective of improving the cooperation among the different Territorial Coordinations, in July 2002 the latter were divided into six Police Regions. Due to the previously mentioned police reform efforts, this structure is currently in flux. For instance, the number of Territorial Coordinations increased to 71 and the number of Police Regions fluctuated between seven in 2006 and ten in 2008 (SSPDF 2009b: 6). Recent proposals include the territorial reorganization along five Police Zones and 15 Police Regions.<sup>3</sup>

This territorial structure forms the operational basis for the Sectorial Police (*Policía Sectorial*), the core organization of the Preventive Police, assigned to the Territorial Coordinations. Since 2002, a growing number of officers of the Sectorial Police are organized along the *Unidades de Protección Ciudadana* scheme (Citizen Protection Units, UPCs). The UPCs represent the cornerstone of the current police reform measures. Their personnel, dressed in new uniforms, according to official statements, receive better training, higher wages and better social service benefits than the normal Preventive Police agents and have clearly defined working hours. They operate under a so-called proximity scheme (*esquema de proximidad*), which is supposed to bring them into closer contact with the local population. Each UPC is composed of 200 officers who volunteered from the ranks of the Preventive Police and 200 graduates from the local police academy (*Instituto Técnico de Formación Policial*). The overall goal is to replace the 'classic' Preventive Police with the UPCs. At the end of 2008, there were 42 UPCs, with about 16,800 police agents operating throughout the city (SSPDF 2009b: 6).

In addition to this, the Preventive Police is divided into five other sections. These include the Metropolitan Police (*Policía Metropolitana*), which in turn consists of six special units: the *Policía de Transporte* (Transport Police), responsible for the safety and security of the public transport; the Feminine Police (*Policía Femenil*), mainly assigned to the protection of schools and pupils from acts of vandalism and drug abuse and to the promotion of a culture of self-protection. The Feminine Police is also present in public parks and gardens and offers vigilance at

public, cultural, artistic and sport events. Then there is the Mounted Police (*Policía Montada*), which is in charge of guarding the ecologic parks and natural areas of Mexico City inaccessible to motorized police units. The Tourist Police (*Policía Turística*) is primarily assigned to areas of touristic importance. Next, there is the ERUM (*Especialidad de Rescate y Urgencias*), a special medical emergency rescue unit, and finally the Grenadiers (*Granaderos*), responsible for safety in the historic city center as well as for the protection of embassies, diplomatic residences and public events. In 2009 an Environmental Police (*Policía Ambiental*) was created and was incorporated into the Metropolitan Police, responsible for the protection of Mexico City's ecological environment.

The next operational division of the Preventive Police includes six special units (*Fuerzas Especiales*). These include a motorcycle unit, a helicopter unit and the task forces (*Fuerzas de Tarea*). Besides their SWAT-like tasks and duties, the task forces also include a police force assigned to the surveillance of the lakes and canals in the boroughs of Xochimilco and Tláhuac (*Especial Ribereña*), a police unit dedicated to the improvement of police-citizen relations (*Especialidad en Proximidad*), and a special unit dedicated to the prevention of drug abuse (*Grupo de Orientación y Prevención del Delito y las Adicciones*). Another division consists of the traffic security department (*Dirección General de Tránsito*) and its sub-units, including a radar unit (*Radares*), a car towing unit (*Gruas*), the Center for Traffic Emergencies (*Centro de Atención de Emergencias Viales*) and the Transit Police (*Policía de Tránsito*), responsible for the surveillance and regulation of the traffic in the streets of Mexico City. The last division consists of the Internal Affairs (*Asuntos Internos*) department. The total number of active police officers distributed among the different units of this already, from a formal perspective, highly fragmented organizational structure is about 30,000 (see Table 2.1 below).

### **Complementary police forces**

The SSPDF is also responsible for two police organizations operating outside the Preventive Police. These two police forces are the Auxiliary Police (*Policía Auxiliar*, PA) and the Banking and Industrial Police (*Policía Bancaria e Industrial*, PBI), which form the Complementary Police (*Policía Complementaria*, PC). Together, both police forces employ about 45,000 officers. What is unique about the PC is their semi-private character. In this regard, Article 43 of the Internal Regulation of the SSPDF states that the services of the PC can be contracted by public and private clients for guarding their personal and commercial belongings. Article

*Table 2.1* Number of Mexico City police officers, not including administrative personnel, by agency, 2006

Agency	Officers
Preventive Police	30,800
Auxiliary Police	30,085
Banking and Industrial Police	13,938
Judicial Police	3,419
Total	78,242

*Source:* Own elaboration, based on SSPDF, <http://www.ssp.df.gob.mx>, PGJDF, <http://www.pgjdf.gob.mx>.

45 further specifies that the services of the PA and PBI can also be purchased by the Mexico City boroughs for providing security in public places (in practice, this refers most of all to the PA). Moreover, in the case of an emergency, the SSPDF has the power to assign PC personnel to general tasks of public order maintenance.

The PA, which was created in the late 1930s by Mexican president Lázaro Cárdenas (1934–1940) through the inclusion of private policing actors into the Mexico City policing structure (see Chapter 3 below), is composed of some 30,000 police officers, as many officers as the regular Preventive Police. Among other tasks, their faculties include the guarding of public buildings, the *Transporte Colectivo* (Metro) and the airport. The PA also frequently participates in SSPDF special operations (*operativos*). In 2006, 2,657 clients, coming from the federal public administration (310), the public administration of Mexico City (160), the private sector (2,117) and the Mexico City boroughs (70), contracted the services of the PA (SSPDF 2006b: 105).

As in the case of the PA, the PBI<sup>4</sup> has a semi-private character, implying that its services can be contracted by public and private clients. But the services of the PBI are limited to the guarding of public and private enterprises, financial institutions and shopping malls. Probably the most important difference between the PBI and the PA is the fact that the PBI, although formally integrated into the organizational structure of SSPDF, is self-financed and obligated to turn over 20 percent of its income to the Mexico City government (most of the remaining 80 percent is consumed by the PBI's payroll) (Alvarado and Davis 2000: 37).<sup>5</sup> In 2006, the PBI had 2,392 clients, the majority of whom came from private enterprises (1,467), bank agencies (897), institutions of the Mexico City administration (7) and institutions of the federal administration (21) (SSPDF 2006b: 133).

As one observer has noted, the existence of these two semi-private police forces leads to a specific national arrangement in which 'security functions, which in other countries are now performed by private firms, are a joint function of government and industry in Mexico City' (Chevigny 1995: 233).<sup>6</sup>

### **Judicial Police**

The organization of the police forces under the authority of the PGJDF consists of the Judicial Police, which is supported by an immediate response unit (*Grupo Especial de Reacción e Intervención*). The Judicial Police has the same territorial organizational structure as the Sectorial Police, being assigned to the Territorial Coordinations and the respective MP agencies. In addition, there is another MP agency, and a Judicial Police unit as well, at the Mexico City International Airport. The Judicial Police has a total of 3,419 officers under its authority.

### **Personnel strength**

Table 2.1 provides an account for the year 2006, excluding administrative personnel.

If we calculate with a population of 8,670,809 inhabitants (the result of the 2000 census), Mexico City has a police density of one police officer for every 110 inhabitants. This number is even higher when we consider the fact that in addition to the local police forces, there are also federal police forces operating in Mexico City. The presence of federal police forces is due to the legal separation of crimes such as homicide or robbery, which fall under the responsibility of local jurisdictions, and more 'serious' crimes, such as drug trafficking or organized crime, which are exclusively of national-level jurisdiction (see Chapter 1). Although I could not obtain exact numbers, the presence of federal police cars and personnel on the streets of Mexico City is a quotidian occurrence.

After this brief outline of the institutional structure of the Mexico City police forces, we must now take a closer look at the legal framework of the local police, as it is here where we encounter the 'public transcript' (Scott 1990) of the state and its official normative vision of policing.

### **Legal framework**

The basic principles of the legal framework of Mexican policing are laid down in the Mexican Constitution, in particular Article 21. After the constitutional reforms of 2008, this Article, which previously reserved the power to investigate crimes exclusively to the Judicial Police, now

gives both police forces the legal power to investigate crimes under the guidance and the authority of the MP.<sup>7</sup> Since the constitutional reforms of 1994, Article 21 of the Mexican Constitution additionally states that the provision of public security is a function under the charge of the Mexican Federation, the Federal District, the states and the municipalities, in their respective areas of jurisdiction, and that the performance of police institutions is governed by the principles of legality, efficiency, professionalism and honor. Article 2 of the *Ley de Seguridad Pública del Distrito Federal* (Public Security Law for the Federal District) resembles this claim, stating that public security is a service whose provision is exclusively reserved for the state and that the provision of public security must respect the individual guarantees established in the Constitution. Public security is defined as the maintenance of public order, the protection of the physical integrity of persons and their property, crime prevention and the prevention of infractions against governmental or police directives, collaboration in the investigation and prosecution of crimes, and assistance for the population in cases of emergencies and natural disasters.

Article 4 of the Public Security Law for the Federal District assigns the authority over the MP to the PGJDF. The particular faculties of the Preventive Police are defined in Article 5 of the *Reglamento de la Policía Preventiva del Distrito Federal* (Regulation of the Preventive Police of the Federal District). According to this Article, the Preventive Police are responsible for crime prevention and the prevention of infractions against governmental or police directives, as well as for the protection of persons, their property and rights. The Preventive Police are also in charge of the permanent surveillance of the respect for public order and the security of the local population, they support the MP and the judicial and administrative authorities, when necessary, and offer support for the population in cases of disasters or accidents. Furthermore, the Preventive Police are responsible for the apprehension of delinquents and their accomplices in *in flagranti* cases, in cases of emergency or on request by other institutions, and for their transfer to the respective judicial authorities. Moreover, the Preventive Police are also responsible for the application of traffic laws and regulations and for coordinating their respective activities with other authorities when necessary.

The main faculties of the Judicial Police are laid down in Article 268 of the Code for Penal Procedures of the Federal District (*Código de Procedimientos Penales para el Distrito Federal*) and Article 21 of the Mexican Constitution. These Articles define the principal activity of the Judicial Police in the investigation of criminal cases (*hechos delictivos*)

and their assistance to the MP in the investigation of crimes as well as the arrest of presumed criminals. In addition, Article 16 of the Mexican Constitution as well as Articles 266, 267 and 268 of the Code for Penal Procedures declare their obligation to intervene in *in flagranti* cases.

The conduct of both police forces (as well as that of all other public functionaries, see Article 108 of the Mexican Constitution; Article 2 of the Federal Law for Public Servants; Article 15 of the Statute of the Government of the Federal District) is bound to the principles of legality, efficiency, professionalism and honesty (Article 21 of the Mexican Constitution).

Both police forces must act within the juridical framework established by the Mexican Constitution. They must respect and protect human rights and guarantee the life and the physical integrity of detained persons (Article 21 of the Mexican Constitution and Article 45 of the *Ley Orgánica de la Secretaría de Seguridad Pública del Distrito Federal*). Furthermore, Articles 14 and 16 of the Mexican Constitution state that any restrictions of personal liberty and of individual rights require a judicial decree or a written and well-grounded justification from the corresponding MP agency, respectively. According to the same Articles, arbitrary detentions are illegal. In addition, there exists a separate Federal Law to Prevent and Sanction Torture (*Ley Federal Para Prevenir y Sancionar la Tortura*), applicable to all public servants, which defines torture as a crime (see Article 3). Furthermore, Article 46 of the SSPDF's Organic Law (*Ley Orgánica de la Secretaría de Seguridad Pública del Distrito Federal*) defines the use of physical force as a recourse of last resort, and in 2008, the Legislative Assembly of the Federal District approved a law which regulates and specifies the use of physical force and firearms by the members of the Mexico City police forces (*Ley Para Regular el Uso de la Fuerza de los Cuerpos de Seguridad del Distrito Federal*).

So far, this chapter has offered basic information regarding the formal institutional and legal features of the Mexico City police forces, which at first sight seem quite impressive and all-encompassing. When we add to this picture the fact that, notwithstanding a small decrease in the SSPDF's and PGJDF's share in the total expenditures of the *Gobierno del Distrito Federal* (Government of the Federal District, GDF) in recent years (Table 2.2) (Kuri Cervantes 2007: 31–5), their total expenditures increased from 11,016 million Mexican pesos (SSPDF) and 3,323 million Mexican pesos (PGJDF) in 2000 to 13,393 million Mexican pesos (SSPDF) and 4,057 million Mexican pesos (PGJDF) in 2006 (Table 2.3), it seems obvious that the local security and policing

Table 2.2 Expenditures of the GDF, SSPDF and PGJDF, in millions of pesos, 2000–2006

	2000	2001	2002	2003	2004	2005	2006
GDF	60,529	66,897	75,396	77,231	79,785	90,826	91,496
SSPDF	11,016	10,274	11,745	11,011	11,074	11,962	13,393
PGJDF	3,232	3,065	3,934	4,281	3,512	3,290	4,057

Source: Secretaría de Finanzas del Distrito Federal, Estados Analíticos de Egresos Presupuestarios por Dependencia 2000–2006.

Table 2.3 SSPDF and PGJDF expenditures in relation to the total GDF's budget in percent, 2000–2006

	2000	2001	2002	2003	2004	2005	2006
SSPDF	18.2	15.4	13.4	13.8	13.9	13.2	14.6
PGJDF	5.3	2.8	4.5	4.6	4.4	3.7	4.4

Source: Own elaboration, based on Kuri Cervantes (2005: 35) and Secretaría de Finanzas del Distrito Federal, Estados Analíticos de Egresos presupuestarios por Dependencia 2000–2006 (<http://www.finanzas.df.gob.mx/egresos>).

problems mentioned in the introduction cannot simply be related to a lack of legal regulations, manpower or to resource problems (see Castillo Berthier and Jones 2009: 186 for a similar observation with regards to Mexico as such).

Therefore, in order to offer a more comprehensive understanding of Mexico City's policing and security problems, we need to pay close attention to the way Mexico's negotiated state shapes policing in the nation's capital city. For a deeper analysis of this relationship, as well as the resulting forms of citizen-police interaction, we have to shift our focus of analysis from formal institutional structures to informal institutional features and *practices*. This move will be made in the next section. Here, I will analyze how despite the existing formal legal obligations and responsibilities of the local police, informal and frequently illegal and abusive police conduct is a structural feature and everyday experience for large parts of the local population, thereby indicating a structural gap between the *pais legal* and the *pais real* within the realm of policing in Mexico City.

### The local police forces in practice

This section will turn to the 'other' side of the Mexico City police institutions. It will demonstrate that the aforementioned structural gap between the *pais legal* and the *pais real* is indeed *the* defining feature of local policing. I will begin this assessment by providing insights into the motivations and working conditions of the local police forces. Next, I will proceed with an analysis of the prevailing, predominantly informal and paralegal police culture, the closely related topic of police abuse and the relationship between policing and criminality.

By addressing these issues, the next sections provide an abstract idea about structural patterns of unpublic police behavior stemming from



the impact of Mexico's negotiated state on local policing and citizen-police relations. These patterns will be analyzed in detail from the affected citizens' point of view in Chapter 5. Therefore, the following pages, as well as the analysis which follows in the next chapter, provide a context for the micro-level analysis of citizen-police relations, as they introduce key context factors that explain what local police forces do and why they do it. To be sure, when considering the arguments regarding the political dimension of policing put forward in the introduction and applied to the abstract analysis of policing Mexico's negotiated state in Chapter 1, the question why local police forces do what they do is inseparable from the question of politics and the workings of power in Mexico's negotiated state. However, for analytical purposes, I have decided to separate appearance from substance and to first address the everyday manifestations of local policing before turning to their political overdetermination, a question which stands at the center of Chapter 3. Therefore, whenever larger political issues are raised in the following sections, I will only address them very briefly—mostly by providing a concise contextualization. The larger political framing of these issues will be done in detail in the next chapter.

### **Vocational ethics, training and working conditions**

A good starting point for addressing everyday policing in Mexico City is taking a closer look at the motivations of individuals to seek employment in the local police forces. In this respect, Nelson Artega Botello and Adrián López Rivera have demonstrated that the main reason for a person to become a police officer in Mexico is the desire to accumulate money in order to start a business, to recover a financial loss (such as savings or land) or the general expectation to make 'easy money'—everything but an exclusive interest in law enforcement. In addition, their study shows that many police recruits are people with a lower socio-economic background who frequently had legal problems (Artega Botello and López Rivera 2000). Other reasons for joining the police include that police recruits have a business which benefits from (informal) police protection, the simple lack of viable economic alternatives (Uildriks 2010: 116), as well as 'family tradition,' that is, following the example of close relatives, frequently a police recruit's father (Azaola and Ruiz Torres 2009: 5).

It is unquestionable that most of the Mexico City police agents, in particular those in charge of everyday policing on the street, belong to the more marginal segments of the local population, with a modest

socio-economic and educational background (Salgado 2007: 281; for similar observations on the Mexican police in general see Alvarado and Davis 2000: 132). This observation as such is not problematic. Moreover, it reflects a basic pattern of the social composition even of many police forces in the so-called Global North. As Reiner, for example, stated with regards to Great Britain: 'Fiscal and political prudence from the start dictated pay and recruitment policies which meant that the bulk of officers were drawn from the working-class, and these processes still operate today' (Reiner 2010: 126). Therefore, the problem is not so much the marginal socio-economic and educational background of Mexico City police officers—although, when we relate this to the 'accumulation interest' mentioned above, socio-economic marginality, in addition to low wages (see below), *can* have a negative impact on police behavior. More problematic is the fact that low educational standards are not improved, but rather perpetuated, inside the local police forces. For example, the average duration of police training for police recruits is only about six months, and it is estimated that more than 90 percent of the police officers in Mexico City did not receive additional training courses after they entered the police institutions. Furthermore, the local police training is not guided by rationales of permanence and sustainability (López Portillo 2003: 6). Additionally, police training inculcates values such as personal loyalty or tolerance for abusive behavior, which stand in open contrast to the abovementioned legal requirements of the police service. Of course, the inculcation of these 'authoritarian values' is not exclusive to the Mexico City police. Nonetheless, the early exposition of Mexico City police recruits to authoritarian, abusive, extortive and arbitrary behavior by their instructors and superiors, including, for example, the 'sale' of exams, open instruction of police cadets on how to steal on the streets, or the forced and illegal purchase of basic equipment, such as ammunition for practicing at the shooting ranch (Azaola 2006: 52–3), can be expected to have a lasting impact on the vocational ethics transmitted to police recruits as well as on the institutional police culture as such (see below).

Although interviews with local academics, NGO members and personnel from the local Human Rights Commission indicate that this situation has *slightly* improved recently, they complained about persistent structural deficiencies of the police formation. In particular, they referred to the insufficient time scheduled for human rights issues (three hours per week as compared to, for example, six hours reserved for mechanics and the use of vehicles, or physical exercise). Moreover, they

argued that on-the-job human rights courses are first of all a symbolic gesture with little real impact. A recent study by Uildriks comes to a similar conclusion:

Being sent to a course has an especially symbolic significance for the police. . . . What a course actually consists of is hardly of importance, nor what they get out of it in terms of skills or knowledge. . . . Considerably more uniformed than investigative police stated that the predominant effect of these courses had been 'to give them a more positive view of human rights.' *However, in view of their inability to remember what any of the courses were about, it seems safe to assume that any impact on a cognitive level has been marginal at best.* (Uildriks 2010: 162–3, emphasis added)

Furthermore, the overall impact of 'public' vocational ethics and values transmitted during the police formation, when they are transmitted at all, is very difficult to maintain and to then transfer to the day-to-day police work on the streets. As Pedro, a former police officer, explained: 'No matter what you learn at the Institute [Technical Institute for Police Formation], when you finally enter the real world and get to know the working conditions, you'll quickly discover that it is hard to comply with abstract moral and professional standards.'

We will see in a moment what this 'entering the real world' of Mexico City policing means for the compliance with 'abstract moral and professional standards.' At this point, I want to provide some additional insight into the working conditions, which, according to this ex-police officer, make it so difficult to comply with those standards. The results of a study by Elena Azaola are illuminating in this regard. Drawing on interviews with more than 400 agents of the Mexico City Preventive Police, she demonstrates that most of the interviewees complained about an extremely bad working environment. For example, the interviewed police officers mentioned that it is a common procedure that they must buy their own uniforms, either because they are not provided with a uniform from their institutions, or because the uniforms handed over to the police officers are of poor quality. In general, they complained about a discretionary distribution of equipment and resources, frequently implying that they are forced to pay their superiors for getting new equipment. Additionally, they felt a strong lack of recognition for their work by their superiors and lamented about exhaustive and long workdays, bad medical services, mistreatment from the medical personnel, bad sanitary conditions of the police facilities, bad food

quality and low pension standards (Azaola 2006, 2007). In this regard, Mauricio, an active member of the SSPDF, explained that there are many police installations that do not have cantinas which provide cheap and healthy food for their own agents. Due to the low salaries, many police officers are forced to buy cheap food on the streets of Mexico City, food which is frequently unhealthy and sometimes infected by bacteria. This in turn has negative effects on the health of the police agents, who frequently suffer from gastro-intestinal diseases and are therefore forced to stay at home. This creates a situation, he went on to explain, where local police agents feel absolutely unprotected and not cared for by the police institution and the Mexico City government. These feelings seem to affect the quality of service provision, or, as he put it: 'What kind of service can you expect when you permanently feel that nobody cares for you?'

For many police officers, this feeling of being neglected by their superiors and the local government also materializes in the low wages paid to police officers. Entry salaries for a Preventive Police officer are about 300 US\$ per month (Mountz and Curran 2009: 1036) and more experienced officers earn about 6,000 US\$ per annum (Arroyo Juárez 2007: 423). Average monthly police salaries in Mexico City for 2008 were at 8,186 pesos (Olson et al. 2010: 19), about 630 US\$. These are salaries, which according to all persons interviewed on this topic hardly satisfy the basic economic needs of single police agents living in Mexico City, not to mention those with families and children.

One direct consequence of these unattractive working conditions are the notoriously high turnover rates of Mexico City police agents. The Mexican police forces in general (but also the military) suffer from constant high levels of personnel turnover, which may reach annual rates of up to 50 percent (González Ruiz et al. 1994: 103). Although I was not able to obtain trustworthy data for Mexico City, local academic experts and NGO members confirmed high levels of existing annual turnover rates and made estimations of between 25 percent and 40 percent, depending on the respective institution. This turnover rate is related to the intentional decision of police agents to seek another, more lucrative employment option as well as the dismissal of police officers due to illegal, unduly and, most of all, disloyal behavior (on the latter issue, see below). In general, higher turnover rates were estimated for the Preventive Police than for the Judicial Police. As Marco, a local academic expert on policing explained in this regard, this high turnover rate has very negative consequences for the entire public security panorama, because many ex-police agents find quick, easy and

well-paid employment within the field of organized crime. In fact, he argued that high personnel turnover rates are ‘a blessing’ for actors involved in organized criminal activities. They can permanently recruit people ‘who know how to shoot, how to use a weapon, how to kill. They [criminal actors] don’t need to invest in training and their [the policemen’s] connections to their ex-colleagues are an additional asset.’

Not surprisingly, the aforementioned working conditions, in combination with the vocational ethics of many of the local police officers, can be expected to have a negative impact on the public character of local policing. However, these factors are just the ‘tip of the iceberg.’ Another element further undermining the publicness of local policing is the existence of a particular institutional police culture.

### **Informality, paralegality and criminality**

Probably the single most important feature of the Mexico City police culture is the existence of a paralegal system, marked by informal practices which dominate over formal codes, laws, obligations and regulations (Azaola 2006: 41–2). This outcome has deep historical roots. As we will see in detail in the next chapter, the impact of Mexico’s negotiated state on the post-revolutionary state formation process in Mexico City contributed to and was facilitated by the formation (and reproduction) of a fragmented police apparatus with a high degree of autonomy from the local government. Although historically local policing can be described as political policing, the local police forces were never totally controlled by the political elites. One basic feature of the Mexican police forces, as argued in Chapter 1, is that they function on the basis of a mechanism which trades political loyalty for a high degree of relative institutional autonomy, and the Mexico City police forces are no exception to this rule. This high degree of police autonomy resulted from the fact that although the local police were created and permanently transformed by politicians and politics, local governments could never establish a penetrating grip over the Mexico City police apparatus. Rather, local policing, as Mexican policing in general, was mediated and negotiated between local governments and the upper ranks of the local police. The result was a particular ‘agreement,’ or, as one interview partner from the administration of justice called it, an ‘informal political contract.’ Local governments in need of political policing for pursuing their political, developmental and state-building projects, but unable to reach inside the local police apparatuses, accepted and tolerated illegal, extortive and abusive behavior by the local police as long as

they complied with their political task: the maintenance and protection of the existing political order.

The resulting and still existing politically tolerated paralegality is expressed in the institutionalization and persistence of informal and illegal practices and structures inside the local police forces. A particularly important feature in this regard is the existence of informal networks inside the police apparatus. At the beginning of this chapter we could already observe the formal-institutional fragmentation of the Mexico City police apparatus. This fragmentation, as will become apparent in Chapter 3, is directly related to political processes, pressures, conflicts, compromises and constraints that shaped the trajectory of local policing after the Mexican Revolution. This formal side of the fragmentation of the Mexico City policing architecture is also mirrored and informally reproduced inside the individual police forces, which are ridden with internal factionalism, patron-client relations and other informal network structures, leading to open competition over political favors, income and 'taxation' possibilities. For example, as Azaola and Ruiz Torres have shown, the Judicial Police apparatus is divided up into different 'clans.' Clans form, in an informal way, in order to create a protected environment, which enables police officers to confront external threats and pressures from commanders, other institutions, civil society or competing clans. They also guarantee the stable flow of illegal income, which is (re)distributed throughout the clan structures as favors among 'equal allies.' In order to stabilize their structures, clans build vertical and horizontal ties of trust, obedience and loyalty and operate along a system of informal rewards and punishments that inculcates clan morality and ethos, thus reproducing the clan structure and the group identity of its members (Azaola and Ruiz Torres 2011: 103–6).

Another example of such informal networks inside the Mexico City police is the existence of so-called *madrinas*. In these networks of 'policing extensions' (van Reenen 2004), people not formally belonging to the police apparatus become illegally involved in police activities with the permission or upon request of police officers. For these services, they receive not only payments from active police agents, but also weapons and a guarantee of impunity for their actions (Martínez de Murguía 1999: 45–9).

A further aspect of such institutionalized informal and illegal practices is the so-called *entre*. This notion describes the practice of handing over a certain amount of the money extorted during a shift by the rank and file police officers to their superiors. The *entre* ties the accumulation interest of individual police agents to the economic survival strategies of their

superiors, thereby creating a pattern of mutually reinforcing complicity which serves as a powerful causal factor behind the reproduction of the paralegal aspects of the Mexico City police culture. In this regard, it has been observed that in Mexico City, 'all police officers, whether on foot or in a patrol car, must pay between US\$5 and \$22 per day, plus an extra \$12 every two weeks' (Arroyo Juárez 2007: 426). If police officers refuse to participate in this system, they are punished from above. For example, they receive a—frequently fabricated—disciplinary sanction for irregular conduct (Martínez de Murguía 1999: 56–61; Schmid 1996).

The efficiency of these sanction mechanisms reinforces both the loyalty of police agents to their immediate superiors and, more basically, the patronage structures which permeate the entire police apparatus (see Chapter 3). As a result of this, patron-client relations are omnipresent within the entire police hierarchy. Patron-client relations refer to instrumental relations in which a person of higher status (patron) '*uses his own influence and resources to provide protection or benefits, or both, for a person of lower status (client) who, for his part, reciprocates by offering general support and assistance, including personal services to the patron*' (Scott 1972a: 92, emphasis in original). One basic consequence of the centrality of patron-client structures inside the Mexico City police is that despite a formally existing civil service career system, promotions inside the police are largely based on personal relations and the active demonstration of personal loyalty. In this regard, highly personalized patterns of loyalty are a very important feature of the internal governance structures of Mexico City policing as they guarantee inner-institutional control and discipline. The impact of the underlying patron-client structure is further reinforced by the absence of external accountability institutions with effective sanction mechanisms. As a consequence, as long as general support and assistance are provided to police patrons, police abuse and other forms of irregular police conduct from their clients are primarily treated as 'internal affairs' and are not sanctioned, contributing to high levels of police impunity. Whereas the beneficial side of these patron-client structures translates into receiving favors like faster promotion and other material rewards, such as that of being assigned to a particularly 'lucrative' police sector, their 'dark' side implies that police agents have to demonstrate unconditional loyalty to their patrons and be at their 'private' service (Uildriks 2010: 138–9).

The institutionalization of these practices is impossible without the knowledge and participation of the local police chiefs—and the Mexico City governments. For instance, as Davis (forthcoming) has

demonstrated, the abovementioned payoff system is a longstanding element of the local police, and the involved personal networks between police chiefs and their 'clients' served as important enabling structures for managing the organization of cash flow from the streets into the police apparatus and for the internal redistribution of these resources, thereby contributing to the reproduction of this informal network structure and its underlying operational logics (López-Montiel 2000: 84–5).

If the most important motivation for a large number of Mexico City police officers for choosing this profession is an accumulation interest, and officers on the street are permanently forced to generate additional income for themselves and for their patrons, it is only logical that local police agents can be appropriated in exchange for money or other incentives. For example, it is common that Mexico City businessmen, small business owners, restaurants and bars frequently offer incentives to local police officers, or directly to the police chiefs of the respective police sectors, in return for more frequent patrols and a permanent police presence on their streets. These incentives may range from free meals and drinks to cash. This appropriation of public resources for private interests leads to the unequal allocation of police resources throughout Mexico City (Anozie et al. 2004: 4; Pansters and Castillo Berthier 2007: 45).

These practices of appropriating public security for private purposes are not confined to business interests. Rather, the appropriation of local policing is a common practice even for ordinary Mexico City residents, who are well aware of the structural possibility of appropriating public security resources for personal interests in Mexico's negotiated state. Therefore, through different monetary or non-monetary incentives, they frequently resorted to local police officers in order to resolve local security problems, thereby converting public police officers into private resources of conflict resolution, as well as into security guards protecting their private interests and properties. In this regard, the politics of appropriation have become a defining feature of citizen-police relations in Mexico City (Davis 2010: 49; Müller 2008, forthcoming a; Piccato 2007: 65–6; Uildriks 2010: 148). Such forms of privatizing public resources for private interests, we should keep in mind, are not exclusively related to monetary payments. They are frequently also based on family ties, relations of friendship, or political connections (Martínez de Murguía 1999: 160).

Without delving further into the 'bottom up' dimension of the politics of appropriation and their impact on citizen-police relations in Mexico City, which will be addressed in detail in Chapter 5, at this



point I want to address another configuration of the politics of appropriation, one which links police agents to criminal actors. In fact, not only is it common for the local police forces to have members engaged in organized and unorganized crime (Davis 2006: 61; Pansters and Castillo Berthier 2007: 44–6; Uildriks 2010: 184–8), but it is widely understood that in Mexico City ‘most police officers protect criminals’ (Arroyo Juárez 2007: 423). If the principal motivation of local police officers is making money, their superiors even force them to permanently generate ‘additional income,’ and the politics of appropriation create a permanent opportunity structure for the privatization of public policing, it seems only logical that criminal actors will actively participate in the appropriation of police officers.

In order to understand this outcome, we have to keep in mind that, as argued in Chapter 1, another feature of the abovementioned ‘informal political contract’ between the police and political elites in Mexico City, as well as in Mexico in general, entailed a close relationship between post-revolutionary political elites and organized crime, in which the regime used its police forces—as well as other parts of the repressive state apparatus—to control and ‘tax’ organized criminals. This arrangement provided impunity for the criminals and permitted the political elites, as well as (in general the upper echelons of) the law enforcement agencies to obtain additional income which could be used for a variety of purposes, including investment in development projects and campaign funding. Against this background it is not surprising that a broad variety of organized criminal activities flourished in post-revolutionary Mexico City due to police protection, frequently involving the police chiefs themselves, providing them and their organizations with additional income (Davis forthcoming; Piccato 2007). In the next chapters we will see that the democratization of Mexico City’s political environment did not overcome this situation. Here I do not intend to go into these details but rather wish to address the basic forms in which this police-crime nexus manifests itself in contemporary Mexico City. The most common manifestations of the involvement of Mexico City police officers in criminal activities include turning a blind eye on criminal activities for some kind of financial rewards or the buying of police protection by criminal actors through the appropriation of policing resources (manpower, coercive power, equipment) and knowledge (police intelligence and information about future police raids) in order to keep their illicit activities running. Frequently police officers themselves offer their protection services to places where criminal actors, such as local drug dealers, serve their customers.

Although this relationship seems to be mutually beneficial, it must be noted that it is not always voluntarily accepted by actors involved in illicit activities. Frequently, it takes the form of a police-organized protection racket. For example, one interview partner from the market of Santa Cruz de Meyehualco in the borough of Iztapalapa, famous for the sale of stolen goods, explained that if merchants involved in illegal activities do not accept police 'protection,' it is not uncommon that they get robbed or arrested by the local police.

A qualitatively distinct level of the police-crime nexus is reached when police officers directly participate in more serious criminal activities such as kidnappings, assaults and homicides, or offer related information and/or logistic assistance. These activities have been characterized by Martínez de Murguía as 'police crimes,' because they are only possible through the opportunities and resources, including manpower, weapons and knowledge, derived from employment within the local police forces (Martínez de Murguía 1999: 27). The following interview account of Luis, a local journalist, illustrates such a 'police crime':

For a couple of weeks, a friend of mine dated a girl who had approached him in a bar. As it later turned out, she was part of an organized criminal network, which included federal police agents. Her job was to pick up light skinned men [*gueros*] in the Condesa area and to make copies of their credit cards. My friend surprised her one day while she was searching in his wallet. She left his apartment screaming 'My fiancé will get you. He's a Judicial Police agent [*un judicial*].' A few days later, a group of AFI [*Agencia Federal de Investigación*] agents appeared, declaring that he has been denounced for being involved in drug trafficking. They wanted to arrest him. Preventive Police agents were supporting their operation. They entered his apartment. They started collecting his TV, his DVD player. They took everything into their cars. Then he had to negotiate with them. He agreed to give them money. It was a good deal for them. They left the scene threatening him that he should not dare to call the police, otherwise they would come back.

What is interesting about this episode is that it indicates that notwithstanding the fact that different police corporations frequently, and sometimes even violently, compete over the control of police protection rackets and 'taxation' opportunities, there might also be cases of cross-organizational cooperation and support that seem to be important for some forms of 'police crimes.'

Before moving on to the next section, it is important to address another, frequently ignored aspect of Mexico City's informal and paralegal institutional police culture. This aspect refers to a particular regime of informal gendered hierarchies and violence, reproducing and perpetuating dominant notions of masculinity and femininity related to Mexican *machismo*.<sup>8</sup> In this regard, it has been observed that female police officers are structurally discriminated against—despite the existing anti-discrimination law—when it comes to promotions and career opportunities (Azaola 2006: 134). In addition to this, they also suffer from sexual abuse by their male colleagues and superiors: ‘Practically all testimonies from female police officers refer to the problem of sexual abuse which they say they or their female colleagues [*sus compañeras*] have suffered from their superiors’ (Azaola 2006: 134). Conversations with NGO members indicate that sexual abuses inside the local police are not exclusively directed against women. They also happen among men, for example, as a form of collective punishment for transgressing the internal codes of conduct and patterns of loyalty to their clans, colleagues and superiors. However, out of shame, most male police officers do not make these abuses public, therefore making it difficult to estimate the scope of this problem.

The existence of the abovementioned institutional features—including their high level of visibility—also influences the perceptions and aspirations of possible police recruits, thereby producing a vicious circle in which people interested in a professional career within the public security apparatus frequently choose this opportunity not because of their commitment to legality and law enforcement, but due to the attractiveness and appeal of institutionalized illegal and arbitrary behaviors (Sarre 2001: 92). In addition, the existence of this police culture and its political toleration permanently subverts the legally codified obligations of the local police outlined in the previous sections of this chapter and creates a permanent opportunity structure for different forms of police abuse.

### **Police abuse**

It is apparent that the institutional features described above can be expected to contribute to, or at least facilitate, police abuse. Of course, police abuse is a common experience of every police force and nearly impossible to eradicate. Police officers possess a variety of extraordinary resources and symbolic and coercive powers, and wherever there is a high concentration of power, the possibility of abuse is always present. Police abuse exists in all police forces around the world; it is not its

mere existence as such but the identification of *patterns of police abuse* which is most problematic. These patterns indicate that abusive behavior is not just the result of individual officers who 'spontaneously' abuse their power in order to prey on the citizenry. Rather, such patterns suggest that police abuse is a structural feature of the respective police institutions, indicating the knowledge and complicity of the institutional commanding heights and political decision makers. In the following pages, I will demonstrate that such structural patterns of police abuse can be identified in the Mexico City police forces and that they are closely related to the previously mentioned informal institutional features of local policing.

A good starting point for addressing the question of police abuse in Mexico City is a representative survey conducted by the NGO Fundar (Naval 2006). The findings of this study, which was based on 3,666 interviews, indicate that nearly one out of every two persons who had contact with the local police forces had experienced some form of abuse (Naval 2006: 21). The most frequent abuses identified by this study were extortion, insults, threats of being accused on false grounds, threats in order to obtain information and threats of physical mistreatment. These findings indicate that police abuse, in fact, is a quotidian occurrence in Mexico City and that citizen-police relations are decisively shaped by abusive and illegal police behavior.<sup>9</sup>

In order to identify structural patterns of police abuse, we have to take a closer look at the particular characteristics of the local police institutions. In quantitative terms, the difference between the Judicial Police and the Preventive Police seems negligible. Whereas 48 percent of all contacts with the Judicial Police involved abusive behavior, for the case of the Preventive Police, this percentage was only slightly lower (45 percent) (Naval 2006: 29). However, there exist important institutional features of each police force, which explain common as well as different underlying causes of police abuse committed by them. Let us first turn to the Judicial Police. In order to understand police abuse committed by Judicial Police officers, it is necessary to take a closer look at the particularities of the Mexican criminal justice system. Here we have to consider the critical role of the MP. In Mexico, as has already been mentioned above, there exists a separation between Preventive and Judicial police forces, the latter operating exclusively under the authority of the MP. Until the recent police reforms, the MP was 'the sole party with authority to investigate crimes, examine evidence, decide autonomously if a criminal action should be pursued, and carry out the criminal proceeding' (Zepeda Lecuona 2007: 140). To achieve these goals, the MP performed its investigations with the close assistance of

the Judicial Police. This legal arrangement is critical to understanding the negative performance of the Judicial Police with respect to the percentage of police abuses identified by the study of Naval, because the underlying nearly symbiotic relationship between the MP and the Judicial Police, for decades, opened the legal door to serious violations of the rights of detained persons:

These two bodies [the MP and the Judicial Police] are charged together with gathering the elements necessary to prosecute suspected criminals, and they have traditionally worked in tandem to detain suspects and obtain from them the evidence necessary to bring charges, usually in the form of a confession. . . . Therefore . . . suspects usually remain with the judicial police for a period of time after their detention before being presented for a formal declaration before the Public Ministry. During this time, the police will question the suspects and encourage them to confess or to provide information about the crime committed. In the worst cases, the police may resort to violence or other means of coercion to obtain a confession or information that leads to the identification of evidence or other persons supposedly involved in the crime. (ProDh and Lawyers Committee 2001: 63)

This 'need' to produce an immediate confession before presenting the suspects to the MP is due to a particularity of the Mexican legal culture. Following the local interpretation of the legal principal of 'procedural immediacy,' the earlier a confession can be obtained, the better for the prosecutor:

In Mexico, . . . this principle [of procedural immediacy] is interpreted as creating a presumption that the first or 'most immediate' statement of the defendant after arrest should be entitled to greater credibility and weight. As the above analysis suggests, this statement is usually taken precisely at the moment the defendant enjoys fewest guarantees and is most likely to be subjected to abuse. (ProDh and Lawyers Committee for Human Rights 2001: 66)

As this study further demonstrated, these types of questionable confession-production and their results finally get legitimized by their recognition as valid testimonies by the judges. This implies ignorance of the conditions under which these confessions were obtained, thereby contributing to police impunity. Although the above presented insights

come from a study which dates back to 2001, a more recent publication by the same NGO reveals that the problem continues to persist (ProDh 2006: 39). This perception has been confirmed in interviews with experts of the Mexican legal system and by a recent publication which states that 'at any rate, no one believes that the problem has gone away' (Silva 2007: 185).

Can we expect that the 2008 police and judicial reform initiatives will overcome these problems? I would argue that this seems very doubtful. But before making a tentative judgment, let us first take a closer look at this issue. The judicial and police reforms initiated by Mexican president Felipe Calderón in 2008 included four central elements. First, they introduced oral trials, initiating a 'transition from Mexico's unique inquisitorial model of criminal procedure to an adversarial model that draws elements from the United States, Germany and Chile' (Shirk 2010: 215). Second, they improved the constitutional guarantees of the accused, including the presumption of innocence. The reform package, as mentioned above, also included the growing homogenization of Mexico's police forces, in particular by weakening the rigid separation which for decades separated Preventive and Judicial Police powers, and it comprised new, tougher legislation and enhanced legal powers with regards to combating organized crime (Shirk 2010). Those aspects, in particular the first and second, can, in theory, be expected to reduce abuses by the Judicial Police. Whereas for many commentators these reforms indeed represent something like a legal watershed, I think that Uildriks is right to stress their largely 'unpredictable outcomes,' in particular when considering the deeply engrained informal institutional features analyzed above. As Uildriks stated in this regard: 'With the informal Mexican realities and corrupting influences so characteristic of the way the current system operates, it would be surprising if the current informal practices—like accused bribing their way out of trouble—would simply wither away under the new system' (Uildriks 2010: 236).

My own research supports this skepticism. Most of all because an exclusive formal-legal perspective ignores the underlying rationality and the deep-seated roots of police abuse that result from the previously mentioned 'informal political contract' which continues to shape routine policing in contemporary Mexico City. Moreover, we should not ignore that abusive behavior by the Judicial Police in Mexico City cannot be reduced to the 'vicious' aspects of Mexico's now outdated inquisitorial model. Leaving aside the centrality of predatory, income-driven behavior, at least the following three factors should caution us

against over-stretching the argument that the end of Mexico's inquisitorial model will lead to a decline in police abuse committed by the Judicial Police. First, and probably most important, forms of abuse by the Judicial Police 'do not appear to be confession- but rather information-driven' (Uildriks 2010: 239). Second, police abuse by the Judicial Police frequently serves as a means of resorting to violence for the purpose of 'just' punishment of detained persons (Silva 2007: 185–6). Finally, and closely related to the last mentioned aspect, Azaola and Torres Rivas stress that police abuse, in particular police violence, committed by Judicial Police officers, is closely related to an institutionalized antagonistic world view, which separates the world into friends and enemies. As one of their interview partners summed it up in a paradigmatic way: 'We are working in the streets and that means *we need to beat people* that's the way streets are, people are bad' (quoted in Azaola and Ruiz Torres 2001: 103, emphasis in original).

When we now turn to the Preventive Police, it seems that, in addition to the predatory, income-driven sources of police abuse, the most important explanatory factor for abusive behavior committed by Preventive Police officers is the serious lack of professionalism and knowledge about non-coercive problem-solving techniques—both related to the shortcomings of police formation referred to above. This lack of professionalism converts the use or threat of violence into an important substitute for professional conduct, provoking high numbers of arbitrary detentions and physical mistreatment. As in the case of the Judicial Police, these practices, in turn, are embedded in an institutional culture which permits acts of symbolic punishment (frequently as a reaction to efforts of resisting arrest) as a legitimate means of police conduct (Silva 2007: 187–90).

Against this background, we can conclude that police abuse, stemming from the abovementioned formal and informal institutional features of local policing, is indeed a structural feature and systematic practice in Mexico City that can be expected to have a decisive and a predominantly negative impact on local citizen-police interactions.

## **Conclusion**

After presenting a basic overview of the most relevant formal-legal and institutional aspects of the police forces in contemporary Mexico City, this chapter addressed the internal and informal dynamics of policing in Mexico City. It demonstrated that the routine practices of the local police contradict their legal mandate, faculties and obligations on

a structural basis. The persistence of this feature reflects a high degree of tolerance (and impunity) towards extralegal and abusive conduct of police agents in Mexico City, an outcome which, as the next chapter will show in detail, stems from the 'informal political contract' that emerged from the inscription of Mexico's negotiated statehood into the post-revolutionary state formation process in Mexico City. This created a police apparatus marked by a predominantly informal and paralegal institutional culture, criss-crossed by internal factions or 'clans' as well as patron-client relations. This paralegal culture pervades the entire police apparatus from the bottom to the top and serves as a redistribution channel for both the additional income generated during the daily police work through extortive practices and the financial gains derived from the impact of the politics of appropriation. The resulting privatization of the police can be criminal in nature, but it can also take on a more quotidian form, when, for example, citizens pay local police agents to obtain more or better protection for their neighborhood streets. The widespread existence of such efforts contributes to the selectivity and fragmentation of local policing by privatizing public resources along predominantly accumulation-driven rationalities. With regards to citizen-police relations, the picture that emerged in this chapter is somewhat ambivalent. On the one hand, police abuse could be identified as a defining feature of local policing practices, and it therefore seems plausible that local residents try to avoid contacts with the police in order to limit the possibility of suffering from any of the previously identified forms of police abuse. On the other hand, however, we observed that local residents do not necessarily abandon the local police forces, but actively participate in the politics of appropriation. Before addressing the question of how the residents of Mexico City deal with these issues in their everyday life, we will first have to turn to the political dimension at the root of the findings of this chapter.



# 3

## Policing and Capital City Politics

The present chapter turns to the political dimension of Mexico City policing. This analysis will help us to develop a deeper understanding of the prevalence and persistence of the previously identified informal and paralegal features of local policing by indicating how political decisions and political practices stemming from Mexico's negotiated state shaped the trajectory of local policing throughout the twentieth century. By analyzing the impact of the post-revolutionary state formation process on policing in Mexico City, the centrality of clientelism within local policing as well as everyday manifestations of informal negotiations between state authorities and citizens, this chapter provides the necessary political context to help us better understand the persistence and even functionality of the previously identified features of local policing within the realm of urban politics in Mexico City. My argument in this chapter is that the post-revolutionary state—and capital city—formation process contributed to the emergence of a relatively autonomous police force, which was granted substantial levels of impunity for a wide range of abusive and extralegal activities, as long as the police complied with their principal task, the establishment and maintenance of post-revolutionary political order in the capital city. One outcome of this situation was the growing involvement of the local police forces in illegal and predatory activities. But this order-maintenance function also converted the local police forces into central mediating agents within urban politics in Mexico's negotiated state. Although governing the urban in this context also included the repressive safeguarding of economic and political development projects, it also entailed the growing embeddedness of local policing within structures of informal political mediation. This converted the police into an institution that could be informally appropriated and with which citizens

could permanently negotiate over the concrete (non-)enforcement of legal rules and regulations. These features not only continue to persist in Mexico City's contemporary democratic political environment. As a result of growing electoral competition at the local and national level, these basic characteristics of local policing became even more pervasive than before, most visible in the emergence of a veritable security clientelism in contemporary Mexico City.

### **Policing and post-revolutionary urban state formation**

Chapter 2 analyzed the paralegal and informal institutional aspects of the Mexico City police forces and briefly indicated that these features are inseparable from the legacy of post-revolutionary state formation. In this section, I will return to this issue and analyze in more detail how the post-revolutionary state formation process contributed to the formation and reproduction of a highly fragmented, politicized and autonomous police apparatus, marked by the predominance of informal and paralegal practices. These features of local policing, as Chapter 1 already suggested, are not an exclusive characteristic of the post-revolutionary police forces in Mexico City. In fact, as historical studies have illustrated, there is a striking continuity of these features of local policing throughout Mexico City's history (Archer 1977; Garza 2007; Haslip-Viera 1999; Lozano Armendares 1987; MacLachlan 1974; Piccato 2000; Sánchez-Arcilla Bernal 2000; Scardaville 1977, 2000; Viqueira Albán 1999). However, this section will focus exclusively on the post-revolutionary period. This decision is not only due to limitations of space. It is also based on the assumption that the Mexican Revolution represents a critical juncture within the realm of local policing, where revolutionary leaders had, in theory, room to maneuver with regards to the institutional makeover and redesign of local policing. However, their political decisions contributed to the reappearance and reproduction of informal and paralegal patterns of policing, creating a legacy that continues to shape policing in contemporary Mexico City. This outcome reflects a core characteristic of a critical juncture, where the political decision or 'selection' made by political actors during a moment in which a variety of options were potentially available 'is consequential because it leads to the creation of institutional or structural patterns that endure over time' (Mahoney 2001: 6).

The fact that the Mexican Revolution qualifies as a critical juncture with respect to Mexico City policing stems from the *de facto* disappearance of a police apparatus during the first years of revolutionary turmoil.

Therefore political elites had a variety of options regarding the path of rebuilding police institutions in a new political environment. In order to understand their political decisions and the resulting development of post-revolutionary policing, the following analysis will focus on critical political episodes that determined the trajectory of Mexico City policing throughout the last one hundred years.

Let us begin with the Mexican Revolution. During these years, the city was under a state of siege, the military had full responsibility of local security provision and the local police, the so-called *gendarmería*, were practically inexistent—either because its agents were enrolled in the official military or had returned to their places of origin and filled the ranks of the different revolutionary armies (Martínez Garnelo 2003: 175). It was in 1912 that the city government, in an alliance with leading citizens, started to (re)address questions of policing by calling for the formation of citizen militias. However, substantial disagreement among the proponents of this project, as well as growing preoccupations of the revolutionary political and military elites with regards to the possibilities and limitations of controlling citizens in arms, finally led to the disarmament and abolishment of the militias and the development of a new police force in the capital city. The constitutionalist forces under the leadership of Venustiano Carranza, who entered Mexico City in 1914, due to citizen complaints about the dubious quality of the newly created police forces, decided to use his revolutionary military forces to supplant them, thereby integrating military forces into local policing structures. This laid the foundation for an intimate and longstanding relationship between these two manifestations of the coercive powers of the state, which found its most visible manifestation in the fact that—with two exceptions—military generals served as local police chiefs between 1916 and 1988 (Davis forthcoming).

Besides his contribution to the militarization of the local policing structure, with a successful proposal for a constitutional reform in 1917, Carranza also laid the foundation for the separation between Preventive and Judicial police forces, with far-reaching consequences.

The 1917 Constitution established that the prosecution of crimes was to be the exclusive responsibility of the government. What this meant in practice was that the *Policía judicial* emphasized investigation rather than prevention, and became the only point of access to police protection for victims.... The *Ministerio Público* began to replace judges as the main prosecutors in trials. Simultaneously, *gendarmes* gradually lost the closeness to neighbors that they had

tried to establish, against the official project during the Porfiriato. Rather than a sign of greater security, the enhanced role of the judicial police often meant that police actions escaped public scrutiny. (Piccato 2001: 186)

Carranza's decision to create a special Judicial Police was motivated by a rationale to limit the power of municipal police forces, which, according to his perception, shared anti-revolutionary sentiments and were unsympathetic to his government. In this respect, the creation of a separate police force, with exclusive prosecutorial and arrest authority and directly responsible to the executive branch and not to the citizenry, seemed the perfect strategy for securing the stability of the revolutionary state-building project. This decision created a dualistic police structure, with two police forces answering to different authorities, related to different political factions and frequently in open competition and conflict with each other (Davis 2006, 2010, forthcoming). Despite such conflicts and frictions, the decision to militarize local policing, and the creation of a Judicial Police linked to the federal executive, were intentional decisions aimed at creating (post-)revolutionary political order in Mexico City by establishing national political control over local law enforcement: 'These institutional transformations put a federally controlled, militarily linked policing apparatus onto Mexico City streets, where it maintained a visible presence in everyday urban life and was able to politically threaten (and economically extort) the most humble of citizens' (Davis 2010: 41).

Carranza's successor, Álvaro Obregón, who became Mexican President on 1 December 1920 (and remained in this position until 1924), shared the preoccupation with the necessity of forging a loyal security apparatus in the capital city and launched a series of reform measures in order to achieve this goal. In this respect, he tackled the lacking normative framework of the local police forces. On 2 January 1922, he issued the *Ordenanza General para los Cuerpos de Policía* (General Ordinance for the Police Corps). The normative principles expressed in this document were most of all guided by a militaristic vision of policing. It defined the *gendarmería* as a police force which serves the nation to conserve the order and security of the society and to guarantee respect for the administrative orders of the government (Yáñez Romero 2000: 91–2).

One important outcome stemming from the intersection of these developments was an 'increasing autonomy of police activities during the 1920's' (Piccato 2001: 185).

This autonomy, in turn, permitted the police to engage in a variety of corruption-centered extralegal activities, to offer protection for criminal actors and to serve as informal mediating agents and enforcers in everyday informal negotiations between citizens and criminals (Bliss 2001: 137–47; Davis 2006: 63–4; 2010: 43–5; Piccato 2001: 150–1, 175–88; 2007: 65–6). The general reaction of the local and national government towards these well-known and widely visible aspects of local policing, in particular their more extortive and predatory manifestations, clearly mirrors the predominance of political-order concerns over the rule of law, because they were largely tolerated. In the words of Piccato: '[T]he concern about [political] loyalty seems to have prevailed over that about corruption' (Piccato 2001: 187).

Probably the most important and far-reaching episode within the post-revolutionary police-building process, further strengthening the path of police institution building well under way since Carranza's presidency, occurred in 1928. In the wake of Alvaró Obregón's attempt to regain the Mexican presidency in 1927, serious political struggles developed between Obregón, Luis Morones, head and founder of the *Confederación Regional Obrera Mexicana* (Regional Confederation of Mexican Workers, CROM), and then-president Plutarco Elías Calles (1924–1928). Based on the conviction that due to the CROM's political control over the *municipios* of Mexico City (as well as over the respective police forces), Morones and Calles possessed a strong institutional base capable of challenging his candidacy, Obregón successfully introduced an initiative in the National Congress to abolish the municipal structure of Mexico City. This abolishment meant that the local population could no longer elect the mayor of Mexico City. It therefore placed Mexico City's governance structure under the authority of the Mexican president and his appointed mayor (Davis 1994: 61).

In this context, the *Ayuntamiento de la Ciudad de México* (city council) and the municipalities disappeared along with the *gendarmería*. On 27 December 1928, the Mexican Congress approved the *Ley Orgánica del Distrito y de los Territorios Federales* (Organic Law for the District and Federal Territories), whose chapter seven on the police service declared that the local police forces, now called *Policía del Departamento Central* and *Policía de Seguridad del Distrito Federal*, were put under direct control of the head of the Mexico City government, the *Departamento del Distrito Federal*. In addition, it declared that future Mexico City police chiefs were directly announced (or removed) by the Mexican president—on recommendation by the head of the Mexico City government (Article 53 and Article 55).

The presidency of Lázaro Cárdenas (1934–1940), who along with Argentina’s Juan Domingo Perón Sosa and Brazil’s Getúlio Vargas was one of the most well-known Latin American populist leaders during the first half of the twentieth century, initially seemed to signal a change with previously established patterns of policing. Most of all, because his political project, driven by the formation of a ‘progressive alliance’ (Hamilton 1982), sought to consolidate a populist regime by including labor, peasants and other marginalized social forces into the post-revolutionary political system—and to enhance their political weight and power. This effort also included a reorganization of Mexico’s state bureaucracy in order to create an instrument capable of implementing his populist policies (Hamilton 1982: 131–4).

The political repercussions of these efforts were also visible within the Mexico City police forces, which Cárdenas sought to restructure. The first step in this direction, as Davis (2010: 46, forthcoming) has demonstrated, consisted in an expansion of the existing policing architecture through the inclusion of semi-private police forces that operated beside the Preventive Police through the creation of the PA (see also Chapter 2). This decision not only reflected Cárdenas’s intention to bypass the existing structures of corruption inside the Preventive Police forces and to overcome the primacy of political policing. Additionally, this move also represented a strategic decision, aimed at strengthening Cárdenas’s position within the revolutionary leadership, because the members of the PA were known to be extremely loyal and committed to the ideals of *Cardenismo*. To further enhance these bonds of loyalty, Cárdenas launched a project of juridical reclassification of the formal employment status of the police. These measures defined the police as state workers with corresponding legal rights and obligations. This reform project provoked severe criticism from the upper ranks of the local police apparatus. They saw their unquestioned authority, personalized control and the related ways of arbitrary law enforcement, corruption and extortion practices, seriously questioned by those legal rights now granted to the rank and file—such as the right to strike or the access to courts for labor rights violations. These conflicts, particularly between the PA and the Preventive Police, evolved within the context of a growing regional and national opposition to *Cardenismo* and opened up a new round of police reform measures, limiting the inclusive scope of the original project. In an effort to deal with the aforementioned problems, and as a means to repair the damage done to the quality of police-military relations provoked by granting the police agents the legal status of state workers, Cárdenas, in 1939, opted for a

legally sanctioned militarization of the police forces (Davis 2010: 44–7, forthcoming).

The far-reaching consequences of this decision, Davis points out, included the (re)production and (re)institutionalization of a militarist vision of policing. The latter further enhanced the already existing internal fragmentation of the Mexico City police forces, thereby creating a serious challenge for the state to control and coordinate the plurality of actors involved in the provision of public security. Finally, this move towards a militarization of local policing bypassed the ruling party as well as Mexico City's mayor. This implied that institutions providing accountability mechanisms for policing were practically absent at the local level. In consequence, the military, now controlling the police but without an institutional presence in the local governance architecture, was almost completely out of reach for the complaints of the local population (Davis 2010: 48, forthcoming), a move which further enhanced the autonomy of the police vis-à-vis the local government.

In sum, although Cárdenas's police reform project initially sought to transform, and probably even improve, Mexico City policing, this effort as so many other core features of his political project, was essentially 'compromised' (Fallaw 2001). For the residents of Mexico City, and their relationship with the local police, this meant a striking continuity with the past, where citizen-police relations were most of all determined by political concerns from the post-revolutionary leadership and illegal, informal and frequently abusive everyday police activities. If the Mexican Revolution was a critical juncture, then it was with the end of the Cárdenas administration that the path of policing taken by the post-revolutionary leaders was finally 'locked in' in local politics, creating a legacy which, as we will see in the remainder of this book, continues to influence policing in contemporary Mexico City.

As the following quote from a research article published in 1946 indicates, the previously described patterns of illegal, predatory and informal policing were omnipresent on the streets of Mexico City and seriously affecting citizen-police relations in the late 1940s:

One factor accounting for the relatively low percentage of registered crimes against property for adults is the lack of confidence in, or even fear of, the police which results in failure to report many cases of stealing. Citizens hesitate to report a burglary lest the investigation detectives make additional thefts. Policemen who serve as night watch-men are especially feared because of a tendency to connive with thieves. The extent to which thieves are known to the police is

unique for such a large city. As soon as a theft is reported the thieves may be warned by dishonest policemen and have an opportunity to move on to an unknown location. (Hayner 1946: 436)

Throughout the 1950s, 1960s and 1970s, including the 'glorious' decades of the *milagro mexicano*,<sup>1</sup> 'the police forces enjoyed the legitimation provided by the political elites they protected' (Campesi 2010: 451). This reflects the political satisfaction of the local and national political elites with regards to the policing-related safeguarding of their economic and political development projects. Policing played, in fact, a crucial role in guaranteeing the economic progress and political stability widely associated with these decades. This policing-related safeguarding of the Mexican miracle included formal and informal police repression, ranging from the frequent use of repressive legal instruments, such as the notorious Law of Social Dissolution (*Ley de Disolución Social*), to selective assassinations and arbitrary arrests of oppositional groups and members of social movements (Eckstein 1988: 97; Stevens 1970, 1975, 1977), the most visible manifestation of which was probably the killing by police and military forces—and their collaborators—of hundreds of protesters participating in the local student movement on the Plaza de Tlatelolco in Mexico City on 2 October 1968.

But policing also played a crucial role within the more subterranean informal and illegal political processes which took place in Mexico City. Chapter 1 already identified the basic 'agreement'—and its impact on policing—regarding PRI elites and organized crime, where the PRI guaranteed lax law enforcement, or even non-enforcement, in return for monetary rewards and political support. In addition to this, as the next section on the clientelist dimension of Mexico City policing will show in more detail, the police forces also became increasingly involved in the regulation of local urban politics overdetermined by the politics of appropriation and informal political negotiations. Whereas, as demonstrated above, such practices could already be observed during the 1920s, they became even more entrenched in the subsequent decades—in particular during the 'miracle.'

As the 'miracle's' success stimulated rural-urban migration, the related expansion of illegal squatter settlements, the growth of the PRI's urban political machine as well as the expansion of informal, and frequently illicit, economic activities in Mexico City, policing became an important political resource for the informal political management of these developments. This contributed to a growing mediating role of policing, for example, when urban strongmen and political brokers, through



informal negotiations with politicians and bureaucrats, received privileged access to police officers in return for votes, bribes or their support in facilitating the implementation of government policies. These 'informal police powers' (Cornelius 1975: 141) could be used, with the knowledge and toleration of the local government, for a variety of private purposes, including the protection of illicit activities but also as coercive resources directed against political competitors at the local level (Eckstein 1988: 97–9).

What is more, with the continued high level of institutional autonomy, these political and economic transformations enhanced previously existing opportunities for police corruption in Mexico City. In addition to this, the police apparatus became even more fragmented than before. This fragmentation, on the one hand, was due to the way the police forces dealt with citizen complaints—most of all from the middle classes. The way such criticism was addressed by the local authorities was in most cases not by directly confronting corrupt or abusive police behavior, but rather by creating new police units. This further intensified the existing levels of institutional fragmentation—including the related problems of competition, conflict and coordination. On the other hand, this growing level of fragmentation was also due to federal political intervention. With the aim of gaining a foothold in the local security architecture, the federal executive repeatedly attempted to create new layers of policing agencies under their exclusive control—a strategy observable in many other policy fields in Mexico as well. The overall result of this situation was that in the course of these decades, the local police apparatus had become increasingly difficult to control and to coordinate, whether by the police, the military, the president or the PRI (Davis 2010: 48, forthcoming).

These developments came under severe public criticism in the late 1970s and early 1980s and finally culminated in the political conjuncture of the 1982 debt crisis. With rising crime rates in the direct aftermath of the economic crisis of 1982 (Ramírez Marín 2003: 200–1), a growing public debate focused on the problematic aspects of the Mexican police forces, most of all those related to corruption and political repression. These topics were frequently mentioned as a principal citizen concern in the *consultas populares* (popular consultations) during the presidential electoral campaign of Miguel de la Madrid (1982–1988) (García Ramírez 1987: 454–5). Such perceptions were further aggravated by and symbolized in the scandals of the Mexico City police chief Arturo Durazo Moreno. A long-time friend of Mexican president José López Portillo (1976–1982) and prominent ex-member of the *Brigada Blanca*

(White Brigade) death squad, responsible for the elimination of urban guerrilla movements (Becker 2008), Durazo Moreno was appointed as Mexico City police chief by López Portillo in 1976. This position permitted him to establish a network of corruption, extortion and criminality inside the local police apparatus, which enabled him to accumulate assets estimated at US\$200 to US\$600 million between 1976 and 1982 (LaFrance 1990).

Much of these activities became known to a wider public through the publication of the biography of his ex-bodyguard Gonzalez Gonzalez (1983), *Lo negro del Negro Durazo*, which claimed to give a detailed account of Durazo's informal empire, converting him into the emblematic symbol for the widespread perception that 'Mexicans had been robbed of their future by the Hound in the guise of the vain, base and corrupt López Portillo' (Lomnitz-Adler 2003: 138–9). Although Piccato is correct to stress that 'Durazo's work was exceptional for its scale and notoriety, but not for its content and structure' (Piccato 2007: 71), it was because of this exceptionality, in conjunction with the growing policing-related concerns of the Mexican electorate, that the de la Madrid government (1982–1988) launched the 'campaign for moral renovation,' putting special emphasis on the reform of the existing administration of justice system in general and the 'moral renovation' of the members of the police apparatus in particular (Poder Ejecutivo 1983: 66–70; SEGOB 1988a, 1988b).

The repercussions of these developments inside the Mexico City police forces were largely symbolic. For instance, they included the dismissal of Durazo (who was arrested by US law enforcement officials in Puerto Rico in 1984) and the confiscation and public display of his property (Morris 1992: 100) as well as the issuance of a new *Reglamento de la Policía Preventiva del Distrito Federal* to replace the one dating back to 1941. Furthermore, the secret service of the local police force was dissolved due to continued public criticism concerning illicit acts committed by its agents. The majority of its 3,000 agents (2,774) were transferred to the Attorney General of the Federal District and 200 more to the Federal Judicial Police (PJF) (Yáñez Romero 2000: 118)—indicating that dismissal in general meant personnel rotation.

As the metropolization of crime during the 1990s should demonstrate, this type of political reaction left basic patterns of post-revolutionary policing in Mexico City largely intact, patterns which probably even expanded during the early 1990s (López-Montiel 2000). Against this background, hopes and expectations were high that Cuauhtémoc Cárdenas from the PRD, who following constitutional changes was

elected mayor of Mexico City in 1997, would improve the local security situation. One of the first measures he adopted was appointing a retired army officer, Rodolfo Debernardi, as local police chief, despite the fact that Cárdenas previously proclaimed that he would not militarize the local police. Debernardi resigned one year later after he stated that the person capable of solving Mexico City's crime problems had not yet been born (López-Montiel 2000: 89).

Another step undertaken by Cárdenas, in an attempt to deal with police corruption and to enhance police accountability, at least according to official discourse, was the introduction of lie detector tests and a restructuring of police beats. These measures were met with fierce resistance from the local police officers, most of whom were still loyal to the PRI, who undermined this effort by refusing to continue policing in the city, leading to an exceptional growth of local crime incidences in the weeks following this decision (Davis 2003: 20). This reaction not only illustrates the persisting high degree of police autonomy in Mexico City, it also signals that democratization made local policing more complex than ever before. In fact, Cárdenas not only faced open resistance from the local police rank and file. His security policies also met with political resistance from the PRI, which still held substantial national powers (political, fiscal and legal) that could be used to limit the success of Cárdenas's security policies (Davis 2006: 69). As Cárdenas's public security policies were to a large extent dependent on federal funds, it was nearly inevitable that, due to political reasoning, federal authorities were going to be reluctant to finance the policing efforts of a political opposition candidate—with potential national political ambitions—in the nation's most important city (López-Montiel 2000: 88–9; see also Davis and Alvarado 2004: 147–51). This pattern of local-national conflict continued to persist after the PRI lost the Mexican presidency in 2000 to the PAN. The overall outcome of this situation was that although the democratization of local politics substantially restructured the basic political constellation of post-revolutionary policing in Mexico City, this restructuring even enhanced previously established patterns of predatory and informal police activities:

In the case of Mexico City, in particular, the democratization of governance constituted part of the problem of accelerating violence and insecurity, not the solution to it. . . . Indeed, without the Partido Revolucionario Institucional (PRI) at the helm in the capital, and with the party weakened by electoral defeat, the stability of the entire system of complicity between the police and the state was called into

question. With the PRI unable to control the state and its budget, the police turned away from the same informal practices of patronage and rent seeking that in prior decades had kept them loyal to the state. Without guarantees from the state that the fruits of corruption and bribery would continue to cycle through the system, police turned towards citizens—and criminal gangs—for sources of income, contributing to more impunity and violence, or failing to stop it. (Davis 2010: 50)

Whereas it is undeniable that much has changed with regards to local policing under democratic, post-PRI conditions, we should be cautious not to too quickly identify this situation as signaling the end of the post-revolutionary policing legacy in Mexico City. First, despite its public discourse, local policing, as well as Mexican policing in general, notwithstanding the formal democratization of the political landscape, continues to be ‘political’ (ProDh 2006: 64–73). Second, as the previous quotation indicates, democratization further enhanced rather than limited the institutional autonomy of the local police, and it ‘has not curbed traditional illegal and violent practices’ of Mexico City’s police forces nor did the latter refuse to be loyal to the new political elites (Campos 2010: 453–4). This outcome, which will be analyzed below, relates to the third and most important factor that guarantees a striking degree of continuity within the realm of local policing: the largely unchanged structural character of Mexico’s negotiated state and its impact on local policing. As the remainder of this book will illustrate, local policing not only continues to be marked by informality, paralegality, internal factionalism, institutional fragmentation and competition and political interests. From the local residents’ point of view, it is also abusive, unpublic, appropriable and a highly negotiable issue. One important aspect of Mexico City policing, which is both a source as well as an expression of this continuity, is the persistence and even expansion of clientelist relations and patronage structure within the realm of local policing.

### **Policing, patrons and clients**

Clientelism and patronage, I argued in Chapter 1, are important governance resources within the context of Mexico’s negotiated state, as they provide the infrastructure for the politics of appropriation as well as for power-sharing arrangements between the state and local power centers. By incorporating important actors such as bureaucrats or

strongmen into patronage networks, state elites enhance the 'reach of the state' and give their decisions an, albeit mediated, tendential binding character. Chapter 2 indicated the pervasiveness of patron-client relations inside Mexico City's police forces. Against the background of the previous section on the relationship between policing and post-revolutionary state formation in Mexico City, we can return to this issue from a larger, politically focused, perspective. Patronage and clientelism are hierarchic socio-political phenomena. Therefore, it makes sense to begin our analysis of this issue in Mexico City at the 'top' and then move on to the 'bottom' of the local universe of clientelist relations with each step of scaling down adding more nuance and complexity to the analysis of this crucial political feature of local urban politics and policing.

The highest level of policing-related patron-client relations in Mexico City is made up of the relationship between the upper levels of the police apparatus, the local government and the federal government. If the excursus into the policing-state formation nexus has taught us one thing, it was the lesson that political calculations and the safeguarding of political order, not the provision of public security, stood at the center of policing in post-revolutionary Mexico City. This converted the post of Mexico City's police chief into a political rather than technical or professional public office (Arroyo Juárez 2007: 430). During the decades of PRI rule, the political relationship between the Mexican president and the federally imposed mayor (*regente*) created a political context in which the political survival of the Mexico City police chiefs, and the related maintenance of the flow of material and political 'rewards,' were directly tied to their efficiency in maintaining political order in the nation's capital city. What is more, when confronted with the high degree of institutional autonomy of the local police, the appointment of the Mexico City police chief on the basis of calculations of political loyalty and obedience, and legally backed by the power to dismiss the local head of the police whenever necessary, was the single most important resource for governing and disciplining the local police apparatus and for inserting it into the economic and political projects of the local (and national) administrations. To put it very crudely, creating a police-chief-cum-client was the most attractive political option for establishing a political regulatory framework for local policing under the conditions of Mexico's negotiated state—an outcome facilitated by the deep-seated militaristic legacy and command structure of local policing described above.

This created a political post whose office holders, on the one hand, served as clients of local and national political patrons, but, on the other

hand, became powerful patrons within the police apparatus themselves. As Roger, an ex-member of the local police, explained, this situation demands from the 'commanding heights' of the Mexico City police forces the maintenance of a very delicate equilibrium. On the one hand, they receive their posts and promotions through political patronage, which ties their careers to the political expectations of local and national politicians. Therefore, they are well aware 'that their [the police chiefs'] career is tied to their [their patrons'] political success.' This implies that in order to make a career inside the local police, one has to demonstrate unconditional political loyalty and functionality to political patrons. The other side of this story, however, is that the police chiefs stand at the head of institutions with their own culture, 'normative' standards and expectations, whose predatory, income-driven and paralegal nature we examined in Chapter 2. Successfully and simultaneously playing both roles can be a particularly challenging task, specifically when these roles clash with one another. Such clashes happen when, for example, new economic developmental projects stand in open contrast with previously established and well-rehearsed manifestations of the police-crime nexus (see Chapter 4 below). When police chiefs are not capable of efficiently performing both roles, for instance, when they fail to achieve the expected political outcomes of policing, exceed tolerated levels of predation, provoke politically damaging public scandals or lose the support and legitimacy of their own clients, they become dysfunctional for their patrons, a fact which threatens the political governability of the local police as such. The abovementioned fate of Durazo, illustrates the related political responses from their patrons quite well.

If the origins of these patron-client structures are so closely tied to the local post-revolutionary state formation process under PRI hegemony, we have to address the question if the impact of the recent democratization processes altered this situation. The answer is an ambivalent yes and no. As we observed in Chapter 2, patron-client relations continue to be a dominant feature inside the Mexico City police forces. Additionally, as we will see throughout the remainder of this section, local policing not only continues to operate along clientelist logics; moreover, the democratization of local politics even enhanced the clientelist basis of policing in Mexico City. Despite this apparent continuity, things are not as they used to be during the decades of PRI rule. Probably the most important rupture with the past can be observed in a profound modification of the political relationship between the Mexican president and the Mexico City government. The decisive moment which triggered this change can be identified in the year 2000, when after 71 years of one-party rule

Vicente Fox Quesada from the conservative PAN won the Mexican presidential elections. We already saw above how this situation contributed to a further politicization and fragmentation of Mexico City's policing architecture. This outcome also had a deep impact on the longstanding police patronage structures in Mexico City, because it undermined the national patron-client structures which for decades tied the post of Mexico City's police chief to the political interests of the PRI and the Mexican presidency. The Mexico City police chief was no longer perceived as a useful and loyal client at the service of national-interests-cum-capital-city-politics, but became a largely partisan political figure. Most of all, because his successful performance of this role could now be converted into political capital for the Mexico City mayor and his larger national and presidential political aspirations. When taking into account that according to the Mexican Constitution, but also according to Article 29 of the Public Security Law of the Federal District, the Mexican president has the legal power to appoint and to remove the Mexico City police chief<sup>2</sup>, with the local mayor having the right to make a respective suggestion, it is of little surprise that these presidential powers become important political resources for intervening in local politics. For example, in June 2006, Mexican president Vicente Fox reacted to the lynching of two federal police officers in Mexico City by declaring a 'zero tolerance for vigilante justice' policy (Proceso 1.12.2004). In order to demonstrate his political will to hold the local authorities responsible, he dismissed the head of the SSPDF, Marcelo Ebrard—a decision which many observers perceived as a primarily politically motivated act (see also Uildriks 2010).<sup>3</sup>

However, and despite these transformations, it is undeniable that patron-client relations continue to penetrate the entire administrative architecture of the local administration—including everything related to policing. This is probably most obvious at the level of the Mexico City boroughs, where these relations are centered on the figure of the borough mayor (*delegado*), who is the most powerful node within patronage structures at this administrative level, particularly since the borough mayors are locally elected (since 2000). This centrality derives from the high number of employment-related patronage resources which *delegados* can offer to potential clients. In return, the latter are expected to offer political support and personal loyalty. Due to the strategic and politically motivated use of these resources, *delegados* are capable of creating dense networks of clientelist relations, useful for future political or administrative careers. This situation implies, as interview partners frequently explained, that commanders of the local police sectors located

in the boroughs tend to develop a substantial interest in cooperating with *delegados*, as such cooperation can result in access to some of their resources, such as employment in the local *delegación* for a friend or family member. Although the scope of these arrangements has certain 'natural limits' due to the dependence of the local police sector chief's career upon his loyalty to the SSPDF,<sup>4</sup> hierarchic patterns of exchange of favors between *delegados* and the police frequently occur, converting clientelism into an important political currency in local policing. One basic outcome of this situation is that powerful local politicians, capable of cultivating patron-client relations with local police commanders, frequently benefit from what one informant called 'VIP-treatment.' That is, local police commanders informally assign police units to the protection of local politicians. These units are charged with protecting the politicians' homes, thus leaving the local population without sufficient police protection. Such 'VIP-treatment,' however, is not confined to the relationship between *delegados* and local police commanders.<sup>5</sup> Similar relations also exist between *delegados*, politicians and upper-level bureaucrats, and the recent expansion of policing and security-related resources and administrative posts throughout Mexico City's administrative bureaucracy even enhanced these patterns, as more security-related resources are now available for distribution through clientelist channels. The clientelist nature of these relations is most of all related to questions of job patronage, where in general the most loyal, not the most qualified, people receive jobs in the public administration. For instance, one director of a local crime prevention program complained that two people with academic degrees in natural sciences, neither of whom had the required educational prerequisites for addressing security-related tasks, nor any interest in security and policing issues, were assigned to his staff due to political pressure 'from above.'

However, the expansion of resources for enhancing clientelist relations is not just related to the more administrative parts of the Mexico City government bureaucracy. In fact, it seems that one important aspect that facilitated the re-establishing of bonds of loyalty between the local government and the police in the post-PRI era was precisely the expansion of security and policing-related expenditures by the local government. Officially meant as an important, and undeniably necessary, means of institutional modernization, the growing flow of policing-related resources towards the local police forces also served as a means for both buying and rewarding continued political loyalty by enhancing the pool of resources (jobs and equipment) that can be informally



appropriated and distributed throughout the local police apparatus, thereby expanding loyalty-based external political control and internal patron-client structures.

Although most of the interview partners from within the local law enforcement agencies were aware of the pervasiveness of clientelist structures, they were in general accepted as a given fact one simply had to deal with. In many cases they were even presented as something overly beneficial for all parties involved. Such relations were described as a very unbureaucratic, efficient, trustworthy and even accountable way of getting things done. As one ex-police officer summed it up: 'You don't fuck [*chingas*] with someone whose help you might need later.' Additionally, and largely for the same reasons, these patron-client relations were also perceived as beneficial for citizens capable of getting access to such networks.

This brings us to the center of the relationship between clientelism, security and policing in contemporary Mexico City, which I suggest takes the form of a veritable security clientelism, resulting from a political context marked by the intersection of an unruly law and the 'metropolization of crime.' These processes create important incentives for local politicians to include policing into their repertoire of clientelist service provision, and they make citizens more receptive for and interested in getting 'additional protection,' thereby expanding the clientelist basis of urban governance.

Recalling Scott's definition of clientelism referred to in Chapter 2, we can define security clientelism as an instrumental relationship in which a person of higher (political, economic, social) status uses his personal influence and resources for the provision of protection and security for a person (or persons) of lower (political, economic, social) status. The latter depend(s) on this personalized delivery of protection-related resources and is (are) therefore willing to offer support to the patron.

In order to understand and contextualize the emergence of security clientelism in contemporary Mexico City, we should keep in mind that under PRI rule, clientelist vote buying, for example, by offering access to urban infrastructure or jobs, stood at the center of local politics (see, for example, Cornelius 1975; Eckstein 1988). This, in turn, always included the 'legalization,' tolerance and even protection of illegal practices such as illegal land occupation or illegal commercial activities. In return for the 'right' vote and for the mobilization of manpower at election days or for political rallies—and in particular for illicit actors, the right payment—the PRI, in most cases through networks of local political brokers that linked local constituencies to the party and the Mexico

City administration, delivered 'public' goods to loyal local constituencies. Additionally, these clientelist 'informal politics,' operating on the basis of 'tactic and irregular agreements with city officials, notwithstanding the official claims of illegality' (Cross 1998: 16), also included, as seen above, selective and lax law enforcement as well as the open toleration/protection of illicit activities by the local government.

Contrary to earlier expectations with regards to the withering-away of such informal political structures, the democratization of Mexico City politics and the rise of the PRD did not dismantle the predominance of clientelism in local politics (Bartra 2007: 64–9; Durand Ponte 2007; Espinosa 2004; Grisales Ramírez 2003; Hilgers 2008, 2009, forthcoming; Rodríguez Luna 2007: 244–5; Schütze 2005; Zermeño et al. 2002). But clientelist relations did not just continue to exist—although in a less coercive way than during the 'authoritarian clientelism' associated with PRI politics (on this issue see Fox 1994). They became more important than ever. As Hilgers (2008, 2009, forthcoming) has shown, and as will become apparent below, high levels of internal factionalism inside the PRD made the clientelist basis of local politics an essential political resource for different and competing PRD factions—and their political allies—for maintaining and enhancing their local power bases under the conditions of democratic electoral competition.<sup>6</sup> It is this general context in which security clientelism emerged.

In a political environment, marked by electoral competition, internal party factionalism and the 'metropolization of crime,' the related political challenge of 'making crime pay' (Beckett 1997) not only included a political move towards populist policing strategies, in which local politicians resort to symbolic and highly visible police 'reform' measures, such as the creation of 'fashionable' police units, like the UPCs, or the introduction of rewards, such as additional income or promotion, for police officers with a good arrest record (Jiménez Ornelas and Moreno Alva 2007: 197–8; see also CDHDF Boletín de Prensa 70/2006).

In addition to such efforts, the scope of previously existing patterns of clientelist politics was also enhanced by introducing clientelism into the realm of public security provision. Clientelist service delivery is now no longer centered on the protection of illegal and informal economic activities in return for votes, nor is it exclusively centered on the provision of basic public infrastructure. Rather, ordinary citizens' votes are tried to 'buy' at the local level by offering the clientelist delivery of security-related resources, ranging from more street lighting, to new security programs, to more police presence on the streets of their neighborhoods. That citizens are very receptive to such informal inducements

should be obvious, when considering the centrality of security concerns for the local electorate as well as the long historical legacy of political clientelism in Mexico City politics.

Much of this clientelist service delivery takes place through the recent expansion of citizen participation programs at the neighborhood level. These programs, as we will see in the next chapter, are often appropriated by local politicians or political brokers in order to distribute the related resources to their constituencies. Therefore, one interview partner from the local Human Rights Commission described them as 'clientelist outposts.' If we relate this observation back to the previously mentioned expansion of security-related patterns of job patronage, then the notion of 'clientelist outposts' should remind us that patronage and clientelism are decisive forms of governance in the negotiated state, where the governing capacity of state authorities is dependent upon the delivery of appropriable goods, the informal use of which is then a matter of political negotiation. In this regard, building political support by expanding security-related clientelism and patronage structures within the bureaucratic architecture of Mexico City's administration—including the police forces—as well as enhancing the clientelist outreach to the local electorate are both important political resources for politicians and administrators to maintain and even enhance the 'reach of the state.' By expanding the infrastructure for the politics of appropriation, clientelist relations can guarantee certain, albeit mediated, levels of political control and state presence. Therefore, they should be considered as a functional and important tool in the repertoire of the technologies of rule available within the context of Mexico's negotiated state.

When considering the expansion of security clientelism in Mexico City, we should keep in mind that the underlying and reinforced patron-client relations, as well as other 'irregular' political practices like 'corruption,' despite the frequent publicly performed political outcry from politicians, policemen, journalists and citizens, are perceived by many people in Mexico City as legitimate and beneficial political practices (see Hilgers 2008, 2009). If we take this observation seriously, and I would suggest we should, then the basic message of Grindle's observation from the 1970s still largely holds true today:

[T]he most decisive reason why bureaucrats, and indeed peasants, urban squatters, and businessmen in Mexico seek to establish and maintain these relationships is that conditions make such strategies both rational and efficient. Under some environmental conditions,

individual actors cannot, or perceive they cannot, demand as formal and impersonal rights what is necessary to them to achieve their goals. Consequently, they must arrange informal exchange relationships which assure them of the availability of the needed resources. (Grindle 1977: 39)

If the single most important 'environmental condition' why the residents of Mexico City permanently engage in informal politics and clientelist practices is Mexico's negotiated state, then local politicians' expansion of clientelist practices to the realm of public security provision, in response to the multiple pressures of democratization and insecurity, should not be interpreted as a top down 'manipulation' by a 'vicious' political class. Rather, it reflects an outcome of mutually reinforcing top down responses and bottom up demands, both of which emanate from overly rational political calculations and expectations of political actors in Mexico's negotiated state, where all parties involved are well aware of the fact that highly informal and personalized 'tactic and irregular agreements with city officials' are the basic and most efficient way of doing politics in Mexico City. The next section, by turning to the question of informal political negotiations, will illustrate how such 'tactic and irregular agreements with city officials' manifest themselves in the everyday practices of local policing and the resulting citizen-police relations.

### **Negotiated policing**

This section will approach one of the most visible manifestations of the 'informal and tactic agreements' that shape policing in contemporary Mexico City: informal negotiations. In what follows I do not pretend to grasp the entire spectrum of empirically observable policing-related informal negotiations in Mexico City. In fact, as they are so pervasive in local politics, they defy a comprehensive assessment simply for reasons of space. Rather than intending to grasp these political practices in their entirety, I will offer an analysis of their most common patterns, which serve to illustrate their underlying logics and the resulting patterns of citizen-police interaction. Two types of informal negotiations are not included in this section's analytical framework. The first type is bottom up bribery. These practices, which many observers too quickly qualify as 'corruption,' are an important component of both the politics of appropriation as well as the related practices of informal negotiations. Although, bottom up bribery serves as an important means for

negotiating with public officials over the implementation and enforcement of policing and security-related government policy, I decided not to include this type of informal negotiations in this section's analysis, which is more concerned with the political, non-monetary, nature of informal negotiation processes. The second type of informal negotiations, although overly political, which I did not include in this section, are such negotiations which exclusively involve state officials and criminal actors. The previous section already indicated the existence of these negotiations, and Chapter 4 will offer additional details. However, as the present section is more concerned with everyday citizen-police interactions resulting from and contributing to informal negotiations, I decided not to address this issue here. In general, in what follows, I will largely focus on non-money-driven negotiations, those which are more dependent upon the strategic use of social and political capital by citizens in order to informally negotiate about policing-related rule bending with public authorities.

The first type of informal negotiations which I will address, and which is probably the most common and routine manifestation of this type of exercising informal political 'influence at the enforcement stage' (Scott 1972b: 24), involves individual persons entering into contact with law enforcement agencies with the aim of modifying the enforcement of laws and formal-legal obligations. Such informal negotiations usually take place at the street level, although they can also take place on the telephone or behind closed office doors. No matter where they take place, they emerge out of a situation in which a person is confronted by police officers, claiming to enforce existing legislation. The person perceives this claim as illegitimate or simply unjustified and tries to modify or to avoid its enforcement. These state officials' claims can be real or 'fabricated.' In any case, in order to influence the state agents' will or motivation of legal (non-)enforcement in one's favor, the affected person will resort to the pool of capital available at his or her disposal. Although Mexico's negotiated state creates a permanent opportunity structure for entering into informal negotiations, the *de facto* negotiation process is uneven, hierarchic and selective. This is most of all due to a general class bias of local policing, which historically contributed to the privileging of the security concerns of people with higher social, economic and political capital. This pattern, it seems, was even further strengthened by the recent democratization process and the rise of the PRD. As Marco, a former high ranking member of the Preventive Police explained, maintaining the political support of the upper and middle classes is an important political goal for the local government,

which, with its 'popular' political discourse, threatens to alienate the local middle and upper classes. This interest has contributed to a socio-economic bias in local policing practices, which he exemplified by pointing towards the different quality of security provided by the local police for the residents of upper-class neighborhoods such as Polanco, which he contrasted with the quality of public security provision in the marginalized borough of Iztapalapa. Whereas in the first case, the local government would be highly sensitive and responsive to the security needs of people with high economic, social and political capital, the situation 'on the ground' in Iztapalapa would be quite the opposite. This outcome, according to him, would reflect the political impact of class structures on local policing.

This general class bias of local policing is also observable within the realm of informal negotiations. The more access individuals have towards different forms of capital (social, economic, political), the better their negotiation position and the more likely they will succeed in exercising their informal 'influence at the enforcement stage.' This stands in stark contrast with the negotiation practices of people endowed with lower social and political status and/or capital. They are frequently forced to organize themselves in order to enhance their political capital, to involve political intermediaries or to directly resort to monetary incentives for motivating public officials to negotiate with them. This outcome is not only due to an abstract privileging of the privileged within the realm of Mexico City policing. It also reflects the centrality of informal political hierarchies and structures in local politics. For example, whenever, as observed above, the career and promotion of a police officer are dependent upon political patronage structures, it is a rational calculation for this officer to be more sensitive to the demands of people with more political power, possibly indicating their connections to potential patrons, than to the needs of people who do not have these political resources at hand.

I learned first-hand of this logic at the beginning of my fieldwork, when I was told various times that I should always carry the business card of the highest public official I had contact with in my wallet, so that in case I should get in trouble with the police, I could use it as a sign of being 'well connected.' This suggestion illustrates very well the common-sense knowledge, deeply embedded in the local political imagination, that personalized access to people situated at the top of the political hierarchies, rather than the adherence to formal-legal practices, is the most efficient way of resolving potential legal or policing-related problems in Mexico City. One direct consequence of

this situation is a kind of ever present intimidation that police officers confront when faced with persons endowed with high political and social capital. As Rodrigo, a young man of middle-class origin told me in this regard: 'Whenever they [the police] round up a fucked up guy with dreadlocks, tattoos and so on, who stinks like hell and it then turns out that he is the son of a senator, a general or of an Argentine restaurant owner, then the police officers can get serious problems and prefer to let the guy run away.' Reflecting the same underlying political rationality, a recent study on police corruption in Mexico City's Transit Police observed that 'transit police are more reluctant to seek bribes from richer individuals vis-à-vis the less well-off because the perceived cost of repercussions outweighs the greater potential payoff of extorting richer individuals' (Fried et al. 2010: 78). Both observations illustrate the mutually reinforcing interactions of the general class bias of local policing, on the one hand, and the sensitivity of everyday policing to the informal hierarchies of political power in the negotiated state, on the other.

Whereas we will observe various examples of this class-based selectivity of negotiation-driven law enforcement throughout the remainder of this chapter—and the rest of the study—I want to briefly illustrate how these rather abstract reflections inscribe themselves in such informal negotiations and the resulting police-citizen encounters. An interesting related example can be found in the following transcript from my fieldnotes.

I was accompanying Mario and Isabella to the inauguration of a bar on Álvaro Obregón Avenue, in the Roma neighborhood. We arrived at about 9 o'clock. When we approached the place, we could already see a huge crowd of people standing in front of the bar, which, it turned out, was too small for the number of guests. As it was a rather warm night, many people left the bar and stood on the sidewalk with their alcoholic drinks in their hands, which is illegal in Mexico City. At about 9:30, nearly half a dozen of police cars showed up, at least one of them not belonging to the respective police sector. While most policemen were just sitting in their cars, which were parked directly in front of the bar, obstructing the traffic flow, a couple of police officers left their vehicles and asked for the owner of the bar. They were treated very friendly and were even offered drinks and food, which they refused. Instead, they insisted that they had to talk to the owner of the bar. When he showed up, he was told that because so many people were standing outside drinking in public, they had to close

the bar. A heated discussion between the owner, some of his friends and the police started. In the meantime, most of the other police officers had left their cars. After nearly twenty minutes of negotiations between the owner of the bar and the agent responsible for the operation, which showed no results, a man dressed in a business suit showed up. He directly approached the police officer in charge of this operation. He started to talk in a very loud, intimidating and aggressive voice to the commander of the operation. The police officer got back into his police car. Two other police agents approached the car. After a brief conversation the policemen standing among the party guests all returned to their cars and within a few minutes all left the place, while many party guests started to cheer. From all of the guests with whom I talked about this issue, I heard the same story: I was told that the man was someone with power [*alguien poderoso*] and he resolved the problem by telling the police that he was a close friend of an important local PRD politician and that if the police would not immediately leave the place, he would call his friend who could cause a lot of trouble for the police commander. None of the people I talked to this night knew if the man really had this connection to a local politician or if he was just pretending to be a friend of this politician. (Fieldnotes, April 2008)

This episode illustrates how in order to impede the closing of the bar, an act which, according to all the people I talked to, the police had the legal right if not the legal obligation to do, the ‘powerful’ man engaged the involved police commander by openly intimidating him. First, by talking to him in a very intimidating way and a very loud voice, the man publicly displayed his confidence as being a person of higher social status than the police commander. Second, by claiming his belonging, or better his connectedness, to the highest political circles of the governing party, he—successfully—played the game of who has more access to (informal) political networks. In order to provoke this impression of power, it seemed to be sufficient for this man to be dressed in a certain way, to use an authoritarian and intimidating language reflecting his upper-class background and, most important, to evoke the impression that he might be embedded in a specific political network—for which no demonstration of evidence seemed necessary. It all looked like a frequently exercised, even routine, performance where informal authority and power are evoked by mimicking the omnipresent rituals of the personalized exercise of authority derived from privileged and personalized access to state power. In fact, the mere claim to be connected to a higher



place inside the corridors of Mexico City politics, a claim which received additional credibility by the appearance and verbal performance of this person, obviously created such a threatening political environment for the police commander that he decided to leave the scene, without even demanding this man prove his claims—and without asking for money. As one of the guests stated: ‘It’s not important who you really are. It’s all about whom you possibly might know.’

Whereas this episode illustrated the use of political capital for entering into negotiations with the police and successfully bringing about the non-enforcement of existing legislation by openly threatening the involved police commander, the following passage from an interview with Patrick, a German national living in Mexico City, will serve to highlight that in a quite similar situation a more subtle presence of the underlying ‘threat potential’ derived from the informal political structures governing Mexico’s negotiated state provided an equally important resource for resolving informal negotiations in one’s favor:

We were at a party in the Condesa [an upper-middle class neighborhood]. There were a lot of artists, people involved in theater projects, musicians and, of course, many people from Europe, the US. It was an open secret that many people were taking drugs, cocaine. The police knew this as well. Whenever there’s a party in this area they know that there will be heavy drinking, people doing drugs and so on. So they wait for you. Either they pull you over when you leave the party in your car and after an alcohol test, they ask you for some money, or they even take away your drugs. That’s their business. But this time, it was different. There arrived a lot of police cars. It was like a real police raid. When we saw that something was going to happen, we left the party, as many others did. We went with Romero. . . . He told us that if one of the policemen stopped us, he would talk to him and that we should remain quiet so that they wouldn’t discover our accent. They actually stopped us and they wanted to search us. But then Romero started to talk with them. It was like: ‘Officer, how can it be that you bother three of your Mexican compatriots while there are so many *gringos* inside the house, sniffing cocaine. Yes, we had some glasses of alcohol, but this is Mexico. You know, you work hard and then you have some drinks with your friends. But officer, this is not against the law. We did nothing illegal. But there inside, the Americans. They are taking drugs.’ He talked to them in this very pathetic, submissive voice. He created this ‘we Mexicans’ versus ‘them’ thing. Like this national rhetoric you hear in all those

public speeches. But it worked. It really worked. I was struck. They didn't bother us and simply let us go home. We thanked him and quickly moved on.

At first sight, the message which this interview passage communicates is one of successfully telling a convincing 'us versus them story.' However, in light of the previously mentioned political logics of such negotiations, I would suggest that we should not interpret this narration as the *de facto* power of evoking one's belonging to the same imagined community for escaping the grip of local policing. Rather, resorting to the '“we Mexicans” versus “them” thing,' can also be interpreted as having served as a kind of informal 'offer' to the police agents to resolve this situation in an uncomplicated way. In fact, it is logical to assume that the police officers must have been well aware of the higher social status of these three persons, expressed not only in the simple fact that they were attending a party in a very affluent neighborhood, but possibly also in the clothes they wore and the use of 'pathetic' language. What is more, by directly confronting the police officer, and without even offering him a bribe to buy their way out, this episode also indicated that these people with a higher socio-economic background were willing to confront and challenge his authority. Therefore, the at first sight more respectful treatment of the police officer, and the invitation to 'fraternize' with his 'compatriots,' can be interpreted as offering the police agent a dignified exit option. The success of this negotiation strategy, which seemingly left the moral authority of the police officer intact, as in the case described above, was most of all stemming from the knowledge of all participating parties about the uneven socio-political hierarchies present in this encounter, as well as the ever-given possibility of transforming them into a powerful means of conflict resolution. Avoiding such a confrontation, therefore, might have been the most attractive option for the involved agent, in particular as the indication with regards to the presence of Europeans and US citizens might also have signaled to him that there was easier prey available—with assumingly less knowledge about informal politics and power—than his 'Mexican compatriots.'

I already mentioned before that individual informal negotiations, in particular when they are not money-driven, are more or less 'reserved' for people with higher social and political status—at least it is easier for these people to successfully negotiate with public officials individually. Therefore, individual negotiations are only one element of the continuum of informal political negotiations in Mexico City. The next type of

negotiations which I will analyze refers to more collective efforts and the resulting 'tactic agreements' with local authorities.

A paradigmatic, and possibly the most visible, example of collective forms of security/policing-related informal negotiations is the existence of closed streets (*calles cerradas*) in Mexico City. This widespread phenomenon present in many parts of Mexico City's urban landscape consists of streets that have been blocked by local residents in order to regulate the entry to their zone of residence, usually out of security concerns. Although it seems to be a phenomenon that is more visible in lower middle-class and marginal neighborhoods, closed streets can also be found in wealthier residential areas.

Closed streets can have a permanent or temporary character. Whereas permanent closures of streets and the related privatization and appropriation of public space(s) most often reflect a search for security, they must also be related to the search for protection, understood in a broader sense as a certain degree of safety from rapid urban changes which are perceived as threats to individual lifestyles, perceptions of tranquility and cohabitation. In this regard, the construction of permanent borders through the closure of streets also represents a process of identity construction and symbolic distinction. It creates a territorial grounded feeling of belonging to a group of people with seemingly equal needs and desires (Giglia 2002). This intersection of security, protection and symbolic distinction was well expressed in the following statement from Alberto, a resident of a Mexico City middle-class neighborhood. He declared that he and his neighbors organized themselves to build a wall and close their street in order to prevent people from a marginal neighborhood (*colonia popular*) from entering their residential area. This, he said, was not only necessary to prevent adolescent *colonos* from selling drugs to their children, but also because of more 'aesthetic' reasons: 'It's not only because we don't want them here selling drugs to our children, it's also because we want to keep the clean and peaceful character of our streets.' While acts of permanent street closure should be related to the perceived persistence of possible threats to the security, safety and tranquility of a certain neighborhood, closures of a more temporary character are more often related to exceptional events like market days or festivals. Through the installation of bars or chains, local residents try to limit the negative impact of such events on the neighborhood. These may include insecurity—in the form of drunken people and brawls—but also heavy traffic, limited parking spaces, or the accumulation of waste or human excrement. However, even a partial or temporary closure can, if the perceived threat continues or even worsens, become permanent.

What makes the phenomenon of closed streets interesting for analyzing the question of informal negotiations and their impact on policing is that they are illegal. This is clearly stated in Article 11 of the Mexican Constitution and Article 73 III of the *Reglamento de Tránsito del Distrito Federal* (Transit Regulation for the Federal District).<sup>7</sup> The obvious illegality of such closures as well as their omnipresence throughout Mexico City raises the question why, despite their illegal—and highly visible—nature, this phenomenon, which besides the de facto privatization of public spaces also seriously affects public traffic and urban service delivery, proliferates throughout the city. The answer to this question was given in an interview with a director of a local crime prevention program, who stated: ‘How, for example, are people able to close off their streets? It’s completely illegal, but negotiations take place and well . . . That’s just how it is and it is no big deal.’ Closed streets, this citation clearly indicates, are possible and tolerated by local authorities as the result of—informal—negotiations with local authorities. As Alberto, another interview partner, working for the public administration in a western Mexico City borough, stated in this respect, the existence and proliferation of closed streets in Mexico City is directly related to political calculations at the local level. Citizens frequently close their street due to a feeling of insecurity in their area, which implies that from the residents’ point of view, the local policing efforts are perceived as inefficient. If the local authorities decide to reopen the street, or impede the closure, they are confronted with highly organized local actors who justify their actions with the incapacity of the public authorities to offer security and protection. Faced with this situation, most *delegados* and police commanders would in general opt for a toleration of such illegal closures. This toleration, he further explained, was due to the fact that local residents had managed to mobilize their neighbors to close a street, a clear indication of their mobilization capacities and political power—that is their voting potential. In practice, he continued, few politicians would choose to risk an open and probably lengthy confrontation with highly organized groups, as this could have a negative impact on the next elections. Therefore, politicians willing to enter into conflict with such organized groups were described by him as ‘people with little political experience.’ To illustrate this judgment, he referred to the fate of a young politician in his borough who decided to confront the closure of a street. In the end, the man, in his mid-thirties, not only nearly lost his job but the local *delegado*, who feared alienating potential voters, even forced him to apologize to the residents. In the face of such a situation, where local residents, as potential voters, decide to

organize themselves in order to close their streets as an informal security measure, local administrations opt for a ‘cohabitation’ (*convivencia*) with the closed streets and negotiate with the ‘representatives’ of the organized collectives—frequently, at least in marginalized communities, local political brokers—particular arrangements regarding the collection of rubbish or necessary public maintenance work.

Angela Giglia’s study on closed streets in the Mexico City borough of Talpan confirms most of these observations. Furthermore, what is interesting about her work is that she even demonstrates that the local authorities not only accept the illegal closure of streets. Moreover, she points towards the fact that the arrangements the previously mentioned public administration employee referred to as regulating the provision of public services and infrastructure for closed streets also include the question of policing:

The massive presence of closed streets demonstrates that the authorities’ position towards them is indeed one of toleration . . . . When they closed one of the residential blocks [*manzanas*], the reaction from the borough authorities was to declare that ‘*from the moment on when they [the streets] are closed, you can no longer ask the authorities for security and surveillance*’ but you have to let them in whenever necessary. (Giglia 2002: 14, emphasis added)

This quotation illustrates the impact such informal negotiation processes can have on local policing. On the one hand, local authorities confronted with the closing of a street decide to tolerate this fact, despite its illegal nature. The underlying reasons, we can conclude from the observations presented above, are largely political, as politicians and government authorities seem to be very unwilling to confront organized groups of residents—and voters. This toleration, in turn, results from a political negotiation process which produces a ‘tactic and irregular agreement with city officials’ that is equally illegal and even unconstitutional, as it informally deprives local residents of their right to public security.

The next example of an informal negotiation process refers to negotiations involving protection from the police and law enforcement. It illustrates the politically mediated outcome of a negotiation process between sex workers and neighbors in a street near the market La Merced in the center of Mexico City. The area around the La Merced market close to the historic city center has a century long tradition of sexual commerce (Bautista López and Conde Rodríguez 2006). Between 2,000

and 3,500 sex workers are estimated to offer their services in this area to about four million customers each year (Bautista López and Conde Rodríguez 2006). This sexual service structure generates millions of pesos each year that are distributed among sex workers, pimps, the owners of hotels, taxi drivers, judges and policemen (El Universal 21 October 2003; Sievers 2005). Despite the permanent payments of protection money, either directly to the police or mediated through their pimps, local sex workers frequently suffer from acts of violence, sexual abuse and extortion by male police officers. To avoid such situations, local sex workers developed a variety of security strategies. These include, for example, entering into a 'relationship' with local policemen in order to be protected from police raids or participating in organizational efforts to publicly fight for their rights. Another strategy consists of efforts to establish agreements with the neighbors of the streets where sex workers offer their services. Such agreements are useful, as most police operations, which frequently involve forms of police abuse, originate from complaints by neighboring residents or shopkeepers. Reflecting these problems, Rebecca, a representative of a local sex worker organization, identified local policemen and their demands for free sex or money as the main source of insecurity for the women of her organization—besides violent customers. The main reason for police raids, according to her, were complaints from the neighbors about noisy customers or the 'indecent' clothing of sex workers. In order to limit the probability of police raids and the associated forms of police abuse, in other words to protect themselves from the police, the sex workers negotiated an agreement with the local residents, which was mediated by the local authorities in the *delegación*. The following passage from the interview gives an impression of how this agreement was achieved, what it included and how it contributed to the protection of the sex workers against the police:

Well, here in this area, we have an agreement with our neighbors, and our neighbors made an agreement with us. We promised to accept a form of health control, to dress in an adequate way between 8 a.m. until 10 p.m. and to try to avoid problems with anyone. So, now we have a good relationship with the neighbors. Today the agreement is that if there is a complaint by ten neighbors of our community, then the police truck comes and arrests us. But if not, it doesn't come. We achieved this agreement with the help of the *delegación*. This agreement exists for more than ten years now. In 1996 we made this agreement and declared that we, the sex-workers of this area, will

respect our neighbors and their demands. This included permanent medical visits to guarantee our health, adequate clothing, etcetera.

*How did this influence the relationship with the police?*

Well, it offers us more security. Since the neighbors shared this agreement with us, the authorities stopped molesting us. So, this agreement was highly favorable for us. As long as we comply with our compromise, well, the neighbors are obliged to protect us from the authorities, and the police don't show up. . . . Until now there has been no complaint by our neighbors, but nonetheless, the police sometimes show up and say that there was a complaint. . . . But in general, because of the agreement with the neighbors and the *delegación*, we don't have too much trouble with this kind of problem.

This example demonstrates, and this also applies for the case of closed streets, that with regards to the question of informal negotiations in Mexico City, organizational capacities are a crucial factor for a successful outcome, most of all for the more marginalized segments of the local population. In this respect, it is important to keep in mind that the sex workers belonged to an *organization* of independent sex workers. Lacking the political capital related to organizational strength, dependent and unorganized sex workers, as unorganized marginal actors in general, are in a highly unfavorable condition for negotiating with local authorities and are largely dependent on political brokers. Another important aspect this example serves to illustrate is the crucial role of state authorities within the practices of negotiation in Mexico City. Although in theory, the sex workers and the neighbors could have also negotiated this agreement themselves, it materialized under the auspices of the local borough administration, which serves as the ultimate 'enforcer' of possible violations of the 'deal' by the sex workers. That the local administration was interested in participating in such a process seems to be related to two aspects. First, as in the case of closed streets, they must have feared losing potential voters. Additionally, the continued presence of sex workers in this area, as the next chapter will highlight, also permits local authorities to obtain additional income by 'taxing' them. Thus, and notwithstanding the enacting of the Mexico City Civic Culture Law (*Ley de Cultura Cívica*) in 2004, which criminalizes prostitution (Article 24), the borough administration seemed to have been capable of influencing the local policing patterns, as police interventions seem to follow the

informally established rules of the 'contract' between the neighbors and the sex workers.

What all of the abovementioned cases of informal negotiations and their impact on local policing indicate is first of all the taken for granted character of informal politics, and their pervasiveness, within the realm of Mexico City policing. This seems to reflect a particular pattern of political subjectivation under the conditions of negotiated statehood, where people prefer to resort to informal, illegal and highly personalized ways of dealing with 'legal' issues outside formal-legally sanctioned channels. And there seems to be a widespread common-sense perception of the local police forces as actors who can be appropriated and with whom one can negotiate by permanently resorting to extralegal means and incentives.

## **Conclusion**

In this chapter, I have demonstrated that the post-revolutionary state-building project in Mexico City gave political concerns a priority over the need to address the security concerns of the local population and created a militarized, highly autonomous and deeply fragmented police apparatus, which over the course of the twentieth century developed into an ever more fragmented structure, prone to extralegal activities and ridden with internal conflicts between different police forces and their political patrons. Moreover, this police apparatus became increasingly involved in the informal politics that structure urban governance in Mexico City. Far from being the exclusive domain of authoritarian politics under the decades of PRI rule, these features of local policing continue to be an important means through which political power is exercised, negotiated and permanently appropriated in local politics. Therefore, far from representing a top down solution to the challenge of governing in Mexico's negotiated state, they represent the intersection of top down decisions as well as bottom up expectations and practices of actors politically socialized under the conditions of negotiated statehood where the informal, personalized and negotiable exercise of government authority continues to be perceived as the single most important factor determining successful and efficient participation in local politics. Against this background the next chapter analyzes if the transnationalization of local policing is capable of transforming these legacies of negotiated (urban) politics and their impact on policing.



# 4

## The Transnationalization of Policing in Mexico City

The preceding chapters addressed the ‘internal’ dimension of policing in contemporary Mexico City and demonstrated how structural features of Mexico’s negotiated state shape local public security provision and patterns of citizen-police interaction. This chapter will add an ‘external’ dimension to this picture. It will offer an analysis of the recent transnationalization of local security governance and address the question of how the previously analyzed features of Mexico’s negotiated state shape this transnationalization process. With this focus, the present chapter takes into account that throughout the last decade, ‘external’ actors, policing ideas and concepts have become an integral and increasingly important, although largely understudied, part of Mexico City’s contemporary security panorama. By addressing these issues, the following pages provide important insights for the current debates on the transnationalization of security governance in general, and transnational policing in particular, insights which are relevant beyond the case of Mexico City or Latin America.

It is widely acknowledged that in response to multiple international security challenges, ranging from cross-border criminal activities to international terrorism to the assumed threats emerging from ‘ungoverned spaces’ in ‘weak’ or ‘failing’ states, throughout the last decades security governance has become increasingly transnationalized (Aydinli 2010; Bowling 2009; Braig and Maihold 2009; Goldsmith and Sheptycki 2007b; Johnston 2006; Loader and Walker 2007; Schneckener and Zürcher 2008; Walker 2003). In this ‘world of multi-level, multi-centered security governance, in which states are joined, criss-crossed and contested by an array of transnational organizations and actors’ (Loader and Walker 2007: 235–6), ‘the export of western democratic policing ideologies and technologies has become a crucial component of the international response to global conflict’ (Linden et al. 2007:

153). This contributes to a growing transnationalization of policing, conceived as the growing involvement in and impact of 'external' concepts and (frequently non-state) actors, such as international organizations, intergovernmental organizations, donor agencies, security consultants (like Kroll, The Risk Advisory Group, Giuliani Partners or the Bratton Group) or NGOs, on 'local' policing agendas in many 'receiving' countries around the world.

A look at the related literature shows that it is widely assumed that the transnationalization of policing and the related promotion of international 'best policing practices' is something overly desirable. Transnational policing is expected to enhance local police capacities, to contribute to 'good governance,' to improve citizen-police relations and the 'rule of law,' and to democratize policing, 'by creating international standards that will serve as the blueprints for each and every country that wishes to democratize its police systems or enhance the process that is already in place' (Haberfeld et al. 2008: 341). However, a closer examination of police reform projects resulting from such transnationalization processes shows that the results rarely meet such expectations (see, for instance, the many examples addressed in Bryden and Hänggi 2005). This failure can be attributed to 'inaccurate assessments and unrealistic policies' (Hills 2009a: 212) that accompany the transnationalization of policing and the underlying goals, normative visions and expectations. To paraphrase Barnett and Zürcher (2009: 23), transnational police reform promoters try to achieve the impossible dream of engineering in years, and under very unfavorable conditions, what took centuries in the 'consolidated' democratic states of the 'West.' In addition to this, and closely related, their vision of policing-centered socio-political engineering is driven by highly normative assumptions and expectations which are frequently at odds with the prevailing social and political realities in the 'target' countries of transnational policing. As Hills observed in this regard:

Just as the emphasis on such literature on the transfer of specific forms of Western policing, so transnational policing is invariably presented in terms of liberal values, which are then universalized. These include accountability and responsiveness, and the use of ethnically representative and non-partisan officers. Yet, the term [transnational policing] says more about Western values than functional standards, and it is typically applied in societies where the prospects for democratic-style policing are negligible. (Hills 2009b: 302)

In sum, most of the studies in favor of the transnationalization of policing, in 'alternatively governed spaces' (Williams 2010), are guided by an overly technical, a-political and highly normative perspective of policing which misses prevailing local (political and policing) realities. Therefore, in order to provide a more accurate perspective on the impact and transformative potential of transnational policing, research should begin from an analytical perspective, in which an in-depth understanding of the local political context, and not universalized normative ideals, comes first.

In what follows, I will apply such a perspective to the analysis of the case of Mexico City. By analyzing the two most visible manifestations of the current transnationalization process of local policing, the import of two alleged international policing 'best practices' in the guise of 'community policing' and 'zero tolerance policing,' this chapter argues that the implementation of both international 'success stories' is overdetermined by core features of Mexico's negotiated state, notably established informal political practices, such as informal negotiations and the politics of appropriation. In addition to this, the following pages will also demonstrate that in Mexico City's current political conjuncture, marked by the intersection of the democratization of local politics, Mexico City's rise to the status of a Global City, and the 'metropolization of crime,' adopting the language of 'international best policing practices' and offering public support for transnational policing efforts, promises to generate symbolic and political capital for local politicians by publicly addressing security-related political pressures at home and abroad. It is this symbolic and political appeal, and not a genuine interest in police reform, capacity building or accountability, which is the principal driving force behind the transnationalization of local policing. Therefore, beyond the emergence of a new 'public [policing] transcript,' the transnationalization of policing leaves established policing patterns of Mexico's negotiated state and the resulting citizen-police relations largely intact.

### **Community policing in Mexico City**

Throughout the last decade, community policing projects, interested in improving police-citizen relations in 'fragile' states and developing and transitional countries around the world have become 'the current preferred police reform model in international aid and development circles' (Murphy 2007: 243; see also Brogden and Nijhar 2005; Stanley 2006a). Although there is still considerable academic debate as to how to define

community policing, the following citation captures the expectations associated with this concept:

[C]ommunity Policing trumpets 'co-production' of crime reduction and neighborhood improvement strategies. Officers and neighborhood residents approach each other as co-equal partners in the design and implementation of programs designed to address local problems. Such 'co-production' practices can plausibly lead to greater effectiveness and greater legitimacy: effectiveness because the community would be more fully involved; legitimacy because the police would be open to democratic oversight. (Herbert 2001: 448)

Against this background, it seems to be a logical consequence that due to rising concerns about insecurity, criminality, the shortcomings of local police institutions as well as growing public demands for citizen participation, since the 1990s community policing projects have increasingly been exported and implemented throughout Latin America, including countries such as Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Peru, Venezuela (Brogden and Nijhar 2005: 178–85; Dammert 2004; Dammert and Malone 2006; Eilbaum 2004; Feth 2008; Föhrig et al. 2006; Frühling 2004; Sozzo 2005) and Mexico, including Mexico City.

The experiments with community policing in Mexico City are related to the local democratization process.<sup>1</sup> As already mentioned, due to constitutional changes in 1997, the population of Mexico City could for the first time since 1928 directly elect the head of the local government and voted for Cuauhtémoc Cárdenas from the PRD. Already during his electoral campaign, Cárdenas had promised a more democratic government and a participative governance model that would differ significantly from the decades of authoritarian politics under the PRI. Moreover, when Cárdenas was elected mayor of Mexico City, he was expected to improve the local security situation that the majority of the local politicians and Mexico City residents perceived as having been in a state of constant deterioration since the mid 1990s, an outcome widely interpreted as evidence of the failure of the security policies of the preceding PRI administrations and the deficiencies of their authoritarian, unaccountable, abusive and highly corrupt police apparatus. In this political context, enhancing the scope of citizen participation within the realm of public security provision seemed a promising strategy for both, demonstrating the PRD's political commitment to the active involvement of citizens in local politics and for building up police

legitimacy through closer, more accountable, police-citizen relations. The latter, in turn, were expected to contribute to a more successful fight against criminality.

The introduction of a community policing program by the Cárdenas administration, which found its expression in the creation of the *Policía Comunitaria* (community police), served as the ideal strategy to combine both objectives (Davis 2003: 20). Following official discourse, the SSPDF units assigned to this program were to patrol the neighborhoods most affected by the current wave of crime. Through their presence in these areas, it was expected that they would contribute to a closer and better relationship between the local population and the police, thereby rebuilding trust and confidence in the police apparatus and enhancing the capacity of the latter to confront the local insecurity problems. 'To accomplish this, the SSP secretary selected the "highest-crime areas" and gave officers a three-month training course to teach them to coexist with the members of the community. Selected patrol cars and police guard stations were painted with the words "Community Police," and that was all that was done' (Arroyo Juárez 2007: 430, emphasis added).

This initial effort fell by the wayside in the following years, but due to the persisting public concerns and still unresolved security (and police) problems, as well as the related citizen mistrust in the local police forces, it was re-instituted and renamed in 2003 under the government of Andrés Manuel López Obrador (2000–2005) (PRD). The program was now called *Policía de Barrio* (neighborhood police, PB). In his inaugural speech, then-police chief (and later mayor of Mexico City) Marcelo Ebrard (PRD) stated the centrality of re-establishing police-community relations based on mutual confidence and trust, considered to be *the* essential element of local policing. The creation of the PB, modeled after similar international experiments, was to serve this purpose.

We have said, and that was also the order of the mayor, that the most ambitious objective of every police officer is support from the community in their actions. In many circumstances, the police and the community distance themselves from each other. One loses confidence, contact and communication. . . . [T]he principal instrument for combating crime is this confidence, is the support of the community for the actions of the police, and, on the other hand, the support of the police for the community. We call this program, with this ambitious goal, *Policía de Barrio*, because this is how the police have operated in Mexico City for a long time, and this is what has been lost for some decades for different reasons. We have lost this

contact, and the result has been rising crime rates; a sense of isolation within the police when they do their work; the perception or sense from the community that their legitimate demands are ignored. . . . Therefore, we need to overcome this distance. This is the most important effort that we can promote as a security strategy. We can have the best equipment, but if we do not construct this bridge and this mutual support, it will be very difficult to achieve positive results. In this respect, we take up the tradition of our city of having a neighborhood police, and we update it. This is what the international experiences, be it of Japan, Chile, or Spain with whom we have been working, tell us. This is what the oral traditions tell us. We did not undertake a study of this topic in Mexico City, but we recall that in the 1950s and throughout most of the 1970s, the police had a very high level of support from the community. (SSPDF 2003a)

The large-scale implementation of the PB throughout the city, was not, however, accompanied by an evaluation of its predecessor or the structural conditions and problems of Mexico City and its police apparatus. Instead, as the passage quoted from the then-police chief demonstrates, the decision to implement this program was based on what was heard about 'successful' community policing experiences abroad, as well as on an evocation of an idyllic, golden-age-like picture of the 1950s and 1960s,<sup>2</sup> when the population of Mexico City was said to have had confidence in their police forces (Arroyo Juárez 2007: 430).

The main objective of the PB, according to official statements, can be identified as the (re-)establishment of confidence in the local police forces by bringing them into closer contact with the local population and by making them more accountable to the local residents by permitting the latter a voice in the evaluation and planning of police work and strategies. These steps are presented as essential components of a more efficient strategy in fighting local criminality (SSPDF 2006a: 225). In 2006, the PB operated with 1,836 police officers, drawn from the Preventive Police (about 6 percent of its active members), which were assigned to 169 patrol areas (characterized by high criminal indices) in 15 of the 16 boroughs of the Federal District (SSPDF 2006a: 225–6). The basic police work of the officers assigned to the PB is rather simple. According to information provided by members of the local administration of justice and local NGOs, it consists of a pair of beat cops, assigned to a certain patrol area, whose presence and patrol turns have to be confirmed by selected residents (*Código Águila*). In addition, members of the PB participate in the meetings of the local *comités vecinales*

(neighborhood committees). This participation, in turn, is expected to contribute to the evaluation and reorganization of local police strategies according to the security needs of the communities. So far, the official discourse and the 'public transcript.' In the next section, we will discover that the de facto activities of the PB, due to their embeddedness within the wider informal structures of local policing and Mexico's negotiated state, frequently stand in striking contrast to the official statements and expectations.

### **Community policing in practice**

In order to assess the de facto workings of the PB, we should take a closer look at the relationship between the PB and the neighborhood committees, because community policing in general emphasizes the crucial role of citizen participation and accountability, and in the case of the PB, the neighborhood committees are the most important institution in this regard (Alvarado et al. 2006: 26). What is more, the neighborhood committees, as will become apparent shortly, can be conceived as paradigmatic institutional expressions of the 'structures of mediation,' political brokerage and the related politics of appropriation which stand at the heart of Mexico City politics. In this regard, taking a closer look at interaction between the neighborhood committees and the PB offers a privileged view into the interaction between the transnationalization of policing and the informal politics of Mexico's negotiated state in Mexico City.

But let us first address the origins of the neighborhood committees. The committees were created as a central element in the citizen participation strategies of the Cárdenas administration on the basis of the *Ley de Participación Ciudadana del Distrito Federal* (Citizen Participation Law of the Federal District, LPC) in 1999. On 4 July 1999, the Mexico City electorate could elect the representatives of the 1,352 neighborhood committees. However, only about 10 percent of the 6.1 million voters participated in the elections (Davis and Alvarado 2004: 139, 150). The neighborhood committees are collegial bodies consisting of one coordinator and between 6 and 14 committee members, their number depending on the number of registered voters in the neighborhood. The committees are expected to articulate and represent the interests of the neighborhood vis-à-vis the Federal District authorities. Furthermore, they are expected to inform the neighbors about government programs and initiatives that concern the neighborhood. All of this implies that the neighborhood committees, at least partially, substitute the functions of intermediary institutions—like political parties—at the local level

(Harbers 2007: 45), a fact which converts them into *the* institutional expression of citizen participation in local politics.

The faculties of the neighborhood committees with regard to questions of public security were established in Article 80 of the LPC. This Article, although in rather vague and imprecise terms, states that the neighborhood committees are responsible for the 'verification of public security programs.' In 2004 the law was modified, the neighborhood committees were renamed as *Comités Ciudadanas* (Citizen Committees), and their policing and security-related faculties were redefined. It is Article 88 of the new law that defines the committees' faculties to 'express opinion on the public security and administration of justice programs of the territorial coordinations.' In addition, Article 92 states that the internal organization of the committees has to include a *Coordinación de Seguridad Ciudadana y Prevención del Delito* (Coordination for Citizen Security and Crime Prevention).<sup>3</sup>

When we consider the fact that the concrete legal functions of the neighborhood committees with regard to their participation in local public security provision are vaguely defined, we can expect that their respective activities, as well as the resulting outcomes, largely depend on the concrete local context in which they operate. Taking into account the fact that, as mentioned in Chapter 3, the democratization of Mexico City politics was not accompanied by the dissolution of political clientelism, patronage, corruption, the predominance of informal over formal institutional practices, and other political aspects associated with Mexico's negotiated state, it should be no surprise that the neighborhood committees, as core institutions for citizen participation in public security issues, are also haunted by these practices (Espinosa 2004: 29–30; Rodríguez Luna 2007: 244–5; Zermeño et al. 2002: 245–51).

The lasting impact of these features, which involve permanent rule bending and the informal appropriation of public security resources, clearly shapes the interaction between the neighborhood committees and the PB (Müller 2010b). In general, members of neighborhood committees and representatives from the local administration of justice interviewed for this study frequently stressed that in many cases the members of the neighborhood committees 'privatize' PB officers assigned to their neighborhoods and use them for private or political purposes, such as the assignation of PB officers to the private protection of neighborhood committee members' property or that of their 'clients,' family members or political supporters.



The local government knows about these practices. In fact, they are even implicitly acknowledged in official discourses and documents, as can be seen, for example, in a recently distributed leaflet by the SSPDF. The leaflet, which promotes the benefits of citizen participation in local security matters, ends with a disclaimer warning that any use of the citizen participation program, and its resources, 'for political and electoral goals, for pecuniary rewards or any other purposes different from those established in the program' is illegal and 'will be sanctioned according to the respective law and by the responsible authority' (SSPDF 2009).

However, the application of sanctions against the appropriation of public security resources through channels of institutionalized citizen participation like the neighborhood committees seems to be the exception rather than the rule. In general, the local government tolerates these practices of informal governance that stand at the heart of urban politics in Mexico City, and the application of formal sanctions seems most of all to be reserved for 'excessive' cases of the appropriation of public resources that are scandalized at the local level or for efforts to discipline 'deviant' brokers or party militants. These are typical showcase forms of 'punishment' which communicate and even reinforce informal institutional practices, as they publicly signal the cost associated with non-compliance with established informal norms (Helmke and Levitsky 2006: 21).

Under such conditions, it is evident that the evaluation of the PB work by the neighborhood committees, as well as the resulting police-community relations, is frequently more based on the neighborhood committee members' personal and political interests than on the security concerns of the entire community. Therefore, members of the administration of justice and NGO activists remained very skeptical as to if, when taking into account their political history and embeddedness within informal political structures and practices of political bossism, the neighborhood committees could be expected to function as authentic representative bodies of the respective neighborhoods and as efficient accountability institutions for the PB at all.

However, it is important to keep in mind that due to the inscription of Mexico's negotiated state into the heart of capital city politics and local policing, the privatization and instrumentalization of the PB is not limited to the activities of the neighborhood committees. At the local level, PB officers are appropriated by a broad variety of actors, ranging from shopkeepers to ordinary citizens. In a local context marked by the politics of appropriation, where the majority of police officers opted for this employment out of a general interest in 'making money,' buying

private protection from the police is a rather common phenomenon and the PB is no exception in this regard. Therefore, the observation made by Marcos, a member of a local NGO, who explained that in prosperous zones of the Federal District, parts of the local population would 'donate' money to PB officers, who, motivated by these financial incentives, in turn showed a larger and more regular presence in these areas than in more marginalized zones, illustrates how the permanent given possibility of appropriating public security resources negatively affects the quality of the local community policing effort and contributes to a high degree of spatial selectivity and geographical fragmentation, according to the 'acquisitive power' of potential 'customers.'

The informal appropriation of police officers, however, is not the only problem related to the activities of the PB. In fact, most of the general features and problems of the local police forces outlined in Chapter 2, including arbitrary and unduly, even criminal, behavior, also affect the everyday activities of the PB, because contrary to official discourse, '[t]here are neither obligations nor responsibilities for the police [agents operating under the PB scheme] for improving their conduct (including criminal behavior and the violation of rights)' (Alvarado et al. n.d.: 39). As a result of this, local residents frequently described and perceived PB-citizen relations in negative terms. For example, a shopkeeper in the middle-class neighborhood Colonia del Valle explained that although the PB officers assigned to the area have a clearly defined patrol schedule, in practice, the agents show up whenever they want. Although in theory their patrols have to be individually confirmed after completion by selected local residents, in practice, he (in his function as such a controller) has been frequently 'asked' by the local PB agents to confirm all of their patrols for the entire day at one time. After they received the signature, the agents would not return that day to continue with their patrols. These facts, according to his opinion, seriously undermine not only the efficiency but also the credibility of the program.

A further element that seems to discredit the implementation of the PB program was mentioned in an analysis of neighborhood reactions towards insecurity problems by the NGO *Democracia y Derechos Humanos*. The authors refer to an incident in the marginalized Mexico City borough of Iztapalapa, where local PB agents were involved in the extortion of local residents and delinquents (Alvarado et al. n.d.: 29). It is telling in this regard that a spokesman of a local business organization in the middle-class borough of Coyoacán declared that after having been informed by local authorities of their plans to assign PB units to patrol his residential zone, he as well as other members of the

organization vehemently (and successfully) rejected this proposal based on fears that the permanent presence of and observation by PB agents would permit the latter to gather sensitive information concerning the daily routines of the residents and therefore, taking into account the bad reputation of the local police forces and their frequent connections to (organized) crime, would represent a serious security risk for them and their families. However, as the following interview passages demonstrate, members from the lower social classes and marginalized segments of the local population have equally negative views of the PB—although for different reasons. For example, Rebecca, the representative of a sex worker organization, introduced in Chapter 3, stated:

Preventive Police, *Policía de Barrio*, Judicial Police, that doesn't make a big difference. Customers are a problem, most of all, when they refuse to pay, but the authorities represent another risk for us. They try to extort us. When you refuse to pay, they take you to the *delegación*, where they can keep you for 24 hours without any possibility of making a phone call. They tell you that you have been arrested for committing a crime. To achieve a good relationship with the police, you have to give them the money they want and everything else they ask you to. There are a lot of colleagues that had to enter into a sexual relationship with a policeman.

And Héctor, a resident from the marginalized Mexico City neighborhood of Iztapalapa, mentioned that due to the behavior of PB officers in his neighborhood, local residents perceive their presence as an aggression.

[There] is a program that they call *Policía de Barrio*, where you have police officers who walk around and keep an eye on the neighborhood, but in reality they are not very efficient, because when the people here see eight police officers walking around, they perceive this as an aggression. It's not that the *Policía de Barrio* officers show up and talk colloquial with, let's say an old woman, as friends [*cuates*]. No, when they come, they are very indifferent to what's going on here. So with this attitude they will never be able to integrate with the community.

*You just said that the Policía de Barrio operates here with groups of eight people?*

*Policía de Barrio . . . yes, yes.*

*Well, in other neighborhoods I was told that there are only two police officers on patrol. Here it seems that this is somehow different?*

Yes! And they don't show up every day. Sometimes they come once in a week, sometimes every two weeks. *Policía de Barrio* . . . Yes . . . Here are some police posts [*módulos de vigilancia*] that belong to the citizen participation program. In these posts there's sometimes a *Policía de Barrio* officer, but this guy locks himself up in his post. So, he is safe, but in the street before him, there's no security. There's no security because he is inside his post and doesn't make his patrols. When they finally go on patrol, well then always in a group of many, and the people here have an aggressive view about this.

However, it seems that such negative perceptions regarding citizen-police relations resulting from the community policing effort, are not one-sided, but mutual. As a local policeman from Iztapalapa explained, due to the prevailing lack of confidence in the police by the local residents in his patrol area, he would prefer not to make his patrols on foot, as required by the PB scheme, in order to avoid problems with the residents. Instead, he uses a police car for collecting the signatures for the *Código Águila*.

Against the background of the aforementioned observations, it is of little surprise that Fernando, an instructor at the National Institute for the Study of Criminal Science (*Instituto Nacional de Ciencias Penales*), a public agency that offers training for public servants involved in the prosecution and administration of justice, gave the following description of nearly six years of community policing in Mexico City:

The only thing the SSPDF has done was to put more police on the streets. More police presence on the streets of certain neighborhoods. This has nothing to do with approaching the citizens. There is no direct contact with the citizens. All they do is give the policemen a paper with which they go to the store and ask the clerk for a signature, they go the pharmacy and do the same, they go the beauty salon and ask the owner for a signature. This is what the *Policía de Barrio* is all about for them.

In order to understand this outcome, it is important to bring politics (back) into the analysis of (transnational) policing and to move beyond the a-political and overly technocratic perspective on police reform and community policing that dominates much of the related debates. In fact, as all members from the local NGO community and

the administration of justice interviewed on this topic agreed, the main purpose for implementing community policing in Mexico City was the political capital that could be derived from a more 'citizen oriented' and 'participatory' public discourse on policing. Therefore, the creation of the PB should not be interpreted as a serious commitment to citizen participation in security issues. Rather, in an increasingly (formal) democratic environment, it represents the symbolic intent to demonstrate a political will to improve the local security situation in a democratic way and to express sensitivity to the respective demands of the local civil society by avoiding the transformation of the traditional structure of the local Preventive Police. The internationally widely acclaimed and promoted 'democratic' potential of community policing, whose 'success story' served as a key point of reference for promoting the PB model, as could be seen, for instance, in the passage quoted from the PB inauguration speech of the then-police chief, serves to give credit and legitimacy to such efforts without a real transformation of established institutional structures and practices. Hence, the PB permits a kind of illusory democratization and decentralization of local policing by maintaining a high degree of centralized political control over the local police apparatus in a political conjuncture marked by growing inner-party rivalries between the different factions of the PRD.

Taking into account the high degree of autonomy of the local police apparatus and its internal fragmentation, an 'authentic,' large-scale democratization-as-decentralization of local policing would indeed pose a serious challenge to the governing capacity of the Mexico City government, as it would enhance the power of local level political actors with their own political agenda by giving them substantial formalized access to the coercive powers of the state. In the words of one ex-crime prevention functionary:

In the end, there is no interest in converting public security into something more closely related to the community. There is an interest, a necessity, and a decision for control. They [the government of the Federal District] are convinced that this is something necessary, and because of this, they are not interested in participation or even at the very least in interlocution with the community. . . . This is why they don't want better local control and supervision. With a centralized police structure, the control of the corrupt superiors over their agents in the Federal District is much more efficient.

However, in order to demonstrate their commitment to democracy and citizen concerns in a political conjuncture where security problems rank among the most important political issues in local opinion polls, local politicians tend to create seemingly 'innovative' and 'progressive' police units and programs, frequently with reference to 'international best practices,' which, due to their embeddedness in the prevailing political context, are marked by the informal features and political logics of Mexico's negotiated state and 'may serve for show as much as for anything else' (Davis and Alvarado 2004: 149).

From a more analytical perspective, and by adopting (and slightly modifying) Boone's (2003a, 2003b) continuum of institution-building strategies, this outcome reflects the coexistence of two different forms of institution building. First, a 'power-sharing' arrangement in which state institutions provide infrastructure that can be appropriated by local actors who then become dependent on these resources and therefore clients of the state. This political logic, as can be observed throughout the preceding chapters of this book, stands at the heart of Mexico's negotiated state formation process and overdetermines Mexican politics as such. The PB-related transnationalization of policing interacts with this basic pattern in a way that contributes to the emergence of a different institution-building strategy. Following Boone, this strategy can be described as a mix of 'administrative occupation' and 'non-incorporation,' where state institutions 'suspend "balloon-like"' over local elites, but try both, not to (formally) exercise real authority at the local level and to govern 'from strategic outposts and act with autonomy from local influences' (Boone 2003a: 360). The ambivalent coexistence of these two institution-building strategies and the de facto dominance of the power-sharing logic, however, produce a situation where the impact of the 'hybrid' mix of 'administrative occupation' and 'nonincorporation' cannot alter the relationship of forces between the state and local actors in favor of the state. Although it can possibly 'prevent the emergence of new leaders, prevent local-level political mobilization, and avoid the congealing of political influence at the local level' (Boone 2003a: 360), the overall result of this situation reflects what Gramsci called an 'unstable equilibrium of compromise' between the government of Mexico City and local political centers of power at the neighborhood level, an equilibrium which, in the end, only marks the limits of the officially tolerated levels of the politics of appropriation, and not an end of informal politics or the related patterns of local policing.

Whereas the material appropriation of seemingly 'soft' international policing best practices, like community policing, that are directly embedded in local settings marked by the existence of the informal structures of Mexico's negotiated state, as well as the symbolic appropriation of its 'democratic' potential by local policy makers may be of little surprise, the following section, will demonstrate that even seemingly 'strong' and 'heavy-handed' policing imports, like 'zero tolerance policing,' neither operate beyond nor overcome the established patterns of informal politics in Mexico's negotiated state.

### **Zero tolerance and broken windows in the global city**

Zero tolerance policing (ZTP) first appeared in New York during the 1990s. Under Mayor Rudolph W. Giuliani and police chief William J. Bratton, a reorganization of the strategies of the New York City Police Department (NYPD) was launched, aimed at increasing the efficiency of local policing and reducing the relatively high levels of street crime. A central feature of these efforts, which first appeared in 1994 in the NYPD strategy paper *Police Strategy No. 5*, was a policing agenda primarily concerned with 'reclaiming the public spaces of New York.' This strategy implied a focus on so-called 'quality of life offences,' that is, indecent and 'uncivil' behavior in public places, in order to end the assumed downward spiral of urban decay (Smith 1998, 2001, 2005: 71–4; Vitale 2008). This strategic focus of ZTP is closely related to the broken windows (BW) concept. BW first appeared in 1982 in the article 'The Police and Neighborhood Safety: Broken Windows' by James Q. Wilson and George L. Kelling. In this article, the authors use the metaphor of a broken window to construct a relationship between crime, social decline and disorder. Spaces marked by physical and social decline and disorder, so the argument goes, provoke the impression that deviant behavior—including criminality—is not avenged in these areas and therefore possible (Belina 2006: 135–55). Many studies argue that 'zero tolerance policing' or 'quality of life policing' is the corresponding policing strategy designed to enforce such neoconservative visions of urban order (Innes 1999: 398; Smith 2001: 68; Vitale 2008; Wehrheim 2002: 67). Although the relationship between both concepts may be more complex (Belina 2006: 155), 'most policymakers seem to have understood the theory [broken windows] as implying what has come to be known as "broken windows policing"—also known as "order maintenance," "zero tolerance" or "quality of life policing"' (Harcourt and Ludwig 2006: 282).

Notwithstanding the fact that the original ZTP experience in New York also entailed internal police reform measures, such as holding local police commanders responsible for the levels of crime in their areas through the implementation of COMPSTAT (computerized statistics) (Newburn and Jones 2007: 226), the global popularity and increasing attractiveness of ZTP for urban governments and the related prominence ZTP achieved in the transnationalization of urban policing is most of all related to the widely assumed success of ZTP's 'quality of life' policing focus in confronting 'uncivil' and 'undesired' behavior in public spaces. Being successful on this front has become important to city governments around the world trying to confront the challenges of globalization, such as growing inter-urban competition or the consequences of de-industrialization on urban economies, by adopting an 'entrepreneurial' (Harvey 1989) urban development strategy. The latter pays special attention to 'urban renewal' efforts centered on the creation, promotion and preservation of culture patrimony in (historic) downtown areas and the creation of 'cultural and consumer zones, iconographic architecture and rising real estate prices' (Coleman 2007: 144) in these 'renewed' and 'upgraded' inner-city areas. In order to preserve the attractiveness of these upgraded spaces, and 'energized by a vision of the city with a Starbucks on every corner, Gapified, Disneyfied, and washed clean of undesirable elements like public sex and poor people' (Torres 2001: 87), urban governments around the world experiment with ZTP-inspired policing strategies which precisely promise the containment and displacement of disorder and 'undesired' behavior and persons in these 'upgraded' and commodified urban spaces (Atkinson and Helms 2007; Beckett and Herbert 2008; Belina and Helms 2003; Coleman 2003; Eick et al. 2007; Herbert and Brown 2006; MacLeod 2002).

Latin America does not stand apart from this development. In fact, throughout the region a (re)discovery of the economic potential of historic city centers, most of all as sites for real estate development and heritage tourism is taking place (Crossa 2009; Müller forthcoming b; Swanson 2010). In Mexico City, the local government actively pursues a Global City-oriented urban economic development project (Graizbord et al. 2003; Parnreiter 2002, 2007), which includes a re-evaluation of the economic potential of Mexico City's historic downtown area.<sup>4</sup> This, in turn, made the city's historic center a focus of an urban development strategy with the purpose of creating an 'attractive city' as an ideal location for national and international investors (Canclini 2008: 191; Linares 2008: 180).



However, from the vantage point of the latter, the situation in many parts of the historic center is not very inviting, most of all because this area, in a particularly pronounced way, condenses the ‘metropolization of crime’ and the growing informalization of the urban economy that has occurred since the mid 1990s, a development which poses a serious threat to Mexico City’s image as an attractive and safe investment location (Crossa 2009: 48). Confronted with this situation, in 2001, members of the local business community publicly called for ‘strategic interventions’ by the Mexico City authorities in order to combat ‘the illegal, vandalistic conducts and irregular appropriations of public spaces’ and the ‘culture of illegality’ prevailing in downtown Mexico City (CCE/CESPEDES 2001: 10–11). It turned out that inviting Rudolph Giuliani, the personification of ZTP, to offer his advice regarding the implementation of the New York success story in Mexico City became the most promising response in this regard.

### **The Giuliani initiative and its consequences**

In 2001, a group of influential local businessmen, foremost among them Carlos Slim, one of the richest persons in the world and owner of substantial real estate property in the historic center, came together out of common interest in local real estate development and invited Rudolph W. Giuliani to present a proposal for a Mexican version of his New York ‘recipe for success.’ Parts of the business community offered to cover all costs of this initiative, estimated to total about 4.3 million US\$. The local PRD administration of López Obrador applauded this initiative and, together with the SSPDF, declared their official support. Police chief Ebrard officially invited Giuliani and served as a supervisor of the entire project. Giuliani accepted the invitation from this initiative, and the following year he and his team paid more than 20 visits to the Mexican capital. Accompanied by a large media presence (and 300 armed bodyguards), he visited the ‘crime hot spot’ Tepito, situated close to the Presidential Palace, the Zócalo—Mexico City’s main plaza—and the Alameda Park. As a result of the evaluation of these visits, his report, known as the ‘Giuliani Report,’ was published. The document contained 146 recommendations for the city government and the SSPDF regarding legal and policing reforms necessary for enhancing the safety and ‘quality of life’ in the city. All of these recommendations were welcomed and accepted by the respective authorities (Arroyo Juárez 2007; Davis 2007; Müller 2009b).

Unsurprisingly, the report promotes a ZTP-inspired reform of local policing tactics. For example, it presents BW as *the* key for successful

urban policing in Mexico City (SSPDF 2003b: 5), and it argues that, particularly in the area of misdemeanors and administrative offenses, the previous local policing efforts were diametrically opposed to the BW concept and that local laws had become increasingly permissible (SSPDF 2003b: 36). In line with the ZTP focus on 'reclaiming public spaces' and enhancing the 'quality of life' in the city, the report suggests a policing focus on activities which lead to social and urban 'decay' and threaten the 'quality of life' within the city (SSPDF 2003b: 36), including graffiti, sex work, many of the numerous manifestations of informal street commerce, alcoholism, drug consumption and 'disturbing' behavior in public spaces (SSPDF 2003b: 15, 38–9). Because all of these practices and behaviors are primarily visible in public spaces, the 'recuperation of public spaces' plays a central role in the recommendations made by the Giuliani Report. Among other aspects, this recuperation should include the architectural modification of those public spaces which were identified as criminogenic (SSPDF 2003b: 11) as well as the massive implementation of Closed-Circuit Television surveillance in areas particularly subject to the threat of crime (SSPDF 2003b: 29, 38).<sup>5</sup>

Most of these recommendations regarding the 'quality of life' policing focus and the 'recuperation of public spaces' received a legal underpinning with the enacting of the Civic Culture Law of the Federal District (*Ley de Cultura Cívica del Distrito Federal, LCC*), in July 2004. The local government justified the passing of the LCC with the same type of ZTP-inspired arguments and objectives as those mentioned in the Giuliani Report. The LCC is needed, it was argued, so that legal norms can be used to more harshly or more thoroughly punish behaviors which 'promote disorder' in the city and 'attack the quality of life' (La Jornada 13 September 2004).

Irrespective of the partially emancipatory language of the law, which emphasizes the recognition of cultural diversity and differences, and which employs the term 'citizen security' instead of 'public security' while simultaneously understanding itself to be a contribution to a 'harmonious cohabitation' and a 'self-regulation of the city's inhabitants' (Article 2), the ZTP orientation of the LCC is clearly evident in the law's criminalization of those activities which, according to public authorities, threaten the 'quality of life' in the city; most of all the presence and economic survival strategies of the most marginalized segments of the urban economy, such as the windshield washers, *franeleros* (people who look after parked cars in public spaces in exchange for a more or less voluntary financial reward from the car driver), street children, graffiti artists, sex workers, and other informal service providers and vendors in

public spaces. These, and other, activities are punishable by monetary fines of 1 to 30 times the daily minimum wage or by confinement from between 6 to 36 hours. As one local academic and advisor for Mexico City's Human Rights Commission stated, the LCC 'does not only prove to be indifferent to the gradual exclusion of increasingly larger sectors of society... Rather, it resorts to measures whose tendency is to expand said exclusion even further' (Azaola 2004).

Recent studies on these issues agree that despite the fact that the Giuliani Report as well as the LCC claim to enhance the 'quality of life' in the entire city, due to its economic importance, it has been the area of the historic city center where they have been most thoroughly applied (Becker and Müller 2011a, 2011b; Davis 2007; Mitchell and Beckett 2008; Mountz and Curran 2009; Müller 2009b).<sup>6</sup> Therefore, it is undeniable that as a consequence of the arrival of ZTP in Mexico City's historic downtown, 'the extensive informal sector, in which a large part of the city's population struggle for survival, is thus made an object of policing' (Pansters and Castillo Berthier 2007: 50).

These observations support many insights from scholars within the field of criminology and urban studies, pointing towards the causal relationship between recent, globalization-driven, urban transformations and the criminalization of 'undesired' people through the ZTP-inspired transnationalization of urban policing around the world. However, as in the case of the PB, a closer look at the ZTP implementation process reveals that the informal politics underlying Mexico's negotiated state substantially shaped and influenced these developments, and that it is once again the symbolic and discursive appeal of this policing import, and not so much its de facto material 'success,' that stands at the heart of the ZTP-related dimension of the transnationalization of local policing.

### **Performing and negotiating zero tolerance**

The symbolic and negotiated nature of the local ZTP effort, and its contribution to the transnationalization of local policing, are in fact closely related. To begin with symbolic dimension, it has convincingly been argued that the entire local ZTP experiment, more than anything else, was a public performance, addressed to an international audience: 'Giuliani's policies in Mexico City constituted a performance: policing in drag, a dressing up of policies cloaked in the language of control, and alternatively marketed with Giuliani's masculinity and reputation as a "tough guy"' (Mountz and Curran 2009: 1034). This image was first and foremost evoked in order to challenge the perception, expressed in a paradigmatic way by one concerned local politician,

that ‘investors... consider Mexico City “too risky” both for their personal safety, as well as for the safety of their capital’ (quoted in Crossa 2009: 48). In this regard, for local mayors ‘such as Ebrard, the increasingly global rhetoric of law and order and zero tolerance relating to physical security, has become intrinsically linked with financial security’ (Beckett and Mitchell 2008: 94). Inviting Giuliani to Mexico City demonstrated through public performance a firm commitment to the security concerns of potential investors. Additionally, it addressed these concerns on a highly visible public level, as the local and international news coverage communicated around the globe that Mexico City’s government is taking crime seriously and adopting the ‘toughest,’ most efficient responses to confront it. This symbolic/performative dimension is both facilitated by and contributing to the reproduction of a powerful global ZTP meta-narrative, promoted—and, of course, sold—by politicians, media coverage, academic publications, think tanks and many policy advisors around the world, communicating the ‘knowledge’ that crime was dramatically reduced in New York during the 1990s, that this was closely related to particular policing strategies, and that if it worked in New York, it will work everywhere (Newburn and Jones 2007).

However, in order to fully understand the symbolic appeal and the expected political benefits of the local ZTP effort, we should also keep in mind that the successful performance of ZTP and the expected attraction of foreign investors, reassured of Mexico City’s safe investment environment, also promised to enhance the financial resources of the local government. This is a crucial issue for local politicians, because notwithstanding constitutional changes and the democratization of local politics, the federal government, as argued in Chapter 2, still has the possibility to intervene in many aspects of Mexico City politics—including federal fiscal transfers. Particularly relevant for the question of ZTP in this regard is that in 1998, the Mexican Congress, dominated by PRI and PAN, excluded Mexico City from the important, but discretionary federal fiscal transfers of the so-called *Ramo 33*, a step which seriously constrained the local budget (Davis 2007; Davis and Alvarado 2004: 147–51; Maihold 2004). In this situation, attracting foreign investment and addressing the security concerns of potential investors through the incorporation of ZTP into the state’s ‘public theater’ (Scott 1990) are important means for enhancing the financial resources available to the local government. Moreover, the invitation to Giuliani not only addressed an international audience. It also symbolized a genuine local commitment to the security concerns of the local electorate, which due to the limited success of the local government in confronting the

'metropolization of crime' pressured local authorities 'to launch more pronounced and visible [policing] measures' (Uildriks 2010: 196).<sup>7</sup>

Although the symbolic dimension of the ZTP import was an important factor behind the transnationalization of local policing, we should not ignore that this move also had concrete material (legal and policing) consequences. These material and legal resources stemming from ZTP, such as the LCC, can, in theory, be expected to provide important means for confronting crime and 'disorder' in Mexico's historic center. But as the public performance of the 'state theater' 'is also a performance designed to conceal an offstage arena of politics that would contradict it' (Scott 1990: 12), we must take a closer look at if and how this potentiality turns into policing actuality and how ZTP interacts with the political relations of this concealed 'offstage arena of politics' stemming from Mexico's negotiated state.

In order to address this issue, we should turn to the area most affected by ZTP, Mexico City's historic center, a unique point of condensation of the city's informal politics and modes of governance—including policing. The Tepito neighborhood, one of the local crime 'hot spots' visited by Giuliani as part of his performance in the local 'state theater,' serves as a good illustration of the underlying political practices and resulting consequences which shape the *political* economy throughout most areas of downtown Mexico City.

At least since the nineteenth century, Tepito has occupied a place in the local urban imagination closely related to illegal and informal activities and crime (Garza 2007: 18). During most of the post-revolutionary era in twentieth-century Mexico City, the neighborhood's informal (and illegal) economy emerged and expanded through informal political relations with local authorities (Castro Nieto 1990; Cross 1998; Grisales Ramírez 2003; Piccato 2005, 2007). These relationships permitted that for many decades, important segments of Tepito's informal street commerce, engaged in trade in contraband goods or in the sale of stolen property, flourished, most of all because local authorities protected the involved actors through clientelist alliances with street vendor associations. In exchange for lax law enforcement—and monetary payments—the organizations of street vendors were expected to mobilize their voting power on election days and their manpower for political rallies. As a consequence of such arrangements, and as a reflection of the politics of appropriation, it was possible to get police protection for illegal business operations. Already in the late 1960s, Susan Eckstein found policemen protecting illegal market activities in return for additional income (Eckstein 1988: 50). These practices not only persist until today.

Moreover, as local merchants explained in interviews, the local police sometimes even informally 'delegate' the maintenance of 'order' to powerful strongmen (*líderes*) of the informal economy who are 'responsible' for the 'orderly' organization of the informal economy on the streets under their authority. The related deal is that street vendors can keep their business running as long as nothing 'troublesome,' which could provoke the intervention of law enforcement agencies, happens. Members of the informal economy participate in these tasks not only because they are frequently rewarded with lax law enforcement. More than this, established, hierarchical patterns of social control and informal policing are also beneficial for (organized) informal street vendors, as they, to a certain degree, guarantee the safety of potential customers in these 'alternatively governed spaces,' an important competitive advantage.

Recently, merchants complained that private 'security guards' with connections to local authorities would 'invade' the neighborhood as competing informal 'security providers,' extorting merchants to pay for their 'protection' (La Jornada 23 September 2010). The appearance of these 'security guards' serves as a good indicator of the transformation processes going on in the neighborhood throughout the last two or so decades. During this time, the intersection of the local democratization process and, more importantly, the liberalization and opening of Mexico's economy, changed the informal political landscape that produced and facilitated the abovementioned informal structures and patterns of 'normal' police 'protection' and street vendor-police collaboration. Although, as Piccato (2005) correctly stressed, it is difficult to estimate if (and to what degree) these relations were eliminated with the PRD's rise to power, interviews and conversations with local merchants and residents indicate that at least the links between informal street vendor organizations and local authorities have been modified: as more and more buildings were converted into warehouses (*bodegas*), many people left the neighborhood, a process which according to many interview partners resulted in a decrease in Tepito's voting and mobilization power. This, in turn, was accompanied by a growing pluralization and diversification of local—legal and illegal—commercial interests and organizations, making the classic pattern of informal negotiations with local city government, and related forms of police-merchant collaborations, even more complicated. As one local merchant stated: 'Nowadays there are many voices, many interests here in Tepito. It is difficult to speak as one. It is difficult to represent all these interests [to the local authorities].' Moreover, as the recent emergence of private 'protection rackets' seems to indicate, and as we observed in the preceding

chapters, throughout the last decade, the architecture of local governance itself has become increasingly fragmented and polarized, ridden with factional struggles and competing political projects and interests, including the future development of Tepito—and the related/expected (political and economic) benefits. This pluralization of economic and political interests and actors is related to the impact of trade liberalization policies since the 1980s. Trade liberalization replaced classic contraband commerce with pirated software, DVDs and CDs, but also with trafficking in drugs and weapons (Piccato 2005). This change, in addition to providing new resources for ‘taxation’ and incentives for the emergence of protection rackets, also involves increasing violence. Due to the impossibility of settling disputes by legal measures, competing actors use violence as a means to settle disputes and territorial claims. Within the context of the rising security problems since the mid 1990s, an additional round of trade liberalization and the economic crisis of 1994, these changes converted Tepito into the symbol of urban crime in Mexico City, exemplified in apocalyptic images such as the following:

Tepito is the Casbah of Mexico City, shadowy and serpentine, its back alleys vanishing into sinister, dead-ends. Here underground tunnels lead to thieves’ dens, and clandestine warehouses are stuffed with stolen goods. You do not want to be caught out after dark in this ‘*barrio bravo*’ when it crackles with gunfire. So far in 2003, 32 bullet-riddled corpses have turned up on these mean streets in a battle for control over the flourishing drug trade. Tepito is Mexico City’s hottest drug ‘plaza’, the city’s pirate goods capital and, as even a casual observer might conclude from the number of gun deaths here, a world class weapons bazaar. (Ross 2003: 18)

Echoing such ‘orientalist’ impressions of Tepito’s *casbahesque* environment, a recent local newspaper article warned that Tepito might even become the ‘little local Iraq’ (La Jornada 23 February 2007). The neighborhood’s black legend, paradigmatically expressed in such statements, threatens the upgrading of the surrounding areas of the historic center, including the prestigious Alameda project, which aims at transforming patterns of urban land use and servicing, a shift which was expected to attract foreign investors, international firms and middle- and upper-class residents to the area (Davis 2007, 2008). Moreover, Tepito’s negative image also threatens the envisioned upgrading of the neighborhood itself. In order to confront this situation of ‘competing globalizations,’ where ‘(neo)liberal’/legal and ‘illiberal’/illegal globalization projects

compete over the land use structure in urban space (Davis 2008), the neighborhood became an increasing target of police operations. These so-called *tepitazos*, large-scale police raids, mostly under the direction of 'external' SSPDF special units—including federal police forces—and not the 'local' police forces embedded in Tepito's political economy, aim at the confiscation of illicit merchandise (contraband, pirated commodities, drugs and weapons) or even the expropriation and demolishing of real estate property allegedly occupied by organized crime in the name of the 'recuperation of public spaces' and the long-term upgrading and 'pacification' of the neighborhood (Brock 2008; La Jornada 13 May 2008; Piccato 2005).

For many local residents and merchants, such police actions, which in general happen when the local government is in need of 'good news' in the local media, are most of all ritualized symbolic forms of politics and a 'show of force.' They are interpreted as 'communicative gestures' which prepare the political terrain for subsequent informal negotiations between the informal/illegal economy, the local administration and the police over the informal regulation of the (illicit) neighborhood economy, its geographic expansion and the extent of bribes (on the historical legacy of these practices see Brock 2008 and Alba Vega 2010). Therefore, it seems that far from putting an end to crime in Tepito, such 'heavy-handed' ZTP measures operate along the 'classic' pattern of negotiated policing identified throughout the preceding chapters, thereby actively reinforcing and reproducing the informally negotiated nature of the political economy in downtown Mexico City.

But when we take the concept of 'competing globalizations' seriously, another plausible, although not competing, interpretation emerges. In a context which, notwithstanding the pluralization and transformation of Tepito's political economy, continues to be marked by the persistence of informal processes of negotiation, the legal and material resources derived from ZTP-related transnationalization of policing provide powerful resources for the modification of the relationship of forces between the competing proponents of the 'liberal' or 'legal' and 'illiberal' or 'illegal' globalization projects in favor of the 'liberal,' Global City oriented project. However, this modification of the relationship of forces does not take the form of a serious law enforcement commitment in the guise of a 'zero tolerance' effort aimed at a sustainable 'eradication' of the illegal/informal economy. As one local *líder* stated, this would indeed be a 'political suicide' for the local PRD government, who still depends on the voting power of the organized informal economy and the political support of the urban poor in general. In such a context, the application



of a 'tough on crime' policy, *selectively* directed against certain parts of the illegal/informal economy, serves most of all as a means for a coercion-backed bargaining process aimed at 'convincing' the affected actors to negotiate with the local government over the future development of the neighborhood and their role within this process, a process which continues to operate on the logic of informal negotiations as a defining feature of Mexico's negotiated state.<sup>8</sup>

This can also be illustrated when we take a closer look at the old Merced neighborhood, Mexico City's main red-light district, which has recently become a central focus of the expansion of the 'urban renaissance' project of the current PRD administration. This effort, as shown in detail elsewhere (Becker and Müller 2011b), whose aim is to 'dignify and transform the area into a focus of investment in tourism, real estate and commercial development, together with neighbors and formal merchants' (La Jornada 13 May 2008), is accompanied by a 'being tough on prostitution' policing strategy and other related policing measures inspired by ZTP. However, and notwithstanding official rhetoric, the renewal effort—including law enforcement—is marked by a striking spatial selectivity, which tends to 'ignore' those streets in the area which are controlled by illegal actors related to the sex business. In parts of the neighborhood, illegal actors attacked people involved in the renewal effort, such as construction workers, thereby resorting to the symbolic use of violence as resource for communicating and negotiating with local authorities over the scope and extent of government policies. The success of these practices of exercising informal political 'influence at the enforcement stage,' visible in the spatial bias of the renewal effort, which left many areas considered by the local residents to be the most dangerous and criminal areas of the neighborhood untouched, can be expected to have received additional support from the longstanding mutual beneficial relationships between local authorities (police and the local administration) and local illegal actors, in which 'protection' and lax law enforcement are provided in exchange for political support and additional income. As one local journalist, interviewed for this study, explained in this regard, and this confirms some of the observations presented in Chapter 2, it would be against the financial interest of the local police forces to make an end to one of their most lucrative sources of additional income—that is, the 'taxation' of organized criminal activity. In this regard, it has been reported that in order to keep their illegal businesses running, criminal networks in the area pay about US\$450,000 to the police and municipal authorities each month (La Jornada 28 March 2009).

In sum, these observations suggest that the urban renewal effort in downtown Mexico City, backed by the transnationalization of policing through the import of ZTP, more than anything else is an informally negotiated process which leaves the underlying structures of Mexico's negotiated state intact. Moreover, the creation of additional legal instruments, such as the LCC or the recently (2008) enacted Law for the Extinction of Property of the Federal District, permitting the immediate intervention of the judicial authorities in order to confiscate real estate property on the basis of 'indications' that a building is used for activities classified as organized crime, has provided local police agencies with new resources for engaging in and expanding their extortive capacities (Becker and Müller 2011a; Mountz and Curran 2009). Therefore, far from reforming local policing, making it more accountable, efficient and 'tough,' the (however selective) import of ZTP further enhanced the arbitrary powers of the local police and added a new dimension to the selectivity, fragmentation and unpublic character of local policing that shapes citizen-police relations in contemporary Mexico City.

## **Conclusion**

Due to internal and external pressures regarding the local insecurity problems, Mexico City's governments increasingly pursue a transnational policing agenda, characterized by the growing impact of external actors and policing models on the local policing agenda. In this chapter, I analyzed the articulation processes resulting from the intersection of transnational policing, on the one hand, and informal political features of Mexico's negotiated state, on the other. The picture that emerged from this encounter stands in striking contrast to the dominant associations regarding the transformative potential of transnational policing. As could be observed, neither soft-handed, citizen-participation initiatives in the form of community policing, nor more heavy-handed tough on crime 'zero tolerance' efforts, operate beyond the structures of Mexico's negotiated state and the resulting patterns of policing and citizen-police relations. On the contrary, transnational policing is decisively overdetermined by the same informal and paralegal political logics we have observed in this study thus far. As a result of this, Mexico City policing under transnational conditions became neither more accountable nor more efficient, legitimate or democratic. And in those rare instances where the transnationalization of policing can be assumed to have a potential of modifying established patterns of informal politics and their impact on policing, like in

the ZTP-related intervention within the 'competing globalizations' situation in downtown Mexico City, its transformative potential derives not so much from its capability to operate beyond Mexico's negotiated state. Rather, it relates to the capacity, derived from the legal and material resources stemming from the transnationalization process, to intervene in and modify the existing relationship of forces inside the realm of informal politics without altering the underlying political and policing structures as such. In this regard, the observation made by Belli, concerning the attractiveness of importing ZTP to Brazil, which, according to his interpretation, 'is based on the possibility of appropriating an appearance of modernity and legality, without altering the essence of traditional practices' (Belli 2004: 31), also holds true for the 'local ownership' of the transnationalization of policing in contemporary Mexico City. In order to address local and international pressure with regards to the local insecurity situation, but incapable and largely unwilling to confront deeply entrenched, functional and (politically and economically) lucrative informal and paralegal political structures, local governments and police authorities paid lip-service to international policing best practices, appropriated their symbolic means, and more than anything else, performed transnational policing on the stages of the local state theater for an international and local audience.

This chapter was the last one located at the intermediate, or meso, level of analysis. All of the chapters situated at this level have demonstrated how the inscription of the general features of Mexico's negotiated state in Mexico City's political environment shape local policing. Through the impact and predominance of informal political structures and processes, local policing is frequently appropriated, dominated by informal and paralegal logics, negotiable, arbitrary, selective along socio-economic and political lines, fragmented and far from 'public.' These empirical findings raise the following questions: how do local citizens in their everyday search for security deal with these outcomes? Do people abandon the police as security providers? Do they resort to other forms of security provision beyond the state? Are there different responses with regards to access to political, economic and social capital? In order to address these questions, it is necessary to move on towards the micro-level analysis of citizen-police relations. This analysis stands at the heart of the next chapter, where I will address societal responses to insecurity and policing in the two Mexico City neighborhoods of Coyoacán and Iztapalapa.

# 5

## Neighborhood Images: Policing in Coyoacán and Iztapalapa

With the present chapter, this book approaches its most concrete level of analysis: the micro level. It is at this level where we can best analyze the question of how the previously identified patterns of policing in Mexico's negotiated state unfold at the local level and how they shape everyday citizen-police interactions. This will be done by offering an empirical analysis of policing in two of Mexico City's boroughs: Coyoacán and Iztapalapa. Whereas the first borough can be described as a vibrant middle-class borough centered around a picturesque and touristy historic center, the latter is a highly marginalized borough—although I am skeptical about Mike Davis's (2007: 32) suggestion of defining Iztapalapa as a part of one of the world's largest slum structures—which once hosted the city's central rubbish dump and is now the location of one of the biggest wholesale markets in the world, the *Central de Abastos*, and one of Mexico City's largest prison complexes, the *Reclusorio Oriente*. By providing a comparative perspective of policing and citizen-police relations in both boroughs, whose differences are of course far more nuanced than the somewhat lurid juxtaposition of a picturesque historic center and the site of an ex-rubbish dump and large prison complex suggests, this chapter makes two arguments. First, it claims that policing and citizen-police relations in both boroughs are determined by the general structures of policing and informal politics of Mexico's negotiated state. Therefore, in both boroughs, policing is a very selective, politicized and unpublic issue. Nonetheless, these abstract features unfold at the local level along socio-economic lines, privileging actors with better access to economic, social and political capital over more marginalized segments of the local population. In other words, whereas policing in Mexico City is largely unpublic, middle-class residents in Coyoacán are provided with more responsive

and efficient policing than the residents of Iztapalapa. Second, this chapter argues that despite the overwhelmingly unpublic character of local policing and the existence of overly negative perceptions of and experiences with the local police, residents of both boroughs not only continue to interact with their police forces and state institutions involved in the provision of public security. Moreover, they even imagine them as the most desirable and efficient actors capable of solving local security problems, a finding which is indicative of the existence of a 'horizon of legitimacy' in Mexico's negotiated state. This 'horizon of legitimacy' endows the Mexican state with an impressive capacity for generating normative expectations centered on state institutions as (all) powerful security actors despite their obvious failure to meet these expectations in their everyday practices.

The following pages are organized as follows. After an introduction, based on official data of both boroughs with regards to their socio-economic profile and security situation, I will move to the local residents' narratives and perceptions about their boroughs, complementing the rather abstract impressions generated by seemingly objective official data with the local residents' subjective everyday experiences with and perceptions of (in)security and policing. Each borough will be addressed separately. This chapter will close with a general conclusion regarding important commonalities and differences regarding policing, citizen-police relations and the resulting 'everyday forms of state formation' in both boroughs.

### **The social, economic and (in)security context: The official picture**

Coyoacán and Iztapalapa are neighboring boroughs in the southern and south-eastern part of Mexico City. According to official data, Coyoacán has a population of 628,063 people (7.2 percent of the population of Mexico City). Nearly three times more persons are living in Iztapalapa. Here the census gives us a total of 1,773,343 residents, which is 20.8 percent of the entire population living in Mexico City. To approach the socio-economic character of each borough, related data is displayed in Tables 5.1 and 5.2.

As Table 5.1 shows us, 716,950 people living in Iztapalapa are officially recognized as economically active population, which is 40.4 percent of the local residents. In comparison, 287,911 persons, or 45.8 percent, appear in the official census as economically active in Coyoacán. The overwhelming majority of the economically active population of

Table 5.1 Employment patterns in Coyoacán and Iztapalapa

	Coyoacán		Iztapalapa	
Economically active population	287,911	45.8%	716,950	40.4%
Unemployed	5,388	1.8%	11,209	1.6%
Skilled workers or employees	209,344	72.7%	506,770	70.7%
Self-employed	51,448	17.9%	149,186	20.8%
Unskilled workers or peons	1,059	0.3%	5,390	0.7%
Other	26,060	9.1%	55,604	7.8%
Employed in the primary sector	565	0.2%	1,411	0.2%
Employed in the secondary sector	50,572	17.9%	186,316	26.4%
Employed in the tertiary sector	222,063	78.6%	494,019	70.0%
Not specified	9,323	3.3%	23,995	3.4%

Source: Own elaboration based on Atlas Socioeconómico y de Marginación de las Unidades Territoriales del Distrito Federal (<http://www.siege.df.gob.mx/geografico/atlas.html>) and INEGI, Cuadernos Estadísticas Delegacionales (<http://www.inegi.gob.mx/est/contenidos/espanol/sistemas/cem05/estatal/df/delegaciones/index.htm>).

Iztapalapa, some 506,770 persons (70.7 percent) are employed as either skilled workers or as employees. Another 149,186 (20.8 percent) are self-employed, 5,390 persons (0.7 percent) are working as unskilled workers or day laborers and some 55,604 people (7.8 percent) are employed in other occupational categories. For Coyoacán, we find 209,344 people of the economically active population (72.7 percent) working as skilled workers or employees, 51,448 persons (17.9 percent) are self-employed, 1,059 (0.3 percent) people are working as unskilled workers or day laborers and 26,060 persons (9.1 percent) are employed in other occupational categories. Of the total economically active population in Iztapalapa 1,411 people (0.2 percent) are employed in the primary sector, 186,316 (26.4 percent) are working within the secondary sector and 494,019 (70.0 percent) in the tertiary sector. In Coyoacán, only some 565 people (0.2 percent) are employed in the primary sector. The available data also shows less employment within the secondary sector, 50,572 (17.9 percent), and a higher proportion of people, 222,063 (78.6 percent), employed in the tertiary sector.

Already these figures give us some ideas about the different socio-economic profiles of both boroughs: for example, the percentage of unskilled workers in Iztapalapa is more than twice that of Coyoacán, and there are about 10 per cent more people in Coyoacán employed in the tertiary sector. However, such differences become more apparent when we analyze the respective income distributions and degrees of marginality as presented in the official Marginality Atlas.<sup>1</sup> This data is compiled in Tables 5.2 and 5.3.

*Table 5.2* Income patterns of the economically active population in Coyoacán and Iztapalapa

	Coyoacán		Iztapalapa	
No income	5,495	1.9%	16,501	2.3%
Income below the minimum wage	18,498	6.5%	71,799	10.2%
1 up to 2 times the minimum wage	70,376	24.9%	266,649	37.8%
More than 2 times but lesser than 3 times the minimum wage	49,637	17.6%	136,772	19.4%
3 up to 5 times the minimum wage	41,099	14.5%	93,734	13.3%
More than 5 times the minimum wage	77,773	27.6%	78,607	11.1%
Not specified	19,645	7.0%	41,679	5.9%

*Source:* Own elaboration based on INEGI, Cuadernos Estadísticas Delegacionales (<http://www.inegi.gob.mx/est/contenidos/espanol/sistemas/cem05/estatal/df/delegaciones/index.htm>.)

*Table 5.3* Degree of marginality in Coyoacán and Iztapalapa in relation to local population

	Coyoacán		Iztapalapa	
Very high	23,798	3.7%	479,543	27.1%
High	127,093	19.9%	486,294	27.4%
Medium	131,985	20.6%	477,681	26.9%
Low	83312	13.0%	186,199	10.5%
Very low	273,070	42.6%	129,159	7.3%
No data available	1,165	0.2%	14,147	0.8%

*Source:* Own elaboration based on Atlas Socioeconómico y de Marginación de las Unidades Territoriales del Distrito Federal (<http://www.siege.df.gob.mx/geografico/atlas.html>.)

A closer look at the income distribution reveals heavy income disparities between both boroughs. According to the official classification of income distribution in Mexico City, which uses the minimum wage (currently 52.59 Mexican pesos a day or 1,577.7 pesos a month, which is roughly US\$120) as its basis, we observe that in the case of Coyoacán, more than 40 percent of the economically active population fall into the categories of an income between three and five or more times of the monthly minimum wage. In turn, in Iztapalapa these categories account for only about 24 percent. In Iztapalapa, in turn, nearly half of the economically active population falls into the lowest income categories (between no income and up to two times the minimum wage); categories which in the case of Coyoacán only apply to about thirty percent of the economically active population.

These income disparities are reflected in the respective degrees of marginality as shown in Table 5.3. According to the official Marginality Atlas for Mexico City, in Coyoacán, 23,798 people (3.7 percent) are living under conditions of very high marginality. Some 127,093 (19.9 percent) local residents fall under the category of high marginality and 131,985 (20.6 percent) people are living in conditions of medium marginality. Finally, the criterion for living in a low degree of marginality is applied to 83,312 people (13.0 percent). What is striking is that 273,070, or 42.6 percent of Coyoacán's residents are living in conditions of very low marginality. The picture for Iztapalapa is quite different. Here, 479,543 people (27.1 percent) are living in conditions of very high marginality, 486,294 (27.4 percent) in conditions of high marginality and 477,681 (26.9 percent) in conditions of medium marginality. In sum, 81.4 percent of the residents of Iztapalapa are placed in the categories 'very high marginality,' 'high marginality' and 'medium marginality,' compared to only 44.2 percent in Coyoacán—nearly 50 percent less. Coming back to Iztapalapa, we discover that 186,199 (10.5 percent) persons are living in conditions of low marginality and only 129,159 (7.3 percent) people are placed in the category of very low marginality.

The aforementioned observations should suffice to demonstrate the different, indeed contrasting, socio-economic conditions in the two boroughs. Before I address the issues of crime and insecurity in both settings, I will give some brief information on the local policing structure.

According to the territorial organization of policing in Mexico City (see Chapter 2), Coyoacán, together with the boroughs of Xochimilco and Tlalpan, belongs to the 4th Region and has five police sectors. Coyoacán has six MP agencies and 44 MP agents. With respect to the personnel strength of the Preventive Police in Coyoacán, I could only obtain data for the late 1990s, so this information has to be treated with caution. In 1999, 532 Preventive Police officers were assigned to Coyoacán.

Iztapalapa, together with the boroughs of Milpa Alta and Tláhuac, is located in the 2nd Region. The borough's local policing architecture is divided up into ten police sectors. It has 14 MP agencies with 80 MP agents. According to information provided by the SSPDF, in 2006 2,871 Preventive Police officers were assigned to Iztapalapa.

Table 5.4 presents patterns of selected crimes for the period between 1998 and 2005 in both boroughs. Here we have to account for the widely acknowledged unreliability of local crime statistics (see Arango Durán 2009; for a discussion of crime statistics in Iztapalapa see Arango Durán and Lara 2005) and the fact that only about 25 percent of crimes



Table 5.4 Selected crime patterns for Coyoacán, Iztapalapa and Mexico City, 1998–2005

Year	Coyoacán			Iztapalapa			Mexico City		
	Robbery	Murder	Assault	Robbery	Murder	Assault	Robbery	Murder	Assault
1998	504	34	105	1,356	127	187	8,988	578	1,480
1999	516	27	78	1,230	103	193	9,020	552	1,405
2000	535	40	73	1,175	102	162	8,569	583	1,350
2001	555	27	145	1,144	114	209	8,858	563	1,802
2002	508	30	87	1,123	102	181	8,917	574	1,532
2003	613	47	90	1,724	99	237	11,569	630	1,708
2004	653	37	152	1,921	112	324	12,973	620	2,626
2005	694	33	186	1,976	123	320	12,603	664	2,952

Source: Own elaboration based on INEGI Cuadernos Estadísticos Delegacionales Distrito Federal, various years (<http://www.inegi.org.mx/est/contenidos/espanol/sistemas/cem07/estatal/df/ced/index.htm>).

Table 5.5 Selected crime rates per 100,000 inhabitants in Coyoacán and Iztapalapa, 1998–2005

Year	Coyoacán			Iztapalapa		
	Robbery	Homicide	Assault	Robbery	Homicide	Assault
1998	80.0	5.4	16.7	74.4	7.0	10.3
1999	82.1	4.3	12.4	67.5	5.7	10.6
2000	85.1	6.3	11.6	64.5	5.6	8.9
2001	88.3	4.3	23.1	62.8	6.3	11.5
2002	80.9	4.7	13.9	61.7	5.6	9.9
2003	97.6	7.4	14.3	94.6	5.4	13.0
2004	104.0	5.8	24.2	105.5	6.1	17.8
2005	110.5	5.2	29.6	108.5	6.8	17.6

Source: Own elaboration based on INEGI Cuadernos Estadísticos Delegacionales Distrito Federal, various years (<http://www.inegi.org.mx/est/contenidos/espanol/sistemas/cem07/estatal/df/ced/index.htm>).

are reported to local authorities (Zepeda Lecuona 2004). However, even when we consider these statistical shortcomings, Tables 5.4 and 5.5 indicate substantial degrees of insecurity and violence in both boroughs. When we take a closer look at the crime rate per 100,000 inhabitants, we find that the difference between both boroughs is not that substantial. The annual average number of robberies for 100,000 inhabitants is 91.0 reported cases in Coyoacán, compared to 79.9 in Iztapalapa. In the case of assaults, Coyoacán reports an average of 18.2 cases per 100,000 persons, while the figures for Iztapalapa indicate only 12.5 cases. However, Iztapalapa has a slightly higher homicide rate. For the period under consideration, the available data reports an annual average of 6.1 cases per 100,000 for Iztapalapa, compared to 5.4 cases for Coyoacán.

Once again, it is important to stress the problems of local crime statistics in order to avoid the interpretation of the aforementioned numbers as an authentic representation of the local security situation—which they are not.

### **Coyoacán: Privileges and problems**

When they were asked to describe Coyoacán, local residents generally referred to it as an exceptional and privileged place for living and working in Mexico City. This exceptionality was related to the existence of various features of the area which were said to be absent in most other parts of the city. These factors included the tranquility of the area, the high number of parks, green areas and trees, the excellent public and

commercial infrastructure, the colonial architecture and the village-like character of the centric neighborhoods of the borough, the high density of cafés and cultural places, and a good public transport infrastructure. The following account of Marcelo, a local businessman, offers a typical description of the positive way in which most of the interviewees described the borough:

From my perspective as a resident of Coyoacán, I live in a calm place. I have all of the amenities of a major city like Mexico City, but I live in a calm place, a place where there is still a lot of vegetation, where you still hear the birds singing in the morning, where wild animals can still be seen all around, not as much as before but you still see them. And the colors. If I could tell you, if I could describe Mexico City, I would tell you that the southern part of the city is green. . . . If you visit other parts, for example the north of the city, it is arid, dry, it is brown, grayish, and everything looks the same. I mean, the walls are painted and everything, but that's like that everywhere, isn't it? If you go to other places, for example downtown Mexico City, it is grayish and everything is paved, everything is very different. To live in Coyoacán and to compare it to other places, not only in Mexico City but also to other parts of the country or abroad, Coyoacán is a privileged place.

This widely shared feeling of living in a privileged place is also related to the *relative* safety and security of the borough. Local residents stated that when compared to other parts of Mexico City, Coyoacán was a very safe place, that most of them did not feel insecure when walking the streets of the borough and that crime was not an important issue at all.

Well, I don't think it [criminality] is something that has much meaning. Yes, there are [crimes], but you can't compare it to other neighborhoods that are very close to here. . . . Perhaps that's because the way the streets are laid out. Here there are many small neighborhoods, very narrow streets. I think this also scares away the thieves. [Laughter] It's not that easy to go out and rob or do things like that, there is a lot of movement at night and so there is more vigilance. Yes, but that does not mean there is no crime. There is just not much. (Ana, retired medic)

Despite such positive descriptions concerning the privileges, the security and the safety associated with living in Coyoacán, this life, for most of the interviewed residents, also has its darker and more problematic

aspects. These darker aspects were related in the local residents' narratives to a set of recent transformations that affected the use of urban space and social relations at the neighborhood level—for most of them in a negative way. These transformations were frequently related to substantial changes in the residential structure as a consequence of the growing attractiveness of Coyoacán as a 'good place to live.' As the neighborhood became more attractive and many people from other places in Mexico City, and even foreigners, purchased or rented houses or apartments, many original residents sold their homes and made room for newcomers who were attracted by the high standard and quality of living in Coyoacán. This development has two consequences. On the one hand, it increasingly disentangled previously existing patterns of social relations and solidarity in many parts of the borough and individualized the relations among neighbors. Additionally, this 'population exchange,' as one interview partner termed it, was also described as a contributing factor for a more recent rise of insecurity in Coyoacán:

Somehow there are increasingly more robberies and such at night, but not because the people are bad or to be feared but because they [the criminals] know that it is an area where there is a lot of money. If it were still the rural life like it was 10 or 20 years ago these things would obviously not happen. So it is like a direct consequence of things getting more expensive and becoming fashionable and all that.

*When did this tendency begin?*

More or less about ten years ago. That's when it started becoming fashionable and the land became expensive and the people who started living in the neighborhood were people with more money and so they mingle more amongst themselves. (Simón, public employee)

In a mutually reinforcing way this process of 'population exchange,' it was argued, was accompanied by and for many residents directly responsible for another development: the 'inroads' or 'invasions' of 'undesired' outsiders. In fact, residents stated that the positive features of the borough not only attracted new residents who were willing and able to afford living in this area. They also caused a high and ever-growing presence of visitors from other boroughs of Mexico City, from other parts of Mexico and tourists from abroad. These visitors were blamed for provoking traffic and parking problems. They were further blamed for producing noise, dirt and rubbish and not respecting the particular values of the area and its residents. Many interview partners said that the

local residents, in contrast to the 'floating population' of tourists and visitors, appreciated and acknowledged the particular values and richness of the borough and its unique historical heritage, aspects which were ignored and even 'violated' by many of the outsiders.

Besides these more general concerns and annoyances, the visitors from the outside were also blamed for attracting car thieves, robbers and drug dealers from more marginal areas of the borough or from other parts of Mexico City. Furthermore, local residents reported that the visitors, most of all on weekends when Coyoacán's historic center is overcrowded by street vendors, artisans, youngsters and flaneurs, attract 'mafias' of informal parking attendants and 'criminal' informal street vendors. In this respect, for many interview partners, insecurity and criminality were perceived as rather recent developments, closely related to many of the abovementioned processes, but most of all to the presence of people from the 'outside.' The following account from Josefina, who owns a local bakery, illustrates how many residents perceived these changes:

I am 31 years-old, and when I was 15 years-old I would go out with my friend and walk back home, but not too late, only until about midnight. As I grew up and it would be later, that's to say as a young girl I have had a lot of liberty at night, especially in Coyoacán, which I don't give myself now that I don't have to worry about permission from my parents. Yes, it is unsafe... I told you before that I have never been robbed directly, but they have stolen two cars of mine in the borough, just outside my dad's house, outside the house of my father, who lives here in San Lucas, which is the center of Coyoacán. Independent of the monetary loss, it is sad, and to feel dispossessed of your things is a horrible feeling. You feel very violated, very vulnerable. That's when I learned that Coyoacán was the part of town with the highest rates of car theft. Well, I am sure that the fact that there are more visitors plays a role, that there are more and they [the car robbers] don't know who owns the car, if they are going to report the theft or not, or that they can get better cars.

Such perceptions discursively externalize the security problems and construct the image of a safe 'inside' threatened by 'outsiders.' In many interviews, this externalization of security problems was closely associated with the presence of marginalized people who were frequently perceived as a 'threat,' be it drug dealers from marginal communities, informal street vendors, petty thieves or informal parking attendants.

The result of such perceptions about the external sources of local insecurity is the construction of spatially grounded antagonistic identities between 'us,' the borough residents, and 'them,' those living outside. When we take a closer look at the respective narratives, we discover that these statements in many cases seem to reflect what Caldeira called 'talk of crime.' Here criminality 'supplies a generative symbolism with which to talk about other things perceived as wrong or bad, but for which no consensus of interpretation or vocabulary may exist' (Caldeira 2000: 34). In fact, it seems that the negative dimensions of living in Coyoacán related to the presence of 'outsiders' are not always necessarily about 'real crime.' Rather, they are mostly based on 'other things perceived as wrong or bad,' frequently related to aesthetic and individual annoyances stemming from the presence of 'different' people and their multiple practices of the use of urban space—different at least from the middle-class residents' practices and ideas about the 'proper' use of urban space. Many people complained about what, if we adopt the language of ZTP (see Chapter 4), could be called 'quality of life offense,' such as drunken teenagers, graffiti, dirt or noise.

However, and despite the fact that the marginal socio-economic background of 'outsiders' was often explicitly related to the growing 'insecurity,' the connection between marginal people and criminality received an important qualification when the local residents explained the deeper causes of the insecurity problems in Coyoacán. In this respect, all interview partners referred to the incapacity of Mexico's economy to offer viable employment possibilities for the urban poor. In addition to this, the downsizing of the state, in particular with regards to its role as a social service provider, and the difficult access to state institutions were identified as the driving forces behind the local insecurity problems.

We continue to have [economic] problems and as a result we continue to have insecurity. Everything that we have done as neighbors, everything the authorities have done, still remains insufficient because the problem of insecurity is not just a problem for the police. It goes beyond that. It has to do with education, job availability, religious morality, many things. So as long as this problem is not tackled in a serious manner, as long as there is no education or more jobs, you are going to continue having safety problems. (Louis, businessmen)

The comparison with Iztapalapa will provide additional insights into what local residents in both boroughs perceived as the deeper social

causes of crime and insecurity. Coming back to the question of insecurity in Coyoacán, it should be noted that most stories local residents recounted about the perceived (recent) rise of criminality in the area were based on the narrated experiences of other people, frequently close friends or family members. Rarely did they refer to their own personal experiences. Furthermore, besides rather vague references to a spread of drug trafficking in the area, the manifestations of crime most often mentioned in the interviews were car theft or (more often) the theft of car parts, robberies or, however less frequently, (attempted) assaults. With the exception of one person, who told me that one of his children was the victim of a kidnapping gang that operated in the area of Coyoacán's historic center a couple of years ago,<sup>2</sup> and another kidnapping episode, no other cases of more serious or even violent crime appeared in the interviews.

However, and despite the frequent lack of personal experiences with crime and criminality, many of the local residents, as mentioned above, not only referred to a substantial rise in crime and a 'crime problem' in recent years. They also expressed a generalized feeling of anxiety. Out of fear of becoming a crime victim, many of the interviewed residents resorted to private security strategies. They bought alarm systems, modified their individual behavior, and some even reported that they keep a firearm in their house in order to defend their property. What is striking in this context is that most of the security strategies adopted were of a predominantly commercial and individual rather than of a more collective nature. Although the self-organization among neighbors was mentioned by many interview partners as a possible solution to the local insecurity problems, it was largely absent in practice. No person interviewed for this study reported any kind of collective, security-related action and/or organization that he or she was personally involved with in Coyoacán.

This outcome should not be understood to say that no collective security efforts exist in Coyoacán. Some of the residents reported that people collected signatures among the neighbors in one street in order to pressure the local authorities to improve street lighting, or, in one case, to return a police truck that was stationed at the entrance of their street for two months but was then dispatched to another area. However, such efforts seem to be the exception to the rule. The reasons for the dominance of more individualistic and commercial security strategies seem to be related to the fact that many middle-class residents live a rather private and to a certain degree isolated life—frequently reflected in the architectural style of their houses, in particular those constructed

throughout the last decades, which are marked by high walls and large gates to close the house off from the public streets. This situation, which was described as contributing to a low degree of social cohesion and to a weakening of bonds of solidarity among neighbors, has been further aggravated by the abovementioned recent move-in of new residents.

If middle-class residents seem to prefer private and individual security measures, what role does policing play within the local residents' repertoire of security strategies and why? The following section will address these questions.

### **Policing and citizen-police relations in Coyoacán**

Regarding the question of policing and citizen-police relations in Coyoacán, the picture that emerged from the interview accounts was contradictory. On the one hand, local residents described citizen-police relations in overly negative terms, an outcome stemming from the local unfolding of the institutional characteristics of Mexico City policing outlined in Chapters 2 and 3. On the other hand, and this reflects the socio-economic bias of Mexico City policing, as well as basic features of informal politics observed throughout the preceding chapters of this book, residents argued that one of the privileges associated with a middle-class life in Coyoacán was better public security provision when compared to other parts of Mexico City. Moreover, local residents even continued to imagine the local police as the most efficient and desirable security provider at the local level. In order to make sense of this contradictory picture, it seems useful to take a closer look at each of its different aspects.

When local residents talked about their perceptions regarding local policing, they generally described the local police forces in extremely negative terms. The picture that emerged from their narratives was one that portrayed the local law enforcement agencies as corrupt, even criminal, unresponsive and inefficient. This image was present, although in different versions, in all interviews from Coyoacán. Indeed, and independent of whether the respective interview partner reported a negative personal experience with the local police or not, there was a common-sense knowledge about the local police that perceived this institution as abusive, corrupt, involved in criminal activities, money hungry, inefficient, idle, poorly educated and with little vocational spirit. Even teenagers complained about the lack of education and physical fitness of local police officers. Against the background of the basic institutional features of policing in Mexico City, presented in Chapters 2 and 3, such



perceptions are hardly surprising. In light of this, the following account may be atypical with regards to what it tells us about what can happen to residents of Coyoacán when they interact with the police, but it illustrates the underlying causes of the general skepticism about the quality of local policing:

The mother of a friend of mine [whose car was stolen], went to the police to look for her [Volkswagen] Beetle. Do you want to know what happened? She told them what happened and they finally found her car. I don't know how long it took them, but they brought the car to a police station and called her mother so that she could go there and pick up the car. The car was there, but just the remains of the car. But when she first went to the police station, the car was just fine, but just two days with the police and . . . [laughter] they took it completely apart. But she could buy the parts from a couple of stores close to the police station. And she bought her stuff at the impound, they fixed her car and she finally got it back [laughter]. (Jorge, journalist)

Though the accounts of local residents provide further stories and evidence about the microcosm of paralegal, abusive and informal local police activity, instead of giving further related examples, it seems more important to stress that such negative perceptions (and experiences) are just one part of the picture that local residents drew with regards to local policing. Whereas the general image of local policing was overly negative, local residents were also well aware that due to the political, economic and social characteristics of Coyoacán, their borough received much better security-related attention from local authorities and the Mexico City government than most other parts of the city. Local residents in general referred to a kind of 'special attention' Coyoacán was said to receive from public authorities. This special treatment reflects itself most of all in the responsiveness of local authorities towards local crime and 'disorder' problems. The factors contributing to this outcome, however, do not so much stem from the fact that local policing is more public—in a formal-legal sense—than in other parts of Mexico City. Nor are Coyoacán's residents, politicians, bureaucrats and police agents more adherent to formal-legal rules or more concerned about the public character of their services than their counterparts in other parts of Mexico City. Coyoacán is not an island under the rule of law and in formal politics in a sea of paralegality and informality. In short, the borough is no exception to the rule of informal politics and policing in the negotiated state. Rather, the intersection and condensation

of a set of social, economic and political features in the borough are decisive for understanding these policing-related privileges. Among this set of factors, the most important are the touristic, and therefore economic, importance of the borough, the general sensitivity of the local political agenda to the needs, desires and anxieties of the local middle classes, as well as the previously identified overdetermination of Mexico City policing by informal politics where higher access to social, economic or political capital directly translates itself into better access and bargaining power vis-à-vis political, administrative and policing actors. In particular, PRD politics were mentioned as important factors in this regard. As Guadalupe, a 27-year-old student and artist summed it up: 'The people that are close to the PRD have better access to the [public] institutions. It's true that the people affiliated with the PRD benefit from the [public] institutions because they have more access to the beneficiary things that the PRD gives in terms of school supplies, milk, tents to support their events, and who knows what else.' That this 'what else' also includes the issue of policing is well illustrated in the following interview passage.

It [Coyoacán] is a middle-class district whose residents have more money. It is a borough where there seems to be more police. Not now, but about three years ago they picked up people who looked strange. Poor people, obviously poor, or on drugs or something, and they screwed them up and expelled them from the borough. Now I don't see them [the poor people]. I think that's what they call the broken windows concept at work. It is more or less clear here and it is easier to avoid it [the borough] becoming dirty, more criminal and all that. But of course, the most important aspect is that it isn't a poor area. It is an area where there is money that can be invested to increase the security. . . . There is no rule of law here. Well, on the one hand if you are involved in this system, in the PRI or PRD for example, or if you have money, you can deal with all of this [insecurity and legal problems]. Especially if you have a lot of money, you have everything under control and those who have no connections are basically just screwed. (Rául, journalist)

This interview passage is interesting for various reasons. First, it indicates that local policing is concerned with keeping 'disorderly' and undesired outsiders out of certain areas of the borough. In particular this refers to the eviction of marginalized outsiders from places which are of both tourist and economic relevance or of symbolic importance for

many residents. In this regard, it is telling that Raúl refers to the BW concept, whose import to Mexico City, as shown in Chapter 4, has a predominantly symbolic and performative dimension. In this regard, it seems that such symbolic policing practices—as well as their exclusionary tendencies—have also become an important feature of policing in Coyoacán. As argued in the previous chapter, such policing strategies are overly symbolic efforts, communicating to an electoral audience that local authorities are taking their security concerns seriously. If we consider that, as observed in the previous section, the growing presence of marginalized outsiders and their use of urban space, as well as the resulting competition with local residents over the use of urban space in the areas around the historic center of Coyoacán, was imagined by many residents as a root cause of the growing insecurity and a general loss of the quality of life, it is not surprising that such policies of being tough on members of the informal economy—in particular informal parking attendants—as well as other ‘undesirables’ were welcomed by many residents.

In addition to the issue of symbolic policing, another important point addressed in the transcript from the interview with Raúl was his observation that there is no rule of law in Coyoacán and that ‘people involved in this system’ are more capable of dealing with insecurity than ‘those who have no connections.’ In light of the analysis presented in the previous parts of this book, Raúl’s reference to ‘this system’ obviously refers to the system of informal politics overdetermining policing and public security provision in Mexico’s negotiated state. In this regard, interview partners from the borough administration and different currents of the local PRD explained how the distribution of policing resources in Coyoacán is determined by informal negotiations, patron-client structure, politically motivated inner-institutional competition, the relationship of forces among the local party factions, and between them and the Mexico City government. The more power a party faction has, and the better its relation to the government of Mexico City and the SSPDF, the more resources are available for the distribution—and appropriation—along informal party networks and according to electoral and political career calculations. The following longer transcript from an interview with Gerardo, a former high-ranking member of the crime prevention department of the borough administration in Coyoacán, serves to illustrate these processes in a paradigmatic way.

We started our own community centered crime prevention program. In particular, we tried to establish some control over our police force.

We created a monitoring center. We established some authority over the members of some of the SSP[DF] units under the Proximity Police scheme in our sector. We also signed a contract with the Auxiliary Police, which gave us some control over their workdays and work reports. So we had better control over what the police in our sector were doing. In the end, however, this created a kind of competition between our elements from the Auxiliary Police, the SSP[DF] agents operating under the Proximity scheme but under our supervision, and the SSP[DF] and the Preventive Police. These groups entered into open rivalry. There have been strong criticisms by the SSP[DF]. The SSP[DF] wanted to take control of our monitoring center and take it over. They were always fighting with us over the resources. Yes, in reality, you can say that the boroughs are the small cash-box [*caja chica*] of the SSP[DF]. The boroughs pay for police agents, patrol cars, towing cars, but the SSP[DF] does what it wants to do with the resources. Why? Because the boroughs have no control over these resources. They pay for them, but they always operate under the central authority of the SSP[DF]. That's why we sought to keep the control over a small fleet of police cars and the agents of the Auxiliary Police. . . . Of course, we never established our control over the police commanders in our sector, but over our little fleet. The person at the top of our supervision center managed to create a real situation of subordination and authority over our personnel. We won the loyalty of our police. This is interesting, because it provoked a dirty reaction from the SSP[DF] who wanted to take over the complete control over this process. There was a long political debate. There was this PRD faction that proposed a decentralization of the police. Its vision was that each borough should be in command of its own police forces. But the vision of Marcelo Ebrard, the Mexico City government and his [PRD] current that dominates the PRD tribes in Mexico City is absolutely against this proposal. Marcelo Ebrard wants to maintain the high level of police centralization in Mexico City. This is sad, it's frustrating. . . . Our group, our political current had to leave the borough administration in 2006, and the new administration has a different political vision. They collaborate with the SSP[DF], they apply their [centralized] security policies. . . . There are now more police on the streets, but the security situation did not improve. In reality, it even worsened. . . . Look, last week, they killed a young academic in Coyoacán and [the] police caught the perpetrator very quickly. I really don't know if the death of a person whose killing would not have received such a strong resonance in the local media would

have led to such a fast detention. It seems that certain groups have the capacity [to achieve such a result], but if they murder a young man from a poor neighborhood, my impression is that months and years will pass and his killer remains free. But with all of this protest from the intellectuals and the academic community, that is of people who live here, the outcome was different. Well, the question is, if this is really impunity and police inefficiency. When something has an impact in public opinion, things are different. So are we talking about police inefficiency or are we talking about politics? . . . Yes, this system obviously produces a vice of certain privileged relationships, but this goes on everywhere. There are certain personalities, certain groups, which manage to establish a direct relationship with some public official and, well, this opens the door to a more expedient path. For example, we have a good relationship with Manuel a local member of congress. When the people asked for more light on one street, well what did we do? We asked the people to send a request to the person responsible for the sector, the local police chief. But this is nothing more than a formality. We picked up the phone, called the person responsible for the sector whom we know and who is familiar with our relationship with Manuel and, well: 'Listen chief, these people need these things. When can we meet to speak about it with you personally?' And, well, isn't it great that things can be taken care of so easily? What we do, and this is completely within the same logic, is take advantage of a privileged contact in order to solve a concrete problem. The same thing happens everywhere doesn't it?

In a very pronounced way, this interview passage illustrates the presence of informal politics and their impact on policing in Mexico's negotiated state, identified in the previous chapters, at the micro level in Coyoacán. First, policing in Coyoacán is an overly politicized issue; it is not about the provision of a public good, but about the control and appropriation of policing-related resources that can be used for political purposes. Therefore, policing is inseparable from party politics and factional conflicts centered on these questions. However, this politicized nature of local policing, which obviously creates political conflicts inside and between the involved police institutions, not only refers to the distribution, access to and control over policing resources. Reflecting the hierarchical structure of informal politics and the middle-class and upper-class bias of local policing (see Chapter 3), policing in Coyoacán is also politicized, as it privileges people with higher social, political and economic capital, whose security problems are more important

for the borough administration and the Mexico City government than those of more marginalized segments of the local population. Finally, in Coyoacán as in Mexico, and Mexico City as such, the provision and distribution of public security resources is embedded in local structures of mediation and informal negotiations, which for people with good connections 'open the door to a more expedient path.'

In this regard, the evidence from Coyoacán indicates that middle-class politics do not differ substantially from the political practices of the 'usual suspects' of informal politics, the urban poor. However, even if they do not differ in substance, they differ in form. As we already observed in Chapter 3, and as the comparison with Iztapalapa will highlight in more detail, the higher the—real or imagined—social, economic or political status of a person, the more he or she is capable of resorting to individual forms of informal negotiations with public authorities in direct and unmediated ways. Whereas more marginalized groups, in their interaction with public authorities, are more dependent upon their collective mobilization power mediated by political brokers, people of higher social status can avoid such collective bargaining processes. This could also be observed in Coyoacán. Although brokerage and collective forms of negotiations are undeniably present in Coyoacán, for instance, with regards to the presence of closed streets or the previously mentioned collection of signatures to pressure local authorities to return a police truck, it is striking that such efforts by middle-class residents to influence local policing through collective efforts are the exception rather than the rule. Most of the local residents perceived themselves as being in a position to pedal, seek and negotiate assistance from the respective authorities on an individual basis and without the intervention of local political brokers.

*You mentioned a couple of cases in which you have been a crime victim. What did you do afterwards?*

I go to look for a police officer. I signal him, right? Then I went to the Citizen Protection [department at the borough administration] to demand a patrol car for my streets. And now I have police patrols in the streets. But in any case, I am always going to shout at the authorities and ask them where they were when this was done to me.

*What kind of reaction did you get from the persons you spoke with at the institutions?*

With the police who are just out on the street, well they don't understand. It's like they see it and they don't understand what is happening, so they are just like, like nothing. And the officials, like

the officials of public security and all that, they show concern, listen, and that has given me results. So each time I fight for something I get a result out of it. (Pamela, Djane, music artist)

In fact, many people, and in contrast to the negative images about the local police, not only reported that when they addressed local authorities because of a security- or policing-related problem, they directly went to the respective institutions. Moreover, they also reported that they got positive results, for example, more police presence on their streets or improved street lighting.

The basis of this feeling of being powerful enough to solve one's problems through an individualized negotiation process with local authorities reflects the knowledge of middle-class subjects about their privileged position in the hierarchy of informal political structures and relations in the negotiated state. In this context, access to substantial social, economic and political capital, frequently derived from middle-class members' personal networks of friends and family members holding higher positions in local institutions or political parties, can be successfully used to influence bureaucratic and political decision making processes—including policing—in one's favor. As Carlos, one interview partner working for a local NGO, has put it: 'Whenever I have a problem, no matter what, I check my address book and call a friend. If I don't know anyone personally in that institution, I call someone who knows someone that can help me. The higher his position, the better.' The following account, by Julia, a PRD party militant and teacher struggling to make her street safer by getting more lighting, highlights this aspect as well.

If the citizens look for a solution, a solution will be found. With whom? With the authorities, and from there to another [contact]. For example, the engineer who now works in Waste Waters, who is a sub-director in Waste Waters, before he was just an engineer and now he is sub-director. So I know him, and now I want to go there to say hello and ask him if he can recommend someone with whom I can speak about the [street] lighting. I want them [to put] public lighting for us. But I want someone powerful to be recommended to me. In other words, if I have a problem I want to speak with him. . . . What I want is someone influential who will listen to me. And how can I achieve that? By getting a recommendation from someone.

The rationale behind the frequent success of such strategies is a political logic of an exchange of favors that determines political survival in Mexico's negotiated state. As we already observed in Chapters 2 and 3, political and bureaucratic careers in the negotiated state do not depend so much on merit or the impartiality of a person's political or administrative performance. Rather they are dependent upon individuals' capacity to build a loyal constituency within their political or institutional environment, or within the local electorate, which supports them even after they move on to another institution or ascend in the party or administrative hierarchy. Under such circumstances, local politicians as well as bureaucrats are interested in building such a loyal following through the 'efficient' and reliable delivery of 'public' resources to their constituencies. As Geddes observed in another context: '[T]he goals of ambitious bureaucrats center on personal career success and building a loyal entourage that migrates with them. They will try to build their personal reputations for dependability, loyalty, and getting things that are easy to assess—that are specific projects and the distribution of favors' (Geddes 1994: 48).

This also explains why the residents of Coyoacán rarely interacted with local police agents on the street in a direct way. As the previously quoted passage from the interview with Pamela demonstrated, street officers 'rarely understand.' What from the perspective of a middle-class subject seems to be a lack of understanding should be interpreted as a direct consequence of the institutional features of local policing. When police agents operate under the informal pressures and structures of internal clientelism and overpoliticization outlined in Chapters 2 and 3, directly responding to the formal needs and concerns of local residents can be a risky business, as such decisions might be against the interests and expectations of their superiors. This stands in contrast to the career interests of local politicians and bureaucrats and their concerns regarding the demonstration of their ability to get things done for their (middle-class) constituencies. Therefore, seeking the highest possible entry point for addressing one's security concerns is indeed the most rational and efficient option for middle-class subjects when interacting with public authorities in Mexico's negotiated state. The frequent success of these efforts stems from a mutually reinforcing pattern of interactions between local residents and bureaucrats/politicians in which the access to the social, political and economic capital of middle-class subjects can be converted into political capital vital for pursuing one's political or bureaucratic career, on the condition that



these private interests are efficiently and reliably served by the selective and mostly informal distribution of public resources.

This constellation also explains why cases of bottom up bribery at the street level were seldom mentioned by the interview partners in Coyoacán as a useful resource for achieving their security- and policing-related interests. In other words, their political value for bureaucrats and politicians frequently enabled them to further their policing- and security-related interests without the need to resort to monetary incentives, in particular at the street level. In addition to this and, I would suggest, closely related, it seems that, in general, middle-class residents do not appropriate local police agents or public security resources by 'buying' them. In fact, the direct appropriation of police agents was seldom mentioned. In those cases when someone was in need of or interested in appropriating a police officer or his or her services, this was arranged through individual personal contacts with local bureaucrats or politicians. As one interview partner has put it: 'Because I know so and so who works in this institution, therefore I have the right that . . . I have more rights to use that institution. For example, the authorities lend me a few police officers from there and I go and I threaten you and scare you because I can. That is how it works' (Olivia, owner of a beauty salon).

These practices demonstrate that local middle-class residents as well as their political and administrative counterparts in Coyoacán do not interact on the basis of impersonal formal-legal practices and rationalities. Indeed, in these forms of interaction, a basic feature of the rule of law, its non-arbitrary and impersonal character, is strikingly absent, as is the resulting 'impersonal trust' in public institutions. With the term 'impersonal trust,' Philip Pettit refers to situations in which people trust state agents because they believe that the latter will act according to 'accountability constraints.' As he put it: 'I rely on them solely because I judge that they are independently constrained to behave in the required fashion' (Pettit 2003: 297–8).

In contrast to such patterns of interaction, the relations between public authorities and citizens in Coyoacán were highly personalized and followed the basic patterns and structures of the workings of power in Mexico's negotiated state observed throughout this book. It is this local impact of the underlying political logics, structures and hierarchies that form the basis of political action in Mexico, which granted most interview partners a good deal of freedom with regards to the necessity of resorting to more direct, risky, uncertain and predominantly money-related forms of interaction with 'ordinary' police officers. In this regard, the privileges associated with living in Coyoacán

also manifest themselves in a quite privileged representation of middle-class interests through direct, or at least easy, access to people in charge of assigning, distributing and allocating policing-related resources. In addition to this, I would suggest that these privileges also manifest themselves in the fact that local residents rarely mentioned cases of police harassment, police abuse or extortion. Although there were cases, they were in general related to violations of traffic regulations, and they rarely involved the open threat of physical violence or otherwise threatening behavior—once again, a striking contrast to the experiences of the residents of Iztapalapa we will encounter below.

A further aspect of local citizen-police relations that deserves examination is the fact that notwithstanding the predominant negative image of local policing, far from abandoning the local police forces as security providers or, for instance, relying exclusively on private security, local residents continued to imagine the police as the most important security actor. In fact, private security providers, although they have a visible presence in Coyoacán, were largely described in equally negative terms as police agents, that is, as uneducated, inefficient and unreliable persons, as ‘someone who keeps an eye on your door and gives you a good feeling.’ These stories of unreliable private security agents were in most cases related to assaults and robberies in apartments or houses which were protected by private security personnel who were unable or unwilling—or even in assumed or proven complicity with the delinquents—to impede the burglary.

However, whereas the negative perceptions regarding the inefficiency of the police and private security agents seem to be just as deeply embedded in the minds of local residents, it is striking that in contrast to their private counterparts, at an abstract level, the local police were constantly imagined and portrayed as a public institution capable of, responsible for and even efficient in solving local security problems. No other potential security provider produced similar normative expectations in the way the local police did. In this regard, it is telling that the security director of a shopping mall chain explained with explicit reference to a shopping center located in Coyoacán that ‘we, as most shopping centers, do not use private security guards, because customers feel themselves more secure when they see a police uniform. People feel themselves more secure, but in the parking lot, in less visible places, we work with private security.’ In fact, and notwithstanding the general negative image of the local police, for many of the local residents the solution to the local insecurity problems resides precisely in (more) police presence, as illustrated, for example, in the case of the neighbors who collected

signatures to pressure the local authorities for the continued presence of police patrols on their street. In the words of Gerardo, the former high-ranking member of the local crime prevention department introduced above: 'Of course, the community feels itself much safer. There are more police agents walking on the streets, with beautiful uniforms, but when you take a look at the crime statistics, you will see that there has been no improvement. In reality, crime rose, but the people feel safe because there are more police on the streets.'

The underlying expectations and positive associations related to the visible presence of police officers were also echoed in the fact that when local residents were asked where they sought help after being the victim of a crime, the most common answer was that in the case of it being something serious, they would go to the police. Whereas the latter observation cannot be taken at face value, in the sense that we cannot expect that people immediately turn to the police when they become victims of a crime they perceive as serious, such statements are nonetheless in accordance with the previously made observations.

These findings have important analytical consequences, as they challenge commonly held assumptions about the negative consequences, frequently termed in the notion of a loss of 'legitimacy,' for states incapable of providing public security for their subjects. Contrary to many observers who assume that when states and their security forces do not meet the expectations of their subjects to provide security and protection as public goods, local residents would turn away from the state and resort to security providers beyond the state, a move which is frequently associated with growing political instability and state disintegration as it undermines the basic pillars of the Hobbesian contract between the state and its subjects, the interviews from Coyoacán show us a different outcome. They demonstrate that local middle-class residents continued to interact with the state and identify state institutions and the local police—notwithstanding their inefficiency, informal and paralegal practices—and not private security or other forms of 'alternative' security provision as the principal solution to their perceived security problems. This also questions the frequently made observation that due to widespread negative perceptions and experiences with the Mexico City police, citizen-police relations in Mexico City are largely absent (see, for instance, Uildriks 2010: 131).

In contrast to such assumptions, which expect that as soon as the state is incapable of delivering a certain service or fulfilling a particular function, people look for solutions beyond the state, the findings from Coyoacán illustrate how detached local 'state imaginations' and patterns

of state-society interaction can be from concrete state practices. This mismatch between state performance and citizen perceptions points towards the continued relevance of arguments presented by Clifford Geertz in his analysis of the nineteenth-century Balinese state. In this study, Geertz criticized that social science analysis of the state has tended to be overly concerned with the questions of governance, command and efficiency. Geertz argues that by focusing on these aspects of the state, research has largely neglected the more sublime dimension of state power and the fact that the power of a state, that is, state power proper, does not exclusively nor even predominantly derive from an efficiency-oriented and command-centered mechanics of power, but rather from the 'poetics of power' and the state's own imaginative energies (Geertz 1980: 122–36).

The power of these imaginative energies of the state, embodied in the police, was clearly present in the interview accounts from Coyoacán and the continued normative expectations local residents expressed with respect to the police. In this regard, the local residents' narratives illustrate how closely related the 'police fetishism' and the 'state idea,' mentioned in the introduction, are at the local level and how they shape the political imagination of the interviewed people. Thereby, they produce and reproduce 'state effects' and 'state imaginations' (see introduction), all indispensable for the processes of 'everyday state formation' and without which the state would cease to exist as a material entity and a 'social ensemble' created through the everyday practices and imaginations of its subjects.

In this regard, the interviews from Coyoacán point towards the existence of a powerful 'horizon of legitimacy,' which ascribes the state with extraordinary symbolic power, normative expectations and symbolic appeal. It is this 'horizon of legitimacy' which creates the fiction of the state with a 'Big S' whose power derives precisely from its own fictionality (Taussig 1992: 112). In this respect, Nuijten is correct to argue that despite the permanent failure of the Mexican state to comply with its own promises and functions, it does not fall apart but rather turns into a highly stable and powerful 'hope generating machine,' which 'does not work according to functionalist principles' (Nuijten 2003: 119). Rather the state becomes a 'magical state,' that is, 'a powerful site for the performance of illusion and the illusion of performance,' where the performing actors are self-seduced by the spell of their performances, thereby incarnating the power of the state as their own in a highly compelling way for all parts and sets of actors involved (Coronil 1997: 229–30).

It could be argued that these positive expectations are not as mysterious as they might appear, but derive from the basic (material and political) privileges associated with middle-class life in Coyoacán and their impact on local policing. Therefore, in order to offer a more comprehensive picture with regards to the fate of the states' 'horizon of legitimacy,' in Mexico's negotiated state, we will have to turn to a more marginal setting, marked by a more precarious security and policing context. This move will be done in the next section, where by turning to Iztapalapa we can answer the question whether or not such normative expectations regarding the Mexican state and its police forces are exclusive to middle-class subjects.

### **Insecurity and marginality in Iztapalapa**

In contrast to their middle-class neighbors, who described many amenable and indeed privileged aspects associated with living in Coyoacán, the picture residents of Iztapalapa painted with respect to their borough was less inviting. In general, they portrayed Iztapalapa as a poor and marginalized borough, predominantly inhabited by lower social classes. Local residents complained about the near absence and low quality of public infrastructure, such as health services and schools. They lamented the low density of parks, green areas, trees and recreational areas, as well as the bad conditions of many streets, which were perceived as being polluted by traffic, often filled with rubbish and dirt. In addition, they stated that their borough was overcrowded and overpopulated, and that it had lost most of its lovable and rural aspects since the urbanization of the 1970s and 1980s. However, these difficulties, although present in many accounts of local residents, do not present the most serious problems for people living in Iztapalapa. Besides problems concerning the potable water infrastructure, the single most important problem for the local population was the lack of security in many areas of the borough and the resulting negative images Iztapalapa evoked in the minds of many other Mexico City residents, images which were perceived as highly stigmatizing. As one interviewee complained: 'Many people think: "Oh no." "They [the people from Iztapalapa] are different. They, the ones from Iztapalapa are poor, the ones from the outside [*los de afuera*]'. For most residents, the causes of this stigmatization, however, are not exclusively related to socio-economic marginality. Rather they stem from the intersection of marginality and the recent, real or perceived, increase in crime.

*If people ask you about the place where you live, what do you tell them, how would you describe your place of residence?*

Folkloric. With folklore. With folklore but at the same time, well, this borough is famous for not being very safe. It's a place where there has recently been a lot of insecurity. In other words, one of the most unsafe boroughs. And whenever they speak about this borough it is not very pretty. For me it's not, well, it's more this, the issue of insecurity. But you also get used to the place where you live. So you don't notice so much [the] insecurity. (Michalea, housewife)

This interview passage is indicative of the generalized climate of insecurity in Iztapalapa appearing throughout the interviews. It also demonstrates that although local residents perceive their environment as insecure, and many of the interviewed people talked about their personal experiences with crime, violence and insecurity, many of them seemingly accepted this situation as a given, almost natural fact. Views like those expressed by Michaela were indeed common, signaling an important difference between the insecurity-related perceptions of neighborhood life in Iztapalapa and Coyoacán, where statements such as the following were absent and unimaginable: 'They [people from other parts of Mexico City] think Iztapalapa is a dangerous district, frightening, [where] drugs are sold, which is true in some places, but if you live here you really don't notice [it]. Instead, you learn to live with the environment where you grew up and what you see' (Manuel, self-employed video producer).

When listening to the accounts of the local residents, one can indeed come to the conclusion that many people living in Iztapalapa have 'accustomed themselves' to their precarious security environment. In striking difference to the accounts from residents in Coyoacán, where the growing insecurity was perceived as a rupture with an idealized past, even scandalized and reported in a dramatizing way, the residents from Iztapalapa seem to have arranged themselves with this situation of insecurity and to have included the nearly fateful possibility of becoming the victims of a criminal or violent act into their daily lives. In doing so they seem to acknowledge, as one local businessman has put it, that criminality has become an integral, and to a certain degree tolerated, part of community life in many neighborhoods of Iztapalapa.

It [crime] has become integrated into the community and integrated in the economy. The *colonia* [neighborhood] is strong, economically strong, and it [crime] has become integrated [into the community] because you know the people. We even greet them: 'Hey, I'll wash your car!' I am surprised that no one is surprised by the selling of

drugs. You wind up seeing it as natural as a taco stand. The people don't get worried or bothered by it. (Paco, local merchant)

In addition to relativizing official crime statistics, which drew a far more benign picture of insecurity and crime in Iztapalapa, at least when compared to the situation in Coyoacán, these observations also indicate the deep embeddedness of crime and insecurity in the local social imagination and everyday neighborhood life. In this regard, they confirm the observations presented by other studies on violence and insecurity in Latin America. By pointing to the 'banalization' of violence (Pécaut 1999) or its 'trivialization' (Torres-Rivas 1999: 287–95), these studies indicate how one's permanent exposure to an insecure and violent social context allows these context conditions to be incorporated into one's own daily life, thereby routinizing and normalizing them as a given fact. Whereas such acts of the routinization of insecurity and violence are to a huge degree acts of resignation and disempowerment, they also reflect people's efforts to develop 'mechanisms at a cognitive and moral level to make sense of the unthinkable and unknowable' (Munck 2008: 11).

This, however, should not make us blind to the fact that the majority of the local residents, despite their apparent accommodation to the existing security threats in their daily lives, perceive the ever-present possibility of becoming a crime victim, as well as the related stigmatization of the borough, as highly unpleasant phenomena. To a large extent, because these phenomena make their daily routines more difficult, be it through the refusal of many taxi drivers to enter certain areas of Iztapalapa after dark, or the stigmatization and prejudices residents are confronted with when they tell other people where they come from. In this respect, it is telling that for some interview partners the decision to live in Iztapalapa is most of all due to the inability to find affordable housing elsewhere.

But what forms do insecurity and criminality take in Iztapalapa? Among the most frequently mentioned crimes personally suffered by local residents were assaults on the streets, theft of cars and car parts, and robberies of market goods, sneakers and mobile phones. At least five people reported having witnessed a homicide in their neighborhood, and two cases of (intended) rape were reported. In contrast to the experiences from Coyoacán, most of the interview partners from Iztapalapa had personal, and frequently physical, experiences with criminality. One particularly vulnerable group are local shopkeepers. The following

testimony gives us an impression of the permanent threat assaults represent for local petty commerce.

My business was frequently robbed here in Iztapalapa. . . . I was robbed so many times and so often that I am no longer scared. I even find it funny when they come to rob me. Once when I was pregnant the guy pointed a gun at me and I was like: 'Leave me alone! Leave me alone!' But now even if they point a pistol at me, . . . they see me very confident. They don't see me like, 'Oh, it's a crook and he's going to rob me,' but rather, 'Go on, take whatever you want.' But now I am very confident. One time this guy said to me: 'These bullets are real,' and I was like: 'And what? Are you going to shoot me or what?' And they get nervous when they see me so confident.

*But where have you been assaulted?*

Here, Here.

*In the shop?*

Yes, very, very, very often.

*How often? Can you say a number?*

Well about twenty-five or thirty times.

*In what time?*

During the twenty years I have been living in Iztapalapa I have been assaulted about thirty times. (Lirio, sweetshop owner)

Despite the ever-present possibility of becoming a crime victim, living in Iztapalapa for most of the residents also has some advantages. These include, for example, the perceived low costs of living, the availability of cheap, sometimes stolen, goods at local markets, and the relative ease of owning and constructing one's own house. One additional advantage, from the residents' point of view, is closely related to the question of security. This advantage is the high degree of social cohesion among residents of the same neighborhood, reflected in frequently made statements like: 'Here, everyone knows each other,' 'Everyone greets everyone,' 'We have a particular sense of community' and 'You always keep an eye on your neighbor's house.' The importance of this factor for the entire neighborhood life, already indicating its relevance for the management of local security issues, becomes obvious in accounts such as the following:

Here amongst neighbors we are always vigilant, always looking after each other. That is that nothing bad happens to us. So like a friend's truck is there and I see some bastard trying to open it up and even



though it's not my truck I am like, 'What's going on?' So we keep our eyes open and give each other a hand. Do you understand? To look after each other. Because that's where it begins. That's where security begins. (Aaron, chicken roaster)

Such statements indicate the power of what, following Edward P. Thompson, we can identify as a 'consensus of the community' (Thompson 1980: 69) or as a 'moral consensus' (Thompson 1968: 87), characterized by specifically local notions of solidarity and morality that organize the social dynamics at the neighborhood level. These norms even include the frequently reported existence of a 'moral code' that prohibits local criminals from preying on their own community: 'We take care of each other. We help each other out. We have a very cynical saying but which is true: thieves of the colonia don't steal within the colonia. They have to go work somewhere else, because otherwise where would the thief's morals be, the community morality' (Roberto, teacher).<sup>3</sup> Such forms of 'community consensus' and informal social control are embedded in dense social relations and the resulting high degree of social cohesion in many parts of Iztapalapa. These dense social relations frequently have specific material and historical underpinnings which can be analytically divided up into three different aspects. First, there is an extremely high degree of social organization among local residents. In many instances, this dates back to the 1970s and 1980s, when struggles over the regularization of occupied land and the improvement of the public infrastructure forged a particular sense of belonging and a collective identity. A second factor is the centrality of family structures for neighborhood life. Many residents, in particular those with their own houses, share their lives and living space with their entire family. For example, when children get married, in many cases they do not move to another neighborhood, but instead expand one of their parents' houses and live together under the same roof. This permanent presence of the family (or of some family members) produces, as one informant put it, the sensation that 'there is always someone watching you.' This feeling can be expected to put certain constraints on the individual's behavior. Such constraints express the existence of informal forms of social control, frequently based on the respect for family values and particular notions of honor. Such forms of social cohesion are further strengthened through shared biographic experiences. These may range from the shared experience of participating in the same social struggle to more quotidian experiences of passing one's childhood, adolescence and one's

coming of age within the same social space. This last aspect suggests a third explanatory factor for the density of social cohesion. This factor is the relatively low degree of residential movement in many areas. In most cases, people, once they have established themselves in the area, can be expected to permanently 'settle down.'

Against the background of the aforementioned observations, some first important differences in relation to the situation encountered in Coyoacán can be highlighted. As already mentioned, a first difference can be observed in the different perceptions of their boroughs. The residents of Iztapalapa expressed an awareness of the more marginalized status of their borough and therefore described it in less picturesque and idyllic terms than their middle-class counterparts in Coyoacán. Furthermore, the apparent contradiction, observed in many narratives from Coyoacán, between a borough that was imagined as a safe place and the centrality of residents' concerns about insecurity, was absent in the accounts of the residents from Iztapalapa. Insecurity immediately emerged as one of the defining characteristics of their borough. Second, whereas the narratives from Coyoacán indicated a substantial lack of social cohesion and social interactions among many neighbors, which contributes to more individualized security strategies, the interviews from Iztapalapa demonstrate quite the opposite.

Besides these differences, there are also important similarities between the two boroughs. For instance, as in the case of Coyoacán, there is a tendency to externalize insecurity problems in Iztapalapa, as could be seen, for example, in the story about existing unwritten laws, prohibiting local criminals from preying on their own community. In other words, if local criminals are not 'allowed' to prey on their own communities, then the sources of local crime come from outside.

Another remarkable commonality with the testimonies from Coyoacán was that the people living in Iztapalapa identified similar factors underlying the security problems in their neighborhoods. In particular, they referred to the lack of employment and educational opportunities for marginalized people. However, whereas in Coyoacán such reflections remained largely abstract, in Iztapalapa they were frequently related to and illustrated with personal experiences:

Look, I have a friend. I've known him since we were kids. He had his first child when he was 15, 16 years-old. He played volleyball. . . . He had been to the Youth Olympics. And, well since then he kind of got stuck. The young marriage impeded his volleyball, his school, and this is a guy who one way or another had a broad

cultural horizon. He liked to go to the movies, to go out dancing, to restaurants. But this implied expenses which a young marriage [cannot afford], well no. And without high school even less so. And he succumbed, because stealing was easier. And they robbed transport cars, vehicle transport. They would rob anything that had to do with the transport of goods. Obviously in a period of three months he had his own car and could buy things for his child. And he grew up. He fought hard from 15 to about 23 years of age, he fought hard. One job, another job, with salaries at 700 pesos a week, or 600. And it was the same with his girl. They rented a small house for 800 pesos. In reality he suffered. Until he succumbed. Within a year he built his house, as I say, through stealing. He got caught and now he is in jail. (Manuel, self-employed video producer)

Experiences like this clearly echo the views from the middle-class residents of Coyoacán. Once more we find that according to the perception of the local residents, the origins of the local security problems are perceived as a lack of economic opportunities. An observation which implies that from the local residents' point of view, a sustainable solution to these problems is not a strengthening of law and order politics, but the creation of more opportunities for the marginalized inhabitants of Mexico City.

Can such differences and commonalities between Coyoacán and Iztapalapa also be identified within the realm of policing? And what about the 'horizon of legitimacy' in a context of widespread insecurity and marginality? Do the residents of Iztapalapa, despite their experiences with crime and insecurity that point towards the incapacity of the Mexican state to serve as an efficient security actor, have equally strong normative expectations with regards to the police? The following section will address these questions.

### **Policing and citizen-police relations in Iztapalapa**

When we consider the observations presented throughout this study about the character of policing in Mexico's negotiated state, it is not surprising that, at an abstract level, the residents of Iztapalapa have very similar perceptions of the local police as the people living in Coyoacán. As in the case of their middle-class neighbors, people from Iztapalapa had a predominantly negative image of the local police and described them as unresponsive, inefficient, corrupt, criminal and abusive. For

most local residents, police conduct was determined by the 'accumulation interest' mentioned in Chapter 2. It was a widely shared perception, largely based on personal experiences, that the local police, in order to fulfill their everyday duties, expect money or the donation of food or drinks in return. Local residents assumed that without these incentives the police would not provide any kind of service to them. As one local ex-merchant reported: 'I had a market stall where I sold clothes and I was assaulted two times and the police expected money to facilitate [*agilizar*] matters' (Julia, teacher). Although local police behavior was largely portrayed as a money-driven activity, the police were also reported as using their power to keep the victims of their actions from making an official complaint:

My brother-in-law was run over by a police car. They took him to the hospital and they took him out again, but not in an ambulance. They've taken him in a police car. . . . We knew he wasn't doing well because he had an internal hemorrhage. But no, first he had to go to the police station because he had to sign a paper saying that he was not going to denounce the police because of negligence. They told him: 'We will take you to the best hospital, but first you have to sign.' (Michaela, housewife)

Despite such narratives, which indicate that policing in Iztapalapa shares most of the problems stemming from the general institutional characteristics of Mexico City policing described in Chapter 2, and which could also be identified in Coyoacán, a closer look at the interview material indicates substantial differences between the quality of policing in the two boroughs. For instance, whereas the testimonies from Coyoacán reflected the awareness that the socio-economic and politically 'privileged' status of Coyoacán finds its reflection in 'better' policing, such views were not expressed by the residents from Iztapalapa. Here, local residents perceived the quality of local policing as differing significantly from the policing in better-off middle- and upper-class neighborhoods in Mexico City.

I have been walking around, strolling around the Roma District [a largely middle-class neighborhood]. . . . There are a lot of police, but around my house there aren't any police. Or, well, they go by not so much so as to protect you, they're more there to screw people. They come and see who is being stupid and they detain them, because in reality they don't work as they should. They are only fulfilling

their role and just seeing what happens. No, they aren't working seriously, seeing who causes the most problems. That's how it is here. I have walked around La Condesa and it is completely different there. (Carmen, domestic worker)

Though the general perceptions regarding the overall 'quality' of policing in Iztapalapa might differ from those observed in Coyoacán, the underlying causes, which contributed to the privileged nature of policing in Coyoacán and to the more precarious scenario in Iztapalapa, derive from the same sources: the class bias of Mexico City's politicized pattern of policing. Just as residents of Coyoacán were aware that their policing-related privileges were related to the intersection of the economic and political calculations of the borough administration as well as the Mexico City government, residents from Iztapalapa also argued that it were these political rationalities that shape the quality of local policing. In their case, however, these political calculations lead to a veritable neglect of the local residents' security concerns. There was a widespread perception that because many people living in Iztapalapa are poor, local authorities, as well as the city government, do not feel obliged to care about their safety concerns. As Miguel, a local taxi driver has put it: 'The borough mayors, they all provide security [for themselves]. They are all insured against insecurity. We are the insecure ones, the neighborhoods, the common people [*gente del pueblo*]. Why? Why, because we are left unprotected. Why are we unprotected? Because that's how they have always treated us.' Similar observations were also made by members of the local business community. They stated that the provision of public security in general serves those actors who are perceived as important from the local authorities' point of view. Therefore, they were convinced that the local police, due to political pressure, would pay more attention to criminal acts when 'bigger economic interests' were at stake. In such cases, the police were described as responding more frequently and efficiently. As one interview partner summed it up: 'Well, the police actions [*operativos*] always happen when a big company is robbed. When there is an attack [*asalto*] on "el negrito," the local store for stationery, they don't care about it. But when a MABE or Whirlpool store is targeted, they [the police] come and search for the stolen things' (Manuel, self-employed video producer).

This politically motivated selectivity of policing-related 'public' service provision was also identified by local residents as a principal source behind the frequently irrespective treatment of the local residents by police officers. Many people reported that police agents

were unresponsive and even made jokes about people seeking their help. Moreover, there were many reports of police harassment, in particular directed against people whose clothes or other aspects of their physical appearance, like tattoos, piercings or dark skin, would make them suspicious in the eyes of the police. It is of little surprise that many interview partners shared the statement made by Ramón, who owns a small café, that '[y]ou have to dress up like decent people so that they [the police] don't frisk you' (Ramón, owner of a café).

Always vigilant [laughter]. Because of the way I dress, the police have stopped me here on the corner. 'Where did you come from and where are you going? Search him!' I told them: 'Just leave me alone, really. One day I'll wear a suit and pick up some knives. Who is going to frisk me? No one!' They just focus on your appearance. If you are wearing a dirty t-shirt, maybe I've just been doing work in my house and I go out to the store and it's like: 'He's suspicious.' (Mariano, merchant)

In light of such experiences, it becomes understandable that many residents described encounters with the police as threatening situations, in particular because they frequently lead to extortion and other forms of police abuse:

The police cause a lot of problems. Often, because of the way you dress, because of your tattoos, they detain you and take your money. Some of my friends were even stopped and had things planted on them, like drugs. And they [the police] extorted money from their families. They threatened them with prison if they didn't pay. It is quite frequent that this type of situation is used for extortion. (Roberto, teacher)

The findings presented so far clearly indicate that beneath the surface of unpublic policing, which characterizes public security provision in Coyoacán and Iztapalapa, the different socio-economic characteristics of both boroughs and their translation into political calculations by public authorities produce notable differences regarding the consequences of unpublic policing on local residents' everyday lives. Whereas the economic and political importance of Coyoacán for local politicians and bureaucrats was translated into a higher degree of security-related attention from local politicians, bureaucrats and state institutions—and even into seemingly efficient policing practices—the socio-economic margins of the Mexico City

population in Iztapalapa get less favorable results. This clearly indicates the socio-economic selectivity of state practices in Mexico's negotiated state. Of course, government security policies are always selective, privileging some actors over others (see introduction). Nonetheless, what gives this selectivity its particular touch within the context of Mexico's negotiated state is the fact that it does not so much stem from the outcome of formal, and to a certain degree accountable and transparent, public decision making processes. Rather, this selectivity stems from the overdetermination of formal processes by informal political rationalities and calculations of the involved political actors and from the informal hierarchies of power in Mexico City. This outcome provides residents of Coyoacán with a far more responsive and efficient police force, as well as with a certain protection against more economically and physically threatening forms of illegal police conduct, than their more marginalized neighbors, who reported many cases of police harassment, police abuse and even cases of physical mistreatment, converting the police into a veritable security threat. Besides the question of police abuse, there is another way in which policing and politics contribute to the insecurity, rather than security, of local residents in Iztapalapa: the protection of organized criminal activities.

Local interview partners gave ample examples of the more or less open collaboration between police officers and criminal actors, ranging from the provision of information regarding future police raids to the protection of illicit economic activities, like the re-sale of stolen commercial goods, cars and car parts, in exchange for money. This collaboration between local police agents and criminal actors also includes drug trafficking, which due to the coercive potential and violence associated with traffickers, as well as with drug consumers in permanent need of quick money, for all interview partners represents the greatest security threat. Drug trafficking has flourished and expanded throughout Iztapalapa because of widespread police protection since the last decade or so: 'Many of those police officers that work at night ask for a permanent bribe [*renta*] from the local drug dealers. The *renta* varies from place to place. From 200 up to 400 Pesos and then they can sell their drugs. So, the business of these policemen is to patrol those streets [where drug traffickers operate], not to provide security' (Julio, merchant).

I can tell you that all of this is being organized by the police themselves. I can assure it, because yes, I have seen it. I have seen where they sell drugs and where they [the police] stop for their bribe. . . . In this case, you will see the patrol cars at dawn making their rounds with their lights off. The people who buy and sell drugs get

in and out as if nothing. So in this sense they are vigilant, and when they see that a superior police officer is coming then they speak to them: 'You know, go away, don't sell anything.' Yes, that's to say that these people are well organized. (Miguel, taxi driver)

As these interview passages indicate, local residents and actors involved in criminal activities reported that the police protection of drug trafficking, as well as of other organized criminal activities, is based on the payment of a certain, frequently fixed, amount of money: 'They [the police] are standing on the street corners. They charge you for protection and you have to pay, don't you? When you want protection, when you [as a drug trafficker] want to survive in this jungle, you have to protect you' (Lirio, local political activist). In this regard, the payment of the *renta*, as a fixed informal protection tax, signals the structural character of the local police-sponsored protection racket. But police agents not only turn a blind eye to the illegal activities of their partners. They are also concerned with the maintenance of a certain degree of order in the related area. Only this orderly appearance guarantees that neighbors refrain from making complaints to local authorities, which could imply that other public institutions or new police forces would be sent to solve these problems. Therefore, a certain degree of active participation of both parties (the police and the drug traffickers) is necessary in order to keep their mutually beneficial relations working and stable over a longer period (Zamudio Angles 2007: 193–4). Local residents argued that this protection racket, a kind of local post-PRI version of the 'state-sponsored protection racket' mentioned in Chapter 1, does not operate beyond the realm of local politics, as the expansion of drug trafficking is inseparable from political protection:

Here the people who sell drugs have protection. From the authorities. Because if they weren't being protected by the authorities they couldn't sell drugs. It's like if I were to come here and sell drugs, they would catch me in an instant. You understand? But there are people who have been doing this for years.

*And they live . . .*

Relaxed! Why? Why, because they have good contacts, good connections with functionaries who can help them out. Do you understand? (Antonio, Kung-Fu trainer)

What is important from all of this for my argument is not so much the protection of illicit economic activities by state officials, which, as argued in Chapter 1, is also an important causal factor behind the



nationwide expansion of drug trafficking in Mexico's post-PRI regime. Nor is it the fact that this panorama of the widespread and well-known presence of organized criminal activities differs dramatically from the predominantly car theft-centered insecurity panorama in Coyoacán. More relevant for this study is that this shows the impact of the politics of appropriation on the publicness of local policing, as these relations and their political protection, as Rodolfo, one local security expert has argued, convert 'public security into the security of the *tien-ditas* [clandestine drug selling points],' with the consequence that the police officers abandon their patrol areas, leaving the local residents with virtually no police presence or—however dubious—protection.

However, reflecting the deep embeddedness of the politics of appropriation within the local context, the interviews from Iztapalapa also demonstrate that not only actors involved in illicit activities appropriate police services like legal non-enforcement and protection. Such forms of appropriating and privatizing policing were also reported by and for common people (see Müller forthcoming b for details). In addition to providing police officers with monetary and non-monetary incentives—food, gifts, a free car wash and so on—in order to have more police presence in a certain area, the interview partners also reported many cases where local residents, when confronted with a particular problem that could not be resolved in their favor, opted for modifying the situation by appropriating police officers through bottom up bribery. But when 'money moves everything,' victims of such forms of enforcing-centered police appropriation can escape the potentially iron grip of the public servants turned private enforcers—at least as long as they can pay for it. The following longer interview passage, in which one local resident described how, after a confrontation with his father, the latter appropriated the local police in order to teach him 'a lesson', illustrates the involved processes and practices very well.

My father, because I had a problem with him, so my father got angry and said: 'I am going to have you put in jail.' But he said it angrily because of the problem we had and not because I hit him. Luckily the person responsible for taking me to the cell was not around, nor was the doctor who had to give me a check-up. So the on-duty police officer comes up to me and he says: 'So what now, blondie [*guero*]. What are we going to do? How much are we talking about?' 'Well, I have 1,000 pesos.' 'What's that all about? There are four of us! Do you think you can get together 4,000 pesos right now?' 'I don't have it on me.' 'Alright, I'll take you home. Where do you live?' 'I have it

at my office.' 'No. Not like that. You have it. You have a credit card. We don't want to be going all over the place and we don't want you to talk either. Simply here and now. We don't want any of that "I'll finish paying you tomorrow.'" 'Everything now, before the doctor comes.' ... They say: 'Let's see, come here! Do you have it all?' I didn't have it on me. He took me without handcuffs, but he said: 'Act as if you are detained.' He took me out a back door toward the parking lot. He did as if he was taking me to the place where they draw up and file the report [*donde levantan el acta*]. He took me there and said: 'So that they see that we checked in.' We went back and out through their parking lot, where the patrol cars are and everything, and he said to me: 'Get in the patrol car.' And they drove me off. But they didn't let me out. Instead I called this young man I had [employed] and said: 'Come here and bring whatever is left in the cash register.' It was about 1,500. He brought me the money. I was in the patrol car. It feels weird, because everyone sees you inside as if you were a drug addict or drunk. I said to them: 'Is 1,500 enough?' 'What's up! What did we agree on? Let's see, who are we with? Come up with it now.' [I said]: 'Let's go see my father-in-law.' We arrived, the patrol car went down the street with its siren on [one officer knocked at my father-in-law's door]. My father-in-law said: 'Who is here?' 'I am here because of Rogelio Ruíz.' 'What happened?' 'What did he do?' 'No, nothing. Stay calm, don't worry.' He came over because they wouldn't let me out of the car and I told him what happened and asked if he could lend me the money. He lent it to me and then said: 'I'll come with you.' But the policeman responded: 'No, nothing is going to happen.' ... They got the 4,000 pesos together and they took me back to the Public Ministry. 'Wait here a second.' 'You know, you don't think the judge is going to know?' I was waiting for my turn for about 15 or 20 minutes. 'Get out of here, but now go out the other way where everybody comes in to file their complaints.' They dropped me off at the house of my father-in-law and said: 'Don't go home so that your father thinks that you were locked up.' And that was it. I didn't go home that night but instead stayed at the house of my in-laws. I guarantee you that they got money from my father. They got money from me. It was all about money. (Ramón, owner of a café)

This episode illustrates quite well an important difference with regards to the politics of appropriation observed in Coyoacán, a difference which stems from the different socio-economic environment of both boroughs. Whereas middle-class residents in Coyoacán were in general

capable of appropriating local policing through their direct access to local bureaucrats and politicians by non-monetary means, most cases of police appropriation reported for Iztapalapa took the form of direct contacts with police agents at the street level. Furthermore, they *always* involved material incentives, ranging from free food or drinks to bottom up bribery. Whereas the more quotidian forms of appropriation, for instance, informal surveillance services, could be ‘purchased’ for a free meal or a few pesos, the more police appropriation was centered on the use of the police’s legal and coercive powers, the more (and higher) monetary incentives were required in order to convince the involved officers to participate in such face-to-face deals.

However, the appropriation of policing-related resources as well as their distribution throughout Iztapalapa was not exclusively determined by such direct face-to-face interactions between the police and local residents. As in Coyoacán, party politics, factionalism and other basic features of (informal) capital city politics also entered the political game of policing in Iztapalapa. In fact, in both boroughs the relationship of forces among local PRD factions and between them and the Mexico City government shapes the distribution of public security resources. During the time of fieldwork, Iztapalapa was governed by a PRD faction that stood in opposition to the faction, led by the circle around Marcelo Ebrard, governing Mexico City. Therefore, it is of little surprise that ‘this competition between different levels of government has on several occasions seriously hampered government performance [in Iztapalapa]’ (Denissen 2009: 416).

*Being a party militant or a member of a social organization helps you in this context [of getting access to state institutions]?*

Yes, yes of course, because that’s how you negotiate positions of power [*negocias puestos de poder*].

*And in Iztapalapa, being a PRD member, for instance, also helps you to get access?*

Yes, yes. You can negotiate in more direct ways with those in power. That’s because the borough is governed by the PRD, but only if you are part of the governing faction. There is one faction that governs and when you don’t belong to this faction, they block everything. (Felipe, self-employed printer)

This situation of intense party factionalism is clearly visible in the realm of security provision. Leaving aside the frequent distribution of

security resources for the 'private' protection of local politicians and party militants, which was reported by NGO members as well as local residents, the borough administration is in general more responsive and provides more policing-related resources to 'loyal' neighborhoods, in most cases those in which affiliated political brokers secured the electoral victory of the local governing faction. The PRD faction that governs Mexico City tries to enhance its local support base by offering local neighborhoods access to security resources outside the reach of the borough administration in Iztapalapa, a strategy which benefits substantially from Mexico City's centralized policing architecture. The basic political strategy by which this distribution of public resources along party loyalties is accomplished is captured in the following interview account:

He [the PRD politician] comes and contracts some young people who come and tell people that they are coming in the name of the PRD. And that they come so that the people will tell them their demands. 'Let's see. Tell me what you want because we are going to solve it. Do you want food allowances or money?' In other words, money on cards that they give to old people, single mothers and all that. 'Do you want education, do you want work?' And so they say: 'Sign up. This is from the governor.' And then the people start to believe them: 'Yes, yes, yes. It's true. They are going to give me ...' Then they pull out a form that has the PRD logo on it that says it's a membership form for the PRD. So they say to the people: 'You want all this but you have to sign here so that the governor, Marcelo Ebrard, can provide you with it.' ... Then they go to the apartment complexes ...: 'Okay, I am going to give you the paint, I am going to give you that, but on such and such date you are going to vote. And you have to vote for the PRD candidate, because he is the one giving you all of this. And if you vote for him you are going to continue receiving things.' (Rosario, self-employed)

In addition to such strategies, which are not limited to those services mentioned in this interview passage but also include the provision of security-related resources, such as police presence or street lighting, the take-over of citizen participation-related resources through the 'conquest' of neighborhood committees in Iztapalapa, as well as elsewhere in Mexico City, is another important strategy used by different PRD factions to influence the distribution and appropriation of policing-related

resources for political purposes and to strengthen their local support base. As one NGO member has stated in this regard:

The PRD has created networks which are becoming increasingly complicated, because what they all want is to keep themselves in power. Therefore, when they created the neighborhood committees, they [local PRD politicians] place one person, who is not the real coordinator of the neighborhood committee, but a member of the borough administration, at the top of it. . . . So they claim [resources], because they say: 'I'm the neighborhood committee, I'm the coordinator of the neighborhood committee.' But this person, of course shouldn't be there. (Martha, NGO member)

With such informal access to policing-related resources distributed through the expanding citizen participation programs, local politicians are capable of rewarding loyal local constituencies as well as enhancing their political power base by promising the delivery of security resources in turn for electoral support. In these processes, local political strongmen and brokers play a vital role due to two reasons. First, as argued in Chapter 1, a basic feature of governing in Mexico's negotiated state involves local political brokers who, in return for facilitating the implementation of government policies, are rewarded with access to appropriable state resources that can be used to strengthen their own economic and political capital. This pattern is obviously present in Iztapalapa as well. Here many local bureaucrats and politicians previously inform and negotiate with local brokers, 'representing' organized collective interests vis-à-vis public authorities, over the implementation of government policies—as well as the related 'rewards' (see also Denissen 2009: 418). However, not only the local and city government are dependent upon the collaboration of local strongmen in order to implement their policies. As the strongmen's dubious character as neighborhood-level representatives of collective interests already indicates, in contrast to middle-class residents in Coyoacán, the residents of Iztapalapa are mostly unable to interact directly with local bureaucrats or politicians on an individual basis. Rather, they have to organize themselves and channel their security-related concerns and interests through the neighborhood-level party infrastructure, including more or less formalized party bureaus, other party-related institutions, as well as local strongmen, many of them employed in the local administration or holding a party post. This dependence upon mediated access to public institutions, in turn, is vital for the political survival of local strongmen,

as it enhances their political power by demonstrating to local authorities and politicians their utility as deliverers of votes and manpower, for example, for political rallies.

The picture that emerges out of these observations is one which demonstrates how deeply intertwined socio-economic and political marginality are in Iztapalapa. Notwithstanding the fact that due to its high number of residents, and potential voters, the borough as such carries political weight in Mexico City, the overall impact of the informal political structures and processes determining the exercise of political power in Mexico's negotiated state leads to an overall political marginalization of its residents with regards to public security provision. The socio-economic situation associated with living in Iztapalapa translates itself into a more neglectful stance of the Mexico City government and the SSPDF with respect to the local security problems, and into a less favorable position for residents who seek to enter into individual and direct contact with local bureaucrats and politicians for articulating their security interests. Whereas middle-class residents in Coyoacán, due to their political and socio-economic capital—and the derived access to personal networks of friends and family members employed in public institutions—can enter into individual and direct contacts with politicians and bureaucrats in order to address their security concerns and benefit from a far more efficient, responsive and less abusive type of policing, their marginalized neighbors in Iztapalapa are dependent upon political mediation and informal negotiations between local political brokers and public institutions involved in the administration of justice.

In sum, policing in Iztapalapa is less responsive, more politicized, abusive and 'costly,' in economic as well as political terms, than public security provision in Coyoacán. In this regard, the Mexican democratization process might have made informal politics less repressive (see Fox 1994), and it might have even enhanced the political room of maneuver for the marginalized segments of the population, as they can now switch between different brokers and parties. Yet, within the realm of policing, marginalized people continue to depend upon politically mediated access to state institutions in order to benefit from a predominantly personalized, politicized and informal pattern of 'public' service provision which continues to have a threatening and abusive dimension.

Against this background we can turn to the question of what this far more precarious, violent, unresponsive and inefficient pattern of policing in Iztapalapa implies for the 'horizon of legitimacy' of Mexico's negotiated state. Whereas the 'privileged' security provision

in Coyoacán, although far from impersonal and public, seemed to offer a material basis in light of which the powerful image and normative expectations directed towards the Mexican state and its police forces could be explained, the empirical findings regarding policing in Iztapalapa appear to rule out such an explanation right from the start. If the everyday activities of policing in Coyoacán did not create impersonal trust in public institutions, the situation in Iztapalapa seems to be far more damaging to the image of the police as a public security provider. However, at a closer look, the picture is more complex. First, as the observed existence of policing-related politics of appropriation in Iztapalapa already indicated, local residents, despite their overwhelmingly negative experiences with the local police, continue to imagine them as important security providers and interact with them in a variety of informal ways, because they expect that the police can improve their local (in)security problems. As one local merchant, for example, has put it: 'You give the police some money, a weekly payment that they always pass by your store. *In this way you feel yourself more secure*' (Michele, merchant, emphasis added). In addition to this, it was also widespread that even in those neighborhoods marked by very dense social relations, high levels of social cohesion and largely efficient informal mechanisms of social control, that is, in settings which, in theory, can be expected to contribute to patterns of conflict resolution and security provision beyond the state, the residents of these areas did not exclude the police from the locally available and viable options of security provision. Moreover, the police actually functioned as final arbiters whose intervention, as public actors, local residents explicitly seek when they think that the existing security mechanisms at the local level cannot deal with a particular security problem (Müller forthcoming b):

The people more or less try to solve their problems in this manner. Because of the chaos in the public institutions, especially public security, nobody trusts them. Second, in general, justice is not so just. So the people always try to avoid these processes which are long and tiring, and where you are going to lose time and you are going to lose money. Generally you are ... well, even if you win you lose, right? So you avoid that people even wind up in these places. But yes, when there are deaths, fucked up situations where the limits are passed, the authorities are called for to try to solve these problems. (Roberto, teacher)

Whereas such statements indicate a functional and material underpinning of the continued pattern of citizen-police interaction, they once more point towards the imaginary and symbolic dimension of policing and public security provision, where, as Michele's statement shows in a paradigmatic way, simple police presence was conceived as something that makes people feel more secure. In fact, and in contrast to the overwhelmingly negative stories of citizen-police interactions in Iztapalapa, at the symbolic level, the police were imagined and described as the most powerful and promising actor for confronting and solving the local security problems. Not only did local residents—as their neighbors in Coyoacán—in general reply to the question to whom they would turn to in the case that they suffered a crime on the street, by referring to the police as the first actor they would turn to for help. In addition to this, it was frequently argued that the police or the 'authorities' are the ones responsible for and capable of improving the local insecurity situation, and that 'if the police really did their job there could be a solution' (Teresa, public employee). Moreover, the police were often imagined as general guarantors of order, a perception which reflects the deep-seated local 'police fetishism' (see introduction) by assuming that '[i]f the police would disappear I believe there would be total chaos' (Gustavo, veterinarian). In light of this, the interview partners from Iztapalapa did not portray a good picture of private or commercial security providers, which were largely perceived as unreliable. Nor did many people believe that there are viable forms of local security provision without police involvement. In this regard, when they were asked to imagine or to describe efficient forms of security provision not involving state institutions and the police, they were highly skeptical about these possibilities. In the words of one interview partner: 'This is difficult, because if we start to protect ourselves and do those things and start doing our own justice, we will be worse off, because the authorities are the authorities' (Olga, housewife).

Such statements clearly indicate the existence of the state's 'horizon of legitimacy' in Iztapalapa. Whereas the related observations for Coyoacán could at first sight be explained as stemming from the positive material underpinnings of such state imaginations, in the guise of a fairly responsive and not so inefficient and abusive pattern of policing, the findings from Iztapalapa demonstrate that even in the absence of such positive material outcomes, Mexico's negotiated state is endowed with high imaginative powers, creating normative expectations with regards to the 'protective state' image centered on the police as the most



desirable security actor at the local level. Although I do not want to draw a rigid and dichotomist distinction between the realm of ideas and that of practices, which would be misleading because even in the case of Iztapalapa, we observed the material benefits citizens could gain by interacting with the police in formal and not so formal ways, I would nonetheless argue that the existence of 'horizon of legitimacy' cannot be explained by exclusive reference to the actual state efficiency, nor the degree of publicness of policing, but stems from the deeply embedded image of a 'protective state' in the local political imaginary.

## **Conclusion**

By offering a comparative perspective on citizen-police relations in the middle-class borough of Coyoacán and the marginalized borough of Iztapalapa, this chapter analyzed how the basic aspects of policing in Mexico's negotiated state unfold at the micro level and what consequences this unfolding has for the resulting state-society relations. The comparison illustrated that the general characteristics of policing in Mexico City, stemming from the overdetermination of public security provision by the workings of power in Mexico's negotiated state, are present at the micro level. In addition to informal negotiations, the politics of appropriation and other types of informal political practices, the comparison also identified the crucial role of political brokerage, party politics as well as predatory, paralegal and unpublic policing as defining features of policing in both settings. The comparison further illustrated how much these overall features of policing in Mexico's negotiated state are mediated by socio-economic differences and their translation into political and administrative calculations by local politicians and bureaucrats. Not only does this contribute to an obvious privileging of middle-class security and policing concerns over those of more marginalized segments of the population, it also protects middle-class residents from more severe forms of police abuse than their more marginalized neighbors. To put it in other terms, although public security provision in the negotiated state is a predominantly negotiated issue, the related 'benefits' are dependent upon individuals' overall access to social, economic and political capital, indicating the underlying socio-economic bias of policing in the negotiated state.

However, the comparison between the two boroughs also demonstrated that notwithstanding negative perceptions of and experiences with local policing, neither the residents of Coyoacán nor those of

Iztapalapa abandoned the police or other state institutions involved in the local administration of justice.

In addition to the utility of appropriating police agents and converting them into private security guards or enforcers, in both settings there existed normative expectations regarding the desirability of police-related security provision, which exceeded those of other potential security providers. This finding indicates the existence of a 'horizon of legitimacy' which is detached and largely unaffected by the 'real' performance of the local police forces. In contrast to the frequently observed assumption that as soon as states are unable to provide security for their citizens, the latter immediately and straightforwardly look for alternative means of protection beyond the state, this chapter's findings indicate that 'state imaginations' and patterns of police-mediated state-society relations are not necessarily related to the 'real' and 'objective' efficiency of actually existing state practices and functions. If the state, as I argued in the introduction, should be analyzed as a social relation which exists, reproduces itself and receives its power and coherence through a social process of reference in which its subjects continue to interact with its institutional representations due to particular 'state imaginations,' Mexico's negotiated state obviously evokes 'state imaginations' powerful and positive enough to create material and ideological 'state effects,' contributing to 'everyday forms of state formation'—despite the Mexican state's obvious failure to provide *public* security and protection for its subjects.

Against the background of these findings, the final chapter of this book will analyze if both the existence of a negotiated state as well as its 'horizon of legitimacy' are political phenomena exclusive to the Mexican context or if they can be observed in other states in 'most of the world' as well. By addressing this question, the concluding chapter will also point out the implications of the findings presented in this study for future research on security governance in 'most of the world.'

# 6

## Looking Beyond Mexico

In this book, I developed the concept of the negotiated state in order to rethink dominant perspectives on the state, policing and (in)security in ‘most of the world.’ From the vantage point of Mexico, this study pointed towards the lasting consequences of a negotiated pattern of state formation on policing and citizen-police relations. It demonstrated how this pattern of state formation created a fragmented state space with deeply entrenched areas of limited statehood under the control of local strongmen. Under these conditions, in order to enhance the ‘reach of the state’ and rulers’ capacity to give their decisions a tendential binding character, Mexican state makers converted the state itself into a locally appropriable resource under informally negotiated rules of the game. This outcome is reflected in the pervasive presence of informal negotiations and the politics of appropriation in Mexico. And it is inseparable from the predominance of a power-sharing centered institution-building strategy that deeply inscribed these political practices into the institutional architecture and the workings of state power in the negotiated state, including the hard core of state power: the police.

By scaling down the analysis to the meso and micro level of Mexico City, Coyoacán and Iztapalapa, we could observe that if policing is always politicized, embedded in power relations and predominantly concerned with the ‘fabrication of social order’ (see introduction), then the particularities of policing in Mexico’s negotiated state—and its contribution to the (re)production of order—stem from the embeddedness of policing within a political context overdetermined by political accommodation, informal bargaining and the widespread appropriation of state resources—mediated by informal political hierarchies and available economic, social and political capital. This basic configuration,

the study also demonstrated, was neither overcome by the growing transnationalization of policing nor the democratization of local politics. On the contrary, it was shown that there are multiple ways in which democratic and transnational policing resources, in material and symbolic terms, were appropriated by a variety of local actors in order to enhance or modify existing power relations and informal political configurations in their favor. However, and despite the resulting unpublicness of local policing, the micro-level analysis of policing in Coyoacán and Iztapalapa made apparent that from the citizens' point of view, the image of a 'protective state' and the state's 'horizon of legitimacy' survived even in the face of the obvious failure of the Mexican state to come to terms with its own 'public transcript' of an impersonal, formal-legal protector and security provider.

Returning to the question posed by Reno in the opening paragraph of this book, if a state must provide security for its subjects in order to be a state, the empirical evidence presented throughout this study indicates a negative answer. This finding suggests that there is no simple causal relationship between the capacity of a state to provide security for its subjects and the existence and (re)production of the state as a 'social ensemble.' Or, in other words, states may be 'weak' and 'inefficient' (not only) from the vantage point of their capacity to provide security; nevertheless they continue to evoke strong and powerful 'state imaginations' and normative expectations, as the deeply embedded 'horizon of legitimacy' of Mexico's negotiated states demonstrates. If it is 'the realm of ideas and sentiments' where 'the fate of the state is primarily determined' (Holsti 1996: 84), then this gap between state practices and 'state imaginations' calls for moving beyond the analytical limits of studying the state in 'most of the world' exclusively through the lens of material practices, capacities and functions. Rather, in an effort of 'bringing people back into the state' (Levi 1989: 185), we should take 'state imaginations' seriously and shift the focus of analysis from the state to the analysis of state-society relations. It is through such an effort, that we broaden our analytical horizon and, to paraphrase Barkey, become able to see strength where others see only weakness, failure and collapse. It is such an approach, this study suggests, that offers deeper and more fruitful insights for an understanding of the state in 'most of the world' than other currently fashionable concepts of 'weak,' 'fragile,' 'failing' and so on states do.

In the remainder of this chapter, I will further illustrate these arguments by looking at policing, state formation processes and state-society relations beyond Mexico. What follows, however, is not a 'test' of my

theoretical argument in a strict sense of the term. Such an effort would need a systematic comparison based on a similar research design and equally in-depth empirical research as was conducted for the case of Mexico. As I did not undertake this task for states beyond Mexico, the following pages have a more modest purpose. By identifying basic features of negotiated statehood in Latin America, Africa and Asia, they provide empirical evidence that will demonstrate the heuristic utility of framing future research on the state, policing and (in)security in areas of limited statehood in 'most of the world' through the analytical lens of the negotiated state.

### **Policing and the state in Latin America, Africa and Asia**

This section will take a look at the relationship between policing and the state in Latin America, Africa and Asia. For simple reasons of space, this endeavor cannot be exhaustive or all-encompassing. In this regard, I decided to organize this section in a way that provides general insights into larger regional patterns while selectively focusing on particular cases of interest for the overall argument of this book. By focusing on state formation processes in these different world regions, I will demonstrate that basic characteristics of Mexico's negotiated pattern of state formation, far from being exceptional, are indeed widely observable throughout Latin America, Africa and Asia, as well as the related impact on policing, citizen-police relations and the state's 'horizon of legitimacy.'

#### **Latin America**

Latin American states, policing and citizen-police relations, as well as problems of (in)security, in many ways resemble the findings of this study for the case of Mexico. In fact, neither with regards to its current insecurity problems, nor with respect to its pattern of negotiated state centralization, does Mexico stand apart from larger regional developments. It has been widely acknowledged that throughout the region, the local democratization processes that began to take shape in the 1980s, embedded in state downsizings, the state's withdrawal from economic and social welfare programs, an increase of informal economic activities, and the dissolution of corporatist party and policy structures, were all accompanied by a substantial increase of crime and violence (Arias and Goldstein 2010a; Davis and Pereira 2000; Koonings and Kruijt 1999, 2004a) and a 'misrule' (Holston 2008) or '(un)rule of law' (Méndez et al. 1999). These developments converted Latin America into one of the

most violent regions in the world (Portes and Hoffman 2003), with the highest regional homicide rates (Arias and Rodrigues 2006: 54; UNDP 2004: 112). Just as in Mexico, these problems are directly related to the impact of the legacies of the local state formation processes on most police forces in the region (Waldmann 2006).

In this regard, it is widely acknowledged that the precariousness of a successful and enduring centralization of the means of violence by the state has been a constant feature of most states throughout the region (Centeno 2002, 2003; Holden 2004; Waldmann 2006), leading to the formation of 'fragmented Leviathan[s]' (Lauth 2002) and 'hybrid states' (Centeno 2003: 84–5), characterized by coexistent territories within the same political space (Mignolo 2003: 219–313). In this respect, 'the political regimes dominating much of the region appear to be unable to consolidate control over substate violence' (Arias and Goldstein 2010b: 20). This indicates that the 'despotic power' of Latin American states, defined as 'the range of actions which the [state] elite is empowered to undertake without routine, institutionalized negotiation with civil society groups' (Mann 1986: 113) is seriously limited. This implies that most Latin American states cannot act as coercion-wielding monopolists with the unchallenged capacity 'to make binding decisions for people and organizations juridically located in a particular territory and to implement these decisions using, if necessary, force' (Rueschemeyer and Evans 1985: 46–7). Rather, the widespread existence of areas of limited statehood under the control of local strongmen permanently forces state rulers to engage in a permanent 'negotiation of obedience' (Waldmann 2001: 31–5) with a broad variety of (frequently armed) actors in order to give their political decisions a tendential binding character. In this regard, as in the case of Mexico, state centralization throughout the region has mostly been a matter of accommodation between state rulers and other social and political forces. Hence, most Latin American states emerged and reproduced themselves in negotiated and mediated ways:

During most of the nineteenth and well into the twentieth century, we may characterize most of the Latin American states as mediated states..., a form of de facto indirect rule. State control to a large degree depended on negotiated alliances with regional and rural elites, local strongmen, and collective actors such as indigenous communities, or social movements that have been granted, positively or by default, authority within specific territories or networks. (Stepputat 2007: 204)

Whereas Stepputat's reference to 'well into the twentieth' century could be interpreted as if the experiences of populist state formation and bureaucratic authoritarian regimes that haunted the region throughout large parts of the twentieth century signaled the emergence of substantially 'stronger' states than their historical predecessors, it should be stressed that although state penetration became undeniably more pervasive, it would be overly misleading to equate the emergence of authoritarian forms of rule with authoritative states (Braig 2005). In fact, as Hagopian has convincingly demonstrated for the case of Brazil, authoritarian rule did not mean an end to 'traditional' politics. Rather, regional power centers survived authoritarian modernization efforts (Hagopian 1996). Hence, regarding the dominant pattern of negotiated state centralization, contemporary Latin American states largely resemble their historical predecessors. As Selee correctly summed it up:

Centralization in Latin American countries was never a unidirectional or comprehensive process. Rather, the centralization of the administrative apparatus and fiscal powers of the state coincided with a complex process of negotiation with local and regional groups about the terms of their incorporation in the nation-state. Moreover, in most countries of Latin America, other than Brazil and Argentina, the state has never exercised an overwhelming percentage of national resources, and in all countries the exercise of state power has required a significant degree of accommodation with key regional and local elites. Far from the picture of all-encompassing centralized bureaucracies that dominated all areas of national life, Latin American states have been fairly limited in their penetration of society and sustained in large part through bargains with other social forces. (Selee 2004: 26)

These negotiations and bargains, which largely take place through informal channels, and the resulting strategies of accommodation, placed the politics of appropriation into the exercise of political power throughout Latin America. Although there are undeniably national path dependencies, the widespread inscription of the politics of appropriation and informal negotiations, probably most visible in the pervasiveness of corruption and patronage politics throughout Latin America's history, permanently subverts public-private and formal-informal distinctions, leading to 'diverse and subtle forms of interaction between

civil and state actors, in which the character of the formally established relationships withers away' (Oszlak 1981: 12).

This state of affairs, stemming from the negotiated pattern of Latin American state centralization, unsurprisingly also affects Latin American policing. The related literature is full of examples that demonstrate how Latin American policing is a highly selective, informal and appropriable issue—and a matter of negotiation. As in the case of Mexico, appropriations of police forces by criminal actors is as widespread as the private appropriation of police agents—on and off duty—for 'additional' protection or private enforcement and the repression of 'undesirables' (Gay 2009; Hinton 2006: 113; Huggins 2000; Hylton 2010: 356–8). These forms of informal police privatization even include the appropriation of internationally acclaimed policing best practices, such as community policing. As Ungar observed for the case of Bolivia, it is not uncommon that such initiatives end up 'serving the interests of local politicians and police commissioners' (Ungar 2007: 31). This confirms the warning by Neild, who argued that in light of Latin American political realities, 'the clear danger of community policing is that it may be used as a tool for social control or for local *caudillos*—strongmen or 'party bosses'—to maintain their dominance' (Neild 2000: 9). A similar outcome can be observed with regards to internationally supported post-conflict policing efforts in countries like Guatemala and El Salvador. In these cases, and notwithstanding the huge influx of international resources and technical assistance, 'the police remain abusive and undertrained. Still at the service of traditional elites, the police have an inbred corruption culture that runs so deep that a member of an anticorruption commission in Guatemala has called for a sociologist or psychiatrist to examine this type of social pathology' (Hinton 2006: 8). However, in light of the argument presented in this book, this outcome does not so much stem from a 'social pathology' but from the impact of a negotiated pattern of state formation on policing, which inscribed the politics of appropriation under informally negotiated rules of the game into the exercise of police power. In other words, police appropriations throughout Latin America are inseparable from informal arrangements between police agencies and the respective political authorities. For instance, it has been observed that in Buenos Aires,

[i]n order to attain 'respectable levels of public safety,' the government provided the police with a great amount of material and



financial resources and an important degree of freedom of action (i.e., unaccountability). The state government also assured the police that it would not intervene in the illegal self-financing activities that had long been developed by the police. (Auyero 2007: 39)

This self-financing system in many ways resembles the internal workings of policing observed for the case of Mexico City, in particular regarding the money-driven forms of negotiated legal non-enforcement and rule-bending practices:

A legal adviser to the [Argentine] senate said when interviewed that some precincts [of Buenos Aires] provide more lucrative avenues for illicit enrichment than others, an officer who wanted to be transferred there would need to 'bid' for the position. Within each precinct, lower-ranking officers were obliged to give percentages of profits to their superiors, who in turn paid their superiors, and so on. In this well-organized system of petty corruption, even the price to turn a blind eye to certain activities was preestablished. One published investigative report asserted that illegal gambling outfits could be expected to pay US\$500 per week to the police; unlicensed taxi drivers US\$20 per car per week; owners of 'saunas' (which double as brothels), US\$50,000 per month; and stolen car traffickers US\$50,000 per month. (Hinton 2006: 41)

The case of Argentina also illustrates the political appropriation of the police and other institutions of the administration of justice by local strongmen, ranging from provincial governors to party brokers in marginalized urban neighborhoods, for political purposes (Gibson 2005; Sain 2004; Stanley 2006b), indicating the mutually beneficial character of informal and illegal relationships that exist between established—and formal-democratic—political actors and illegal policing activities. As Javier Auyero observed in his analysis of what he calls the 'gray zone of state power,' conceived as 'the murky area where normative boundaries dissolve, where state actors and political elites promote and/or participate in damage making' (Auyero 2007: 32; see also Goldsmith 2000; Koonings and Kruijt 2009: 19–22): 'Part of the funds the Buenos Aires police collect from their illegal activities goes to finance itself; another part, observers affirm, helps to sustain the machine of the largest political party in the country: the Peronist Party' (Auyero 2007: 40). Such relations, however, involve not only party financing but also active complicity of politicians and criminals regarding the delivery of

votes—without police interference. The case of Brazil illustrates such outcomes in a particularly pronounced way. Recent studies on Rio de Janeiro have provided ample evidence regarding how politicians, through the mediation of civic organizations in *favelas* (Shantytowns), most prominently the Residents' Associations, craft informal networks with illegal actors engaged in drug trafficking for political purposes. In return for access to state resources and selective law enforcement, drug traffickers collect and deliver votes on election day (Arias 2006; Perlman 2009: 205–6, 2010). Arias writes: 'Through these networks, traffickers manage difficult negotiations with the police. The result is that more than just filling in space left by the government, illegal networks appropriate existing state and societal resources and power and use them to establish protected areas in which traffickers can engage in illegal activities' (Arias 2006: 196).

The resulting situation in many parts of contemporary Latin America creates a political context in which security provision and policing are 'the result of a fluctuating order of parallel forces of local power players and "moral" authorities...in shifting alliances. The political dimension of this phenomenon is that the local state and its agents oscillate between selective involvement, insulation and outright abandonment' (Koonings and Kruijt 2007b: 18). Recently, the notion of 'violent pluralism' (Arias and Goldstein 2010a) has been introduced in order to understand these constellations beyond the simplistic portrayal of such territories as being outside or 'beyond' the state. Rather, intentional, politically motivated, strategically selective, negotiated and informal state presence—and policing activities—is a principal factor behind the existence and reproduction of these violent local orders, or areas of limited statehood, throughout most Latin American states (Arias and Goldstein 2010b).

That Latin American residents do not respond to this situation with an outright abandonment of the state and its police forces as security provider is not only visible in the cases of police appropriation mentioned above. It is also present in the powerful presence of a 'protective state' image that influences state-society relations throughout the region. A first powerful indicator of its existence can be identified in the many cases of large political rallies against criminality, in which frequently hundreds of thousands of people in countries throughout the region pressure their states to provide security for their citizens. The political repercussions of this development can be found in the dramatic increase, if not hegemony, of a 'penal populism' in the regional electoral landscape, through which politicians respond to growing security

concerns of their electorates by promising 'though on crime' politics—that is more policing and harsher sentences—a move which 'reaffirms the authority of the state in daily life' (Wacquant 2009: 7; on the causes and consequences of penal populism in Latin America see Chevigny 2003; Dammert and Salazar 2009; Müller forthcoming b; Sozzo 2007).

Even if it is undeniable that there is growing commodification and privatization of Latin American security provision, both in informal (through negotiable legal regulation and collusion between public and private security personnel) (Hinton 2006; Müller 2010c; Ungar 2007) and formal ways (throughout the region, private security is defined as complementary to public security, obliged to coordinate and support public police when necessary, and under the ultimate regulation of the state and subordinated to its police forces) (Arias 2009: 82–4), this development does not indicate a shift towards security provision 'beyond' the state. Moreover, even the striking increase in lynchings throughout the region (Burrell and Weston 2007; Godoy 2006; Goldstein 2003, 2004; Vilas 2008), a development which at first sight might be interpreted as the ultimate privatization of policing and the administration of justice, at a closer look reveals that many of these acts of illegal violence presuppose the state, communicate with it, even reproduce it symbolically (Goldstein 2003: 25)—and are centered on the image of the 'protective state.' As Goldstein observed in his analysis of lynchings in Cochabamba, Bolivia, a 'dual theme' runs through the local discourses on lynching. One theme expresses 'a desire for protection under the law,' including a 'call for improved police protection,' and another theme threatens authorities that residents will 'take matters into their own hand' if the state does not respond to their desires (Goldstein 2004: 198–202).

But the pervasive presence of the state's 'horizon of legitimacy,' stemming from the deeply embedded ideal of a 'protective state' throughout Latin America, is not only at the center of symbolic negotiations over 'the incorporation within the official justice system of the state' (Goldstein 2004: 200) through extralegal violence committed by citizens. It can even be observed with regards to the justification of extralegal police violence and killings. Caldeira, for instance, in her analysis of urban violence in São Paulo observed the widespread acceptance of lethal police violence, which many urban residents perceived as a legitimate demonstration of state efficiency and the only possible exercise of their *right* to security in a social environment marked by dramatic social inequality. However, as she points out, such thinking can not only be found among the members of the upper and middle classes. Even the

urban poor, the principle victims of extralegal police killings in Brazil, interpret illegal police violence as state efficiency and an exercise of their right to security by the state: 'In a total reversion of meaning, the police who kill are seen as fulfilling their duties and enforcing the "rights" of poor citizens for justice and security' (Caldeira 2006: 109–10). In a very similar direction, Stanley's research on police killings in Buenos Aires points towards the strategic manipulation of the police's image as the institutional representation of the 'protective state' by the police in order to legitimize extralegal killings and to provide the perpetrators with impunity. By pointing to the unique 'symbolic resources' of the police, stemming from 'the residual authority accorded to them as the upholders of law and order,' she writes:

As the testimony of family members [of victims of lethal police violence] shows, the police can generally (though not always) count on this credibility bonus [of being the 'upholders of law and order'] and therefore on the connivance of those state institutions formally charged with overseeing the legality of state actions. Thus the police will construct their violent acts in such a way as to make them appear legitimate, but they know that they need not go to any great lengths to make this construction watertight, since they can usually rely on the judiciary to accept their version. (Stanley 2010: 157)

Against this background, we should be aware that the state's 'horizon of legitimacy' and the related image of a 'protective state' can in practice also turn out to show a darker dimension that can be appropriated, instrumentalized and politicized to justify and uphold prevailing illegal, selective and overly repressive 'security' practices committed by state agents.

### **Africa**

According to Herbst, a fundamental continuity of African states resides in the persisting problem they confront in terms of consolidating their authority over distant territories with low population densities, a challenge to which African state makers reacted by establishing control over a central area(s) and then trying to expand their rule over more remote areas, depending upon available state infrastructure and resources: 'Thus, as in the past, power still radiates outward from the core political areas and tends to diminish over distance' (Herbst 2000: 252). The way state rulers, colonial as well as postcolonial, tried to manage this power radiation from the center to the peripheries, and centralize their

political authority, has been through political negotiations. Most of all because in Africa, as well as in most of Latin America, a state endowed with a coercive ‘monopoly’ never actually existed (Engel and Mehler 2005). As Hönke has argued: ‘Empirical statehood on the continent has only to a very limited extent been characterised by governments which exercise direct territorial control and other characteristics of the Weberian ideal-type *‘Anstaltsstaat’* (Hönke 2010a: 106). Therefore,

it is possible to see negotiations as a central process and recurrent theme of the history of statehood in Africa. . . . In other words, the delegation of state attributes to non-state actors, or rather negotiation processes over the exercise of state functions, have been part and parcel of state formation in Africa since the early colonial times. The hegemonic quest of the state in Africa is in many ways the history of these negotiations. (Hagmann and Péclard 2010: 557)

This situation gave African statehood a predominantly negotiated character and deeply inscribed processes of political (inter)mediation into the exercise of political power (Boone 2003a, 2003b; Hagmann and Péclard 2010; Reno 1995b). Menkhaus’s study on Northern Kenya, Puntland and Eastern Ethiopia illustrates this quite well. He demonstrates how state authorities, incapable of making coercion-backed collective binding decisions, resort to negotiations with local polities in order ‘to exercise indirect political control over local populations, in arrangements that can be described as a “mediated state”’ (Menkhaus 2007: 90). As in Latin America, politics of appropriation have historically played a vital role within such negotiation processes between the central state and local power holders and have marked African state formation since colonialism. Because of the de facto ‘weakness’ of African colonial powers, or as Herbst puts it, ‘the limited ambitions of the colonial state’ (Herbst 2000: 76), colonial rulers forged alliances with indigenous authorities. In exchange for their collaboration in extending the exercise of colonial authority, guaranteeing order in their territories as well as facilitating economic exploitation, these local intermediaries were rewarded with formal recognition and informal access to resources of the colonial state, including weapons, which were used by local actors for pursuing their own political and economic projects (Reno 1995b: chapter 2). The result was the widespread existence of the (in)famous practices of indirect rule through local ‘traditional’ indigenous authorities—whose traditional character, it is well known, was actually a quite modern invention (see Ranger 1983). This

created a 'decentralized despotism' based on a 'separate but subordinate state structure for natives' (Mamdani 1996: 62) under the authority of 'administrative chiefs' who emerged as 'full-blown village-based despot[s], shorn of rule-based restraint' (Mamdani 1996: 43).

Whereas political independence brought an end to colonial indirect rule, the political logic of expanding the reach of the African state throughout a politically fragmented territory by means of a center-periphery pattern of elite compromise under the auspices of an appropriate state, persisted—as did the related strategies of incorporating local power centers through the formal and informal provision of appropriate state resources and the crafting of informal political networks linking local strongmen to the political center (Reno 1995b).

Political mobilisation thus rested on clientelist politics in which local and regional power brokers were incorporated into national political movements and electoral support was exchanged for access to state resources. Support was exchanged for access to state resources and the citizens of the new states were integrated into electoral politics on the basis of the access to public resources that political competition afforded rather than on the basis of ideology or class interests. (Szeftel 2000: 433)

The overall result was a postcolonial political landscape in which the state expands its reach and is held together through largely informal, frequently illegal and violent means, in most cases centered on the politics of appropriation—for instance, through patronage or corruption—signaling that what 'at first sight appear to be obstacles to the functioning of the state may turn out, on closer inspection, actually belong to the state' (Hibou 1999: 88).

How do these structures stemming from the negotiated and mediated pattern of African state formation affect African policing? In answering this question, it is important to keep in mind that the comparatively late world historical timing of African independence—at least when compared to Mexico and Latin America—created very intimate and still persisting linkages between colonial and postcolonial rule, state formation and policing. In a classic, yet still relevant article, Marenin wrote:

African police forces were created to serve colonial rule. In some cases, existing systems of policing—for example, *dogari* (palace guards) in northern Nigeria were incorporated, yet in general colonial rulers

created police forces as the need arose. In practice this meant the use of the police to help pacify the country during colonial conquest, to patrol cities and commercial ventures, to enforce forced labor and taxation policies, and to deal peripherally with crimes of which individuals, especially the well-to-do and colonialists, were victims. Recruits tended to be drawn, as they were for the military, from certain tribes, considered to be docile yet courageous—that is, able to submit to commands and carry them out. The colonial origins of the police handicap current forces; and the estrangement, hostility, belief in corruption, and noncooperation that much of the public seems to have for the police forces are firmly rooted in the perception that the police are now what they always have been: the instruments of authoritarian rule, now black rather than white, yet to be avoided nonetheless. (Marenin 1982: 387)

I will come back to the question of ‘hostility’ and ‘non-cooperation’ shortly. Before that, it is important to address the impact of power-sharing arrangements and the framing of negotiated state centralization in the form of indirect rule on policing. In this regard we have to return to the role of local strongmen and the question of ‘decentralized despotism,’ because these forms of the mediated exercise of colonial state power incorporated local authorities into the policing architecture of most African colonial states. This was necessary because of the limited material ‘commitment’ and resources colonial powers devoted to the security and policing architecture throughout Africa, which was marked by a permanent lack of capabilities, resources and manpower:

Having few Europeans to protect, the [African] colonial state was notably slow in expanding the spatial reach of the security forces, arguably the essences of any state. . . . In the British-ruled colonies, even during the terminal colonial period, when security forces might have been expected to have burgeoned due to nationalist upheavals, the number of men in arms was seldom over one per thousand civilians, compared to one in hundred for Britain and other developed countries. (Herbst 2000: 79)

In light of this situation, colonial policing—which was also concerned with the protection of economic interests, trade routes and extractive enterprises (Hönke 2010b: 107–9)—incorporated local chiefs in order to enhance the reach of the colonial state and its police powers. Chiefs appointed local police officers—under the always given

veto power of colonial authorities—(Mamdani 1996: 47) and were frequently formally ‘in charge of managing local police forces, penal laws, native courts and native prisons’ under legal-administrative regimes that were ‘[n]egotiated between African and European rulers’ (Bernault 2007: 61).

Political independence modified this constellation. It replaced ‘the all-purpose authority of the chief with a multiplicity of government agents whose work was not directly coordinated with that of the chiefs’ (Hills 2000: 31). Postcolonial policing became more centralized, frequently paramilitarized, and fragmented, because centralization efforts were accompanied by the creation and proliferation of informal policing units engaged in political repression (Hills 2000: 34–7) and the creation of a ‘climate of fear’ (Mehler 1990: 38). This demonstrates the growing politicization of postcolonial policing as an open regime-protecting activity: ‘Political authority and policing authority were inextricably entangled by the 1960s and 1970s because the police had to enforce order and maintain their own interests at the same time intimidation (beyond on behalf of regimes) became an important political weapon’ (Hills 2000: 49).

These processes took place within the previously mentioned structures of postcolonial negotiated statehood. This meant that patronage politics and informal negotiations between the central state and local centers of power had a decisive impact on policing after independence. Boone, for instance, describes how in the 1970s an increasing percentage of Senegalese groundnuts were illegally smuggled to and sold in Gambia, an illicit trade that had its center in Touba, the religious capital of the Mouride, whose leaders ‘secured the government’s pledge to keep police, army, and customs agents out of the holy city’ (Boone 1992: 202). And despite the fact, that the illegal activities took place at the expense of the state treasury, the central state tolerated these practices and willingly supported these activities by avoiding law enforcement in order to maintain a vital political alliance intact (Boone 1992: 202–3). At roughly the same time, in Sierra Leone’s Kono district, President Siaka Stevens, also at the expense of state revenue, pursued a strategy of power centralization that provided chiefs with ‘official’ access to the National Diamond Mining Company (NDMC) and police protection for predatory extractions from ‘their’ subjects, a process which at both ends increased their dependence on the central state: ‘Police and paramilitary protection provided by a friendly State House also allowed chiefs...to supplement their larger “formal sector” NDMC prebends with local extractions at little risk. These growing extractions by chiefs from local subjects served



to reinforce their dependence on State House for protection from angry subjects' (Reno 1995b: 96).

The following decades, marked by trade liberalization, democratization, (civil) wars and a growing influx of international aid, as Hills has convincingly argued, 'left most existing [police] systems fundamentally unchanged in the 1990s simply because the essential nature, expression, and problems of public policing remained the same as in the 1980s' (Hills 2000: 82). As a result of this, contemporary police systems throughout Africa are largely 'politicised, unaccountable, under-resourced, ineffective, incompetent and often brutal' (Hills 2009c: 241), as well as marked by extra-judicial killings, the beating of detainees, use of excessive force and arbitrary detentions (Baker 2007: 122). In light of this, it is not surprising that throughout Africa, as well as Latin America, an increasing privatization and informalization of security provision is taking place, creating a pluralized policing environment marked by the coexistence of ethnic and clan militias, party militias, religious police groups, vigilantes, civil defense forces, commercial private security agencies, officially approved civil guarding groups and customary structures (Baker 2004, 2007)—including the 're-traditionalization' of African politics and the growing formal recognition and incorporation of chiefs into the administration of justice (Buur and Kyed 2007).

It would be wrong to interpret this development as a straightforward move 'beyond the state' in African policing. In addition to the fact that African states frequently 'outsource' policing to state-sponsored community vigilance structures to enhance the 'reach of the state' by winning 'the allegiance of the rural populations and local power-holders' (Kyed 2007: 395), contemporary African policing is frequently a 'multi-choice' issue (Baker 2005) with a strong state presence. As Baker wrote for the case of Uganda: 'There may have been a diversification away from the state police, but it has not been a straightforward move to non-state formal and informal agencies. Rather, for the most part, the state has maintained a strong influence over most of the diversification' (Baker 2005: 20). First of all, there are widespread patterns of informal interaction between police forces and social and political actors that frequently take the form of informal police appropriation. As a result of a state apparatus that can permanently be "'appropriated", "rented", or "sold"' (Blundo and Olivier de Sardan 2001a: 32), a variety of actors—commercial, private, political—establish informal relations with the police that can take the form of the appropriation of police resources or negotiations over selective law enforcement (see the many examples in Blundo and Olivier de Sardan 2001b; Roitman 2006; Tidjani Alou 2001),

but also the widespread instrumentalization of the state's coercive powers by political elites for frequently illegal economic and political purposes (Bayart 1999: 14–31; Chabal and Daloz 1999: chapter 6). This political appropriation of police resources, as observed for Latin America, also includes recent experiments with externally promoted community policing models. Kyed, for instance, demonstrates how in Mozambique local police forces appropriated resources and agents of a community policing program funded by the German Society for Technical Cooperation (*Deutsche Gesellschaft für technische Zusammenarbeit, GTZ*) for doing the 'dirty work' of the police, such as torture and corporal punishment, contributing to a "legalisation" of *de jure* illegal policing tasks' (Kyed 2010: 12). And Albrecht, in his analysis of police and justice sector reform in Sierra Leone, writes:

It is worth pointing out that when involvement of the community is mentioned by police officers, 'community' usually means the local authorities, i.e. chiefs (town chiefs, officially referred to as headmen, section and paramount chiefs), not the general population... In Tombodu, the headquarter town in Kamara Chiefdom, Kono District, the police explicitly state that they are working *for* the chief. It is said that the paramount chief, for instance, can have any police officer, even the Local Unit Commander, removed at will, by contacting police headquarters in Freetown. (Albrecht 2010: 57, emphasis in original)

However, and in addition to—if not despite—such informal forms of policing-mediated state-society relations, there are also formal forms of interactions between the police and citizens that challenge the portrayal of citizen-police relations by referring to notions like 'hostility' or 'non-cooperation,' as observed, for instance, in the opening quote from Marenin. As Isser et al. observed in their extensive study on Liberia:

[M]ost Liberians believe that state institutions should be the natural next step, when the chain of referral of customary authorities has been exhausted without satisfactory resolution—though they are frustrated that it rarely if ever provides them with satisfactory justice when such referrals occur. Moreover...they generally believe that crimes that rise to a certain level of seriousness...or that involve strangers should be dealt with by the formal justice system. Our research suggests that Liberians also seek to avail themselves of formal justice institutions when they perceive that customary institutions

are themselves partisans in a case and thus incapable of providing fair solutions. (Isser et al. 2009: 73)

Other studies point towards similar findings. For instance, an extensive quantitative survey of 14 African countries, found that within the realm of conflict resolution, '[a]mong government institutions, the public is most inclined to rely on the security forces (police and military); local government officials are considered less reliable mediators, and representatives of the national government are even less likely to be called upon' (Logan 2008: 11). In a very similar way, it has been argued that in Sierra Leone '[p]olice may not always be close at hand to many citizens, but generally people would not hesitate to call upon them if there were something that needed their assistance' (Baker 2005: 376). And another related study on Liberia concludes: 'We were surprised that Liberians rated state structures like AFL [Armed Forces of Liberia] and LNP [Liberian National Police] so well, as the former was undergoing restructuring and the latter was in training phase. *This can only be interpreted as wishful thinking*' (Mehler 2007: 62, emphasis added). From the vantage point of the argument of the present study, it might be more promising to interpret such findings not as 'wishful thinking,' but as an indicator of the centrality of 'state imaginations' and the durability of the policing-centered state's 'horizon of legitimacy'—even in light of outright police inefficiency. Young and Turner's observation, made on the basis of their analysis of the state in Zaire, reflects this finding. 'The state as an idea remains intact. Whatever one may think of its present form or rulers, no one doubts that the state is a natural part of the Zairian social order. So deeply rooted is this notion that the state is taken for granted both as an empirical fact and a normative expectation' (Young and Turner 1985: 403, quoted in Reno 2006: 52)—a normative expectation, which also seems to include the 'protective state' idea as embodied in the police.

### **Asia**

Negotiated patterns of state formation in which state rulers exercise their political authority and enhance the 'reach of the state' through the mediation and accommodation with local strongmen can also be observed in many Asian states. The classic and most well-known case is probably that of the Philippines. Anderson (1988) once described them as 'cacique democracy,' a reference which reflects the impact of Spanish colonialism, which due to the absence of mines, hacienda-style agriculture, and the low levels of military and bureaucratic power of the

pre-Hispanic Philippines, required little coercive and bureaucratic centralization by the colonizers: 'Small garrisons, scattered here and there, generally sufficed' (Anderson 1988: 5). The resulting pattern of decentralized rule was reinforced and strengthened by US colonial authorities that ruled the Philippines from 1901 until the Japanese invasion in December 1941. The state created by US colonialism ruled through a decentralized, provincialized and patronage-ridden state apparatus marked by deeply entrenched center-periphery relations in which 'provincial powerholders came to enjoy a great deal of influence over all levels of governance,' a political structure that in the end 'promoted local autonomy at the expense of central authority' (Hutchcroft 2000: 278). This influence and autonomy of local power holders, which still exists, has always had a coercive underpinning in the non-centralization of the means of violence by the central state: 'No phase of "primitive political accumulation," during which the means of coercion and extraction are expropriated from autonomous power holders through their subordination or incorporation into central state bureaucracies and conversion into paid public servants, occurred in the course of Philippine history' (Sidel 1999: 18).

The result of this situation has been a decisively negotiated state in which national-level politicians 'rely heavily on local power (and the brokering of arrangements with local bosses and their private armies) in order to succeed in electoral contests' (Hutchcroft 2000: 278).

Thailand, which has not been subject to colonial rule—although its state formation process was shaped by the impact of colonialism in Southeast Asia—resembles many of these aspects of negotiated center-periphery relations and strongmen rule. For most observers, however, strongmen rule, although observable throughout Thailand's history, began to flourish strikingly under democratization and the related subordination of the state apparatus to locally elected officials (Ockey 2000; Sidel 1999: 148, 2004). The latter benefited from the 'insufficient rule of law enforced by the central state in provincial Thailand' that allowed them to pursue their private interests, leading to the 'political prominence of allegedly corrupt provincial bosses, including violence-prone godfathers (*chao pho*)' (Nishizaki 2006: 267–8) in many provinces. Even in Indonesia, frequently equated with pervasive and repressive authoritarian rule, 'violence in twentieth-century Indonesia has never been a legitimate monopoly of the state' (Anderson 2001: 18), and the Indonesian postcolonial state, in particular at the local level, had 'little control over local [state] agencies' (Vu 2003: 239). Even under Suharto's authoritarian New Order, the exercise of political authority and policy

implementation at the local level were mediated by local elites (Sidel 2004).

Not unlike many African and a growing number of Latin American states, this state of affairs produced a 'conflation of criminal menace and state power' (Siegel 1998: 99), leading to a Southeast Asian version of the 'criminalization of the state' (see Trocki 1998). For example, McCoy's study on the rise and fall of Khun Sa, a local strongman and drug lord in Burma, who with his 20,000 men strong personal army, for years controlled more than half of the global heroin supply, illustrates this outcome in a very pronounced way. McCoy explains:

As states expand, they often leave peripheries that are like Khun Sa's native Shan State, poorly integrated into a central apparatus struggling to take form. In these mountain and maritime fringes, weak state control can provide an opening for men of prowess—pirates, bandits, warlords, or ethnic chiefs—to mediate between the center and its margins. (McCoy 1999: 130–9)

The overall situation in South Asia is not too different from what we observed for the case of the strongmen-dominated states of Indonesia, Thailand, the Philippines or Burma. As state formation did not lead down the path of an all-pervasive war- and coercion-centered road to state centralization, all states in the region, it has recently been argued, have been haunted by 'difficulties with state formation and state consolidation,' visible in low 'state capacity' and the inefficiency of most states to guarantee the safety of their citizens (Lange 2010: 62–7; Paul 2010b: 1–5; Raj Nayar 2010: 115–16).

This characterization not only applies to the 'usual suspects' of Pakistan, Afghanistan or Sri Lanka. Even an obviously more successful candidate in terms of state formation and economic development, like India, is marked by the same political features and challenges, most of all because '[b]y no means does the Indian state hold a monopoly of governance or violence' (Hansen 2001: 228). Although postcolonial India inherited a quite 'modern,' centralized and 'rational' colonial state apparatus from the British, which despite existing patterns of indirect rule and the mediated exercise of colonial authority was more centralized and formally institutionalized, in bureaucratic and legal terms, than most British colonies in Africa (Lange 2009: 179), at a closer look, the penetrative capacities of this state apparatus were remarkably limited. This persisted after independence, thereby constraining 'the downward penetration of the modern state [in a way] that state authority was

fragmented into numerous despotic pockets of traditional rule' (Kohli 2004: 255).

In India, as well as in other states of the region, it was the institutionalization of informal negotiations between the center and power holders in the peripheries which gave state elites the growing capacity to govern over a fragmented political landscape in the name of the central state. As in the case of Mexico, this was initially institutionalized in and through party structures. The Indian equivalent to Mexico's PRI was the Congress Party, whose machine politics served to institutionalize such forms of intra-elite accommodation: 'In an overwhelmingly rural and agrarian country, the Congress election machine in the countryside functioned largely on the support of dominant class/caste interests and the hierarchical authority of these groups based on patron-client linkages or even through outright coercion' (Bose 2004: 100). In order to enhance the reach of its political machine, the party crafted 'long chains of patronage that extended from the center to the periphery.' Whereas this guaranteed the Congress a stable popular basis, this decision 'also led to the capture of the party by society's powerful' (Kohli 2004: 261). As the party became increasingly synonymous with the state, the resources that were distributed through the party, including posts within the civil service, were the resources of the state (jobs, infrastructure) whose appropriation at the local level became the cement which held India's fragmented state together for decades. Whereas the destruction of the classic Congress Party under Indira Gandhi made this system more complex (Kohli 1991), new, non-Congress parties that dominate much of India's contemporary political landscape continued to act along those patterns, inscribing the politics of appropriation and informal negotiations into the exercise of political authority in contemporary India (Hansen 2001; Eckert 2006)—as in many other states of the region. A very pronounced case of such forms of mediated and negotiated exercise of state power can be found in Pakistan, where central state rulers resort to practices of indirect rule that also characterized British colonialism, and to accommodation with local elites, in order to achieve a mediated local state presence (Wilke 2009): 'The state retains the status of an overlord, but in practice its authority does not reach past the political agents who rule by the time-honoured principle of indirect rule, supervising various local power equilibriums among bureaucrats, politicians, tribal elders and multiple security providers' (Petzschmann 2010: 9).

This widely observable pattern of negotiated state centralization, decisively mediated by local strongmen, led to the high degree of

politicization of police forces throughout the region and their deep embeddedness within the politics of appropriation, contributing to the large-scale instrumentalization of police forces—in particular by society's powerful for pursuing their private political and frequently illegal economic interests. Sidel's studies on the Philippines, for instance, provide ample evidence regarding the appropriation of police agents by local politicians and business interests, frequently for the protection/establishment of illegal economic activities (Sidel 1998, 1999). The continuing impact of a negotiated pattern of state formation on local policing has been dramatically demonstrated by the Maguindanao massacre in November 2009, in which 60 people lost their lives in an act of political, election-related violence made possible through intimate relations between local strongmen, the police and local politicians (Coronel Ferrer 2010). The instrumental appropriation of police officers for illegal economic activities as well as political purposes has been well documented for other countries of the region like India (Eckert 2006; Hansen 2001), Pakistan (Lyon 2002) or Thailand (Ockey 1998). And that the appropriation of police agents is common in a country like Indonesia as well, where 'judges, police, prosecutors, and even defense advocates treated cases simply as commercial transactions' (Anderson 2001: 18) should not surprise us too much—nor the resulting inefficient, abusive and illegal conduct of many forces in the region. Whereas these studies, as well as many others, mainly focus on the appropriation of police agents by powerful economic and political actors, in light of the previously described general panorama of local policing and state formation, we can expect that Eckert's observation for the case of India, that ordinary citizens 'also make strategic use of extra-legal practices of state agents' (Eckert 2006: 45), can be generalized for citizen-police relations in most countries of the region.

However, and despite the overall, and widely known, negative aspects of most police forces throughout the region, including extralegal killings, extortion and other forms of police abuse,<sup>1</sup> related research once more indicates that the state's 'horizon of legitimacy' as well as a protective image of the state associated with the police can be found alive and well—as can positively evaluated formal modes of citizen-police relations.

For instance, a survey on Indonesia's legal system points out that despite the fact that respondents in general drew the picture of an unreliable, disrespectful, arrogant, violent and corrupt police force (The Asia Foundation 2001: 5), 'the police still ranked second to local community

leaders among institutions that respondents would approach in the first instance' (The Asia Foundation 2001: 60). Forty-one percent of the people that went to the police did so because they expected to get a fair decision, and another 16 percent stated that they trust the police and expect a fair treatment (The Asia Foundation 2001: 102)—confirming the police as the central formal conflict resolution provider for local citizens. A partially similar outcome—representing an equally contradictory picture regarding the mismatch between 'objective' state practices and 'subjective' state images—is well captured in the following observation from Jan Koehler and Christoph Zürcher, who observed for the case of Afghanistan the existence of positive 'state imaginations' despite the obvious incapacity of the state to provide substantial degrees of security and protection:

In general, we find that the state is credited with having contributed to the overall positive general trends. However, we also find that the state is virtually not present when we asked about specific services. Hence, while the abstract notion of the state is met with considerable credit, the experience of beneficial state-society interactions is all but missing. . . . For example, 90% of respondents thought that the government had contributed to better security during the last two years. . . . When asked whether the state has been involved in a case of conflict regulation within the community or between communities, the overwhelming majority could not recall such an instance. (Koehler and Zürcher 2007: 9–11)

Eckert (2005), writing on extralegal police killings in India, the so-called 'encounters,' provides additional insights into the causes and consequences of the state's 'horizon of legitimacy' in the Asian context. She argues that historically, the Indian state, as well as many other states, has been perceived as a preserving, protective as well as destructive authority. Recent political developments in India, marked by an increasing concern with order and security over larger developmental issues, and the re-conceptualization of the Indian nation and Hindu nationalism leading to a cultural-nationalist conception of nationhood, introduced a shift in this triple state image. These processes converged and led to a re-imagination of the state as the protector of order, a shift which also provided a growing justification by large segments of the urban and rural population for extralegal police violence directed at a 'threatening other,' a process which Eckert described as creating 'a vigilante



legitimation of the state as first and foremost provider of order' (Eckert 2005: 211):

Within this discourse, the state's function and its institutional heterogeneity are ordered in a new hierarchy, wherein the provision of order (and security) is the predominant duty. Thereby, state agencies, too, are set in a new relation: the police (as well as the army) become the core institutions of the state, representing and protecting it in a fundamental way. (Eckert 2005: 211)

In a very similar direction, Hansen's analysis of the urban violence in Mumbai and the role of the Hindu-nationalist Shiv Sena party demonstrates how the police themselves, not too dissimilar when compared to Stanley's observations regarding Argentina, are actively engaged in appropriating and (re)producing this police-centered image of the 'protective state'—in a highly politicized and instrumental fashion:

... the police, often with Shiv Sena's support, have consistently produced an essentially moralizing narrative of the underworld, (and its political allies) as the cause of all evil; the centers of the narrative are the dons, who provide Mumbai's modern urban landscape with a structure and a plot. The primary effect of this narrative has been what I call a 'perpetual state affect': the police emerge as representatives of the public interest and guarantors of public order above petty interests.... (Hansen 2001: 224)

Eckert's and Hansen's studies further support Stanley and Caldeira's observations for Latin America regarding the always given possibility of appropriating the deeply embedded image of a 'protective state' for overly repressive, politicized and exclusionary policing practices, implying that the 'strong grassroots demand for better state-provided security' (Goldsmith 2002: 9) in 'most of the world' can turn into a security demand that further enhances the already existing selectivity and violent nature of policing practice in many states 'from below.'

### **Implications for future research**

The above presented selective overview of state formation and policing in Latin America, Africa and Asia, as I already argued at the beginning of this chapter, can neither be conceived as exhaustive nor as a 'test' of my theoretical argument. Nonetheless, I think that the empirical evidence presented therein suggests that patterns of state formation, policing,

citizen-police relations and the state's 'horizon of legitimacy' quite similar to those identified in detail with regards to the case of Mexico could easily be identified in these other areas of the world. In this regard, although the negotiated state, to refer once more to the quote from Reno in the opening paragraph of this study, might not be the 'type of state most wish to see to develop,' this study makes the tentative claim that it is a common, if not the predominant type of state in 'most of the world'—and may continue to be so for the near and distant future. This implies that the universalized and totalizing interpretation of *the* state seen from the vantage point of the European experience, an image of the state that stands behind concepts of 'weak,' 'fragile' or 'failed' states, is not well suited to offer a productive and in-depth understanding of the nature, development, characteristics and complexities of states in 'most of the world,' beyond inventing increasingly diffuse analytical subtypes like 'very weak' or 'strong-weak' states (Paul 2010b: 5–7). The solution, to put it very bluntly, is not to invent new subtypes of 'weak' states but to accept the analytical and empirical 'limits of the European experience' of state formation and to search for a new, empirically grounded, context- and historically sensitive conceptual and theoretical *analytical* vocabulary that does not convert the normative image of a state 'that most would like to see to develop' into the conceptual benchmark against which actually-existing states in 'most of the world' are assessed.

The findings of this study also call into question many assumptions about the role and impact of police reform projects in areas of limited statehood, which are frequently based on a taken-for-granted view that, with the right institution-building strategy, police forces can easily be transformed into impartial, neutral and democratic public security providing institutions; and that the export of police reform projects has a positive transformative effect on the (in)security situation in states in 'most of the world.' This study presented theoretical arguments and empirical evidence that caution against such assumptions, pointing towards the embeddedness of policing within wider power structures in and through which they operate and which shape the export of policing strategies, practices and knowledge.

This implies questioning the predominance of the 'good institution' perspective within the police reform literature that assumes a one-directional impact of police institutions on their societies without considering the impact societies exercise upon their institutions. As Arias recently summed it up for the case of Latin America:

An effort to improve state institutions needs to begin from the notion that these institutions exist within a specific context and set of

relations that often impede or undermine reform. Institutions in contemporary Latin American political systems are unlikely to simply become better and more effective over time because those institutions are a product of and depend on certain conditions of violence to succeed in their current political roles. Thus the police benefit from levels of disorganization because these provide them with operational freedom and the ability to take bribes; many political leaders benefit from current conditions because they are skilled at using patronage connections through violent groups to obtain votes; and some portions of the population will continue tolerating these conditions because they fear other segments of the population or depend on the informal market for their livelihoods. (Arias 2010: 259)

The situation in other regions in ‘most of the world,’ as observed in this chapter, is not too different from this context described by Arias. In this regard, future research on policing and security provision in areas of limited statehood in ‘most of the world’ could benefit from moving beyond a too narrowly conceived police-institution centered perspective and taking existing (formal and informal) power relations and their impact on policing—and institution building—seriously. Moreover, future studies should also pay attention to the historical evidence that the role of the police within the pacification of societies was probably less important when compared to the granting of social, political and economic rights (see introduction). In this regard future research on policing could benefit by critically interrogating the dominant ‘security first’ paradigm in many policy and policing debates on ‘most of the world’ by acknowledging that ‘[c]ontrary to popular mythology and indeed the new policing theorists, even the best policing (public and/or private) cannot provide the foundations of security,’ foundations which are laid down in ‘inclusive economic and social policies’ on whose inclusionary basis, the police are able to ‘offer what they are capable of: legitimate and effective first aid responses to crime and emergencies’ (Reiner 2010: 260). Another conclusion that can be drawn from this study is relevant for the literature on security governance. Whereas it has been convincingly demonstrated that there are many examples that governance can take place in areas of limited statehood ‘without the state’ (Börzel and Risse 2010; Risse 2011; Risse and Lehmkuhl 2007) and through ‘functional equivalents’ to the state (Draude 2007), the present study demonstrated that there might be far more state presence within the realm of security governance in ‘most of the world’ than many related studies would assume. By stressing the importance of ‘state

imaginations' and the existence of the state's 'horizon of legitimacy,' as embodied in the police-centered image of a 'protective state,' this study pointed out that despite a state's obvious failure and incapacity to provide security for its subjects, the latter frequently still have powerful normative expectations regarding the state as the 'ultimate protector.' Additionally, this book also indicated that even in material terms—in addition to the informal role played by states in the 'privatization' of security provision through the politics of appropriation—despite inefficient security provision by the state, people continue to interact with its agents in formal but most of all in informal ways, and may even prefer them over their more 'private' counterparts. In this regard, in empirical terms, security governance in areas of limited statehood in 'most of the world' frequently defies a rigid state-versus-non-state perspective. Therefore, it could be promising to adopt a more relational perspective on security governance that pays close attention to dynamic and context-dependent forms of interaction between (formal and informal) state and non-state actors and to the 'hybrid' (Hönke 2010b) or 'assemblage'-like (Abrahamsen and Williams 2009) character of security governance arrangements in areas of limited statehood—as well as their embeddedness within large structures of power and domination in 'most of the world.' Finally, in order to develop a more comprehensive research agenda on the state, policing and (in)security in areas of limited statehood in 'most of the world,' in particular, a research agenda that, like the present study, follows a historical-sensitive empirical approach to the study of the state, more systematic comparative and cross-regional research is urgently needed in order to move beyond the analytical limits of the still dominant 'deficit-list-approach' and its impact on many policy and strategic agendas in our contemporary world. It is to the formation of such a research agenda that this book hopefully contributes by providing theoretical building blocks and empirical evidence which future studies can draw upon, criticize or refine in light of ongoing research on these topics and the negotiated character of statehood in 'most of the world.'

# Notes

## Introduction: The State, Policing and (In)Security in 'Most of the World'

1. At the time of writing the final sections of this book, I came across the study on early modern China by Perdue, who also uses the notion of the 'negotiated state' (Perdue 2005: 555–8). Perdue introduces this notion to refer to the negotiated character of political authority, in particular at the border regions, of the Chinese empire, and the need of Ming rulers 'to negotiate with men of force' (Perdue 2005: 555–8). In this regard, I claim neither intellectual 'ownership' of this term nor that I am the first one to work with this notion. Nonetheless, by giving the notion of the negotiated state a solid and comprehensive theoretical grounding, the present book moves beyond Perdue's more descriptive use of this term.
2. As Holsti (1996) correctly observed, when there is neither an idea of the state, nor state institutions, then there is no state.
3. That this 'state effect' is always shaped by the particular cultural characteristics of the respective states and their societies—and therefore produces different 'language[s] of stateness'—has been demonstrated by Hansen and Stepputat (2001). On the relationship between state formation and culture see Corrigan and Sayer (1985), Joseph and Nugent (1994) and Steinmetz (1999).
4. Throughout this study, Mexico City refers to the territory of the Federal District which was established in 1824 as a political entity and seat of the nation's capital. Therefore, in this study, Federal District and Mexico City are synonymous.

## 1. The Negotiated State and Policing in Mexico

1. I borrowed this term from Partha Chatterjee. He uses this term to refer to the ways opposition politics in India have been appropriated by the Indian state (Chatterjee 1997: 146–55).
2. The territory of contemporary Mexico became a part of the Viceroyalty of New Spain in 1535.
3. The notion of the 'liberal oligarchic state' is taken from Juan Felipe Leal (Leal 1980: 10–12, see also Leal 1983: 65–158).
4. The Díaz administration lasted from 1876 to 1911. There were only two short interruptions—one of two months between 1876 and 1877 and another one between 1880 and 1884.
5. Although security was the crucial field of action for the *jefes*, Falcón (2000) demonstrates the complexity of their overall task: the anchoring of the Porfirian state in the hearts and minds of late nineteenth-century Mexicans. To achieve this goal, the *jefes* were also central agents within the

transformation of communal property relations and of traditional conceptions of rights, secularization and education projects, public festivities and public health projects.

6. Viviane Brachet-Márquez (1996: 67) indicates that the *rurales* were also occasionally used as a kind of federal assistance for agricultural capitalists to deal more successfully with peasant uprisings caused by land conflicts.
7. The political process of the Mexican Revolution spanned a period of more than 30 years. In 1910 the first revolutionary confrontations began. During 1917 and 1920 the armed confrontations came to an end, the post-revolutionary Mexican constitution was drafted and the corresponding political regime came into being. The revolutionary process finally ended during the consolidation of the post-revolutionary regime under the presidency of Lázaro Cárdenas (1940). On the Mexican Revolution see Guerra (1992), Knight (1986) and Tobler (1992).
8. In 2008, Calderón's government was able to get his reform proposal for Mexico's justice system through Congress (Uildriks 2010: 233–40, see Chapter 2 below). This outcome was probably based on the political pressures faced by governors with regards to the severity Mexico's drug-related violence and policing problems had acquired in public debates and the related high political costs of resisting federal efforts to improve this situation.

## 2. The Contemporary Mexico City Police

1. In June 2008, Article 21 of the Mexican Constitution, which previously reserved the power to investigate crimes exclusively to the Judicial Police, was reformed, granting the power to investigate to both the Preventive and Judicial Police forces. In addition to this, in June 2009, the Law of the Federal Police (*Ley de Policía Federal*) was enacted. The law replaced the Federal Preventive Police (*Policía Federal Preventiva*, PFP) with the Federal Police (*Policía Federal*). While the PFP had only preventive faculties, the PF has the faculty to participate in the investigation of crimes, a task which it performs under the authority of the Federal Attorney General's office. Although the initial reform proposal of Mexican President Felipe Calderón aimed at merging the Federal Investigative Agency (*Agencia Federal de Investigación*, AFI) with the PFP into a single federal police force, this project could not overcome resistance from the Mexican Congress. Hence, instead of merging AFI and PFP, in May 2009 the AFI was dissolved and a new federal judicial police force, the Federal Ministerial Police (*Policía Federal Ministerial*) was created (TBI 2009; Astorga and Shirk 2010: 50–1).
2. In June 2008, the Mexico City government established the United Police Command Program (*Programa de Mandos Únicos Policiales*, UNIPOL), aimed at unifying the command structure of the Preventive and Judicial Police forces in boroughs most affected by criminality. The boroughs of Cuauhtémoc, Gustavo A. Madero and Miguel Hidalgo were put under the command authority of the SSPDF, and the police operations in the boroughs of Iztapalapa and Benito Juárez were directed by the PGJDF. However, after a UNIPOL police raid at a dance club in Gustavo A. Madero that

left 12 people dead, the program was perceived as a failure, and the command authority over the Preventive and Judicial Police forces was re-transferred to the SSPDF and PGJDF, respectively, thereby returning to the 'classic' division of policing in Mexico.

3. See <http://portal.ssp.df.gob.mx/Portal/NuestrosPolicias/ResPoliciaProximidad.htm>, accessed 22 December 2010.
4. The PBI was created in 1941. Originally it provided its services through a contracting system under which banks hired PBI staff to guard their branch offices. The banks in turn were responsible for the total cost of the service, which they paid directly to the Ministry of Public Security. This system was restructured in 1982 within the context of the bank nationalization under the government of López Portillo. Due to an increase in bank robberies throughout the 1980s and early 1990s, the semi-public enterprise of Bank Security and Protection (*Seguridad y Protección Bancaria*, SEPROBAN) was created to provide security for the now nationalized banks, but from the beginning it had only limited success. This was mainly due to the fact that its agents were not legally authorized to bear arms. This in turn forced banks and SEPROBAN to subcontract public police services from the PBI. The PBI, although it has definitely lost its monopoly over the provision of bank security in recent years, is nonetheless the most important police corporation within this field (Alvarado and Davis 2000).
5. The Mexico City government provides patrol cars and other PBI equipment, while private businesses and banks pay for the PBI officers' uniforms (Alvarado and Davis 2000: 37).
6. On private security in Mexico City see Müller (2010c).
7. So far, this mostly affected the federal level, where the enactment of the New Federal Police Law (*Ley de Policía Federal*) created the new PF by replacing the PFP and by endowing the PF with effective investigative powers (see Chapter 2, fn. 1 above and Shirk 2010: 228–32).
8. On the question of machismo and masculinity in Mexico City see Matthew C. Gutmann's excellent study *The Meanings of Macho. Being a Man in Mexico City* (1996).
9. Unfortunately, the study tells us little about the gender dimension of police abuse. Only with respect to the so-called 'transfer contacts,' contacts between police officers and citizens which are based on arresting and transferring a person (which due to the isolation of the person, in 70 percent of the cases involve a form of police abuse), does the study address the question of gender: '95% of transfer contacts concern men' (Naval 2006: 32). In general, it is my impression that the gendered dimension of police abuse received insufficient attention from academics and is an extremely neglected topic in the current debates on policing and insecurity in Mexico City. Miriam Lang, in her book on gender and violence in Mexico, describes systematic cases of rape of young women in a southern borough of Mexico City, which were conducted and protected by local police officers—including high-ranking police officers (Lang 2001: 1–6). These cases clearly demonstrate the gendered dimension of police abuse, which converts women into 'booty' for local police officers. However, according to my knowledge no other studies on this topic exist which would permit a more systematic approach of this topic.

### 3. Policing and Capital City Politics

1. The *milagro mexicano* usually refers to the ‘golden age’ of Mexico, a period which ranged from the 1940s to the 1960s—in particular until 1968. During these years, Mexico witnessed an unprecedented pattern of economic growth, urbanization and infrastructure development under the ‘perfect dictatorship’ of the PRI. Whereas from an official point of view, which was frequently reflected in local and international academic literature as well, the country was witnessing progress on nearly all fronts, the *milagro* also had a darker side of growing inequalities, state repression and social upheaval (Padilla 2008).
2. A similar situation can be observed for the case of the PGJDF. According to Articles 10 and 67 of the Statute of the Government of the Federal District, the local Attorney General is appointed (and removed) by the head of the local government—with the approbation of the Mexican president.
3. Another illuminating episode in which the federal government used its political resources for intervening in Mexico City happened in April 2005, when López Obrador, at the time a candidate for the presidential elections, was stripped of his political immunity by the Mexican Congress and put under criminal investigation for a land dispute by federal prosecutors. However, federal authorities avoided arresting López Obrador to keep him from becoming a political martyr, thereby enhancing his political capital for the presidential race (Christian Science Monitor 26 April 2005; New York Times 21 April 2005).
4. The boroughs, although legally responsible for public security in their territory, do not have their own police forces.
5. In general, the chief of the Preventive Police can, arbitrarily, provide so-called ‘*guaruyas*, officers assigned for an individual’s personal well-being, expected to do anything requested in the way of personal assistance, from providing personal security to fetching children from school, to cleaning the house, and shopping’ (Uildriks 2010: 61). Uildriks refers to the ‘importance’ of a person as the determining factor for whether he or she gets this type of private ‘police’ service. But when considering the previously made observations, it might not be too far-fetched to suggest that being placed within high-ranking patron-client structures might easily have quite similar results.
6. In this respect, it should also be kept in mind that the PRD does not hold all of the boroughs in Mexico City. By the time of writing (September 2010), three of the 16 boroughs have had a PAN *delegado*, one is governed by the Labor Party (*Partido del Trabajo*, PT), eight boroughs are governed by the PRD, one under a coalition composed out of the PRD and the Convergence Party (*Convergencia*) and another three boroughs are governed by a PRD-PT coalition.
7. Article 11 of the Mexican Constitution declares that every Mexican has the right to move freely throughout the entire country, and Article 73 III of the Transit Regulation for the Federal District explicitly prohibits the closure or blocking of streets with persons, vehicles and other types of physical barriers.

### 4. The Transnationalization of Policing in Mexico City

1. Although Mexico City has recently been labeled ‘a relative newcomer to the community policing philosophy’ (LaRose 2006: 286), this view needs



some qualification. Already in the 1980s, the Moral Renovation Campaign of Mexican president Miguel de la Madrid (1982–1988) included a project of community-oriented neighborhood policing (Policía de Barrio). This project, it was hoped, would create new confidence in the police forces by promoting the image of the local beat cops as ‘everybody’s friend’ (SEGOB/Presidencia 1988a: 69–70). The existing documents and literature do not permit an appraisal of the project’s success or failure, but it seems that the project was more and more disregarded and finally abandoned.

2. Such golden-age rhetoric frequently accompanies and justifies the implementation of community policing programs. In this regard, Waddington already stressed in 1984 that “‘Community Policing’ is a romantic delusion, not for the “world we have lost,” but for one we never had. It harks back to a harmonious idyll, where the police were everyone’s friend. It was never thus, and it is unlikely that it will ever be’ (Waddington 1984: 5).
3. These legal changes have been explained in interviews with administrative personnel at the borough level and with NGO members as a political maneuver by the local government to come to terms with the criticism concerning the fact that, though by law the members of the neighborhood committees should be re-elected every three years, there have been no re-elections since. All of my interview partners on this topic continued to use the term ‘neighborhood committees’ and stated that the legal reform has not substantially improved the public security-related faculties of the committees which serve as the primary basis of their contact with the PB program.
4. Former Mexican president José López Portillo determined the territorial borders of the historic area of the city center per decree in 1980. The United Nations Educational, Scientific, and Cultural Organization (UNESCO) proclaimed the historical center to be a World Heritage Site seven years later in 1987. The area, which comprises 9.1 square kilometers (approximately 3.5 square miles) and 7,000 buildings, is divided into two zones: the 3.7 square kilometers (1.4 square miles) large Perimeter A, which contains the majority of the listed monuments and buildings of the city, and the 5.4 kilometers (approximately 2.1 square miles) large Perimeter B.
5. In 2003, as part of the wider policing-related safeguarding of the local urban renewal effort—to which we must also add the UPC effort addressed in Chapter 2, as well as the recent creation of the *Autoridad del Centro Histórico* (a kind of autonomous, non-elected governance structure for Perimeter A that coordinates public and private urban renewal activities)—a ‘Planning, Operation and Execution Center of the Public Security Program for the Historic Center,’ referred to as *Puesto de Mando*, was established in downtown Mexico City; it controls, supervises and operates local CCTV. This effort goes back to a partnership between the SSPDF and Telmex, owned by Carlos Slim, who not only provided the building which houses the *Puesto de Mando*, but also donated the technological infrastructure necessary for CCTV surveillance (see Becker and Müller 2011a).
6. In addition to this, the police reform aspects of the report, most of all those involving an expansion and improvement of the local policing infrastructure in Mexico City, have largely been ignored in the implementation procedures. As one local member of the NGO community correctly pointed out: ‘What Giuliani recommended costs mountains of money. To make these suggestions

- in a police force that doesn't even have computers to use? It is more of a political statement than a technical reform. The DF [*Distrito Federal*] has never had a plan to evaluate the results' (quoted in Mountz and Curran 2009: 1037).
7. This 'punitive' turn, frequently articulated in the language of 'zero tolerance,' 'crusades' or 'wars' against criminality, has been observed in many other countries throughout Latin America as well (Chevigny 2003; Dammert and Salazar 2009; Gutiérrez 2010; Müller forthcoming b; Sozzo 2005, 2007).
  8. Probably the largest recent informal negotiation process related to upgrading Mexico City's historic center was the negotiation process between the local government and informal street vendor organizations of the 192 blocks of Perimeter A in October 2007 and the subsequent relocation of about 15,000 street vendors to market halls. Although according to information provided by the SSPDF, this removal effort included the arrest of some 14,000 persons, local merchants, and academics and stated that the sustainability and success of this effort was the direct result of an agreement resulting from intensive informal negotiations between the city administration and some of the most powerful street vendor organizations (Becker and Müller 2011b; Crossa 2009). A more recent negotiation effort, this time emerging from local *líders*, involved a riot-like blocking of one of the main streets in Tepito in order to pressure local authorities to investigate alleged child robbery in the neighborhood. However, some observers claimed that there were no kidnapped children and that the local government was spreading this rumor in order to create disunity and mutual suspicion among the neighborhood residents and merchants (La Jornada 13 June 2010).

## 5. Neighborhood Images: Policing in Coyoacán and Iztapalapa

1. The degree of marginality as displayed in the Atlas takes into account questions of education, income, patrimony of the household and quality of the dwelling. These are divided up into six indicators: residents age 15 and over without a junior high school degree; employed residents with a monthly work-related income up to two minimum wages; residences without telephone; residences without ground lamination; residences without indoor tap water; and average number of people sharing a bedroom. The Atlas can be consulted at: <http://www.siege.df.gob.mx/geografico/atlas.html>, accessed 12 December 2009.
2. It is telling that the father told me that the gang was caught by accident and still threatens the families of the kidnapped children from inside prison, which, he assumes, is indicative of the active police collaboration with criminal actors.
3. That such moral codes do not guarantee the safety of the local community was explained by one interview partner as the consequence of what he called the 'cockroach effect' [*efecto cucaracha*]: 'What happens is the cockroach effect, the petty thieves from here go to other neighborhoods and those from other neighborhoods come to us.' However, and without negating the existence of certain moral codes and unwritten laws that regulate and even limit the degree to which local petty criminals prey on their neighbors, some

accounts of local residents explicitly referred to cases in which the victimizer and the victim were indeed from the same neighborhood, indicating that the 'cockroach effect' might be another element involved in the cognitive sense-making processes under the conditions of structural insecurity.

## **6. Looking Beyond Mexico**

1. See, for instance, the many cases mentioned in the 2009 Amnesty International Report for Asia and the Pacific, available at <http://report2009.amnesty.org/en/regions/asia-pacific>, accessed 15 December 2010.

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