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Abstract

What kind of war is Mexico's drug war? The prominent "criminal insurgency" approach helpfully focuses attention on cartel–state conflict, but unnecessarily redefines insurgency as "state-weakening," eliding critical differences in rebels' and cartels' aims. Whereas rebels fight states, and cartels fight with one another, to *conquer* mutually prized territory and resources, cartels fight states "merely" to *constrain* their behavior and influence policy outcomes. This distinction yields a typology with theoretical consequences: decisive victory plays an important role in most models of civil war but is impossible or undesirable in wars of constraint. Theories of criminal war must therefore explain how ongoing coercive violence can be preferable to pacific strategies. I distinguish two such coercive logics of cartel–state conflict: *violent lobbying* and *violent corruption*. Lobbyings' more universalistic benefits elicit free riding, so turf war among cartels should make it rarer than violent corruption. This prediction accords with qualitative and quantitative evidence from Mexico, Colombia, and Brazil.

Keywords

conflict, civil wars, bargaining, game theory, internal armed conflict, terrorism, use of force

In the study of war, "criminal" may be the new "civil." Since 2006, Mexico's drug war has claimed 60–70,000 lives (Shirk and Wallman 2015), as many as 16,000 a year (Shirk et al. 2013), an order of magnitude larger than the common

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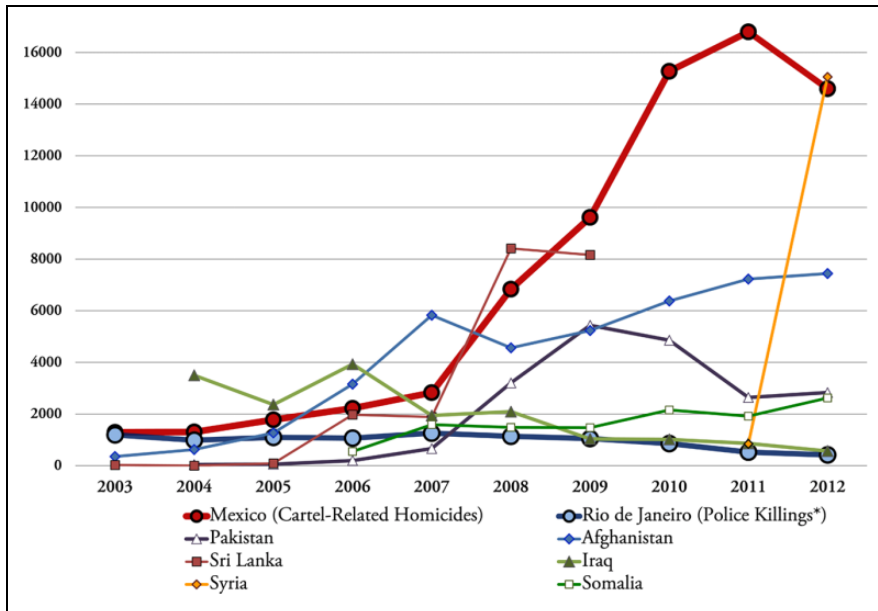


Figure 1. Civil and criminal war battle deaths, 2003–2012. Sources: Mexico: Shirk et al. (2013); Rio: Instituto de Segurança Pública do Rio de Janeiro (ISP-RJ 2013); Civil wars: Uppsala Conflict Data Program (UCDP 2013). *Resistência com morte do opositor—auto de resistência (Resistance with death of the opposer).

1,000-battle-deaths-per-year criterion for civil war. Indeed, a straightforward comparison with civil war data reveals that Mexico’s drug war is, by some measure, the most violent subnational conflict of the twenty-first century (Figure 1). Yet it is only the most recent example of a novel phenomenon—*cartel-state conflict*—in which drug-trafficking organizations fight not just one another, but the state itself.¹ Together with Colombia’s “narco-war” period (1984–1993) and the decade-long clash of cartels and police in Rio de Janeiro, Brazil (1985—), militarized drug wars have afflicted Latin America’s three largest countries, arguably supplanting revolutionary insurgency as the hemisphere’s predominant form of conflict. But just what kind of conflicts are these?

Public figures (e.g., Castañeda 2013) as well as scholars (e.g., Schedler 2013) have described Mexico’s conflict as a civil war, sometimes as an epithet, but mostly to convey the gravity of the situation. Similar terms have been applied, for similar reasons, to Rio de Janeiro, Brazil (Leeds 1996, 49), where police alone have regularly killed more than 1,000 civilians per year in armed confrontations² and an additional significant share of the roughly 8,000 yearly homicides (Cerqueira 2011) are surely attributable to cartel violence. In Colombia, the dividing line between cartel-related violence and an ongoing “real” civil war (involving

guerrillas, paramilitaries, and state forces) has been an object of contention for decades.

The very contentiousness of classifying drug-related conflicts as civil war constitutes a barrier to understanding. Politically, “civil war” carries a possibly undeserved stigma of chaos and loss of state control³ (Grillo 2011, 202-6) and could have consequences for international intervention (Bergal 2011). Analytically, it would seem to corroborate a persistent but controversial current in conflict studies that attributes “greedy” motives to rebels (Collier and Hoeffler 2004) or even equates insurgency with organized crime (Collier 2000). But if what we care about is understanding—and thus perhaps minimizing—cartel violence, the relevant question for classification is neither intensity nor the crassness of belligerents’ motives per se, but how its dynamics resemble or differ from those of other sorts of wars. A useful conceptualization of criminal war should be based on observable characteristics that illuminate differences in underlying logics of violence. Failure to appreciate such fundamental differences can make states’ efforts to curb cartel violence, often counterinsurgency inspired, disastrously counterproductive.

Most would agree that drug wars like Mexico’s differ from revolutionary insurgency in at least one key respect: cartels do not seek to topple the government and seize formal power. However, with no clear conceptual alternative, the tendency has been to treat Mexico’s conflict as a criminal subtype of insurgency (Bunker 2011; Grillo 2011; Killebrew and Bernal 2010; Sullivan and Elkus 2008). To its great credit, this approach focuses attention on a characteristic that separates Mexico, Colombia, and Rio’s cartels from the vast majority of organized crime groups: their willingness to directly confront state forces with lethal force. Drug trafficking is a nearly universal phenomenon, as are police corruption, protection rackets, and violence among criminal groups. Far rarer, and probably more disruptive, is cartel–state conflict.⁴

Yet the “criminal insurgency” approach ultimately lumps where it should split. As its formulators readily admit, it stretches the concept of “insurgency” to include not only revolution and secession but intimidation and degradation of state forces for their own sake (Sullivan and Elkus 2008, 6-7). This replaces the canonical understanding of insurgency as “competitive state-building” (Kalyvas 2006, 218) with the significantly broader notion of “state-weakening.” By eliding critical differences in rebels’ and cartels’ battle aims, it obscures rather than illuminates a fundamental puzzle: why fight the state if not to topple or secede from it? The answer “to keep the state off one’s back” is insufficient: criminal groups everywhere, including powerful mafia and “institutionalized” street gangs (Hagedorn 2005), would like the state off their back, but rarely resort to violence.⁵ This is the puzzle.

Insurgent rebels’ motives for antistate violence are more straightforward: unlike cartels, they fight to conquer state power and stand a reasonable chance of outright victory.⁶ Similarly, while warfare *among* cartels is an important driver of drug violence and a critical research agenda in its own right (e.g., Magaloni et al. 2013; Mejía

et al. 2013; Ríos 2013), it is clear what cartels stand to gain by fighting each other: turf. Both insurgency and turf war obey a logic of *conquest* that is well theorized: in weakly institutionalized settings, actors will use violence to physically appropriate mutually prized territory or resources when they cannot reach stable bargained solutions (Fearon 1995; Powell 2002; Wagner 1994; Walter 2009). Critically for this body of theory, conquest can be *decisive*, producing definitive outcomes that are difficult or costly to reverse.

It is less clear what cartels gain by fighting the state, because doing so usually produces more, not less, state repression. Moreover, since cartels do not seek to topple states, there would seem to be no real possibility of decisive victory—in the sense of a definitive appropriation of control over policy—to offset the costs of fighting. Indeed, for these reasons, traffickers around the world usually avoid outright confrontation, employing “hiding” techniques like anonymity, flight, and keeping a low profile, to minimize the impacts of law enforcement.⁷

When cartels turn to fighting strategies, I argue, their aim is not to conquer the state but to *constrain* it—to change its behavior, which in the case of states means policy outcomes. In wars of constraint, the function of violence is generally coercive, in Schelling’s (1966, 240) sense of the power to hurt: “To inflict suffering gains nothing and saves nothing directly; it can only make people behave to avoid it.”⁸ In a typical war of conquest, by contrast, violence largely consists of the brute-force seizure (or retention) of physical objects and territory. Revolutionary insurgents may also employ coercion along the way, but they do so in the service of conquest. Rebels may even settle for a degree of policy influence short of outright victory; but the possibility of conquest casts a shadow over any negotiations and usually drives the fighting.⁹ Conversely, belligerents in wars of constraint either cannot or do not aim to definitively conquer or replace their opponent; brute force may play a defensive, tactical role, but it is subjugated to an overarching aim that is fundamentally coercive.

In the following section, I develop the conquest versus constraint distinction into a broader typology of conflict that provides new purchase on issues left hanging by the “greed versus grievance” (Blattman and Miguel 2010, 18) and “‘old’ versus ‘new’ wars” (Kalyvas 2001) debates. Psychological motives and ideological beliefs of rebels have proven difficult to distinguish both conceptually and empirically; the conquest versus constraint distinction, while not always directly observable, is clearer and easier to impute. Moreover, by focusing attention on the structure of the rents being fought over, it highlights deeper strategic differences. In wars of constraint, neither side wants precisely what the other side possesses, so fighting is not about physical appropriation. Decisive victories are unlikely or undesirable, and adverse shifts in power under peacetime seem less relevant. Rather, logics of coercive bargaining prevail; compelling theories must explain how costly violence maximizes an ongoing flow of (sometimes illicit) benefits relative to more pacific strategies.

The third section addresses this challenge, delineating two principle logics of antistate violence that drive cartel–state conflict. In *violent lobbying*, cartels target

political leaders in order to induce changes in de jure policy; the emblematic case is Colombian drug lord Pablo Escobar's all-out war on the state between 1984 and 1991. In *violent corruption*, cartels target enforcement agents in order to intimidate them and reduce the price of bribes; this is the logic expressed in Escobar's phrase *plato o plomo* (the bullet or the bribe), but the logic applies equally to cases like Rio where the initiative for bribery, and the majority of the bargaining power, lies with corrupt state forces. I then distinguish these from logics of violence (potentially but not necessarily antistate) that arise from inter-cartel turf war: competitive and internal signaling (Reuter 2009), and what is known in Mexico as *calentando la plaza*, attacks in rival territory intended to attract law enforcement.¹⁰

Throughout, I deduce key factors and conditions that favor the adoption of different violent strategies, as well as "empirical footprints"—the specific modalities and patterns of violence likely to emerge under each logic. This leads to a central prediction: because lobbying is subject to free riding while corruption is particularistic, violent lobbying is more likely where cartels cooperate, while inter-cartel turf war should favor violent corruption. In general, the theory accords with qualitative evidence from three case studies. In Mexico and Brazil, where turf war preceded or coevolved with cartel–state conflict, violent lobbying seems to be relatively rare; in Colombia, where it was highly salient, its onset came at a time when cartels were at peace and had established mechanisms for collective action. Additional support comes from descriptive quantitative evidence from a novel cross-national data set of cartel-related violent events in Colombia, Mexico, and Brazil, coded prior to the development of the theory laid out here. Grouping these events according to the predicted empirical footprints of various logics, I show that the terror tactics associated with violent lobbying were indeed far more prominent in Colombia than Mexico or Brazil. Finally, I argue that turf-war dynamics like internal and competitive signaling are unlikely to generate antistate violence on their own, but could be complementary to violent corruption.

Conceptualizing Cartel–State Conflict

Drug wars are often conceptualized as the far extreme of a continuum from political or ideological struggles to purely commercial or criminal ones. This is a distinction with a difference—Mexico's Zapatistas, for example, wage a more political battle than its Los Zetas cartel. But its usefulness is limited, first by its heavy normative valence: ideological motives are widely seen as morally superior to purely "economic" ones. This produces conceptual contestation (Collier et al. 2006; Gallie 1956), both analytically, as in the muddled "greed vs. grievance" debate (Blattman and Miguel 2010, 18), and in very real fighting and negotiation between armed groups and states over "political" status itself.

Furthermore, all criminal activities are not created equal: they differ significantly in their rent-producing characteristics (Schelling 1967). States and criminal groups directly compete for natural resource rents and the right to extort (i.e., tax)

populations. In contrast, states may try to minimize drug profits but cannot (legitimately) capture them. Moreover, looting, extortion, and kidnapping all require coercive expropriation, generating a constituency of (potential) victims willing to expend resources on prevention; the drug trade is based on voluntary exchange, generating a constituency of paying customers. This “demand” for trafficking explains a critical fact: repression or elimination of one cartel generally helps its competitors. This is unlikely to be true of kidnapping rings, or, for that matter, most insurgencies.

In sum, the political/criminal distinction alone makes a poor guide to cartels’ strategic concerns. This is especially true for cartel–state conflict. Metz’s work helpfully focused attention on non-ideological groups’ increasing willingness to confront states (1993) and explored critical differences in such groups’ motivations (2007). But the ensuing proliferation of “insurgency with adjectives”—including “commercial insurgency,” “post-Cold War insurgency” (Metz 1993), “criminal insurgency” (Sullivan and Elkus 2008; Sullivan and Bunker 2011), “the new urban insurgency” (Manwaring 2005), and “criminal guerrillas” (Pinheiro 2009)—has served mostly to stretch the concept of insurgency to include organized antistate violence in general, and perhaps *any* state-weakening action, irrespective of battle aims or motivating logic. Moreover, the conceptual stretching (Collier and Levitsky 1997; Sartori 1970) extends to related notions like “territory,” “space,” and even “the state” itself (Sullivan 2012, 16–18), as scholars seek to make sense of new cases (gangs, cartels, terrorists, and “netwarriors” [p. 18]) in terms of familiar, older ones.

I take a different approach: rather than “rethink insurgency” to the point where it no longer implies an effort to topple or secede from a state, I treat “proximate aims of fighting”—in this case, whether or not groups fight for formal political control—as a key dimension along which conflicts vary.¹¹ This approach is well founded in civil war scholarship. For Kalyvas (2006, 218), “[Competitive] state building is the insurgents’ central goal and renders organized and sustained rebellion of the kind that takes place in civil wars fundamentally distinct from phenomena such as banditry, mafias, or social movements.” The UCDP/PRIO Armed Conflict Dataset includes only conflicts in which armed groups fight “for the replacement of the central government, or the change of its composition,” or “control of a certain territory . . . secession or autonomy” (Uppsala Conflict Data Program [UCDP] 2011, 3; Gleditsch et al. 2002).¹² The distinction need not be definitional: for Fearon and Laitin, civil wars *can* be fought “merely” to change policy (2003, 76), but in practice rarely are:

The aim of the rebel side in almost all civil wars is to take over the central government or to take political control of a region of the country. Rebel groups rarely say “we are fighting in order to induce the government to change its policy on X, and once that is accomplished we will disband and leave politics.” (2007, 1–2)

Tellingly, cartels have said *precisely* this when attacking states (or attacking civilians to pressure state leaders). Consider these communiqués from Colombian drug

lord Pablo Escobar, regarding his five-year campaign of public bombings, high-level assassinations, systematic extermination of police, and elite kidnappings:

We solemnly promise . . . that once extradition is legally prohibited, we will immediately suspend our military actions against the extraditers. (Quoted in *Semana* 1986)¹³

Recognizing the position of the National Constitutional Assembly [banning extradition], we have decided to disband our entire military organization. (Quoted in *El Tiempo* 1991)

Similarly, Mexico's Knights Templar cartel greeted incoming President Enrique Peña Nieto with *narcomantas* (narco-banners) reading: "If you honor your promise [to alter the course of the drug war], we will lay down our arms . . . otherwise we will continue to defend our territory" (Contreras 2012).

Generalizing, then, the proximate aim of fighting in "classic" insurgency is *conquest*, in which belligerents aim to definitively expropriate from or replace opponents. When fighting states, this implies competitive state building, if only within a portion of the national territory. Cartel-state conflict, by contrast, is a war of *constraint*: belligerents aim "merely" to coerce opponents into changing their behavior (i.e., their policies, when fighting states). The distinction is meant to characterize, not define: just as insurgents *could* fight wars of constraint but rarely do, drug cartels *could* seek to seize formal state power, but have not. Distinguishing conflicts based on this aspect of how they are fought can, I claim, help us theorize about why.

Conquest versus constraint can be seen as an extension, to the realm of strategic, overarching battle aims, of a distinction that Schelling (1966) drew at the tactical level, between brute force and coercion:

There is a difference between taking what you want and making someone give it to you . . . between holding what people are trying to take and making them afraid to take it. . . . It is the difference between defense and deterrence. (pp. 240-41)

Schelling (1966, 244), thinking about interstate war, notes that both tactics may come into play and that what is coercive at one level of analysis may be part of a larger brute-force campaign.¹⁴ This is certainly the case with civil war: rebels may rely on coercive tactics (including terrorism) in the service of conquest and may sometimes content themselves with a coerced change in government policy short of outright victory.¹⁵ Yet their overarching goal remains "taking what they want."

Conversely, cartels cannot easily "take what they want" from the state, because "what they want" is not something the state has, but rather something they would like the state to refrain from doing. Even where cartels wield significant territorial control, such as Rio's *favelas*, they do not seek formal secession or the removal of all vestiges of state presence; their interest remains firmly fixed on constraining state repression of their illicit economic activities. At a tactical level, cartels may sometimes employ defensive brute force, to physically retain the guns, drugs, and money that enforcers try to seize. Yet even successful defense is not as good as

deterrence: better than holding what the police are trying to take would be making the police afraid to take it.

Likewise, states cannot meaningfully “conquer,” even provisionally, cartels’ illicit rents from trafficking, nor can fighting realistically lock in states’ preferred outcome. One might object that states nonetheless aim to destroy, not constrain, cartels. Again, though, we must distinguish states’ immediate, tactical goals (such as dismantling a particular cartel) from their larger strategic aims in fighting drug wars. Identifying those aims is complicated by rhetoric: international drug prohibition treaties tout total eradication as a supposedly plausible goal, and drug warriors frequently equate dismantling cartels with “victory” (e.g., Bonner 2010). Yet the empirical record is nearly devoid of examples of sustained eradication of an otherwise viable drug trade (see note 6); meanwhile, no lesser defender of antinarcotics repression than the UN drug czar described its aim as “containment” (Costa 2007), echoing Skaperdas’ (2001, 174) finding that “the struggle to control organized crime is a never-ending process, not a battle or a war that can be completed within the foreseeable future.” In short, any reasonably non-myopic state must understand its drug-war aims to be, at best, constraint—not total elimination—of illicit drug markets.

One advantage of the conquest versus constraint distinction is its relative observability. Of course, battle aims may constitute undeclared motives that must ultimately be imputed in order to operationalize the distinction. Yet it is surely easier to correctly impute whether an armed group is trying to replace the state than whether its underlying motivations are “greedy.” Indeed, drug cartels’ general lack of revolutionary ambitions is one of the few points of agreement among analysts, whereas the greed versus grievance approach has been plagued by the observational equivalence, given available data, of the two types of motives (Blattman and Miguel 2010, 18).

Another advantage is that the conquest versus constraint distinction points to different underlying logics of violence. This is true even if rebels aim to conquer state power solely in order to change policy and *could* be satisfied with government concessions were it not for commitment problems (Fearon and Laitin 2007). In such explanations, negotiated settlements are unviable because rebels anticipate that the state will renege once they disarm; only by conquering state power can rebels “lock in” their preferred policies. More generally, actors facing adverse shifts in relative power in peacetime may prefer destructive fighting because it locks in a distribution of benefits while they are relatively strong (Powell 2004b).¹⁶ In costly lottery models, lock-in occurs via a decisive (i.e., game ending) battle; conquest itself prevents future changes in the balance of power, presumably by eliminating one actor or establishing stable international borders (which each side can legitimately remain armed in order to defend). In costly process models, fighting produces lock-in both when it is decisive (by definitively distributing the pie, as above) and when it is not (by forestalling or diminishing rebels’ loss of relative strength should they lay down their arms; Powell 2012); costly conflict can thus be preferable to settlement even when certain to produce a never-ending stalemate (Fearon 2004).

This approach is not well suited to cartel–state conflict and wars of constraint more generally. First, in these settings, decisive victory is probably either unrealistic or undesirable, and hence not a meaningful solution to commitment problems. For cartels, even outright military victory over the state would not lock in their preferred policy or distribution of rents. In the current international system, an overt narco-state granting itself a monopoly on cross-border trafficking is basically unthinkable, whereas nascent insurgencies can reasonably hope to not only prevail militarily (Fearon and Laitin 2007, 16) but to win international legitimacy and support. Conversely, states are acutely aware that destroying existing cartels only opens up market share for potential competitors, a dynamic far less likely to be true of insurgencies.

Second, adverse shifts in power during peacetime may be smaller or nonexistent in cartel–state conflict. Whereas the assumption in models of civil war is that rebels disarm (or otherwise become weaker) whenever they stop fighting, cartels might be expected to maintain a capacity for violence when not attacking the state simply by virtue of their illegal business model.¹⁷ Cartels could thus credibly promise not to disarm following policy concessions, allowing states in turn to credibly promise not to renege on those concessions.¹⁸ Another reason cartels may be less subject to adverse shifts in power during “peacetime,” going beyond a state-as-unitary-actor framework, is that they can corrupt state enforcers (and hence weaken the state) without fighting. In sum, both the strategic dynamic driving commitment problems and the mechanism by which fighting resolves them may be less relevant in cartel–state conflict.

On the other hand, actual negotiation seems significantly more vexed. First, while negotiating with rebels might be unsavory, states face a virtual taboo on openly negotiating with cartels and other criminal organizations—indeed, as discussed subsequently, Pablo Escobar sought “political status” (in vain) precisely to neutralize this taboo and facilitate negotiations. Second, what would an agreement look like? Cartels might promise to stop trafficking in exchange for amnesty (as Escobar did in 1980s Colombia); given the profitability of trafficking, though, such promises are unlikely to be credible (Escobar’s were not). More importantly, even if states could buy off extant cartels, it would produce severe adverse selection: new cartels could credibly threaten to fill the unmet demand and then seek their own sweetheart deal. The most realistic “deal” is thus likely to involve tacitly or secretly offering cartels, in exchange for nonviolence, greater freedom to profit from a criminal activity that states are committed by international treaty (and diplomatic pressure) to combat. Such politically dicey policies have, on the rare occasions they were attempted, proven effective but difficult to sustain; in Mexico, the Calderón administration publicly ruled them out on many occasions (e.g., Poiré Romero 2011).

Theories of cartel–state conflict thus need to explain how sustained fighting can be an optimal response for cartels when neither definitive victory nor a sustainable deal are meaningful possibilities, and where forestalling adverse shifts in power—a

		Proximate Aim of Fighting		
		'Conquest' (Expropriate / Replace Opponent)	'Constraint' (Change Opponent's Behavior)	
Belligerent Dyads	Sub-National	State(s) vs. Domestic Non-State Actor (NSA)	<u>Revolutionary Insurgency</u>	<u>Cartel-State Conflict</u>
		Domestic NSA vs. Domestic NSA	<u>Inter-Cartel Turf War</u>	<u>Coercive Politics</u>
	Inter-National	State(s) vs. Foreign NSA	<u>Foreign Intervention</u>	<u>International Terrorism</u>
		State(s) vs. State(s)	<u>Interstate War</u>	<u>Coercive Diplomacy</u>

Figure 2. Conquest versus constraint.

potential driver of stalemated civil wars—is not a major factor. This suggests focusing analytic energy on how antistate violence might maximize an ongoing flow of rents from illicit activity,¹⁹ with particularly attention to the coercive use of violence to punish, rather than protect oneself from, opponents.

Figure 2 extends the conquest/constraint distinction to a larger set of conflict and belligerent types. The contents of the cells are examples, not exhaustive descriptors; moreover, real-world cases may straddle cell borders or even shift across them over time. For example, in the Opium Wars, Britain both annexed portions of Chinese territory (conquest) and forced key policy concessions (constraint). Foreign-led coups may blur the line between outright conquest and the desire to constrain the actions of an ally or neighbor. Conflicts can also change over time: what begins as a revolutionary insurgency, with both sides truly fighting for control of the state, can deteriorate into a criminal war in which jungle-bound rebels subsist on drug profits for decades with no ambition to capture the center or secede.

The typology reveals interesting similarities between conflicts at the domestic and international levels. For example, “international terrorism,” such as Al Qaeda’s campaign against the United States and its allies, falls into place as an example of non-state actors seeking not to conquer but “merely” to influence the policies of foreign governments. Pape (2003, 343) finds that most suicide terrorists, like Pablo Escobar but *unlike* Fearon and Laitin’s rebels, “consistently announce specific political goals and stop suicide attacks when those goals have been fully or partially achieved.”²⁰ As with cartels fighting state repression, many terrorist groups cannot hope to “lock in” their position by toppling their opponent, so the explanatory focus must fall on the benefits derived from ongoing violent interactions. Conversely, while states’ goals have included eliminating Al Qaeda

and other specific targets, this has always been only a piece of a larger strategy aimed at constraining potential terrorist behavior.²¹ As we have been repeatedly told, the Global War on Terror cannot be decisively won, but requires an ongoing (and expensive) effort.

Of principal interest here, though, are the top rows, distinguishing cartel–state conflict not only from revolutionary insurgency but also from inter-cartel turf war. The latter distinction is critical: although cartel–state conflict and turf war seem to be causally interrelated, they have each occurred in the absence of the other—in Colombia, cartels were peacefully united when cartel–state conflict broke out—indicating distinct logics and drivers. Moreover, their empirical patterns differ: turf wars occur in all sectors of the illicit-drug supply chain, from plantation to retail market; involve groups as small as street-corner crews and as large as transnational conglomerates; and vary in intensity and duration. Cartel–state conflict is far rarer—most traffickers in most places avoid confrontation with the state—but in Colombia, Mexico, and Brazil, it has been of long duration once initiated. The typology suggests an explanatory hypothesis: cartel–state conflict only begins when traffickers see weathering an ongoing armed confrontation as optimal, so positive cases will tend to be drawn out and involve only large and well-equipped drug-trafficking organizations.

More broadly, the typology illuminates the relationship between the nature of the rents being fought over and the dynamics of conflict, a connection obscured by a simplistic “political versus criminal” lens. Whether motivated by greed or grievance, wars of conquest are generally fought over “rivalrous” goods²² that are similarly valued by both parties. One side’s loss is the other’s gain, and since fighting destroys some of this mutually valued “pie,” there are in theory peaceable divisions both sides would prefer to war. In wars of constraint, however, neither side wants precisely what the other has, so one side’s loss is not necessarily the other’s gain. An oil field expropriated by rebels, however crass or noble their motives, is an oil field lost to the state, but an extra dollar of cartel profits does not necessarily “cost” the state a dollar. The key is that drug prohibition creates a nearly limitless source of rents that criminal groups can compete over, but which states have no direct access to. Given the gargantuan proportions of the illicit drug trade relative to other criminal activity—cocaine and heroin trafficking accounts for some 80 percent of transnational organized crime by value (United Nations Office on Drugs and Crime [UNODC] 2010, 16-17)—this focus on the structure of criminal rents is a promising avenue for future research.

Logics of Violence in Cartel–State Conflict: Lobbying versus Corruption

The remainder of this article presents a theory of cartel–state conflict as a war of constraint. In both of the principal logics I present, violence is coercive and fighting is not driven by the possibility of seizing decisive control over territory or power. The content of the theory, however, is not a logical consequence of the

conquest/constraint distinction, but rather derives from a larger, empirical study of the Mexican, Brazilian, and especially the Colombian case, which provides the motivating examples for the principal logics discussed subsequently.

Implicit in classifying cartel–state conflict as a war of constraint is the claim that cartels fight states to influence policy. While this may be patent in cases like Escobar’s war against extradition in Colombia, it is less clear in Mexico and Brazil, where public demands by cartels for changes in de jure policy are rare. As Scott (1969) argued, though, corruption—in the sense of bribery in exchange for nonenforcement—should also be understood as a mode of influence, with *policy outcomes* as the true variable of interest. This is particularly true of criminal firms, who may frequently find it easier to weaken the enforcement of laws through bribery than to change the laws themselves.

Building on Scott’s insights, I call efforts to influence the formulation of de jure policy *lobbying*, an activity normally aimed at *leaders* (usually chief executives, legislators, and high-level commanders); and efforts to influence enforcement, or de facto policy, *corruption*, usually aimed at *enforcers* (police, soldiers, investigators, etc.). The distinction can blur at the edges: some officials have influence over, and hence might be pressured to change, both de jure and de facto policy, as with judges handing down specific sentences (enforcement) that simultaneously set precedents (policy formulation). Here, Scott’s point that corruption’s benefits are particularistic while lobbying’s are more universal (1969) can help distinguish between a corruption effort aimed at reducing one’s own sentence and a lobbying effort to ensure a favorable precedent.

Whether lobbying or corrupting, licit interest groups may use hardball tactics (Dal Bó et al. 2006), but they rarely resort to physical violence. Cartels, however, already face some level of repression; this gives them incentives to “hide,” maintaining a low profile and minimizing confrontation, but it can also make violence an appealing pathway to influence if it incurs little additional state repression. The choice between “hiding” and “fighting” strategies is stark, since the two approaches undermine one another: the advantages of fighting—increased leverage over state actors—come at the cost of the low profile that hiding affords, and vice versa.²³

Crossing these dimensions yields four distinct strategies (Figure 3). Hiding strategies correspond to “conventional” corruption and lobbying.²⁴ In *violent corruption*, cartels use violence to affect enforcement, usually inducing enforcers to accept (smaller) bribes.²⁵ In *violent lobbying*, cartels use violence to pressure leaders for de jure policy change, usually reduced repression along a specific dimension.

These strategies are exemplified by the two principal cartels of Colombia’s “narco-violence” period (1984–1993). Pablo Escobar and his Medellín cartel epitomized the fighting approach at both levels. His infamous offers of *plata o plomo* to judges, investigators, and police—backed up by hundreds of killings—capture the essence of violent corruption in a phrase still used throughout Latin America. At the de jure level, his campaign of terrorist violence—bombings, high-level assassinations, and elite kidnappings—accompanied by overt, and ultimately

		Level of Policy Influence	
		Enforcement (de facto)	Formulation (de jure)
Type of Cartel Strategy	Fighting	<u>Violent Corruption</u> Medellín Cartel "The bullet or the bribe?"	<u>Violent Lobbying</u> Narco-Terrorism
	Hiding	<u>Corruption</u> Cali Cartel "We don't kill judges, we buy them."	<u>(Illicit) Lobbying</u> Narco-Politics

Figure 3. Strategies of influence over policy outcomes.

successful, demands to abolish extradition, is perhaps the most dramatic example of violent lobbying on record.

The Cali cartel, in contrast, deliberately eschewed violence, avoided public attention, and cultivated an image of respectability. In a pithy phrase of his own, Leader Gilberto Rodriguez Orejuela famously rejected Escobar's violent corruption and characterized his own "hiding" approach: "We don't kill judges . . . we buy them" (Lee 1994, 205). (Escobar, of course, also "bought" judges; he just found that death threats made it easier to do so.) At the de jure level, Orejuela fore- swore Escobar's all-out war, ultimately collaborating with state forces to bring him down (Morales and La Rotta 2009) in 1993. He then offered huge donations to both major presidential candidates in exchange for a negotiated amnesty (Chepesiuk 2003, 190). Ernesto Samper accepted and won the election and kept his promise for a time. Ironically, though, the payments later came to light, and the ensuing "narco-politics" scandal forced Samper to crack down, leading to Orejuela's eventual capture (Serrano Cadena 1999).

Key Factors Favoring Violent Corruption and Lobbying. The case of the Medellín cartel demonstrates that violent corruption and violent lobbying are not mutually exclu- sive. However, the conditions under which it makes sense to employ these two strate- gies are quite different. Violent corruption requires, at a minimum, some degree of police corruption and the capacity to credibly threaten enforcers with violence. But cartels also have the option of nonviolent corruption, offering bribes and simply hid- ing if enforcers reject them. Ceteris paribus, accompanying bribe offers with threats of violence should lead to lower bribes in equilibrium (Dal Bó et al. 2006); cartels must weigh this added leverage against any additional repression that antistate vio- lence exposes them to: killing cops usually brings down additional heat.²⁶ The advantageousness of *plata o plomo*-type threats thus depends not only on the

prevalence of corruption and the overall degree of repression, but the extent to which state repression is *conditional* on cartels' use of violence.

Lessing (2013) develops a formal model to rigorously explore this trade-off. Summarizing the results, when leaders expand state repression (i.e. crack down), it gives corrupt enforcers increased leverage to extract larger bribes from traffickers. This in turn can give traffickers incentives to "threaten back," using more violence against enforcers, which cartels must weigh against the additional heat they will draw down on themselves if they opt for antistate violence. Thus low-conditionality state crackdowns, in which cartels are pursued with relatively equal intensity whether or not they employ antistate violence, can produce violent, anti-enforcer blowback from cartels. Increases in conditionality of repression, though, can abruptly change this calculus: the added leverage from threatening enforcers is outweighed by the additional repression it incurs, and cartels eschew violence and adopt "hide-and-bribe" strategies.

The conditions favoring violent lobbying are more restrictive. There is no point in trying to force the state to the bargaining table unless there is a viable issue about which to bargain, that is, some piece of *de jure* policy that might conceivably be changed or revoked. The susceptibility of any given policy to violent lobbying depends on a host of political factors: international pressures, domestic sentiment, leaders' own public commitments to it (Fearon 1994), and their vulnerability to electoral or other challenges. These can change over time and in response to violence itself, often in unpredictable ways. Once attacked, leaders may face public humiliation if they give in to cartels' demands; on the other hand, years of extreme violence can push public opinion toward conciliatory positions, as happened in Colombia (Pardo Rueda 1996). Overall, states' international commitments to drug prohibition and eradication make for few "open questions" of *de jure* drug policy. Only extradition—in the 1980s, in Colombia—remained open long enough to produce sustained violent lobbying, though low-salience policy questions like prison policy and troop deployment have been subject to sporadic violent lobbying in Brazil and Mexico.

A second condition follows from Scott's (1969) original analysis: lobbying presents a collective action problem because the benefits from changing *de jure* policy are more universal than the particularistic benefits of corrupt, selective nonenforcement. To the extent that lobbying's benefits are nonexcludable, individual cartels will be tempted to free ride on any cartel willing to shoulder the cost of a (violent) lobbying campaign. Thus, mechanisms for cost sharing and deterring free riders (Olson 1965) should help make lobbying an efficient pursuit, while turf war among cartels should tend to undermine it.

Conditionality of repression also plays a role, albeit in a more subtle fashion. In the short run, cartels presumably face increased repression upon launching a campaign of violence. However, the policy concessions they seek generally involve a reduction in repression, at least along certain dimensions. When cartels believe they can extract such concessions, they face the promise of *reduced* future repression if

they fight long enough—a kind of “inverse conditionality”—that can be a powerful incentive for violence.²⁷

Finally, in both violent corruption and lobbying, we must distinguish violence “off the equilibrium path”—threats that are effective and hence never carried out (Schelling 1960)—from, on the one hand, actual, realized violence and, on the other, a world in which cartels do not even *threaten* antistate violence. The latter case is very different from what might be called “coerced peace,” in which credible threats are made but never acted on because agreements are always reached, though no fighting occurs in either scenario.²⁸ Indeed, this difference is what generates incentives for cartels to make threats in the first place. Since carrying out those threats is costly for both parties, actual violence may not occur without additional factors driving bargaining breakdown.

One important driver of equilibrium violence may be asymmetric information. In violent corruption, officials and cartels bargain over the size of a bribe, but officials probably do not observe the size of drug profits, which traffickers have an incentive to underreport. Moreover, both sides have reason to exaggerate their capacity to inflict pain on the other, which can vary over time and be hard to assess short of actual fighting. Such combinations of private information and incentives to misrepresent can produce fighting in equilibrium (Fearon 1995, 395). Specifically, it may be optimal for offer takers to occasionally reject smaller offers to avoid being low-balled (Powell 2002, 10); uncertainty over the size of drug profits drives precisely such an equilibrium in Lessing’s (2013) model, described informally earlier.

Asymmetric information is also a likely culprit in explaining actual violence in violent lobbying. Here, the key question is whether a cartel can credibly threaten enough pain to induce the government to make a policy concession. Intuitively, though, if the answer is known to all parties, then either no threat is made because the cartel is too weak (and both sides know it) or the threat is made but never acted on because the government would back down (and both sides know it).

To see how private information could lead to equilibrium violence, rewrite the above-mentioned “question” as two conditions: C_1 : the cartel has the capacity to inflict sufficient pain that the government prefers to concede and C_2 : the cartel is willing to do so given the costs of fighting and the expected benefits of the policy change sought. Among other things, C_1 depends directly on the government’s policy preferences, while C_2 depends on the cartels’; these are excellent candidates for private information, and both actors have incentives to exaggerate their resolve. A government’s uncertainty over C_2 could lead it to choose policies that risk provoking a violent-lobbying campaign; still, if C_1 were common knowledge, cartels would only start battles they could win. Real-world examples of failed violent-lobbying campaigns can be plausibly explained by cartels’ uncertainty about C_1 : overoptimism that leaders will grant policy concessions if confronted with a sufficient threat would produce a false perception of “inverse conditionality.”

Predicted Empirical Footprints and Observed Outcomes. Formal analysis of violent corruption (Lessing 2013) predicts two distinct empirical patterns. If conditionality of

repression is low and cartels opt for a fight-and-bribe, *plata o plomo* strategy, violence occurs intermittently, whenever bribe negotiations fail, and is naturally targeted at enforcers, as punishment. Unconditional crackdowns make fighting more likely, provided that enforcers fear cartel violence more than official sanction for bribe taking. A different pattern emerges if a crackdown leads to higher conditionality: we should observe cartels switch abruptly into nonviolent, “hide-and-bribe” approaches to corruption, with a sharp drop in clashes and enforcer-targeted violence.

In the logic of violent lobbying, cartels seek to inflict pain on leaders rather than enforcers. This predicts direct, targeted attacks (e.g. assassination) when possible. If leaders are shielded from physical violence, cartels can inflict indirect, political costs by using violence to sow social and economic disruption; this points to high-impact “terror-tactics” such as car bombs, massacres, and elite kidnappings. Violence is likely to be clustered in time to foment a sense of crisis; cartels can then offer to call off the attacks in exchange for policy concessions. Lobbying also involves *de jure* policy demands; this predicts direct (if unilateral) communication with leaders, possibly framed as legitimate grievances to gain public support.

Evidence from three case studies indicates that overall, violent corruption is the more prominent dynamic. Even in Colombia, where Escobar’s violent lobbying against extradition is widely treated as *the* story (Reuter 2009, 277), violent corruption came first—Escobar made *plata o plomo* offers to judges and police officers in 1976, eventually murdering the latter (Salazar 2001, 60)—and continued throughout the narco-terror period.²⁹ In Mexico, as in Brazil, nothing like Escobar’s sustained violent lobbying campaign has been recorded, while routinized bribe payments in exchange for non-enforcement are common enough to be embedded in the vernacular (Poppa 2010, 42; Soares et al. 2005, 259). In both settings, the vast majority of officials killed are local police (Insituto de Segurança Pública do Rio de Janeiro [ISP-RJ] 2013; *Proceso* 2011), suggesting enforcer-targeted violent corruption. Even violence against relatively high-level state actors in Mexico appears to be more associated with police corruption than official state policy (Bailey and Taylor 2009).

Nonetheless, terror attacks accompanied by overt demands on leaders to change *de jure* policy, though rare, have occurred in both Mexico and Brazil. In 2009, for example, the Familia Michoacana cartel organized street protests (*Reforma* 2009), launched a simultaneous attack on twelve federal police stations across Michoacán state (Grillo 2011), and then made a televised plea for dialogue with Calderón and demanding the withdrawal of the federal police from Michoacán (“We have no issue with the Army or the Navy,” they clarified [El Universal 2009]). Rio de Janeiro’s cartel leaders, who are mostly incarcerated, have been known to launch coordinated terror attacks—usually bus burnings, roadblocks, and the closing of business districts—to pressure authorities for changes in carceral policies (Penglase 2005).

A quantitative assessment corroborates the general prominence of violent corruption. Figure 4 presents results from a novel cross-national data set of drug-related violent-event media reports, coded according to criteria developed in 2009, prior to the formulation of the theory presented here. Violent actions were assigned one

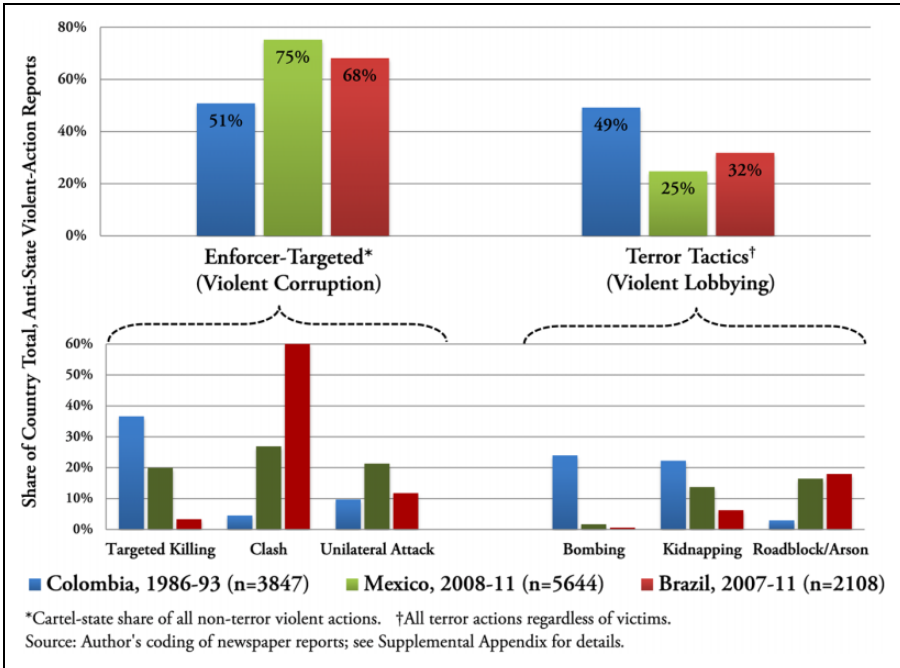


Figure 4. Reports of cartel–state violent actions by type. *Source:* Author’s coding of newspaper reports; see Online Appendix for details.

of a closed list of over sixty “raw” types, designed to err on the side of specificity and allow for eventual aggregation. Column heights show each category’s relative frequency within the universe of actions identified as cartel–state violence in each country. The bottom row presents categories aggregated at a low and atheoretical level. “Bombing,” for example, combines two raw action types: “intentional explosion” and “planting of explosives.” “Unilateral attack” is the most complex category, combining frontal attacks, ambushes, prison breaks, sabotage, and “attempted” variants, while “clash”—*any* situation in which two or more groups exchange lethal force—is itself a raw type.

The top row draws on the theory presented earlier to further aggregate action types into two broad categories: enforcer-targeted actions, corresponding to violent corruption; and terror tactics, corresponding to violent lobbying. This correspondence is admittedly imperfect. In 1989, for example, Pablo Escobar made a standing reward offer for any police officer killed; many resulting victims were uninvolved with antinarcotics and had received no *plata o plomo* threats.³⁰ Rather, this enforcer-targeted violence was part of the larger violent-lobbying campaign, aimed at inflicting political costs on leaders. Conversely, some bombings were allegedly aimed at individual enforcers, and thus were driven, at least partially, by a logic

of violent corruption. Finally, as explained in the following section, antistate violence can be motivated by inter-cartel competition; the aforementioned aggregation does not attempt to account for this. Overall, though, the data suggest a general predominance of violent corruption over lobbying, with the latter uniquely prominent in Colombia.

The theory laid out earlier, I argue, offers purchase on explaining these patterns. In Colombia, in 1984, the necessary conditions for violent lobbying were all met. Escobar launched his war at a time when cartels were peacefully united under *Muerte a Secuestradores* (MAS; Chepesiuk 2003, 64), a mutual-protection organization he masterminded, and which gave him authority to tax members to finance collective military campaigns. Colombia's extradition treaty was in judicial limbo and faced significant popular opposition to its implementation (López Restrepo 2005, 199). At the same time, ongoing peace negotiations with guerrilla groups convinced Escobar and his colleagues that fighting could lead to an eventual reprieve:

[I]f the government had defeated the guerrillas it would not have had to recognize their political motives. The traffickers saw their chance: if the government could not defeat them, then it would have to grant them political status and negotiate. . . . (López Restrepo 2005, 203; Author's translation)

By contrast, in Mexico, intense competition among cartels and former president Calderón's personal identification with the crackdown he launched made lobbying unpromising. In the case of the Familia Michoacana, its regional focus and hegemony within Michoacán state may have mitigated the free-rider problem, while its policy demands seem to have been carefully crafted to increase their palatability. Moreover, its campaign was largely unsuccessful, suggesting that it underestimated Calderón's openness to policy change, one key factor auguring against violent lobbying. In Rio, violent lobbying frequently focuses on carceral policy, a low-salience issue with small audience costs for leaders, and demands are often particularistic: transfers of specific leaders or policy changes within units controlled by the dominant cartel. Lobbying episodes have also clustered around gubernatorial elections, when *de jure* policy is susceptible to revocation by challengers. Still, the bulk of Rio's violence derives from violent corruption: the dominant type, by far, is open clashes, the vast majority of which take place within their *favela* turf in response to police incursions (Lessing 2013).

In practice, violent lobbying often seems to fail: the Calderón government, for example, unsurprisingly rejected the Familia Michoacana's calls for dialogue or its demands to remove the federal police. This suggests overconfidence on the part of cartels as a potentially important trigger. On the other hand, failed campaigns may have been good bets *ex ante*, with big payoffs but long odds and potentially small downsides where states already maximized their level of repression. Moreover, success in violent lobbying is difficult to identify. As with "regular" lobbying, violent lobbying is costly and its true impact on complex outcomes hard to disentangle, but

officials have especially strong incentives to conceal negotiations with illicit groups and concessions made under duress.

For example, Escobar never received amnesty, but he did negotiate a minor sentence in a prison he himself built. These negotiations were secret and officials deny that concessions were made (García Márquez 1997; Pardo Rueda 1996). Was his campaign successful? Was it a good bet *ex ante*? The fact that Escobar later launched a second campaign after fleeing prison suggests that he was satisfied with the first's results; the fact that the second campaign failed to produce a similar negotiation reinforces the overoptimism hypothesis. Similar ambiguity exists around a second spectacular example of violent lobbying: in 2006, the São Paulo prison gang Primeiro Comando da Capital (PCC), an ally of Rio's Comando Vermelho, launched three waves of terrorist attacks (Adorno and Salla 2007; Bailey and Taylor 2009), bringing the city to a standstill until officials secretly met with gang leaders and apparently, though not officially, made concessions in carceral policy (Penteadó et al. 2006). Collective antistate violence then abruptly stopped for the following six years. Officials' incentives to misrepresent and the low salience of carceral policy makes it unclear whether this hiatus constitutes a "coerced peace," in which the state was cowed by the threat of further violence or an abandoning of violent lobbying by the gang because its costs outweighed the expected policy benefits.

Turf-war Logics of Antistate Violence

Violent corruption and lobbying both represent logics of constraint: the attempt to change state policy outcomes through coercive violence. But cartel–state conflict often coexists with inter-cartel turf war. As a war of conquest, and a multiplayer one at that, turf war merits an analysis of its own. However, it cannot be left out of the analysis here, for two key reasons. First, the presence and intensity of turf war may affect cartels' decisions to adopt violent forms of corruption or lobbying vis-à-vis the state. Second, turf war may, on its own, generate incentives to use antistate violence. In these cases, the *victims* of violence may be state agents, but the violence is ultimately in the service of conquering turf from rival cartels. Obviously, most turf-war violence victimizes members of rival cartels; I consider cases where cartels might find it beneficial to attack state actors outside the logics of constraint outlined earlier as follows.

Competitive and Internal Signaling. Our theories attribute to violence several different elemental functions. As noted earlier, in the "costly lottery" literature, violence definitively distributes control over some piece of territory or other asset (e.g., Fearon 1995); but it may also forestall an adverse shift in power (e.g., Powell 2012) or, conversely, weaken a rival or sap his reserves (e.g., Leventolu and Slantchev 2007), or do nothing more than inflict pain (e.g., Dal Bó et al. 2006). Another elemental function of violence is as a signal. In this view, acts of violence—quite apart from their physical, "battlefield" effects—convey important

information about the perpetrator's operational capacity, resolve, internal cohesion, and so on (e.g., Powell 2004a).

Violence as costly signal often has a seemingly irrational veneer. For example, when Colombia's cartels joined forces under the banner of MAS to free a trafficker's sister kidnapped by M-19 guerrillas, their first military actions involved capturing M-19 members and leaving them in front of newspaper offices shackled, beaten unconscious, and wearing notes that read "I am a kidnapper" (Castillo 1987, 115). It might seem wasteful to take the trouble of identifying and capturing "enemy soldiers" only to release them, but this is precisely the point: only an organization with sufficient resources and resolve could afford to send such a costly signal (Spence 2002).³¹ The tactic worked: within weeks, the captive was released, and the M-19 guerrillas never targeted the cartels again; in fact, the incident led to a decade of warm relations between Pablo Escobar and the M-19 leadership (Salazar 2001).

In this example, neither the victim nor the intended receiver of the violent signal were state actors. Conversely, many examples of violence against state actors, such as high-level assassinations of police or judicial officers, may be understood as signals whose intended recipients are also part of the state. In these cases, signaling forms part of a larger strategy of violent corruption or violent lobbying, ultimately aimed at affecting policy at either the *de jure* or *de facto* level.

A third possibility exists, in which violence against state actors serves as a signal not to the state but to members of the drug trade itself. To the extent that cartels kill cops, or attack army outposts, or machine gun public buildings, or assassinate mayors, so that other traffickers see that they are willing and able to do so, the motivating logic derives from turf war, not cartel-state conflict: the aim of such violence is ultimately to increase market share or territory, as opposed to changing state policy.

Reuter (2009) usefully distinguishes two subtypes of violent signaling. Typically, signaling is part of a *competitive* strategy aimed at intimidating rival cartels. However, larger organizations like Mexico's cartels may be complex enough to experience significant and problematic internal information asymmetries, particularly when the death and capture of leaders leads to power vacuums and succession battles (Magaloni et al. 2013). In situations like this, violent signals—think of Al Capone beating an underling to death in front of his colleagues—may be directed at an organization's own members to establish authority. Gambetta (2009) discusses a related use of (potentially violent) signals to establish one's criminal *bona fides* to other criminals with whom one wants to cooperate; this is probably more relevant in situations where infiltration by undercover agents is a primary threat.

It seems unlikely that a cartel would risk attacking state forces *solely* to communicate its strength to rivals or upstarts within its organization. That said, because antistate violence is rare, logistically difficult, and almost certainly more costly than inter-cartel violence, it would make a powerful signal to other traffickers. Any such positive value a cartel sees in sending such signals would contribute to the larger

decision to take a violent strategy vis-à-vis the state. This channel could thus play a contributing role in the onset of cartel–state conflict.

Key factors and empirical footprint. There is no reason to send signals unless one has private information to convey. As Reuter notes, we would not expect internal signaling to occur in market sectors where firms are so small that serious internal information asymmetries were unlikely to arise. Similarly, signaling violence should be sporadic when the industrial organization of drug markets is stable, since informative signals only need to be sent once. Conversely, state crackdowns that weaken or fragment cartels, or that otherwise generate uncertainty about the strength of rivals and upstarts, are likely to feed this type of violence.

As for the type of violence predicted, the costlier the signal, the more strength and resolve is communicated. This could point toward high-profile assassinations and brazen, tactically ambitious attacks targeting state officials or forces. That said, the gruesome mutilation and public display of victims—most of them *not* state agents—as well as credit-claiming tactics (such as Mexico’s ubiquitous *narcomantas*), also serve as powerful signals. In the data sets I collected, such “propagandistic” actions were most common in Mexico, nearly 17 percent of all violent-action reports, versus about 4 percent in Rio and only 1 percent in Colombia. This could reflect a need to send signals in a strategic environment constantly destabilized by Calderón’s strategy of decapitating and fragmenting cartels. It also substantiates the conjecture that sufficiently costly signals short of antistate violence exist, making this channel unlikely to be solely responsible for the onset of cartel–state conflict.

Calentar la Plaza: Bringing Down Heat on Rivals. Literally, “to heat up the plaza” (In Mexico, *plaza* is used to refer to the concession to run the local drug trade turf; Poppa 2010, 42), the idea is to use violence, particularly antistate violence, to deliberately attract state repression to a region under the control of a rival, in order to interfere with their rent-producing activities or otherwise weaken them.³² This category includes what are known as “false flag” attacks in warfare, designed to create the incorrect belief that an attack was carried out by someone else, but extends to cases where it is sufficient to foment doubt or a sense of crisis that will attract government repression. Naturally, this channel of violence may involve false credit-claiming and public disputes about the true authorship of violent events, as in this communiqué from Pablo Escobar:

The purpose of the massacres and terrorist attacks perpetrated in the city of Medellín in the last few days was to sow confusion and damage our sincere desires for peace and rapprochement with the Colombian legal system [...] These deeds were led and financed by [the Cali cartel]. (*El Tiempo* 1990)

Similar public dispute occurred after the tragic 2009 grenade attack on a crowd celebrating Mexico’s independence in the town square of Morelia, Michoacán. Suspicion immediately fell on the Familia Michoacana cartel, then dominant in

Michoacán. The cartel adamantly denied responsibility, blaming its rival Los Zetas, and sending text messages to journalists and hanging *narcomantas* with messages such as “Don’t let them fool you: La Familia of Michoacán is with you and does not agree with acts of genocide” (Lacey 2008).

Key factors and empirical footprint. Clearly, this logic is driven by turf war among cartels. Moreover, it requires that the target cartel be facing something less than maximum repression, perhaps because it has pacted or is trying to pact with the government, or simply because the government is applying conditional repression and the cartel has previously avoided violence. The attacking cartel must stand to gain by exposing the target cartel to additional repression, yet not be excessively afraid of inadvertently exposing itself. These conditions are met in the above-mentioned example: Escobar was negotiating his voluntary surrender and was strategically withholding terroristic violence as part of a larger strategy of violent lobbying. At the same time, the Cali cartel (in Escobar’s telling) had the partial complicity of state enforcers, reducing the risk of engaging in terrorist actions. A few months earlier, at the peak of Escobar’s car-bombing campaign, such attacks by the Cali cartel would have made little sense, at least beyond any immediate tactical effects.

The predicted empirical footprint is well illustrated by the abovementioned examples: since the aim of this kind of violence is to draw attention from the public and the authorities, it makes sense to target civilians with terror tactics. Targeting state forces might also make sense, provided that authorities could not discern from the attacks the identity of the perpetrator. In addition, false-flag violence is likely to engender subsequent acts of propaganda in which responsibility for the violence is disputed.

Such disputes make *calentar la plaza* violence difficult to distinguish in practice, though the somewhat restrictive conditions under which it is sensible may make it relatively rare. Nonetheless, it is worth noting that this channel, unlike others, could be *strengthened* by conditional crackdowns: if the state’s policy is to increase repression against any cartel that engages in antistate violence, then cartels have incentives to frame their rivals, thus exposing them to “extra” repression. For this reason, calls for more conditional approaches to cartel repression emphasize the need for better police intelligence (e.g. Kleiman 2011).

Conclusion

This article has sought to put the study of Mexico’s drug war, and drug wars more generally, on a firmer conceptual basis. While acknowledging the merits of the “criminal insurgency” approach—highlighting cartel–state conflict as a defining characteristic—it advocates a more careful distinction among types of antistate violence, and a restoration of the canonical understanding of insurgency as an attempt to topple or secede from the state. Insurgency, in this view, is characterized by a proximate aim of *conquest*: winning decisive control, via force, over commonly sought

territory or resources. Turf war among cartels shares this proximate aim; cartel–state conflict, however, does not. Rather, it is a war of *constraint*, aimed at changing opponents’ behavior through the application of coercive force, as with international terrorism campaigns and armed sanctions regimes.

This classification, I claim, yields insights into fundamental dynamics obscured by more slippery “political versus criminal” and “greed versus grievance” distinctions. In particular, it highlights the risk of directly applying canonical models of conflict in which two unitary actors bargain or fight for definitive control over a single, mutually prized object. Abstracting away from intra-state principal-agent problems or the sometimes purely coercive nature of violence may be justified in settings like civil war where these concerns are second order. In criminal war, these concerns take on primary importance, requiring careful adaption and extension of analytic models.

I provide a theory of cartel–state conflict *qua* war of constraint, arguing that cartels use violence to coerce changes in policy outcomes on two distinct levels: formulation of de jure policy by leaders, and enforcement by police, judiciaries, soldiers, and so on. I thus distinguish violent lobbying from violent corruption, and from conventional, nonviolent forms of each. Violent lobbying, like all lobbying, seeks de jure policy changes that could benefit an entire industry; it thus requires an “open” policy question and is subject to free-rider problems that make it inefficient when cartels lack mechanisms for cooperation. Violent corruption produces particularistic benefits, requiring no collective action, and requires no more than anti-cartel crackdowns amid police corruption, a common condition. Qualitative and quantitative evidence suggest that violent corruption has been the more prominent dynamic across cases, though Colombia saw an anomalous prominence of terror tactics associated with violent lobbying. The theory presented here offers a plausible explanation: the presence of inter-cartel turf war, as well as the rigidity of de jure antinarcotics policy, made violent lobbying rare in Mexico and Brazil, while cohesion among Colombia’s cartels in the early 1980s, together with policy flexibility around extradition, led to the onset of intense violent lobbying there.

Finally, I discuss logics of antistate violence arising from inter-cartel turf war, distinguishing signaling from false-flag violence intended to draw state repression onto rivals territory. I find that turf war dynamics alone are unlikely to generate antistate violence, but could play an aggravating role. Of course, it is also likely that cartel–state conflict aggravates inter-cartel turf war. The coexistence of two very different dynamics—intense inter-cartel fighting and cartel–state conflict—is a prime reason why criminal war is such a challenging object of study. Because both turf war and cartel–state conflict have occurred in the absence of the other, I have argued that a valid first step is to analyze each in isolation. Nonetheless, future research must grapple with the complicated interactions between these two forms of conflict. If this is true for the cases of “pure” drug-trafficking cartels discussed here, then it is likely to be even more important in analyzing hybrid or

organizations with ideological aims and deep ties to criminal markets, or chameleon organizations whose true battle aims may rapidly shift in response to conditions on the ground.

The logics of violence developed here—with reference to cartel–state conflict—can hopefully shed light on a broader set of cases. Violent lobbying was used quite effectively in São Paulo by the PCC prison gang, not principally a drug cartel, and the concept might prove useful in cases of “postmodern insurgency” (Munck and de Silva 2000) like the Mexican Zapatistas. Violent corruption can conceivably occur wherever intrastate principal-agent problems exist, and more broadly wherever bribe makers and bribe takers both have the power to hurt one another. Additional cases should help hone the fit between theoretical logics and empirical patterns of violence, though they could also reveal additional logics that were not prominent in those studied here. The overall analytic approach, one hopes, can serve as a useful guide on the road ahead.

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Notes

1. With apologies to purists, I use “cartel” throughout in its popular, not technical, sense, to mean “drug trafficking organization of significant size and capacity,” with no implication of collusive price fixing.
2. In the entire United States, with more than twenty-five times the population, police kill about 400 civilians per year. In Europe, the number is far lower.
3. Kalyvas (2015) discusses the converse concern: an undeserved sense of righteous struggle by drug cartels.
4. Sustained, intense conflict among high-level traffickers is also rare, at least in consumer countries. The coexistence of prolonged inter-cartel turf war with cartel–state conflict in the cases discussed here suggests causal linkages between the two phenomena; yet in Mexico, intense turf war preceded cartel–state conflict, while in 1980s Colombia, cartels

were united when cartel–state conflict broke out, suggesting that neither is necessary or sufficient for the other to occur.

5. A notable exception was the Sicilian mafia’s brutal assassination of magistrates Giovanni Falcone and Paolo Borsellino in the early 1990s (Stille 1996). Even here, though, antistate violence quickly abated.
6. Fearon and Laitin (2007) find that 24 percent of center-seeking and 17 percent of autonomy-seeking civil wars ended in rebel military victory, while another 23 percent of the latter saw rebels win autonomy after fighting the state to a draw. Conversely, states crush the rebels roughly half the time; in drug wars, by contrast, states often dismantle specific cartels, but have rarely, if ever, successfully eradicated a flourishing drug trade. A potential exception is the Taliban’s near-total eradication of Afghan opium production in 2001, though production immediately reverted to its historical trend after the US invasion (Felbab-Brown 2010, 131-4).
7. Cartels, violent or not, have a third course of action, corruption (Bailey and Taylor 2009), which I discuss subsequently.
8. Acemoglu and Wolitzky (2011) and Chwe (1990) formalize this, defining coercion as worsening an opponent’s outside option, so that she will accept an offer she would not have otherwise accepted.
9. If fighting allows rebels to avoid or slow an otherwise inevitable loss of relative power and subsequent betrayal by the state, then they may keep fighting even with zero chance of victory (Fearon 2004; Powell 2012).
10. The list is not intended to be exhaustive; in particular, I do not address “expressive” or “irrational” motives for violence, which may well play some role. But like many scholars of organized crime (e.g., Gambetta 1993; Reuter 2009; Skaperdas 2001) and conflict (e.g., Fearon 1995; Kalyvas 2006), I find little reason to either assume or conclude that violence serves no instrumental purpose for cartels. On the contrary, the sustained nature of cartel–state conflict, and the ability of the most violent among cartels to survive and sometimes thrive (witness Los Zetas in Mexico and the Comando Vermelho in Brazil), suggests that antistate violence is largely strategic.
11. “Proximate” because rebels could have an underlying aim of pure policy change short of revolution, yet fight for political control due to commitment problems (Fearon and Laitin 2007).
12. For this reason, none of Mexico’s cartel violence appears in its Armed Conflict Dataset, and the Americas register as the world region with the least civil war battle deaths (Themnér and Wallenstein 2014, 4).
13. All quotes from foreign sources are the author’s translations.
14. “What is pure pain, or the threat of it, at one level of decision can be equivalent to brute force at another. . . . tactics that frighten soldiers so that they . . . surrender represent coercion based on the power to hurt; to the top command, which is frustrated but not coerced, such tactics are part of the contest in military discipline and strength” (Schelling 1966, 244).
15. This, however, presents a considerable puzzle: if a mutually agreeable settlement was possible, why did the sides need to go to the trouble of fighting? Most explanations

- invoke asymmetric information, arguing that belligerents learn while fighting (e.g., Fearon 2007; Powell 2004a). But commitment problems are clearly relevant (Walter 1997) and can lead to intermittent fighting and pacting (e.g., Leventolu and Slantchev 2007; Powell 2012).
16. In the other principal approach, information asymmetries over relative military strength lead to fighting (Powell 2006, 170). In these settings, bargained solutions and war outcomes are both decisive—there is no issue of renegeing. Here too, nonetheless, fighting would not be preferable if it did not produce a decisive outcome.
 17. Indeed, cartels might well retain more firepower by not fighting the state for a period than by fighting. This is the opposite of what happens in costly process models of civil war.
 18. I thank James Fearon for suggesting this possibility in a discussion of an earlier version of this article.
 19. In many costly process models of war, the flow payoffs to fighting are exogenously determined.
 20. It bears emphasizing, however, that terrorism is a flexible tactic; it can and has been used as part of revolutionary insurgency and many other types of conflict.
 21. George W. Bush infamously declared himself “not that concerned” with capturing Osama Bin Laden. In an earlier statement, frequently quoted by his defenders as “context,” Bush “assures” his listeners that “the objective is not bin Laden” (quoted in Foser 2004).
 22. Rivalrous goods are those whose consumption by one party precludes consumption by others.
 23. This mutually exclusive quality is truer of the strategic level than the tactical: groups engaged in confrontational strategies may find hiding advantageous in specific situations, but they cannot go back to being nonviolent groups below the state’s radar.
 24. Corruption is always illicit, but lobbying is sometimes aboveboard, hence the “illicit” qualification.
 25. Possible variants include a threat with a bribe offer of zero (pure intimidation), pressuring enforcers to inflict repression on rivals, or the elimination of stubbornly honest individual enforcers.
 26. This is true whether bribery takes the form of venal, rent-seeking officials making demands or enterprising traffickers making offers; more than relative bargaining power, what matters is the size of the illicit “pie” to be divided relative to enforcers’ expected official sanction for bribe taking. This forms a “bargaining range” just as in canonical models of conflict, with one key difference: the range is over illicit rents to which corrupt state enforcers have access (by virtue, simultaneously, of their official status and their personal corruption) but which the state qua state does not.
 27. Note that this “inverse conditionality” is not inherent in the policy itself, but rather arises from the state’s inability to credibly commit to sustaining it in the face of violent lobbying.
 28. Such “coerced peace” is the equilibrium outcome in Dal Bó et al.’s (2006) *plata o plomo* model: policy makers always agree to a bribe that is smaller than it would have been in the absence of bribers’ (unrealized) threats. In Lessing’s (2013) model of violent corruption,

- “coerced peace” prevails in part of the parameter space, with actual fighting, as well as corruption without threats, occurring in other regions.
29. Interview, former fiscal sin rostro (government investigator granted official anonymity during the narco-violence period), December 27, 2010.
 30. Interviews, former police officers wounded in these attacks, Medellín, June 29, 2012.
 31. As Powell (2004a) points out, fighting can convey information by a second channel as well: simply surviving a battle can raise an opponent’s assessment of one’s strength.
 32. Interview, CISEN Intelligence Officer, Mexico City, September 28, 2010.

Supplemental Material

The online appendix is available at <http://jcr.sagepub.com/supplemental>.

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