

Research Article

The Mafia State: Criminal Governance in Sinaloa, Mexico, in 2006-2016

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Received: 06 February 2025 / Accepted: 10 June 2025

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Abstract

Organised crime has often adopted mixed characteristics, shifting away from its central economic identity and evolving into a social and political actor. Mexican drug-trafficking organisations are one such manifestation of this mixed character, increasingly so since the 2006 militarisation of the War on Drugs during the Calderón administration. During the first 10 years, Mexico faced a sharp increase in violence and the pervasive influence of organised crime in politics, sparking debates of whether it has become a “narco-state” or a “mafia state.” This paper demonstrates that this development of the War marks an increasingly political nature of the Sinaloa Cartel in a two-level conflict against the federal government and other drug-trafficking organisations vying for power and influence. The research highlights that the political nature of drug-trafficking has been present in Mexico since the early 20th century but returned to strengthen and reinforce economic power derived from criminal activities. This historical political nature is only possible with the presence of a weak state, allowing for a crime-governance nexus to develop and embed the illicit drug trade in Mexican society, thereby further strengthening and legitimising the political character of the Sinaloa Cartel. Tackling drug-trafficking will remain at the top of the political and security agenda for the foreseeable future. However, understanding the political dynamics and interactions between organised criminal groups and the government will be crucial to comprehending the ongoing development of the War on Drugs.

I. Introduction

The acceleration of globalisation has seen the growth of a global shadow economy, changing the security discourse as new non-state actors grow prominent. This has resulted in intense debates regarding how to tackle the pressing challenges that these non-state actors present to nation-states and the international community. This shadow economy, or organised crime (OC), has permeated into civil society, corrupting civil servants and institutional frameworks, becoming a part of socio-economic and socio-political structures.¹²¹⁴ This has become a threat and obstacle to democracy and development. The illicit drug trade, particularly, has been a global problem since the 1890s.¹²¹⁵ Historically a problem reserved for producer countries, illegal drug-trafficking has received more attention as a shared international problem.¹²¹⁶

On December 11, 2006, President Felipe Calderón announced the militarisation of the fight against drugs, beginning the Mexican War on Drugs.¹²¹⁷ Approaching the 20-year mark, the conflict shows no signs of slowing down, rather permeating society as various forms of OC, including corruption and other forms of trafficking, as violence increases. As various forms of OC work together to conserve the power of OC groups (OCGs), the lines between the Mexican State's forces and the OC have been blurred, where the two sometimes seem indistinguishable.¹²¹⁸ This results in state scepticism and an overall distrust in the justice and political system.¹²¹⁹ The conviction of former Minister

¹²¹⁴ Juan Carlos Gachúz, "Globalisation and Organised Crime: Challenges for International Cooperation," *Baker Institute*, <https://www.bakerinstitute.org/research/globalization-organized-crime>.

¹²¹⁵ Douwe den Held, Alessandro Ford, and Chris Dalby, "From Empires to World Wars – A History of the Global Cocaine Trade," *InSight Crime*, September 1, 2022, <https://insightcrime.org/news/empires-world-wars-history-global-cocaine-trade/>.

¹²¹⁶ Gabriela Recio, "Drugs and Alcohol: US Prohibition and the Origins of the Drug Trade in Mexico, 1910-1930," *Journal of Latin American Studies* 34, no. 1 (2002): 21, <http://www.jstor.org/stable/3875386>.

¹²¹⁷ CNN, "Mexico Drug War Fast Facts," CNN, last updated March 20, 2022, <https://edition.cnn.com/2013/09/02/world/americas/mexico-drug-war-fast-facts/index.html>.

¹²¹⁸ Wil G. Pansters, "Drug-trafficking, the Informal Order, and Caciques. Reflections on the Crime-Governance Nexus in Mexico," *Global Crime* 19, no. 3-4 (2018): 322, <https://doi.org/10.1080/17440572.2018.1471993>; Stephen D. Morris, "Corruption, Drug-trafficking, and Violence in Mexico," *The Brown Journal of World Affairs* 18, no. 2 (2012): 29, <http://www.jstor.org/stable/24590861>.

¹²¹⁹ James Bargent, "'Corruptionary' Provides a Guide to Mexico's Vocabulary of Corruption," *InSight Crime*, February 2, 2017. <https://insightcrime.org/news/analysis/corruptionary-provides-guide-mexico-vocabulary-of-corruption/>; Coralie Pring, 2017, *People and Corruption: Latin America and the Caribbean: Global Corruption Barometer*, ISBN: 978-3-96076-062-7 (Transparency International, 2017), 6, https://images.transparencycdn.org/images/2017_GCB_AME_EN.pdf. The creation of the *Corrupcionario Mexicano* (2016) highlights the way that corruption has permeated into the everyday of Mexican society. According to a 2017 Transparency International publication, people surveyed in

of Public Security Genaro García Luna for accepting bribes and drug-trafficking shows the extent of criminal influence even at the highest levels of government.¹²²⁰ The permeation of OC into the state apparatus and political structures raises the question of whether Mexico is a "narco-state" or, in a broader sense, "mafia state."¹²²¹ This prompts the question of *what factors have contributed to the criminal appropriation of political structures during the Mexican War on Drugs?* The objective of this exploration is to analyse the impact of a dynamic security landscape on political structures and the ability to confront rising security concerns.

The case study selected is *Cártel de Sinaloa* (CDS), or Sinaloa Cartel, based in Sinaloa state. The Mexican government recognised the CDS as the most powerful and largest crime group and drug-trafficking organisation in Mexico and the Western Hemisphere.¹²²² The CDS has a long history in Mexico's contemporary narco-trafficking history, rising to power in the 1980s as one of the main drug-trafficking organisations (DTOs).¹²²³ The period under study is from 2006 until 2016, the period of the War on Drugs prior to a significant restructuring of CDS and the third arrest of its main *capo*, Joaquín "El Chapo" Guzmán.¹²²⁴ In 2016, *Cártel Jalisco Nueva Generación* (CJNG), the former armed faction of the Sinaloa Cartel,¹²²⁵ broke away from the CDS structure, changing the criminal environment. Since 2016/2017, security analysts have

Mexico, at 51% were the most likely to say they paid a bribe when accessing basic public services of all Latin American countries included in the study.

¹²²⁰ Madeline Halpert and Bernd Debusmann Jr., "Mexico's ex-security minister Genaro García Luna convicted of drug-trafficking," *BBC*, February 22, 2023, <https://www.bbc.com/news/world-us-canada-64726724>; Andrea Vega, "Sobornos y Nacrotráfico, de Esto Acusan a García Luna," *N+*, February 9, 2023, <https://www.nmas.com.mx/internacional/genaro-garcia-luna-acusado-narco trafico-sobornos-juicio/internacional/sobornos-y-narco trafico-de-esto-acusan-a-garcia-luna>.

¹²²¹ Agencia Reforma, "Ven en EU a México como 'narcoestado'", *El Siglo de Torreón*, September 16, 2017, <https://www.elsiglodetorreon.com.mx/noticia/2017/ven-en-eu-a-mexico-como-narcoestado.html?from=old>; Alexandra Endres, "Mexiko ist eine Mafiakratie.", *Zeit*, March 17, 2011, https://www.zeit.de/wirtschaft/2011-03/drogenstaat-mexiko-korruption?utm_referrer=https%3A%2F%2Fen.wikipedia.org%2F.

¹²²² Nathan P. Jones, "The Strategic Implications of the Cártel de Jalisco Nueva Generación," *Journal of Strategic Security* 11, no. 1 (2018): 21, <https://www.jstor.org/stable/10.2307/26466904>; InSight Crime, "Sinaloa Cartel," *InSight Crime*, Last updated May 04, 2021, <https://insightcrime.org/mexico-organized-crime-news/sinaloa-cartel-profile/>.

¹²²³ Guillermo Trejo and Sandra Ley, "High-Profile Criminal Violence: Why Drug Cartels Murder Government Officials and Party Candidates in Mexico," *British Journal of Political Science* 51, (2021): 206, <https://doi.org/10.1017/S0007123418000637>.

¹²²⁴ Euronews, "Capturado Joaquín 'el Chapo' Guzmán en un Motel en el Noroeste de México," *Euronews*, January 9, 2016, <https://es.euronews.com/2016/01/09/capturado-joaquin-el-chapo-guzman-en-un-motel-en-el-noroeste-de-mexico>.

¹²²⁵ Jones, "The Strategic Implications," 21.

viewed the CJNG as the most powerful OCG in Mexico, suggesting a weakening of CDS as CJNG continues to expand.¹²²⁶

The exploration begins with an overview of relevant theoretical discussions on OC as a political phenomenon in Chapter 1. Chapter 2 outlines the historical development of the Mexican drug trade since the 1900s. Chapter 3 analyses the CDS's appropriation of political structures in the Pacific state of Sinaloa, Mexico, and, where needed, on a national level. The exploration concludes that the CDS is both an economic and political player as it engages in a war against the State and confronts other criminal organisations for market and territorial control.

II. Organised Crime in the Political Arena

OC is a multidimensional phenomenon that can be explained from a cultural, economic, or political perspective. It was historically understood as being defined by class struggle and oppression in the context of a conflict.¹²²⁷ Often terms associated with OC, like 'mafia,' have their origins in these same contexts of socio-political marginalisation, ignoring a criminal nature.¹²²⁸ This political outlook on OC focuses on the power dynamics of competing groups,¹²²⁹ in this case, organised crime groups (OCGs) and the State, as understood by its apparatus and institutions. Competition between OC and the State comes from the perspective of law and order. However, there is a fundamental relationship that arises from the intersection between legal governance and OC understood as "criminal governance."¹²³⁰

¹²²⁶ Ibid., 20; Global Guardian, "Risk Map 2023 Analysis: Mexico Cartel War," <https://www.globalguardian.com/newsroom/risk-map-mexico>.

¹²²⁷ Klaus von Lampe, *Organised Crime: Analysing Illegal Activities, Criminal Structures, and Extra-Legal Governance* (Los Angeles: SAGE, 2016), 17; Frank Pearce, *Crimes of the Powerful: Marxism, Crime and Deviance* (London, England: Pluto Press, 1976); Michael Woodiwiss, *Organised Crime and American Power: A History* (Toronto, Ontario, Canada: University of Toronto Press, 2001), 68-104.

¹²²⁸ von Lampe, *Organised Crime*, 16-19.

¹²²⁹ Adrian Leftwich, "Thinking Politically: On the politics of Politics," in *What is Politics? The Activity and its Study*, ed. Adrian Leftwich, 1-22. John Wiley & Sons, 2015; Harold D. Lasswell, *Politics: Who Gets What, When, How*. Pickle Partners Publishing, 1936; and Kate Millet, "Theory of Sexual Politics," In *Radical Feminism: A Documentary Reader*, ed. Barbara A. Crow, 122-153, NYU Press, 2000.

Understanding what politics is has been a focus of defining the academic field. Leftwich (2015) makes an interesting point that politics is shaped by its context and that its definition may depend on its interpretation as (1) an arena and (2) a process. Lasswell (1936) approaches it as the study of influence and the influential. Along similar lines, Millet (2000) describes it as referring to power-structure relationships where one group acts as a hegemon and the other is pressed.

¹²³⁰ Benjamin Lessing, "Conceptualising Criminal Governance," *Perspectives on Politics* 19, no.3 (2021): 854-73, <https://doi.org/10.1017/S1537592720001243>.

A. The Monopoly of Protection

Historical insights in literature suggest that OC, in many contexts, rose because a weak state failed to provide security.¹²³¹ In this context, literature focuses on the idea of the "mafia" as an alternative protection provider. Such mafia organisations are understood as a specific manifestation of OC rooted in the specialisation of a particular asset, typically the commodification and monopolisation of protection.¹²³² This section focuses on the context of the weak state as a breeding ground for mafia-like groups and their market-based activities.

While the origin of these mafia groups is diverse, the presence of a weak state is common across time and space. As observed in the case of South Africa, the context of an unstable state, marked by political violence or economic transition, is fertile breeding ground for criminal groups.¹²³³ The lack of protection of the social order requires an actor -- the mafia -- to step up and offer it to society.¹²³⁴ This happens in a context where there is no public trust in the justice system or the State. This context is characterised by the lack of public security provided by the State,¹²³⁵ as the mafia group monopolises protection and becomes a replacement. This allows for an exploitation of the State's inefficiency while disregarding the law.¹²³⁶

Considering this monopolisation, there is a vital economic aspect. The previous subsection outlined that protection is commodified by mafia groups becoming private security providers. The perspective that OC focuses on material gain as a core incentive further drives the economic nature of these groups.¹²³⁷ This has since been

¹²³¹ Daron Acemoglu, Giuseppe De Feo, and Giacomo Davide De Luca, "Weak States: Causes and Consequences of the Sicilian Mafia," *The Review of Economic Studies* 87, no. 2 (2020): 537-581, <https://doi.org/10.1093/restud/rdz009>.

¹²³² Diego Gambetta, *The Sicilian Mafia: The Business of Private Protection* (Cambridge, MA: Harvard University Press, 1993); Federico Varese, *The Russian Mafia: Private Protection in a New Market Economy* (Oxford: Oxford University Press, 2001).

¹²³³ Gary Kynoch, "Crime, Conflict and politics in transition-era South Africa," *African Affairs* 104, no. 416 (2005): 493-514, <https://doi.org/10.1093/afraf/adi009>.

¹²³⁴ Santoro, *Mafia Politics*, (Cambridge, UK; Medford, MA: Polity, 2022), 210.

¹²³⁵ Gambetta, *The Sicilian Mafia*; Oriana Bandiera, "Land Reform, the Market for Protection, and the Origins of the Sicilian Mafia: Theory and Evidence," *The Journal of Law, Economics, and Organisation* 19, no. 1 (2003): 218-244, <https://doi.org/10.1093/jleo/19.1.218>; Alfredo Del Monte and Luca Pennacchio, "Agricultural Productivity, Banditry and Criminal Organisations in Post-Unification Italy," *Rivista Italiana degli Economisti* 17, no.3 (2012): 347-378, <https://ssrn.com/abstract=2182516>.

¹²³⁶ Varese, *The Russian Mafia*.

¹²³⁷ Howard Abadinsky, *Organised Crime*, 10th ed (Belmont, CA: Wadsworth, 2013); James O. Finckenauer, "Problems of Definition: What is Organised Crime?," *Trends in Organised Crime* 8, no. 3 (2005): 63-83, <https://doi.org/10.1007/s12117-005-1038-4>.

extended to other illegal actors, businesses, individuals, and local governments.¹²³⁸ The approach to market-based crimes becomes a defining characteristic of these groups and their activities through the commodification of protection. This however can manifest in diverse ways: the Russian mafia, *Vory v Zakone (Vory)*, competes against the State and legal security firms, and the Italian-American mafia in the US is often understood as a business rooted in the underworld participating in illegal activities.¹²³⁹ The Chinese triads operate in a sphere of legality and illegality, often using business fronts to establish relations with other businesses.¹²⁴⁰ The Italian-American mafia does not operate as a business in a similar fashion, with members running illegal enterprises without the typical use of violence or monopolisation of a good or service.¹²⁴¹ Mafia-type groups do not necessarily provide illegal goods, but their methods to offer protection are inherently criminal considering the use of corruption, bribery, and violence, among others.¹²⁴² This does not mean that these groups cannot diversify their activities to include other illegal operations, including prostitution, smuggling, and drug-trafficking, as is the case with the Hong Kong Triads.¹²⁴³

B. Organised Crime as a Political Entity

To analyse OC from a political perspective requires consideration for the influence that associated groups have on politics without it being public. Literature focused on how OCGs influence politics suggests the preservation of a weak democratic culture.¹²⁴⁴ This weak democratic culture is maintained through electoral interference and abuse of local state institutions.¹²⁴⁵ In Italy, East Asia, and Nigeria, OC is connected with

¹²³⁸ Varese, *The Russian Mafia*; Peng Wang, *The Chinese Mafia: Organised Crime, Corruption, and Extra-legal Protection* (Oxford University Press, 2017).

¹²³⁹ Varese, *The Russian Mafia*, 71-2; von Lampe, *Organised Crime*, 40.

¹²⁴⁰ Wang, *The Chinese Mafia*, 45-9.

¹²⁴¹ Peter Reuter, *Disorganised Crime: The Economics of the Visible Hand* (Cambridge, M.A.: MIT Press, 1983).

¹²⁴² Varese, *The Russian Mafia*.

¹²⁴³ Yiu K. Chu, *The Triads as Business* (London: Routledge, 2000).

¹²⁴⁴ See Acemoglu, De Feo, and De Luca (2020) for a discussion on the Sicilian Mafia and the weak state; Kynoch (2005) for an overview of transition-era South Africa; and Wang (2017) for a discussion on the Chinese Triads in Shanghai.

¹²⁴⁵ Gianmarco Daniele, and Benny Geys, "Organised Crime, Institutions and Political Quality: Empirical Evidence from Italian Municipalities," *The Economic Journal* 125, no. 586 (2015): F233–F255, <https://doi.org/10.1111/eoj.12237>; Marco Di Cataldo, and Nicola Mastrorocco, "Organised Crime, Captured Politicians, and the Allocation of Public Resources," *Journal of Law, Economics, and Organisation* 38, no. 3 (2021): 774-839, <https://doi.org/10.1093/ileo/ewab015>.

political kidnapping and the murders of political opponents.¹²⁴⁶ The question arises whether these phenomena remain politically motivated or if they have transformed to become strictly criminal.¹²⁴⁷ The deterioration in law enforcement and the general corruption of the State further emphasises the lack of public trust as outlined earlier, aiding mafia-type organisations and other OCGs to flourish and establish criminal governance.

The weak democratic culture in these contexts has resulted in the boom of clientelist relations between criminal organisations and political actors. Political support from such organisations has been rewarded with economic benefits in the legal economic sectors the organisation participates in, as was the case with the Sicilian Mafia in the construction sector.¹²⁴⁸ A similar phenomenon can be seen in Shanghai as triad bosses would aid the local government to centralise control over labour unions and financial institutions to establish relations with politicians.¹²⁴⁹ To maintain the political support, additional political or legal protection may be afforded. Observations of the Russian *Vory* suggest that the State provided additional police protection to criminals.¹²⁵⁰ In the case of the Chinese triads, an 'alliance' results from the embeddedness of social networks in the judicial system, determining a weak state content as irrelevant.¹²⁵¹ This mutually beneficial network comes with discreet violence in exchange for support and free rein for criminal activities.¹²⁵² This is especially useful when the State cannot adequately combat non-state armed groups, regulate markets, or offer citizens (more)

¹²⁴⁶ Alberto Alesina, Salvatore Piccolo, and Paolo Punotti, "Organised Crime, Violence, and Politics," *The Review of Economic Studies* 86, no. 2 (2019): 457-499, <https://doi.org/10.1093/restud/rdy036>; Richard J. Samuels, "Kidnapping Politics in East Asia," *Journal of East Asian Studies* 10, no. 3 (2010): 363-96, <https://www.jstor.org/stable/23418864>; Bello Ibrahim, and Mukhtar, Jamilu I. "An analysis of the causes and consequences of kidnapping in Nigeria," *African Research Review* 11 no. 4 (2017):134-143, <https://doi.org/10.4314/afrrrev.v11i4.11>.

¹²⁴⁷ Schuberth, Mortiz. "A Transformation from Political to Criminal Violence? Politics, Organised Crime and the Shifting of Haiti's Urban Armed Groups," *Conflict, Security, Development* 15, no.2 (2015):169-196, <https://doi.org/10.1080/14678802.2015.1030950>.

¹²⁴⁸ Giuseppe De Feo, and Giacomo D. De Luca, "Mafia in the Ballot Box," *American Economic Journal: Economic Policy* 9, no. 3 (2017): 134-167, <https://doi.org/10.1257/pol.20150551>.

¹²⁴⁹ Wang, *The Chinese Mafia*, 44.

¹²⁵⁰ Varese, *The Russian Mafia*, 60.

¹²⁵¹ Wang, *The Chinese Mafia*, 176-9.

¹²⁵² Nicholas Barnes, "Criminal Politics: An Integrated Approach to the Study of Organised Crime, Politics, and Violence," *Perspectives on Politics* 15, no. 4 (2017): 967-87, <https://doi.org/10.1017/S1537592717002110>.

protection.¹²⁵³ This penetration of OC into the State apparatus can have a serious impact on the efficacy of State services and activities, strengthening criminal governance as the two spheres no longer operate independent of each other.¹²⁵⁴

Criminal groups, in particular mafia organisations, have been compared to the State since the Sicilian Mafia was called a global "super-government of crime."¹²⁵⁵ This is a shift away from the economic analysis of likening them to a firm and its processes based on the monopolisation of violence and protection. Protection becomes seen as a defining feature of criminal groups and the widening power base that contributes to the accumulation of power.¹²⁵⁶ The consolidated power via their permeation of social and economic activity secures "territorial lordship" of criminal organisations.¹²⁵⁷ This idea of territorial lordship likens OC to warlordism, further cementing OC's political character.¹²⁵⁸ Charles Tilly, considering the state-formation process of modern European nations, proposes that competition over territorial control and the monopoly of violence is key to the creation of the modern nation-state.¹²⁵⁹ The State's foundation and power base become threatened by the criminalisation of the monopoly of violence, foreshadowing the institutionalisation of criminal governance. The Chinese triads' power consolidation was the result of a commodification process that followed the loss or reduction of government control, particularly due to corruption.¹²⁶⁰ The lack of government control is a crucial factor of the weak state context observed in the establishment of the Sicilian model,¹²⁶¹ however, this neglects socio-cultural elements.¹²⁶²

The creation of collective identities within these organisations reflects the phenomenon of identity politics with the creation of a separate and distinct community and the emphasis on community identity.¹²⁶³ The Chinese triads' use of criminal constitutions

¹²⁵³ Ibid; Peng Wang and Sharon Ingrid Kwok, "Hong Kong Triads: The Historical and Political Evolution of Urban Criminal Polity, 1842–2020," *Urban History* (2022): 1–23, <https://doi.org/10.1017/S0963926821001024>.

¹²⁵⁴ Daniele and Geys, "Organised Crime."; Di Cataldo and Mastrorocco, "Organised Crime."

¹²⁵⁵ von Lampe, *Organised Crime*, 39.

¹²⁵⁶ Santoro, *Mafia Politics*, 217-8.

¹²⁵⁷ Ibid., 212.

¹²⁵⁸ Katherine Hirschfeld, *Gangster States: Organised Crime, Kleptocracy, and Political Collapse* (Palgrave Macmillan, 2015).

¹²⁵⁹ Brian D. Taylor and Roxana Botea, "Tilly Tally: War-Making and State-Making in the Contemporary Third World," *International Studies Review* 10, no. 1 (2008): 27-56, <http://www.jstor.org/stable/25481929>.

¹²⁶⁰ Wang, *The Chinese Mafia*, 133.

¹²⁶¹ Gambetta, *The Sicilian Mafia*.

¹²⁶² Wang, *The Chinese Mafia*, 173.

¹²⁶³ Santoro, *Mafia Politics*, 211.

acts as a code for their criminal self-governance, establishing norms and accepted behaviours as an alternative to legal pathways.¹²⁶⁴ OC can be understood as a social process, highlighting the importance of social networks in its operations. The Russian and Chinese mafias make use of loyalty networks and social capital to support their operations and secure illicit agreements.¹²⁶⁵ Transactions embed personal relations into the social aspect of OC, highlighting that OC does not operate in a vacuum.¹²⁶⁶ Such social interactions were crucial for the emergence of the Chinese triads and mafia groups.¹²⁶⁷ The state-criminal alliance built on self-serving relations is key to the success of the survival of mafia.¹²⁶⁸ Therefore, social interactions and community features of OC play a vital role in cementing its politicisation.

III. Organised Crime in Mexico

With the drug war, debates on the drug trade and associated corruption have only intensified as Mexican criminal actors have grown in prominence in the international drug trade and have received significant attention on the international stage.¹²⁶⁹ But how has the Mexican drug industry grown to this scale? This section outlines the historical evolution of OC in Mexico with special attention to how the drug trade has developed and established a political character, and State responses to the industry over the last century.

A. The Early Mexican Drug Trade (1900s-1975)

The Sinaloa state has been described as "the cradle of Mexican organised crime,"

¹²⁶⁴ Wang, *The Chinese Mafia*, 34.

¹²⁶⁵ Nancy Ries, "Thugocracy: bandit regimes and state capture," *Safundi*, 21, no. 4 (2020): 473-485, <https://doi.org/10.1080/17533171.2020.1832804>; Wang, *The Chinese Mafia*.

¹²⁶⁶ Mark Granovetter, "Economic action and social structure: The problem of embeddedness," *American Journal of Sociology* 91, no.3 (1985): 482, <https://www.jstor.org/stable/2780199>.

¹²⁶⁷ Wang, *The Chinese Mafia*, 57-96.

¹²⁶⁸ *Ibid.*, 168.

¹²⁶⁹ Europol & DEA, *Complexities and Conveniences in the International Drug Trade: The Involvement of Mexican Criminal Actors in the EU Drug Market*, December 2022, https://www.europol.europa.eu/cms/sites/default/files/documents/Europol_DEA_Joint_Report.pdf; US National Institute of Justice, *Mexico and the United States: Neighbours Confront Drug-trafficking*, n.d., <https://www.ojp.gov/pdffiles1/nij/218561.pdf>. Various international organisations have directed their focus and attention to the influence of Mexican criminal actors on the international drug trade. See Europol and the DEA's joint report (2022) for more on the influence of Mexican DTOs on the EU drug market and the US National Institute of Justice (n.d.) publication on the how Mexico and the US are confronting drug-trafficking for more.

often likened to Sicily and the Sicilian Mafia.¹²⁷⁰ Sinaloa has a rich history of trafficking across the Mexico-US border, given the prominence of poppy plantations.¹²⁷¹ This operation was historically led by the local Chinese population before being expelled from the area.¹²⁷² The opium trade was deeply integrated into Sinaloa's socio-economic relations, having reduced the potential for violence through strong socio-economic hierarchies and industry regulation by the state judicial police.¹²⁷³ The prohibition of alcohol in the 1930s further strengthened the trafficking culture in Mexico to its Northern neighbours.¹²⁷⁴ This was not as profitable as drug prohibition proved to be in the Mexican context and would foreshadow the specialisation in opium and marijuana distribution.¹²⁷⁵

The integration of the drug trade into Sinaloa's culture, leading to the rise of narcoculture (*la narcoestetica*),¹²⁷⁶ became a crucial element for its survival in the Sierra Madre Occidental region, a mountainous region that runs along the Mexican Pacific coast. Revolutionary *caciques* (leaders) offered the needed political protection to grow the drug trade as they established local influence with their military

¹²⁷⁰ Ioan Grillo, "A Century of Defying US Drug Policy," *The Brown Journal of World Affairs* 20, no. 1 (2013): 254, <https://www.jstor.org/stable/24590887>.

¹²⁷¹ *Ibid.*

¹²⁷² Richard B Craig, "La Campana Permanente: Mexico's Antidrug Campaign," *Journal of Interamerican Studies and World Affairs* 20, no. 2 (1978): 108, <https://doi.org/10.2307/165432>; Grillo, "A Century," 254.

¹²⁷³ Wil G. Pansters and Benjamin T. Smith, "La Mafia Muere," *European Review of Latin American and Caribbean Studies | Revista Europea de Estudios Latinoamericanos y del Caribe* 19, no. 112 (2021): 98-9, <https://www.jstor.org/stable/10.2307/48658261>.

¹²⁷⁴ Michael Woodiwiss and Mary Young, "The Past and Present of Transnational Organised Crime in America," in *Routledge Handbook of Organised Crime 2nd ed.*, ed. Felia Allum and Stan Gilmour (New York, NY: Routledge, 2022), 92; Grillo, "A Century," 254.

¹²⁷⁵ Woodiwiss and Young, "The Past and Present of Transnational Organised Crime in America," 92-3; Recio, "Drugs and Alcohol," 27.

¹²⁷⁶ Mark C. Edberg, "Drug Traffickers as Social Bandits: Culture and Drug-trafficking in Northern Mexico and The Border Region," *Journal of Contemporary Criminal Justice* 17, no. 3 (2001): 261, <https://doi.org/10.1177/10439862010170030051>; Miguel L. Rojas-Sotelo, "Narcoaesthetics in Colombia, Mexico, and the United States," *Latin American Perspectives* 41, no. 2 (2014): 217, <https://doi.org/10.1177/0094582X13518757>.

background,¹²⁷⁷ troops of armed men, and connections to the urban elite.¹²⁷⁸ The rise of the so-called *narco-caciques* came with the weakened control of state administrations over these revolutionaries as a political group.¹²⁷⁹ The revolutionaries acted as an intermediary between the families that harvested and processed the opium or marijuana, establishing a relationship with regional authorities and managing conflict to be minimal.¹²⁸⁰ Government officials, interested in generating additional income, would permit illegal yet lucrative smuggling despite anti-drug laws in the US and Mexico.¹²⁸¹ These themes became the first signs of criminal (narco-)governance. This period would be the first intervention of the Mexican government in the drug trade with the launching of the 1948 *gran campana* in the Northwest by raiding poppy and marijuana cultivation, particularly in Sinaloa, Sonora, Chihuahua, and Guerrero.¹²⁸² By the 1960s, contraband was the most lucrative business on the US-Mexico border,¹²⁸³ despite remaining relatively small between 1940 and 1970 as opium routes were reestablished between Europe and Asia and marijuana was concentrated in the border region.¹²⁸⁴ The system established by the revolutionaries in the previous period resulted in the state police responsible for regulating the drug industry until US intervention in the 1970s.¹²⁸⁵ Referred to as *narcopopulism*,¹²⁸⁶ it was successful at

¹²⁷⁷ Diccionario del español de México, “Cacique,” Colegio de México, n.d., <https://dem.colmex.mx/ver/cacique>; Ismael Solís Sánchez, “El Caciquismo en México: La Otra Cara de la Democracia Mexicana. El Caso del Caciquismo Urbano en el Estado de México,” *Estudios Político (México)*, no37 (2016) : 167-192. https://www.scielo.org.mx/scielo.php?script=sci_arttext&pid=S0185-16162016000100007. The term *cacique* is an Indigenous term used to define a leader of an Indigenous tribe; however, it has developed in the contemporary context to mean an individual who has concentrated influence and/or arbitrary power over a group (Diccionario del español de México n.d.). It is most similar to (tribal) chief in English. For more on *caciquismo* (‘chiefdom’) in the contemporary Mexican context, read Solís Sánchez (2016).

¹²⁷⁸ Pansters and Smith, “La Mafia Muere,” 100. See Levine’s (1974) “The Mexican Revolution: A Retrospective View” for more on the revolutionary caciques class.

¹²⁷⁹ Benjamin T. Smith, “The Rise and Fall of Narcopopulism: Drugs, Politics, and Society in Sinaloa, 1930-1980,” *Journal for the Study of Radicalism* 7, no. 2 (2013): 147, <https://doi.org/10.14321/jstudradi.7.2.0125>. Pansters (2018) uses the term *narco-cacique* to refer to an individual with local power derived from involvement in a mixture of licit and illicit activities/businesses.

¹²⁸⁰ Pansters and Smith, “La Mafia Muere,” 101.

¹²⁸¹ Recio, “Drugs and Alcohol,” 29-30.

¹²⁸² Craig, “La Campana,” 108.

¹²⁸³ Juan C. Garzón, *Mafia & Co.: The Criminal Networks in Mexico, Brazil, and Colombia*, trans. by Kathy Ogle, Washington DC: Woodrow Wilson International Centre for Scholars, 97, <https://www.wilsoncenter.org/publication/mafia-co>.

¹²⁸⁴ Pansters and Smith, “La Mafia Muere,” 98.

¹²⁸⁵ *Ibid.*, 101.

¹²⁸⁶ Smith, “The Rise and Fall.”

pacifying conflicts; any outburst was unrelated to the drug trade.¹²⁸⁷ With crackdowns on Colombian and Peruvian cocaine production and the closing of the Caribbean route to transport cocaine to the US in the 1980s,¹²⁸⁸ Mexico became increasingly important in the cocaine trade as a transport intermediary.

By this point, *la Guerra Sucia* was at its peak as the military became involved in the fight against drugs as part of *Operación Canador*.¹²⁸⁹ *Operación Canador* (1970-1975) was a nation-wide campaign to eradicate Mexico's drug crops.¹²⁹⁰ It originally focused on smaller states in the drug trade, like Guerrero and Oaxaca, before turning to the Golden Triangle of Sinaloa, Chihuahua, and Durango.¹²⁹¹

The prominence of *narcopopulism* as a system of cooperation between criminal and law enforcement actors led to a prominent counterculture in the United States with the shift to "narco-diplomacy."¹²⁹² The sudden increase in drug consumption in the US caused a dramatic increase in the value of drugs which grew Mexican market shares in marijuana and heroin to 95% and 90%, respectively, by 1975, according to US Drug Enforcement Agency (DEA) estimates.¹²⁹³ Increased flows of money allowed Mexican DTOs to further professionalise and diversify operations. Government crackdowns on the Sinaloan drug trade applied pressure on the existing structures and agreements, resulting in several actors moving to and establishing themselves in interior urban centres.¹²⁹⁴ These new levels of intervention in the drug trade marked a break from the historic peace.

B. Modern Mexican Drug Trade (1975-2005)

The year 1975 marked the formal implementation of Operation Condor, a region-wide US-backed counter-insurgency campaign and, in the Mexican context, a continuation

¹²⁸⁷ Ibid.

¹²⁸⁸ David Teiner, "Cartel-Related Violence in Mexico as Narco-Terrorism or Criminal Insurgency," *Perspectives on Terrorism* 14, no. 4 (August 2020): 83, <https://www.jstor.org/stable/10.2307.26927665>.

¹²⁸⁹ Smith, "The Rise and Fall," 149, 147.

¹²⁹⁰ Craig, "Operation Condor," 345; Smith, "The Rise and Fall," 148; Adela Cedillo, "Operation Condor, the War on Drugs, and Counterinsurgency in the Golden Triangle (1977-1983)." Working Paper 443, Kellogg Institute for International Studies, May 2012, 1, https://kellogg.nd.edu/sites/default/files/working_papers/Cedillo%20WP%20FINAL.pdf.

¹²⁹¹ Richard Craig, "Operation Condor: Mexico's Antidrug Campaign Enters a New Era," *Journal of Interamerican Studies and World Affairs* 22, no. 3 (1980): 349, <https://doi.org/10.2307/165493>.

¹²⁹² Pansters and Smith, "La Mafia Muere," 102; Woodiwiss and Young, "The Past and Present of Transnational Organised Crime in America," 97.

¹²⁹³ Pansters and Smith, "La Mafia Muere," 102.

¹²⁹⁴ Smith, "The Rise and Fall," 148; Teiner, "Cartel-Related," 83.

of *Operación Canador*. Operation Condor further entangled the Dirty War and the War on Drugs.¹²⁹⁵ It further reinforced the supply-side of counternarcotic policies as the government focused operations on eliminating the product at the source.¹²⁹⁶ This would include spraying herbicides as the chosen eradication method despite the known risks to surrounding vegetation.¹²⁹⁷ This period gave a new name, *triángulo crítico*, to the Golden Triangle, further emphasising its centrality to the Mexican drug trade.¹²⁹⁸ Drug-trafficking rose to become a national security concern that dominated judicial and military operations accompanied by a wave of *mano dura*, strong handed, policies.¹²⁹⁹ Despite aiming to disrupt the drug-trafficking network, Operation Condor resulted in more arrests of peasants growing illicit crops than traffickers.¹³⁰⁰ Crackdowns on the early Sinaloa drug trade would establish the Guadalajara Cartel. In the 1980s, the Guadalajara Cartel was the largest and most powerful Mexican DTO responsible for operations in the Golden Triangle.¹³⁰¹ The arrest of the Guadalajara Cartel's *capo*, Félix Gallardo, in 1989 marked a new period for Mexico's drug trade as the remaining territory was divided among his successors to form the modern DTOs, the Tijuana, Juárez and the Sinaloa Cartels.¹³⁰² By the 1990s, this new generation of DTOs took over with influence and control more prominent and violent than ever before.¹³⁰³ This violence would only cement itself in the coming decades as confrontations increased. The violent rivalry between the Tijuana and Sinaloa Cartels intensified until the arrest of the Sinaloan *capo* Joaquín "El Chapo" Guzmán in 1993.¹³⁰⁴ Despite the nation-state's attempts to strengthen law enforcement and reduce conflict between various DTOs, drug-trafficking remained a profitable

¹²⁹⁵ Cedillo, "Operation Condor," 33.

¹²⁹⁶ Craig, "Operation Condor", 345.

¹²⁹⁷ *Ibid.*, 346-7.

¹²⁹⁸ *Ibid.*, 349.

¹²⁹⁹ Woodiwiss and Young, "The Past and Present of Transnational Organised Crime in America," 98.

¹³⁰⁰ Robert J. McCartney, "The Gold in Mexico's Hills: Drugs," *The Washington Post*, May 12, 1985, <https://www.washingtonpost.com/archive/politics/1985/05/12/the-gold-in-mexicos-hills-drugs/d9e5b171-bdb3-4a8f-8cbc-806f18a4c94c/>.

¹³⁰¹ Garzón, "*Mafia & Co.*," 97-8; Smith, "The Rise and Fall," 152.

¹³⁰² Garzón, "*Mafia & Co.*," 98.

¹³⁰³ Marisol Ochoa Elizondo, "Del Crimen Organizado al Crimen Desordenado: Una Apuesta por la Observación Conceptual y Contextual," *Desacatos* 54 (2017): 101, <https://www.scielo.org.mx/pdf/desacatos/n54/2448-5144-desacatos-54-00092.pdf>.

¹³⁰⁴ Garzón, "*Mafia & Co.*," 98; US Department of State, "Joaquin Guzman-Loera (Captured)," n.d., <https://www.state.gov/narcotics-rewards-program-target-information-brought-to-justice/joaquin-guzman-loera-captured/>.

operation.¹³⁰⁵ The profitability of drug-trafficking saw the growth of Mexico's largest DTOs, the Gulf, Tijuana, and Sinaloa Cartels, in the 1980s and 90s. The Tijuana Cartel, under Amado Carrillo Fuentes, was the first Mexican DTO to establish control over cocaine production following the death of Colombian drug lord Pablo Escobar in 1993.¹³⁰⁶

In the attempt to secure and increase cocaine profits, inter-cartel violence ran rampant.¹³⁰⁷ Despite Carrillo Fuentes' consolidation of drug-trafficking structures in Guadalajara, Sinaloa, and Juárez, his death resulted in increased tensions as various *capos* tried to establish themselves as the new leaders.¹³⁰⁸ Cartels clashed in a bid to expand their territory and increase market control.¹³⁰⁹ Despite internal battles, the Sinaloa Cartel, a collective of Pacific cartels, remained a cohesive unit through internal alliances.¹³¹⁰ This was led by *El Chapo* following his escape from prison in 2001, who, with other *capos* and leaders of armed groups, aimed to establish a drug-trafficking monopoly by eliminating the Gulf and Tijuana cartels.¹³¹¹ This marked a particularly violent period due to the intensity and frequency of violent confrontations across the country as the DTOs evolved to become the groups they are today.¹³¹²

The turn of the millennium marked a period of hope for many Mexicans as the country's first democratic presidential elections in 2000 ended the PRI one-party rule. This era seemed to result in an increase in drug-related violence in the country as competition in other areas of society increased as arrangements with the PRI government dissolved and competition in the drug trade increased.¹³¹³ Vicente Fox, *Partido Acción Nacional* (PAN) president (2000-2006), led crackdowns on the Tijuana and the Juárez Cartels, indirectly strengthening other DTOs and introducing new factions.¹³¹⁴ With increased competition and crackdowns on the drug trade, DTOs diversified into other economic

¹³⁰⁵ Woodiwiss and Young, "The Past and Present of Transnational Organised Crime in America," 98.

¹³⁰⁶ Garzón, "*Mafia & Co.*," 98.

¹³⁰⁷ Bruce M. Bagely, "Introduction: Drug-trafficking and Organised Crime in Latin America and the Caribbean in the Twenty-First Century: Challenges to Democracy," in *Drug-trafficking, Organised Crime, and Violence in the Americas Today*, ed. Bruce M. Bagely and Jonathan D. Rosen (University Press of Florida, 2015) 10.

¹³⁰⁸ Garzón, "*Mafia & Co.*," 99.

¹³⁰⁹ *Ibid.*

¹³¹⁰ *Ibid.*, 100.

¹³¹¹ *Ibid.*, 101.

¹³¹² Guillermo Trejo and Sandra Ley, "Why Did Drug Cartels Go to War in Mexico? Subnational Party Alternation, the Breakdown of Criminal Protection, and the Onset of Large-Scale Violence," *Comparative Political Studies* 51, no.7 (2017): 900-937, <https://doi.org/10.1177/0010414017720703>.

¹³¹³ Briscoe and Kalkman, *Illicit Networks*, 158; Teiner, "Cartel-Related," 83.

¹³¹⁴ Bagely, "Introduction," 10.

sectors, including natural resources.¹³¹⁵ The militarisation of the DTOs in the 1990s and early 2000s,¹³¹⁶ beginning with the Gulf Cartel's armed faction *Los Zetas*,¹³¹⁷ proved to be another source of the escalating violence.¹³¹⁸ This period showed no signs of a declining Mexican drug trade and marked the beginning of a bloody period in Mexican history with the official start of the War on Drugs.

V. Appropriating the State: CDS' Narco-Governance

The War on Drugs marked a new period in Mexican drug-trafficking history, introducing a new dynamic between the DTOs and the Mexican State. As DTOs engage in conflict with each other and the State to secure their territory and maintain operations, violence and competition have only increased. The violence during this conflict stands out after the historically peaceful relationship between the *PRI* and DTOs. The empirical analysis explains the CDS's influence and confrontation against the Mexican State.¹³¹⁹ This analysis draws from (1) Diego Gambetta's Sicilian model of mafia organisations focusing on the context of the weak state, and (2) Charles Tilly's state-formation process focusing on war-making as part of the state-making process. The analysis outlines how the CDS embedded itself into socio-economic structures and how it competes for territorial control to maintain their power base.

A. Embedding the Sinaloa Cartel

The illicit drug trade has become a recognisable characteristic of Mexico, contributing to the challenges of the drug war. This section considers the embeddedness of the drug trade and how the Sinaloa Cartel profited from the drug trade. The analysis considers the post-2000 democratisation process as an opportunity to benefit from a weak state context.

¹³¹⁵ Joel S. Herrera and Cesar B. Martinez-Alvarez, "Diversifying violence: Mining, export-agriculture, and criminal governance in Mexico," *World Development* 151, (2022): 2, <https://doi.org/10.1016/j.worlddev.2021.105769>.

¹³¹⁶ Trejo and Ley, "Why Did Drug Cartels Go to War?" 928.

¹³¹⁷ Insight Crime, "Mexico: Zetas," Last Updated August 6, 2022, <https://insightcrime.org/mexico-organized-crime-news/zetas-profile/>.

¹³¹⁸ Guillermo Trejo and Sandra Ley, *Votes, Drugs, and Violence: The Political Logic of Criminal Wars in Mexico* (Cambridge University Press, 2020), 135.

¹³¹⁹ The Sinaloa Cartel has been referred to as many names, including its Spanish name *Cártel de Sinaloa* (CDS), the Pacific Cartel, the Guzmán-Zambada Organisation, and the Federation. In this exploration, the organisation will be primarily referred to as its English name, Sinaloa Cartel, or its Spanish acronym, CDS.

1. The Weak State

The Mexican democratic context ushered in a new political environment for DTOs to operate in. The 71-year PRI political monopoly established a strong centralised State that had considerable influence and control over the drug business.¹³²⁰ Criminal actors in the drug trade were viewed as subjects of the State, where the drug trade was another economic sector in which State actors had an interest.¹³²¹ During this period, extortion and relations with State actors acted as a check system to oversee criminal activity.¹³²² As agreements and connections between political and criminal actors were challenged, the shifting political landscape threatened these mechanisms in the process of creating a democratic Mexico.

The Guadalajara Cartel had broken up into the modern Mexican DTOs around the same time that the PRI began to lose regional support in the 1990s.¹³²³ Reflecting the political realities, there were more actors operating autonomously in the drug trade that vied for political networks and support. The hospitable and calm environment in which the drug trade had grown in was threatened by the democratic shift.¹³²⁴ The unpredictable environment that arose from this shift would introduce new uncertainties and increase risks for establishing and maintaining a criminal-state network. This only reinforced the increasingly popular view of criminal actors as corrupting the State.¹³²⁵ While this is up to debate, the increased unpredictability would result in increased violence as a criminal economy would take hold over the country.¹³²⁶

The 2000 elections ushered in a democratisation process that required a reimagination

¹³²⁰ Morris, "Corruption," 36.

¹³²¹ David Shirk and Joel Wallman, "Understanding Mexico's Drug Violence," *The Journal of Conflict Resolution* 59, no. 8 (2015): 1358–9, <http://www.jstor.org/stable/24546346>.

¹³²² Morris, "Corruption," 38.

¹³²³ Trejo and Ley, "Why Did Drug Cartels Go to War?" 310.

¹³²⁴ Shirk and Wallman, "Understanding Mexico's Drug Violence," 1360.

¹³²⁵ *Ibid.*, 1359.

¹³²⁶ Asa C. Laurell, "Three Decades of Neoliberalism in Mexico: The Destruction of Society," *International Journal of Health Services* 45, no. 2 (2015): 252, <http://www.jstor.org/stable/45140494>; Morris, "Corruption," 39; Joel S. Herrera & Cesar B. Martinez-Alvarez, "Diversifying violence: Mining, export-agriculture, and criminal governance in Mexico," *World Development* 151, (2022): 1-14, <https://doi.org/10.1016/j.worlddev.2021.105769>. The US Congress estimates that USD 19-29 billion flows into the Mexican economy annually (Laurell 2015, 252). Besides diversification in criminal activities, sources suggest that 78% of economic sectors are infiltrated by criminal actors in Mexico (Morris 2012a, 39; Laurell 2015, 252). See Herrera and Martinez-Alvarez (2021) for more on the diversification of economic activity by criminal actors in Mexico and the impact it has on criminal governance.

of the relationship between the State and DTOS. Without the PRI's political dominance and historical agreements, new political allies that could support the drug trade were needed.¹³²⁷ The weaker and decentralised State meant increased political fragmentation as state actors were more autonomous. Ultimately, this would create a power vacuum in a context of political instability to be exploited. Alongside this, the economic liberalisation that had been taking place since the 1990s and, most importantly, the signing of the North America Free Trade Agreement (NAFTA) further contributed to the growth of the drug trade.¹³²⁸ This neoliberal context, encouraging minimal state presence and intervention, would further reduce state presence in economic and social spheres as power shifted increasingly towards market forces, including those in the criminal space.

2. Sinaloa's Crime-Governance Nexus

The intersection of criminal activity and legitimate authority of a region has been named the crime-governance nexus.¹³²⁹ The nexus supports the diversification of criminal activity as the government, or rather civil servants, work alongside criminal actors. Within Mexico's social structures, it established a social stratum known as the "*narco-cacique*," describing local power resulting from a mixture of illicit and licit activities.¹³³⁰ Historically rooted in the Sinaloan highlands,¹³³¹ it has spread across the country. The Mexican paradox refers to the relationship between OC and the level of violence.¹³³² The drug trade during the PRI-era was accompanied with low levels of drug-related violence. The present state of the country, however, suggests the opposite as corruption is accompanied by high levels of drug-related violence. This has complicated the understanding of what role corruption plays in the drug trade. Corruption once survived as a pacifying tool but now manifests as an aggravator. The informal relationship-based order that thrived during the PRI monopoly remains a staple to the DTOs' culture of establishing relations with state agents,¹³³³ protected by

¹³²⁷ Morris, "Corruption," 36.

¹³²⁸ Adam D. Morton, "The War on Drugs in Mexico: a failed state?" *Third World Quarterly* 33, no. 9 (October 2012): 1641, <https://doi.org/10.1080/01436597.2012.720837>.

¹³²⁹ Pansters, "Drug-trafficking," 315.

¹³³⁰ Pansters, "Drug-trafficking," 321.

¹³³¹ *Ibid.*, 322.

¹³³² Morris, "Corruption," 29.

¹³³³ Pansters, "Drug-trafficking," 319.

local socio-political structures.¹³³⁴ The centrality of these relationships overrides the formality of the state's organisation, rendering the state apparatus irrelevant and actively contradicting the rule of law to create spaces of criminality.¹³³⁵ Over the course of 2016, five former governors of states with high OC presence were accused of corruption.¹³³⁶ Uprooting the corruption culture has continued in the last few years as noted by the publication of a list of (former) state officials who are suspected of links to DTOs and corruption.¹³³⁷ This highlights the need to understand how local governments navigate their relationship with criminal groups.¹³³⁸ With the conviction of former Secretary of Public Security Genaro García Luna, who led State efforts in the War on Drugs,¹³³⁹ previously suspected links between the Sinaloa Cartel and the Mexican State have now been confirmed. These relations granted preferential treatment and protection from corrupted authorities.¹³⁴⁰ El Chapo's lawyers alleged during the García Luna trials that two Mexican presidents accepted bribes from the

¹³³⁴ *Ibid.*, 321.

¹³³⁵ *Ibid.*, 322. Morris (2012, 31) quotes Charles Bowden that "in over half a century of fighting drugs, Mexico has never created a police unit that did not join the traffickers."

¹³³⁶ Luis F. Alonso, "5 Former Mexico Governors Accused of Corruption in 2016," *InSight Crime*, November 14, 2016, <https://insightcrime.org/news/brief/five-former-mexico-governors-accused-of-corruption-in-2016/>.

¹³³⁷ InSight Crime, "Weekly InSight: Facebook Live on Coca Boom, Corruption and Cartels," *InSight Crime*, March 17, 2017, <https://insightcrime.org/news/analysis/weekly-insight-videocast-coca-boom-corruption-cartels/>; Parker Asmann, "Guatemala Presidential Candidate Solicited Sinaloa Cartel for Campaign Cash: US," *InSight Crime*, April 18, 2018, <https://insightcrime.org/news/analysis/guatemala-presidential-candidate-sinaloa-cartel-campaign-cash/>; InSight Crime, "Outgoing Mexico Governor To Lose Immunity From Long-Pending Arrest Warrant," September 30, 2022, <https://insightcrime.org/news/outgoing-mexico-governor-lose-immunity-from-long-pending-arrest-warrant/>. There have been reports of Central American politicians having links to Mexican DTOs, including the Sinaloa Cartel, with many of them implicated for corruption (InSight Crime 2017; Asmann 2019).

¹³³⁸ Tristan Clavel, "In Mexico, Local Authorities Walk a Fine Line with Criminal Groups," *InSight Crime*, October 11, 2017, <https://insightcrime.org/news/brief/former-mexico-governor-accused-non-aggression-pact-crime-groups/>. In his article for InSight Crime, Clavel (2017) explores how local Mexican authorities establish links with criminal groups active in the region and how the Mexican state has responded to it.

¹³³⁹ US Attorney's Office Eastern District of New York, "Ex-Mexican Secretary of Public Security Genaro García Luna Convicted of Engaging in a Continuing Criminal Enterprise and Taking Millions in Cash Bribes from the Sinaloa Cartel," *Department of Justice*, February 21, 2023, <https://www.justice.gov/usao-edny/pr/ex-mexican-secretary-public-security-genaro-garcia-luna-convicted-engaging-continuing>.

¹³⁴⁰ Shirk and Wallman, "Understanding Mexico's Drug Violence," 1358.

CDS,¹³⁴¹ suggesting that the nexus extends to all levels of the Mexican government.¹³⁴² These informal networks and relationships that corrupt the State apparatus, as less disruptive methods to violence,¹³⁴³ have become the modus operandi of the CDS.¹³⁴⁴ Mexico's status as a weak state is further emphasised by the presence of a two-front war:¹³⁴⁵ the state is against DTOs, and the state itself due to corruption and criminal infiltration. The state apparatus is ineffective at confronting drug-trafficking actors because of their criminal influence. The idea of the State in conflict with itself suggests that the crime-governance nexus has permeated the federal and national levels to a degree that hampers its function. Estimates suggest that 93.6% of municipal police depend on corruption to supplement their salaries.¹³⁴⁶ This highlights the extent of the nexus and its presence on the lowest layer of the bureaucratic structure.¹³⁴⁷ According to the 2013 National Survey of Government Quality and Impact (ENCGI), 89.7% of surveyors perceived the Mexican police forces as corrupt.¹³⁴⁸ Accompanied by the relatively low captures of CDS members according to a 2010 NPR investigation,¹³⁴⁹ this general distrust in law enforcement strengthened the view that militarisation is vital to winning the drug war.¹³⁵⁰ As demonstrated in the García Luna trial, criminal

¹³⁴¹ Parker Asmann, "El Chapo' Defense Puts Spotlight on Alleged Mexico Corruption," *InSight Crime*, November 15, 2018, <https://insightcrime.org/news/brief/chapo-defense-puts-spotlight-on-alleged-mexico-corruption/>.

¹³⁴² Malcom Beith, "A Broken Mexico: Allegations of Collusion between the Sinaloa Cartel and Mexican Political Parties," *Small Wars & Insurgencies* 22, no. 5 (2011): 787-806, <https://doi.org/10.1080/09592318.2011.620813>.

¹³⁴³ Hannah Stone, "Mexico Not in League with Sinaloa Cartel, Insists Government," *InSight Crime*, July 6, 2011, <https://insightcrime.org/news/analysis/mexico-not-in-league-with-sinaloa-cartel-insists-government/>.

¹³⁴⁴ June S. Beittel, *Mexico: Organised Crime and Drug-trafficking Organisations*. CRS Report No. R41576 (Washington, DC: Congressional Research Service, 2022), 25, <https://sgp.fas.org/crs/row/R41576.pdf>.

¹³⁴⁵ Morris, "Corruption," 37.

¹³⁴⁶ *Ibid.*, 31.

¹³⁴⁷ David Gagne, "Report Indicates Widespread Police Corruption in Tijuana," *InSight Crime*, February 16, 2016, <https://insightcrime.org/news/brief/report-indicates-widespread-police-corruption-tijuana-mexico/>; Alan Feuer, "El Chapo Trial Shows that Mexico's Corruption is even Worse Than You Think," *The New York Times*, December 28, 2018, <https://www.nytimes.com/2018/12/28/nyregion/el-chapo-trial-mexico-corruption.html>. Gagne (2016) explores police corruption in Tijuana, a city believed to be controlled by the CDS, in his brief for InSight Crime. Feuer (2018) explores how vital corruption has been to the success of the Sinaloa Cartel by reflecting on the testimonies made during the El Chapo trial.

¹³⁴⁸ Camilo Mejia, "Mexico Govt Survey Spotlights Ongoing Police Corruption," *InSight Crime*, June 17, 2014, <https://insightcrime.org/news/brief/mexico-govt-survey-spotlights-ongoing-police-corruption/>.

¹³⁴⁹ Stone, "Mexico Not in League with Sinaloa Cartel, Insists Government."

¹³⁵⁰ Peter Appleby, "Mexico Reliant on Army to Fight Crime Despite Human Rights Abuses," *InSight Crime*, October 6, 2022, <https://insightcrime.org/news/amlo-armed-forces-human-rights-abuses->

organisations require a level of support and coordination from state actors at all levels of government.¹³⁵¹ This means state complicity by not intervening in inter-cartel conflicts,¹³⁵² a lack of intelligence sharing and protection.¹³⁵³ This suggests that there is an active process of weakening the security apparatus ordered by a State that is largely porous and malleable.

The weak democratic context allows the CDS to appropriate local and national political structures. The CDS took advantage of the collapse of the PRI order and the subsequent socio-political fragmentation. While corruption is the focus of this analysis, the consequential loss of space as a sign of limited statehood is central in understanding the impact on (stable) sovereignty. This will be further explored in the

[mexico/](#); Steve Fisher, "AMLO Promised to Take Mexico's Army Off the Streets – But He Made It More Powerful," *The Guardian*, September 27, 2022, <https://www.theguardian.com/world/2022/sep/27/amlo-mexico-army-national-guard>; Max de Haldevang, "AMLO Seeks to Further Expand the Role of the Military in MEXICO," *Bloomberg*, August 9, 2022, <https://www.bloomberg.com/news/articles/2022-08-09/amlo-seeks-to-further-expand-role-of-the-military-in-mexico#xj4y7vzkg>; Cecilia Farfán-Méndez, Kathleen Bruhn, and Tesalia Rizzo, "AMLO's Expansion of the Military Undermines Mexico's Civilian Tradition," *Americas Quarterly*, October 20, 2022, <https://www.americasquarterly.org/article/amlos-expansion-of-the-military-undermines-mexicos-civilian-tradition/>; Ramón I. Centeno, "How to Understand the Militarisation of Mexico Under AMLO's Presidency," London School of Economics Blog, December 22, 2022, <https://blogs.lse.ac.uk/latamcaribbean/2022/12/22/how-to-understand-the-militarisation-of-mexico-under-amlos-presidency/>.

On October 4, 2022, Mexico's Senate voted to extend the Army's involvement in the drug war as a public security force until 2028 (Appleby 2022). This shows how central the use of the military has been in the State's drug war, even despite President Lopez Obrador's (AMLO) initial campaign calls to pull back the military (Fisher 2022; de Haldevang 2022). For more on AMLO's stance on the use of Mexico's armed forces, see Deare (2021)'s report titled *Militarisation a la AMLO: How Bad Can It Get?* for more on the impact that militarisation has on civilian-military relations, Farfán-Méndez, Bruhn, and Rizzo's (2022) *Americas Quarterly* article for more on how AMLO's pro-military stance undermines civilian tradition, and Centeno (2022) for an exploration of the consequences of AMLO's militarisation.

¹³⁵¹ US Attorney's Office Eastern District of New York, "Ex-Mexican Secretary of Public Security Genaro García Luna Convicted of Engaging in a Continuing Criminal Enterprise and Taking Millions in Cash Bribes from the Sinaloa Cartel."

¹³⁵² Gavin Voss, "García Luna Convicted, But Corruption Concerns Endure in US-Mexico Partnership," *InSight Crime*, February 22, 2023, <https://insightcrime.org/news/garcia-luna-convicted-corruption-concerns-endure-us-mexico-partnership/>; Hannah Stone, "Mexico Not in League with Sinaloa Cartel, Insists Government," *InSight Crime*, July 6, 2011, <https://insightcrime.org/news/analysis/mexico-not-in-league-with-sinaloa-cartel-insists-government/>. Former Attorney general for the state of Nayarit testified during the García Luna trials that there was an instruction to not intervene in conflict between the Beltrán-Leyva Organisation and El Chapo's CDS (Voss 2023). Similarly, a leaked US embassy cable shared the view that there was a belief that the army was allowing the CDS and Juarez Cartel clash in the border city of Ciudad Juarez (Stone 2011).

¹³⁵³ Elijah Stevens, "Leaked Intelligence Points to Top Level Corruption in El Chapo Escape," *InSight Crime*, November 24, 2015, <https://insightcrime.org/news/brief/leaked-intelligence-points-to-top-level-corruption-in-el-chapo-escape/>; Gavin Voss, "García Luna Convicted, But Corruption Concerns Endure in US-Mexico Partnership," *InSight Crime*, February 22, 2023, <https://insightcrime.org/news/garcia-luna-convicted-corruption-concerns-endure-us-mexico-partnership/>.

following section. As presented in Chapter 1, the weak state context allows mafia-type organisations to challenge characteristics of the State, notably the monopoly of protection and violence.

B. Creating the Pseudo-State

The Mexican drug trade has been especially lucrative and violent. Violent crime has been in decline since the 1970s, with comparable rates in the 30 years before the drug war.¹³⁵⁴ This changed drastically as homicides increased by 57% in 2008 with dramatic growth throughout the conflict.¹³⁵⁵ The violent context contributed to an instable security landscape in a seemingly never-ending war. This unpredictability introduced a new dimension as DTOs adopt more state-like behaviour by taking a more active political character. This section will focus on the use of violence by the CDS and how it has contributed to its dominance of the Mexican drug trade. The themes of war-making and the process of establishing and maintaining a powerbase are central themes will be considered to understand the factors that have contributed to the criminal appropriation of local governance structures.

1. War-Making

The use of violence and conflict are part of the state-making process explored by Charles Tilly, claiming that “war made the state.”¹³⁵⁶ There is a belief that territorial and resource control is characteristic of the modern European state.¹³⁵⁷ The act of war, or any conflict, works as a process of consolidating and maintaining this control. Successful war-making (i.e., winning a physical confrontation) is, therefore, successful state-making. At the heart of this war-making thesis is the assumption that the state has complete monopoly over the use of physical force. This Weberian understanding views territorial control and the monopoly on the use of violence as preconditions for

¹³⁵⁴ Shirk and Wallman, “Understanding Mexico’s Drug Violence,” 1348-9.

¹³⁵⁵ Ibid. The homicide rate grew by almost three-fold from 8.1 in 2007 to 23.7 in 2011, showing a dramatic increase in a 4-year period (Shirk and Wallman 2015, 1349).

¹³⁵⁶ Johannes Jüde, “Making or un-making states: when does war have formative effects?” *European Journal of International Relations* 28, no. 1 (2022): 209–234, <https://doi.org/10.1177/13540661211053628>.

¹³⁵⁷ Ibid. Taylor and Botea (2008) state that some scholars suggest that a similar enough process has occurred in the Third World. This suggests further validity in applying Tilly’s war- and state-making hypothesis to a non-European context.

the existence and survival of the State.¹³⁵⁸ This section departs from this understanding to analyse whether drug-trafficking organisations (DTOs) may be viewed as states within the Tillian understanding of statehood. Considering the militarisation of Mexican DTOs and the context of the drug war, this subsection argues that the CDS's operations have assumed a two-track character, where the Mexican State is in confrontation with a criminal organisation acting as a State.

With the increase in homicides during the War on Drugs,¹³⁵⁹ violence became a defining characteristic.¹³⁶⁰ This increased insecurity came at the cost of the Mexican State failing to ensure public security.¹³⁶¹ This violent context was dependent on the democratic shift which introduced more competition into political, economic, and criminal spheres of Mexican society. The decision in 2006 to militarise the confrontation with DTOs only contributed to the cycle of violence that already existed,¹³⁶² with criminal-state relations further fuelling it.¹³⁶³

The process of violence increasingly recognised as a defining feature of the Mexican drug trade,¹³⁶⁴ emphasised by the integration of militarised factions in the DTOs. This began with the creation of *Los Zetas*, formerly the Gulf Cartel's armed faction made of national armed forces deserters,¹³⁶⁵ who fought the Sinaloa Cartel for territorial control.¹³⁶⁶ Territorial control remains one of the largest reasons for narco-related

¹³⁵⁸ Andres Galeana Abarca, "Ungoverned Spaces in Mexico: Autodefensas, Failed States, and the War on Drugs in Michoacán" (master's thesis, Naval Postgraduate School, 2014), 4, <https://apps.dtic.mil/sti/citations/ADA621001>.

¹³⁵⁹ Shirk and Wallman, "Understanding Mexico's Drug Violence," 1349.

¹³⁶⁰ Viridiana Rios, "Why Did Mexico Become So Violent? A Self-Reinforcing Violent Equilibrium Caused by Competition and Enforcement," *Trends in Organised Crime* 16 (2013): 139, <https://doi.org/10.1007/s12117-012-9175-z>. While various sources report different numbers of DTO- or OC-related homicides, in the period of December 2006-June 2010, 41, 648 homicides were officially categories as such (Rios 2015, 139). This number is almost five times higher than OC-linked homicides in the 2001-2006 period (Ibid.).

¹³⁶¹ Ricardo Márquez Blas, "La Derrota de del Estado Mexicano," *Wilson Center*, July 22, 2022, <https://www.wilsoncenter.org/article/la-derrota-del-estado-mexicano>.

¹³⁶² Pansters, "Drug-trafficking," 324.

¹³⁶³ John P. Sullivan "From Drug Wars to Criminal Insurgency: Mexican Cartels, Criminal Enclaves and Criminal Insurgency in Mexico and Central America. Implications for Global Security," Working paper No 9, (Fondation Maison des Sciences de l'Homme, 2012), 5.

¹³⁶⁴ U.S National Institute of Justice, *Mexico and the United States: Neighbours Confront Drug-trafficking* (N.d.), <https://www.ojp.gov/pdffiles1/nij/218561.pdf>.

¹³⁶⁵ Insight Crime, "Mexico: Zetas."

¹³⁶⁶ Evan Ellis, "Organised Crime in Mexico and the Evolving Government Response," *Global Americans*, August 18, 2022, <https://theglobalamericans.org/2022/08/organized-crime-in-mexico-and-the-evolving-government-response/>.

violence.¹³⁶⁷ The CDS's former enforcement group, *Cártel Jalisco Nueva Generación* (CJNG),¹³⁶⁸ is especially known for their extreme use of violence,¹³⁶⁹ a defining feature of their operations.¹³⁷⁰

The CDS and CJNG continue to compete over geographical control, introducing even more instability into the region.¹³⁷¹ Estimates suggest that the drug trade employs at least 5,000 armed actors showing the level of militarisation.¹³⁷² The growing trend of having a "military faction" within the broader structure suggests that confrontation between DTOs grew increasingly frequent in the context of the drug war and increased government crackdowns. The stream of violence creates a "self-reinforcing violent equilibrium" that perpetuates violent confrontations.¹³⁷³

3. Establishing a Power Base

Thus far, the analysis has presented the weak state context as opportunity and

¹³⁶⁷ Beittel, *Mexico: Organised Crime and Drug-trafficking Organisations*.

¹³⁶⁸ *Ibid.*, 32.

¹³⁶⁹ Vanda Felbab-Brown, "Cártel Jalisco Nueva Generación (CJNG) VS Sinaloa Cartel (CDS) Deploy Substantially Different Approaches to Governing," *Mexico News Daily*, June 11, 2022, <https://mexicodailynews.com/2022/06/11/cartel-jalisco-nueva-generacion-cjng-vs-sinaloa-cartel-cds-deploy-substantially-different-approaches-to-governing/>; Insight Crime, "Mexico: Jalisco Cartel New Generation (CJNG)," InSight Crime, Last Updated July 8, 2022, <https://insightcrime.org/mexico-organized-crime-news/jalisco-cartel-new-generation/>.

¹³⁷⁰ Beittel, *Mexico: Organised Crime and Drug-trafficking Organisations*, 32, 34; Nathan P. Jones, "The Strategic Implications of the Cártel de Jalisco Nueva Generación," *Journal of Strategic Security* 11, no. 1 (2018): 19-42, <https://www.jstor.org/stable/10.2307/26466904>. Jones (2018) discusses the CJNG following their split from the Sinaloa Cartel since 2016/2017 and their growing status as the most powerful OCG in Mexico. Despite distancing from the CDS, the CJNG continues to be known for their violent streak which has allowed them to reach the level of prominence that they have obtained.

¹³⁷¹ Ellis, "Organised Crime in Mexico and the Evolving Government Response.," Beittel, *Mexico: Organised Crime and Drug-trafficking Organisations*, 34-5; Oscar López, "Land of No Return: The Mexican City Torn Apart by Cartel Kidnappings," *The Guardian*, May 13, 2023, <https://www.theguardian.com/world/2023/may/13/mexico-city-fresnillo-cartel-kidnappings-violence>; and María Verza, "A Mexican State Suffers Bloody Fallout of Cartel Rivalry," *Associated Press*, July 26, 2021, <https://apnews.com/article/caribbean-129abf2e577a78fd12cfd6cd284a5aff>. Confrontation between CJNG and the Sinaloa Cartel have heightened to a point in the Zacatecas state where around 70 people have gone missing between January and March of this year (Lopez 2023). In addition to kidnappings, the inter-cartel conflict has included shootings and killings on an almost daily basis (*Ibid.*). Zacatecas is one such example of inter-cartel conflict, as its location, bordering on 8 other states, proves to make it valuable territory to control (*Ibid.*; Verza 2021).

¹³⁷² Viridiana Rios, "Why Did Mexico Become So Violent? A Self-Reinforcing Violent Equilibrium Caused by Competition and Enforcement," *Trends in Organised Crime* 16 (2013): 139, <https://doi.org/10.1007/s12117-012-9175-z>.

¹³⁷³ Rios, "Why Did Mexico Become So Violent?."

violence as the process of appropriating these structures. This subsection addresses how the CDS continues to guarantee its influence over these structures. It recognises territory control as the primary feature determining the organisation's political character. This subsection will argue that territorial control is the final step in the criminal appropriation of local political structures in establishing a criminal political entity or, in other words, criminal governance. This is built on the analysis that violence is used to destabilise local political and governance structures to establish de facto control over a territory to support criminal activity.¹³⁷⁴

The spaces that have evolved into DTO strongholds mark localities where state power is challenged. As understood by Tilly's proposition, the focus on establishing and maintaining territorial control is crucial to the survival of the CDS as a criminal group and acknowledging its political nature. While corruption remains at the forefront of this analysis, the consequential loss of space as a sign of limited statehood is staple to understanding the impact of corruption on statehood and stable sovereignty. The creation of "dark spaces" identifies the criminal-governance nexus,¹³⁷⁵ as criminal governance, often in cooperation with state actors,¹³⁷⁶ dominates the locality.

Central authorities have limited control over the level of violence capacity in these "lost" territories.¹³⁷⁷ Neighbouring Central America countries have also "lost" territory to the

¹³⁷⁴ Trejo and Ley, "High-Profile Criminal Violence," 204.

¹³⁷⁵ Pansters, "Drug-trafficking," 316.

¹³⁷⁶ Ibid; William Dean, Laura Derouin, Mikhalia Fogel, Elsa Kania, Tyler Keefe, James McCune, Valentina Perez et al, *The War on Mexican Cartels: Options for US and Mexican Policy-Makers*, Cambridge, MA: Harvard University: Institute of Politics, 2012, https://iop.harvard.edu/sites/default/files_new/research-policy-papers/TheWarOnMexicanCartels_0.pdf. These spaces are recognised as so-called "hotspots" of narco-activity, whether defined by violence or simply the presence of DTOs. These "hotspots" include the states of Baja California, Chihuahua, Sinaloa, and Michoacán, among others (Dean 2012, 10-11). On a city-level, Ciudad Juárez, a border city in Chihuahua, and Culiacán, the capital of Sinaloa, are (Ibid.)

¹³⁷⁷ J. N. Slavoski, "Mexico's Sovereignty Has Been Eroded from Within," *Wall Street Journal*, March 17, 2023, <https://www.wsj.com/articles/mexico-drug-cartels-government-sovereignty-corruption-36789613>; Carina Bergal, "The Mexican Drug War: The Case for Non-International Armed Conflict Classification," *Fordham International Law Journal* 34, no. 4 (2011): 1080, <https://heinonline.org/HOL/P?h=hein.journals/frdint34&i=1052>; Mary A. O'Grady, "Mexico Loses Its Sovereignty to Cartels," *Wall Street Journal*, November 10, 2019, <https://www.wsj.com/articles/mexico-loses-its-sovereignty-to-cartels-11573411956>; and George Grayson, "Mexican Cartels' Bloody Campaign for Sovereignty," By Scott Simon, *Weekend Edition Saturday*, October 16, 2010, <https://www.npr.org/2010/10/16/130610297/mexican-cartels-bloody-campaign-for-sovereignty>.

While academic literature seems to suggest a "loss" of territory to criminal governance, there is a strong notion in Mexican politics that the government will continue to maintain its sovereignty despite the

CDS and other Mexican DTOs as operations expand through this transit region.¹³⁷⁸ While Mexican DTOs have had connections in Central America since the 1980s, the growth in wealth and power from their growing share in the cocaine market further integrated Mexican DTOs in the corridor region.¹³⁷⁹ This is the premise of the “narco-insurgency” theory, describing the inability of the government to govern sovereign territory captured by criminal actors.¹³⁸⁰ Assuming a “decomposition of the State,”¹³⁸¹ narco-insurgency assumes that there is a convergence of narcotic activity and politics to maintain market and territorial control.¹³⁸² The Sinaloa Cartel’s presence establishes a parallel structure, destabilising and replacing the State and its functions.¹³⁸³

The CDS’s power bases are established parallel to those of the Mexican State’s,

continued confrontation and the expansion of DTOs (Slavoski 2023). This can be seen by President Calderón’s insistence that “the government ‘has not lost any part... of the Mexican territory to drug cartels (Bergal 2011, 1080).” O’Grady (2019) explores Mexico’s loss of sovereignty to DTOs’ criminal governance and the negotiation strategy in the early days of the López Obrador’s (AMLO) administration. Grayson’s 2010 interview with NPR, building on his publication *Mexico: Narco-Violence and a Failed State?*, sheds brief insight on the impact of narco-violence on law enforcement in Mexico and the resulting competition for sovereignty between the State and DTOs.

¹³⁷⁸ Julia M. Bunck & Michael R. Fowler, *Bribes, Bullets, and Intimidation: Drug-trafficking and the law in Central America*, Penn State University Press, 2012, 34; Max G. Manwaring, “A Contemporary Challenge to State Sovereignty: Gangs and Other Illicit Transnational Organisations in Central America, El Salvador, Mexico, Jamaica, and Brazil,” 2007, 23-24, <https://apps.dtic.mil/sti/pdfs/ADA475687.pdf>; Parker Asmann & Alex Papadovassilakis, “Will us-Central America Relations Flatter with Latest Corruption List?” *InSight Crime*, May 18, 2021, <https://insightcrime.org/news/us-central-america-corruption-list/>; and Douglas Farah and Carl Meacham, *Alternative Governance in the Northern Triangle and Implications for US Foreign Policy*, Lanham, MD: Centre for Strategic & International Studies, 2015, 12.

According to 2001 US Drug Enforcement Agency (DEA) estimates, 300-400 tons of cocaine passed through Central America to Mexico before reaching the US market (Bunck & Fowler 2012, 34). This has been the result of gangs, i.e., MS-13, negotiating these trafficking corridors to connect OC between Mexico and Central America (Manwaring 2007, 23-24). This “lost” territory in Central America is also marked by the corruption list published by the United States for the region which highlights suspects of committing or facilitating corruption and drug-trafficking (Asmann and Papadovassilakis 2021). This only highlights the governance crisis experienced in the region accompanied fragile licit economy (Farah and Meacham 2015, 12).

¹³⁷⁹ Julia M. Bunck and Michael R. Fowler, *Bribes, Bullets, and Intimidation: Drug-trafficking and the Law in Central America* (Penn State University Press, 2012) 48-9.

¹³⁸⁰ Robert J. Bunker, “Strategic Threat: Narcos and Narcotics Overview,” *Small Wars & Insurgencies* 21, no. 1 (March 2010): 10, <https://doi.org/10.1080/09592311003589229>.

¹³⁸¹ Hal Brands, *Mexico’s Narco-Insurgency and US Counterdrug Policy* (Strategic Studies Institute, US Army War College, 2009), 12, <http://www.jstor.org/stable/resrep11508>.

¹³⁸² Patrick Corcoran, “Knights Templar Test Narco-Insurgency Theory,” *InSight Crime*, October 13, 2013, <https://insightcrime.org/news/analysis/are-the-knights-templar-the-vanguard-of-a-narco-insrugency-in-mexico/>.

¹³⁸³ Douglas Farah and Carl Meacham, *Alternative Governance in the Northern Triangle and Implications for US Foreign Policy* (Lanham, MD: Centre for Strategic & International Studies, 2015), 11.

replacing the State in rural and border regions. This essentially entangles the political and economic power of the organisation,¹³⁸⁴ resulting in a “fragmented sovereignty” that undermines the State framework.¹³⁸⁵ With a destabilising effect that has taken a multidimensional character, the CDS is able to directly weaken the immediate local and national power structures. This may include enforcing alternative criminal justice systems and the provision of welfare services in the territories that they control.¹³⁸⁶ This permeation of social and economic activities allows a consolidation of power, strengthening the CDS’s political character by establishing a sense of “territorial lordship.”¹³⁸⁷ This is especially true in the neoliberal context since the 1990s as the market has greater influence on the provision of social and welfare services.¹³⁸⁸ In this context, the CDS acts as an alternative governing authority following a militarised confrontation with the State.¹³⁸⁹ This is further enhanced by the crime-governance nexus established in the democratic era, presenting a threat to the efficacy of the state’s security apparatus.¹³⁹⁰

Territorial control exists for as long as it is sustainable to maintain. For this to happen,

¹³⁸⁴ Farah and Meacham, *Alternative Governance*.

¹³⁸⁵ Diane E. Davis, “Irregular Armed Forces, Shifting Patterns of Commitment, and Fragmented Sovereignty in the Developing World,” *Theory and Society* 39, no. 3/4 (2010): 400, <http://www.jstor.org/stable/40587542>.

¹³⁸⁶ Morton, “The War on Drugs,” 1641; Farah & Meacham, *Alternative Governance*, 10-11; Guadalupe Correa-Cabrera, Michelle Keck, and José Nava, “Losing the Monopoly of Violence: The State, a Drug War and the Paramilitarisation of Organised Crime in Mexico (2007-10),” *State Crime Journal* 4, no. 1 (2015): 84, <https://doi.org/10.13169/statecrime.4.1.0077>; Camilo Tamayo Gomez, “Organised Crime Governance in Times of Pandemic: The Impact of COVID-19 on Gangs and Drug Cartels in Colombia and Mexico,” *Bulletin of Latin American Research* 39, no. S1 (2022): 12-15; and Andres Galeana Abarca, “Ungoverned Spaces in Mexico: Autodefensas, Failed States, and the War on Drugs in Michoacán,” Master’s thesis, Naval Postgraduate School, 2014, 15, <https://apps.dtic.mil/sti/citations/ADA621001>. The militarisation of Mexican DTOs also acted as a military of sorts to settle (criminal) disputes between the organisations (Correa-Cabrera, Keck, Nava 2015, 84). A prominent example of criminal governance rising where the state failed is COVID-19 pandemic; see Tamayo Gomez (2020) for more on this. La Familia and Los Caballeros, both largely based in Michoacán but also in the greater *Tierra Caliente* region, present themselves as religious organisations that help and protect the community to gain social support (Galeana Abarca 2014, 15). Farah and Meacham (2015) also touch on the growing role of non-state actors in Central America as providers of public goods and services in the second chapter of their publication, *Alternative Governance in the Northern Triangle and Implications for US Foreign Policy: Finding Logic Within Chaos*.

¹³⁸⁷ Santino (1994) quoted in Santoro, *Mafia Politics*, 212; and Hirschfeld, *Gangster States*.

¹³⁸⁸ The criminal provision of social services is only because of the lack of state-provided public goods, resulting in everything being privatised (Farah and Meacham 2015, 11).

¹³⁸⁹ Farah and Meacham, *Alternative Governance*, 15.

¹³⁹⁰ Morton, “The War on Drugs,” 1640.

the actor in control requires a monopoly of violence within the territory.¹³⁹¹ While in explicit conflict with the State, this, arguably, is not as intense as believed, considering the "alliance" between the CDS and the Calderón administration.¹³⁹² The true conflict lays between the DTOs over territorial and market control.¹³⁹³ The criminal-political nexus is important here as control over state resources become available to allied non-state actors. While an effective counter-drug operation would require combating all DTOs,¹³⁹⁴ the Mexican state would be spread too thinly and, therefore, ineffectively confront the largest six cartels nor their factions.¹³⁹⁵ With a CDS "alliance," the Mexican state led a weakened confrontation against the other DTOs as the Sinaloa Cartel strengthened its capacity by increasing market and territory control, expanding its power base.¹³⁹⁶ 2012 estimates show the CDS, identified as the primary narcotrafficker to the US, gained control of 40-60% of Mexico's drug.¹³⁹⁷

The Sinaloa Cartel succeeded at establishing itself as a dominant DTO amongst the many organisations in Mexico that shared an established history of (drug-)trafficking. During its dominance of the Mexican drug trade, the CDS's leader, Joaquín "El Chapo" Guzmán, became the leading figure the Mexican drug industry.¹³⁹⁸ Despite the

¹³⁹¹ Taylor and Botea, "Tilly Tally.": Farah and Meacham, *Alternative Governance*, 19.

¹³⁹² Morton, "The War on Drugs," 1643.

¹³⁹³ Nathan P. Jones, Irina Chindea, Daniel Weisz-Argomedo, and John P. Sullivan, *Mexico's 2021 Dark Network Alliance Structure: An Exploratory Social Network Analysis of Lantia Consultores' Illicit Network Alliance and Subgroup Data*, Houston, TX: Rice University's Baker Institute for Public Policy, 2022, 12, <https://doi.org/10.25613/KMGB-NC83>. According to a former CDS affiliate leader, El Tomate, the Sinaloa Cartel actively kept factions operating in Tijuana in competition with each other following the Beltrán-Leyva Organisation's (BLO) split around 2012 to prevent any intra-organisation conflict (Jones et al 2022, 12).

¹³⁹⁴ Alberto Lozano-Vázquez and Jorge Rebolledo Flores, "In Search of the Mérida Initiative: From Antecedents to Practical Results," in *Drug-trafficking, Organised Crime, and Violence in the Americas Today*, ed. Bruce M. Bagely and Jonathan D. Rosen (Gainesvill, FL: Univeristy Press of Florida, 2015), 246, <https://doi.org/10.5744/florida/9780813060682.003.0012>; and Malcom Beith, "A Broken Mexico: Allegations of Collusion between the Sinaloa Cartel and Mexican Political Parties," *Small Wars & Insurgencies* 22, no. 5 (2011): 790, <https://doi.org/10.1080/09592318.2011.620813>. During his time as the top security officer, García Luna has been adamant that this has been the case, where the "government has attached without discrimination all criminal groups in Mexico" (Beith 2011, 790).

¹³⁹⁵ Morris, "Corruption," 39.

¹³⁹⁶ Stone, "Mexico Not in League"; and Beith, "A Broken Mexico," 789. Stone (2011) notes that the CDS' rising fortunes fed suspicions that Mexican law enforcement was biased and essentially working to eliminate rivals. This bias has been supported by criticism that García Luna synthesised the state's battle against drug traffickers to facilitate the Sinaloa Cartel's consolidation of power (Beith 2011, 789).

¹³⁹⁷ Beittel, *Mexico: Organised Crime and Drug-trafficking Organisations*, 25

¹³⁹⁸ Alexander Montoya Prada, "Carteles del Narcotráfico y Grupos de Sicarios," *URVIO Revista Latinoamericana de Estudios de Seguridad*, no. 8 (2009): 119, <http://www.redalyc.org/articulo.oa?id=552656557010>.

challenges that the drug war presented, the CDS was still able to maintain and grow their operations. Their success despite the trying context was the result of their effective appropriation of political structures at the local and national level. This process of criminal appropriation, while characteristically historical, intensified during the drug war, particularly during the 2006-2016 period. The exploration proposes that there are two approaches that the CDS had taken, the first was establishing and intensifying a criminal-political network and the second being a dual-track war, where the state and other DTOs were challenged for territorial control and the monopoly of violence. This required a weak state context, where the state apparatus and rule of law could easily be taken advantage of by criminal groups. This weak state context highlighted the historical importance of social networks in the absence of the Sinaloa Cartel's ability to depend on a formal (state) framework while challenging the state's legitimacy and security apparatus.

V. Final Considerations: ¿Plata o Plomo?

“The largest groups of narcotics traffickers are in Mexico. They are the most dangerous, the strongest, and they have incredible trafficking networks.”¹³⁹⁹

December 2006 marked a new chapter in Mexico's history. President Felipe Calderón's militarised confrontation with powerful drug-trafficking organisations had a significant impact on the country's landscape, as the drug war, much like the criminal organisations, permeated into public society. As the War approaches its 20-year mark, discussions continue to surround why the drug war fails at its core purpose: eliminating Mexico's illicit drug trade.

The analysis presented highlights how the CDS has appropriated, and continues to appropriate, local governance structures. The paper identifies two overarching explanations: (1) the embeddedness of the illicit drug trade in Mexican society and (2) the political character of the CDS. The historical embeddedness of the illicit drug trade in Mexican society has shaped the current context of the weak state and maintains the historical criminal-political nexus well into the 21st century. The Pacific Cartel's political character is defined by the organisation's use of (excessive) violence for territorial

¹³⁹⁹ Bunck and Fowler, *Bribes, Bullets, and Intimidation*, 58.

control. This political character is present in the war against the State and in confrontation with other criminal organisations. This exploration can be boiled down to the infamous line associated with contemporary narco-culture and the illicit drug trade, *¿plata o plomo?* (money or bullet?), where the Pacific Cartel is both an economic and political actor.

These reasons lie under claims that Mexico is a mafia state or narco-state, according to the understanding presented by Naím (2012), where there is an intersection between the criminal and political spheres. The enhanced weak state status fuels the assumption of approaching a degree of failure, if it has not already reached a state of failure, associating the country with more conventionally viewed “failed states”.¹⁴⁰⁰ Despite this, a deeper and more intricate understanding of the complexities given the evolution of Mexico’s OC is needed. This underlines the importance for a strong rule of law and democratic culture. The prominence of OC maintains the drug trade at all levels, complicating this. As globalisation continues to play a vital role in the strengthening of this shadow economy, which has grown to become a community, international cooperation is increasingly important.

The relationship between criminal and political actors has remained constant throughout the last century of OC in Mexico despite increasing militarisation and democratisation efforts. In this sense, the Gambetta and Wang models for the Sicilian and Chinese mafia organisations are relevant to understanding drug-trafficking organisations for their political nature. As pointed out in scholarship,¹⁴⁰¹ Mexican drug syndicates are especially unique in that they hold an ideology, rendering them political in nature and rather a mafia organisation than simply a drug syndicate. This requires further research into the concept of Mexican drug-trafficking organisations operating as a dual-track criminal organisation.

¹⁴⁰⁰ See “Is Mexico a Failing State?” (2009) for an exploration of the influence of drug-trafficking organisations on Mexican political stability and the validity in labelling Mexico as a failed or failing state. See Gallaher (2015) for a discussion on the debate of Mexico as a failed state considering the Mérida Initiative. See Davies (2010) for an exploration of non-state armed groups and their impact on sovereignty and the strong state.

¹⁴⁰¹ Valentin Pereda, “Why Global North Criminology Fails to Explain Organised Crime in Mexico,” *Theoretical Criminology* 26, no. 4 (November 2022): 620-640, <https://doi.org/10.1177/13624806221104562>.

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