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2016

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Police, Politicians and the Regulation of Drug Trafficking in Latin America

By
Hernan Flom

A dissertation submitted in partial satisfaction of the
requirements for the degree of
Doctor in Philosophy
in
Political Science
in the
Graduate Division
of the
University of California, Berkeley

Committee in charge:
Professor Alison E. Post (Co-chair)
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Summer 2016

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Abstract

How do states regulate drug trafficking? The sale of illicit drugs generates an estimated US\$870 billion per year – more than 1 percent of global GDP. At the same time, hundreds of thousands of people die annually from drug-related violence and ensuing state repression. While national-level governments establish the normative framework regarding drug trafficking, *subnational* governments carry out the lion's share of drug enforcement, confiscating drugs, arresting (or killing) dealers and traffickers, or brokering peace bargains with, or extracting rents from drug gangs. Despite the recent immersion of political scientists into the study of drug trafficking, we have yet to explain how and why subnational governments choose the strategies they do when dealing with this organized criminal activity. This dissertation analyzes subnational states' different approaches to drug trafficking, or *drug trafficking regulatory arrangements*.

Most studies of drug trafficking and its associated violence treat the state as a unitary actor and neglect the role of the police, despite the latter's fundamental importance (and discretion) in enforcing legislation related to drug trafficking and organized crime. By contrast, I propose that different types of interactions between subnational politicians, primarily governors, and their police forces influence state responses to drug trafficking, with differing consequences with respect to state and criminal violence as well as police corruption. Understanding the state's regulation of drug trafficking requires incorporating the interests and strategies of police forces –which may well conflict with those of their political superiors- into empirical studies.

I argue that subnational patterns of political competition shape the state's regulation of drug trafficking in metropolitan areas by affecting police levels of autonomy. Two aspects of competition are central in shaping police force's autonomy: the extent to which the same party remains in power over time (*political turnover*) and the dispersal of political power in a given period (*political fragmentation*). The different combinations of turnover, fragmentation and police autonomy yield four types of regulatory arrangements: tacit coexistence, protection-extraction rackets, particularistic negotiation and particularistic confrontation, which differ with respect to police violence, corruption and criminal violence.

Low political turnover reduces police autonomy and generates *coordinated* regulatory arrangements -tacit coexistence and protection-extraction rackets. Entrenched governments are able to implement and sustain autonomy-reducing police reforms, or gain the necessary leverage to extract cooperation from the force. Fragmentation, in turn, affects the governments' stance toward police rent extraction. Under conditions of low turnover, low fragmentation motivates incumbents to politicize the police and appropriate its rents from trafficking, while high fragmentation compels them to professionalize the force and restrict its rent extraction, as political rivals can either monitor the government's extraction or compete for police rents. With low fragmentation, governments centralize police rents from drug trafficking and control violence through protection-extraction rackets. By contrast, when fragmentation is higher, governments reach tacit coexistence agreements with organized criminal actors, in which police and gangs restrain their mutual confrontation. Both cases exhibit lower state and criminal violence, while differing in their relative levels of corruption.

By contrast, frequent changes in administration (high turnover) undermine both governments' capacity to sustain reforms and their leverage over the police, increasing police

autonomy and generating *uncoordinated* regulatory arrangements, i.e. particularistic negotiation or particularistic confrontation. In this situation, high fragmentation might obstruct reformist initiatives or spark political competition for police rents, while low fragmentation is insufficient to reduce police autonomy. These arrangements are defined by either fragmented corruption deals between police officers and traffickers (particularistic negotiation) or dispersed attacks by police squads against drug gangs (particularistic confrontation). Both regulatory types result in high levels of criminal violence while diverging in their levels of state-driven violence.

I test this theory with a subnational comparative research design, focusing on the main metropolitan areas of Argentina –the provinces of Buenos Aires and Santa Fe- and Brazil –the federal units of Rio de Janeiro and São Paulo. Relying on interviews with politicians, police officers, and actors from civil society, as well as on document analysis of newspapers, NGO reports and government briefs, I conduct process tracing to examine the within-case variation of each subnational case since the return of democracy, a period of over 30 years. This dissertation’s findings of how political turnover and fragmentation influence police autonomy and, through it, shape drug trafficking regulatory arrangements have several implications, not just for thinking about the state’s response to organized crime but for the relationship between political competition and public security, and the role of police in democracies with weak institutions.

Dedication

A mis padres, en las buenas (y en las malas mucho más)

A Bel Mil, la compañera perfecta, el amor de mi vida

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Acknowledgements

This dissertation would have been impossible without the support and guidance of my entire dissertation committee: my co-chairs Alison Post and Leonardo Arriola, Ruth Berins Collier and Jonathan Simon. Alison's enthusiasm and dedication pushed me to organize myself to finish this dissertation. She always had the right comment to orient me when I got stuck or sidetracked. Her commitment to all her advisees is difficult to match and I feel fortunate to have been one of them. Leo's comments were always extremely incisive and helpful, and conversations with him forced me to rethink each chapter in ways that had never occurred to me. He always lifted me up with his good humor and convinced me that I had an important contribution to make. In every conversation we had, Ruth confirmed to me that she possesses one of the sharpest minds in political science in terms of thinking about the big picture of the dissertation. Her comments and suggestions always forced me to take one step back and rethink the argument as a whole. Talking with her and getting her feedback is one of the great privileges of being a Berkeley Latin Americanist. Jonathan's counsel and encouragement drove me to think about the broader implications of this research. He was always accessible and generous with his time and comments. Being away from Berkeley for most of the period during which this dissertation was written was not easy for me (or my advisors), but my committee always made the experience much less challenging. I hope they feel their advices and comments are properly reflected in this dissertation. Of course, all the mistakes are my own. I would also like to thank David Collier, without whom I probably would not have ended up in Berkeley in the first place.

During my time in Berkeley, I benefited from the wonderful company and comments from a large group of friends and colleagues. I specially cherish my time there with Tomás Bril Mascarenhas and Andrés Schipani, with whom I had the pleasure of sharing the entire admissions process as well as most classes and outings once we got to California. Eugenia Giraudy and Rodrigo Zarazaga, the other members of the Argentine mafia, also made the time in California so enjoyable it seemed we were not away from home at all. Also, Ben Allen, Chris Chambers-Ju, Danny Choi, Ben Lessing, Elsa Massoc, Lucas Novaes, Brian Palmer-Rubin, Mathias Poertner and Denise Van der Kamp all helped this project take shape and made these years truly remarkable. Ben Allen proofread this entire dissertation and provided impeccable edits and comments. Brian's counsel and friendship allowed me to make regular (and significant) advances in the dissertation during our time together in Cambridge.

In case being in Berkeley was not fortunate enough, I also counted on the privilege of accompanying my wife on her Ph.D. to Harvard University and receiving feedback in various seminars from several members of the Government Department. I particularly thank the comments and encouragement from the Harvard-MIT Latin American Discussion Group, especially Steven Levitsky, Jorge Domínguez, Frances Hagopian, Ben Ross Schneider, Regina Bateson, Candelaria Garay, Danny Hidalgo, Chappell Lawson, Belén Fernández Milmanda, Yanilda González, Jingkai He, Alisha Holland, Audrey Latura, Martin Libby-Alonso, Renato Lima, Brian Palmer-Rubin, Jonathan Phillips, Seth Soderborg, Tesalia Rizzo, Kai Thaler, and Julie Weaver. During my stay in Cambridge, I also presented in the Comparative Politics Seminar and the David Rockefeller Center for Latin American Studies; I sincerely appreciate the feedback from all the participants in these events. I also thank Steve Levitsky for the

opportunity (and privilege) of allowing me to be a Teaching Fellow for his Comparative Politics of Latin America class.

During the Spring 2016 semester, I was extremely fortunate to participate in the GMS 201 writing seminar convened by Alison Post in Berkeley. Despite being from different fields, John Erlick, Freyja Knapp, Shraddha Navalli, Alice Sverdlik, and Matt Wade read several versions of various chapters and provided extremely helpful and insightful comments. Even more important was their solidarity, kindness and sense of humor during this often turbulent time. It was wonderful to have them be a part of the final stretches of this dissertation.

This dissertation was not only made possible by scholarly comments and guidance. I also counted on the permanent support and assistance of the entire Berkeley Political Science department staff. Of these, I would like to single out Suzan Nunes who helped me in more ways than I can enumerate, from processing fellowships and stipends to actually filing this dissertation. I owe a similar debt of gratitude to Thom Wall at Harvard, who helped me with my teaching appointments and many other things, even though I was not even a student in the program. Finally, Harvard's lab technicians attended every request –no matter how dumb- I made during my innumerable writing sessions in the CGIS Knafel building in Cambridge.

Writing the final touches of this dissertation in Argentina reminds me of when I started studying the police and crime a decade ago. I thank Marcelo Bergman, Fernando Cafferata, Natalia Dos Santos, Alberto Föhrig, Diego Fleitas and Marcelo Sain, for triggering my interest in public security, police forces and drug trafficking, mentoring me on these topics and rewarding me with their friendship and guidance along the way.

This project would have never gotten off the ground without the financial support of several institutions. I sincerely appreciate having been selected for research fellowships by the Institute of Global Conflict and Cooperation (IGCC) of the University of California, San Diego, the Institute of International Studies (IIS) at UC Berkeley, the Tinker Foundation and the Center of Latin American Studies at UC Berkeley, and the National Ministry of Security in Argentina.

The main credit for this dissertation belongs to all the interviewees whose testimonies appear here (and those whose statements unfortunately could not be included in the final draft). Their generosity is difficult to commensurate: Governing politicians gave up part of their extremely busy schedules; police officers sacrificed scarce hours of rest and every interviewee afforded me more time than they could spare. My only hope is to have represented their views fairly.

I would also like to acknowledge those whose generosity and hospitality made traveling to the fieldwork sites much easier and certainly more enjoyable, and who went out of their way to help me reach several interviewees. Among them, a special thanks to: in Rio de Janeiro, Tónico, 'Rafael' (my guide in Rocinha) and Antônio Rangel; in São Paulo, my roommates Augusto and Bruno, Lucas Novaes and Guadalupe Tuñón; in Santa Fe, Sebastián Cáceres, Maxiliano Pullaro, Gabriel Ganón, Alberto Martínez and Carlos del Frade.

During this past six years, whether in Argentina, Brazil or the United States, the unwavering support from friends and family has enabled me to carry out this project until its completion. To my friends, thanks for every outing, conversation, email or Whatsapp message we exchanged. To my family, all the Fernández Milmandas, Vilas and Flom, spread out from Buenos Aires to California, I could not have done this without you. My parents, Marta and

Jorge, have been my biggest supporters –in every way imaginable- since the day I was born, and without them, doing a Ph.D. anywhere, let alone in Berkeley, would not have been possible. Their love, affection and encouragement through this entire experience is something I will always treasure and never forget. During my first summer break back in Buenos Aires, I went back to visit family and work on a research project. I never thought that, in the space of a few days, I would meet the woman who would turn out to be first my girlfriend, then my partner, and, since 2013, my wife: Belen Fernandez Milmanda (Bel Mil). Her contributions go beyond my dissertation, for which she reviewed unending drafts of everything from seminar papers to final versions and suggested key concepts for the theoretical framework. To her, I say thanks for putting up with my prolonged absences during my fieldwork trips and my sleepless nights spent writing; for setting me up in Harvard so that I would have the best conditions possible to finish my dissertation; for always pushing me to finish in time; for being an impeccable critic and a relentless supporter; and for making each day we spend together better than the one before.

Chapter 1 Introduction

1 Politicians, police and drug trafficking in Latin America

How do states regulate drug trafficking? The sale of illicit drugs generates an estimated US\$870 billion per year – more than 1 percent of global GDP (Reuter 2014). At the same time, hundreds of thousands of people die annually from drug-related violence and ensuing state repression. Drug trafficking's illegal status is established by international norms, imposed by developed countries, and recognized by most nations. Because of this global prohibition, it might seem strange that developing countries should exhibit much variation in how they deal with this organized criminal activity, let alone at the subnational level. Yet national and subnational responses to drug trafficking vary considerably. Drug trafficking is a global phenomenon with local traits and local state responses, and it is often subnational governments that carry out the lion's share of drug enforcement, sequestering drugs and arresting (or killing) dealers and traffickers. However, we have yet to fully explain how and why subnational governments choose the strategies they do. This dissertation homes in on subnational states' different approaches to drug trafficking, or what I call *drug trafficking regulatory arrangements*.

Observers often view state responses to drug trafficking as stark: either centered on prohibition, also referred to as the 'War on Drugs', or submission to the all-corrupting power of drug trafficking. This view obscures the fact that state actors differ in the extent to which they confront (or negotiate) with drug traffickers or extract rents from them, and their degree of coordination in doing so. This variation between confrontation and rent extraction occurs both across states and within a given state over time. For example, during the PRI hegemony in Mexico, national politicians and law enforcement officials extracted rents through state-sponsored protection rackets with drug cartel leaders who supplied them with substantial bribes and suppressed criminal violence (Snyder and Duran-Martinez 2009). The breakdown of this arrangement, and the onset of confrontation, resulted in uncoordinated negotiations between state and local-level politicians and police forces with traffickers –coupled with brutal repression by the national government-, and triggered a spiral of violence that has cost more than 100 thousand lives since 2006. Meanwhile, in El Salvador, police and armed forces were embroiled in a bloody confrontation with drug trafficking gangs, which made it the most violent country in the world. Between 2013 and 2014, the national government negotiated a truce between the main gangs, temporarily containing the violence epidemic. States' regulatory strategies of drug trafficking vary throughout all Latin American countries.

Understanding the state's regulation of drug trafficking requires incorporating the interests and strategies of police forces into empirical studies. Police forces as a political actor are often neglected by political science, and analyzing their diverse relations with politicians can give us insight into how drug trafficking responses are developed, as well as these choices' potential for success. Political authorities everywhere rely on the police to enforce crime legislation, yet their relationship is not uniform across or within countries. Incumbents may not be willing or able to reform their police forces to align them with democratic principles or shut down the police's corruption rackets. On the contrary, politicians might seek to profit from the police's rent extraction from drug trafficking, especially if the police can credibly promise to contain criminal violence in return. Drug trafficking thus constitutes both a major threat to order and a source of sizable rents for police and politicians alike; however, politicians' and police

forces' preferences and actions in regulating this enterprise are often in conflict with each other. In this dissertation, I explain how these state actors choose and implement their strategies to tackle drug trafficking.

I argue that subnational patterns of political competition shape the state's regulation of drug trafficking in metropolitan areas. Two aspects of competition – the extent to which the same party remains in power over time (*political turnover*) and the dispersal of political power in a given period (*political fragmentation*) – determine the police force's autonomy, and, subsequently, shape how police implement different types of drug trafficking regulatory arrangements.

Political turnover conditions the stability of policies intended to reduce police autonomy while fragmentation affects the coordination of such policies between political actors. Entrenched governments are able to implement and sustain autonomy-reducing police reforms, or gain the necessary leverage to extract cooperation from the force. Under conditions of low turnover, low fragmentation motivates incumbents to appropriate the police's rent extraction from trafficking, while high fragmentation compels them to restrict it, as political rivals can either monitor the government's extraction or compete for police rents. In either case, with reduced police autonomy, governments can implement coordinated regulatory arrangements that exhibit lower state and criminal violence, as well as centralized or limited state corruption.

By contrast, frequent changes in administration (high turnover) undermine both governments' capacity to sustain reforms and their leverage over the police. In this situation, high fragmentation might obstruct reformist initiatives or spark competition for police rents, while low fragmentation is insufficient to reduce police autonomy. Therefore, uncoordinated regulatory arrangements emerge, with greater state and criminal violence, or anarchic rent extraction by the police.

I test this theory with a subnational comparative research design, focusing on the main metropolitan areas of Argentina –the provinces of Buenos Aires and Santa Fe- and Brazil –the federal units of Rio de Janeiro and São Paulo.¹ These cases are representative of a broader set of inter-related processes occurring in Latin America since the 1980s: the return of democracy, the growth of insecurity and drug trafficking, and police reforms at both the national and subnational level.

First, as part of the Third Wave of democratization, several Latin American countries regained democracy after years or (in some cases) decades of authoritarianism. Although democratic quality differs across the region, and many polities have weak institutions, for the most part these democracies have consolidated.² The independent variables in this dissertation – political turnover and fragmentation- presume the existence of a democratic regime in which different parties can potentially alternate in office, even if a single party remains in power for prolonged periods.

Subnational turnover and fragmentation vary both across these cases and over time in each of them. In Rio de Janeiro, no government won reelection between 1982 and 2006 but, since then, the same party has won the past three gubernatorial contests. In São Paulo, following

¹ I will use the terms “state” and “province” to refer to Brazilian and Argentine subnational units, respectively.

² For example, Argentina and Brazil average 7.5 and 8 on a scale of -10 to 10 in the Polity IV index over the last twenty years.

three successive changes in administration since the return of democracy, the same party has governed for over twenty years (1994-2016). Meanwhile, in Argentina, the largest national party—the Partido Justicialista (PJ, or Peronist Party) – remained in power for 28 years in Buenos Aires (1987-2015) and 24 years in Santa Fe (1983-2007). In the latter case, the relation between the government and the police changed dramatically when a new party assumed power. These governments also varied in their respective political fragmentation over time. Brazilian governments, on the one hand, usually present higher fragmentation given their electoral and party system. In Argentina, on the other hand, while interparty fragmentation is generally lower, parties have occasionally faced crude internal disputes that hampered their capacity to govern the police.

Second, many Latin American national and subnational governments attempted to reform police forces deemed inefficient, corrupt and prone to human rights abuses similar to those committed in the preceding authoritarian regimes (Méndez, O'Donnell, and Pinheiro 1999; Pereira and Ungar 2004; Bailey and Dammer 2006; Uildriks 2009). These reforms were mostly unsuccessful for reasons ranging from police resistance to lack of political commitment; and police still retain many of their historical vices. Notwithstanding the outcome of reforms, Latin American police exhibit more variation across cases and over time in their capacity to regulate organized crime, albeit through informal or illicit means. Buenos Aires' police maintain a reputation for structural corruption, yet are relatively efficient at providing order in the metropolitan area, whereas in neighboring Santa Fe the police were unable to contain the increase in criminal violence stemming from the advance of the drug trade. Meanwhile, both Rio de Janeiro and São Paulo have made important advances in reducing rampant police violence in the last decade – and, to a lesser degree, corruption – while hardly engaging in encompassing democratic police reforms.

Finally, most countries witnessed dramatic increases in violent crime and heightened popular feelings of insecurity (Goldman 2002; Frühling, Tulchin, and Golding 2003; Bergman and Whitehead 2009; Dammert 2012). Homicide rates rose in the 2000s—even as countries experienced economic booms—, and fear of crime consistently ranks among the highest concerns in Latin American opinion surveys (Lagos and Dammert 2012). Today it is commonplace to state that Latin America is the most violent region in the world.³ Nonetheless, this somber reality obscures important cross-national and subnational variation: the same countries might have districts where homicide rates are higher than in civil war areas while in others they are on par with Western European nations.⁴

Relatedly, the region has experienced the emergence and consolidation of different types of drug trafficking organizations (DTOs). Beyond the more familiar Colombian or Mexican drug cartels, territorially organized groups engaged in the transportation, storage, and wholesale and retail distribution of narcotics operate throughout the entire region, from Central America to the Southern Cone (Global Commission on Drug Policy 2011, 5; Bunck and Fowler 2012).⁵ No

³ Central and South American countries concentrate 9% of the world's population but over a third of the world's homicides. “Latin America leads world on murder map, but key cities buck deadly trend”, *The Guardian*, May 6, 2015.

⁴ “Murderous matches: comparing Mexican states with equivalent countries”, *The Economist*, Nov. 22, 2012.

⁵ The portal *InsightCrime* (www.insightcrime.org) provides an updated and comprehensive analysis of drug gangs in the whole region.

more is Latin America just a conduit between producing and consuming countries like the United States and Europe; domestic drug consumption in the region has grown considerably in the last decade (CICAD-OID 2015).

While drug trafficking gangs bear some responsibility for dramatic increases in violence in most Latin American states, the relation between organized crime and violence is not linear. On the one hand, organized crime sometimes tempers criminal violence to avoid state intervention and protect its business interests (Snyder and Duran-Martinez 2009); on the other hand, violence is the main form of resolving market disputes between criminal organizations (Reuter 2009). This relation varies both within and across countries, as well as over time. For instance, in the 2000s, homicide rates decreased by 50 percent in Rio de Janeiro and 66 percent in São Paulo, despite the persistence of heavily-armed drug gangs. Meanwhile, homicide rates doubled from 2008 to 2013 in Santa Fe (Argentina) while they remained stable in the neighboring province of Buenos Aires, even though both of these metropolitan areas exhibit similarly fragmented drug markets with weak gangs.

This dissertation connects these three previous themes by examining how political turnover and fragmentation in democracies affect police autonomy and, through this intervening variable, the regulation of drug trafficking at the subnational level. The remainder of this chapter will define the dependent variable –regulatory arrangements of drug trafficking- (section 2); review the existing explanations of drug-related violence and police-government relations (section 3); present a condensed version of this dissertation’s theoretical framework (section 4); describe this study’s case selection and data collection methods (section 5); highlight the original contributions of this dissertation (section 6), and provide a roadmap of the upcoming chapters (section 7).

2 Dependent variable: informal regulatory arrangements of drug trafficking

This study attempts to explain why subnational governments develop different types of informal arrangements to regulate drug trafficking. In this section, I define the basic concepts that constitute this dependent variable, its main analytical dimensions, and its different outcomes.

Informal regulatory arrangements

Regulation, for the purpose of this study, “refers to the promulgation of an authoritative set of rules, accompanied by some mechanism, typically a public agency, for monitoring and promoting compliance with these rules” (Baldwin, Cave, and Lodge 2012). The set of rules defined by governments in relation to drug trafficking may be both formal and informal, and the main public agency in charge of monitoring and promoting compliance is the (subnational) police. Hence, *arrangements to regulate drug trafficking* are the set of actions, strategies and processes by which state actors enforce formal and informal norms in order to constrain drug traffickers’ behavior and structure the drug trafficking market in a given jurisdiction. While state enforcement might not modify the retail price or “quality” of drugs (Keefer et al. 2010; Caulkins et al. 2006), state actors can influence the number of ‘licensed’ drug entrepreneurs (distributors)

and certain aspects of their daily operation, particularly the extent to which traffickers resort to violence to settle market disputes (Gambetta 1996).

Regulation implies that state actors can choose when and how to repress criminal activities. In other words, repression is not the only state response to drug trafficking. While most countries' national legislation prohibits drug trafficking, the state's enforcement of such rules is neither constant over time nor uniform across territories. As with organized crime more generally, state actors can target one or several drug gangs (Lessing 2015), employ predominantly force or intelligence-centered policing approaches (Kleiman 2010), or allow for certain levels of drug dealing in exchange for gangs' commitments to moderate criminal violence or provide illicit rents.⁶ Therefore, it is more accurate to say that states do not simply repress but rather *regulate* drug trafficking: they establish rules, charge taxes and impose penalties for non-compliance.⁷

The regulation to which I refer in this dissertation is mainly *informal*, i.e. "unwritten, created, communicated and enforced outside of officially sanctioned channels" (Helmke and Levitsky 2004, 727). Although most state officials would probably deny these arrangements since they typically border on the illicit (Yashar 2010), in many cases, this unlawfulness is difficult to prove. State actors might intentionally opt not to enforce the law, i.e. "forbearance" (A. C. Holland 2015), without there being a monetary exchange between law-breakers and the police. For example, police forces might allow certain drug traffickers to operate seemingly undisturbed until sufficient evidence has been collected to arrest the traffickers or their suppliers. Narcotics officers tend to overlook legal infractions committed by their informants (Reuter 1982; Skolnick 2011). Are police in these cases simply violating the law or choosing strategically when (and how) to enforce it? The distinction is rarely clear-cut. While all illicit actions by the state are in the informal domain, not all informal decisions taken by either politicians or police are illicit, in the sense of being contrary to the standing normative framework and potentially subject to criminal prosecution, and punishment.

Drug trafficking

Drug trafficking is a transnational organized crime, which involves the production, transportation, and distribution of different types of illicit substances –e.g. cocaine, heroin, marijuana, new psychoactive substances, etc.- across international borders. This dissertation focuses primarily on cocaine, which is more profitable and more closely related to criminal violence than other illicit drugs (Saviano 2015). While cocaine production is concentrated in three Latin American countries –Colombia, Bolivia, and Peru- it is consumed all over the world,

⁶ Certain analyses of the consequences of drug trafficking downplay this idea, assuming that the prohibitionist paradigm imposed by developed countries uniformly undermines public safety, security and institutions in developing countries (Keefer, Loayza, Soares 2010, 18-23).

⁷ Speaking of "regulation" with regards to drug trafficking requires a further conceptual clarification. Currently, the prohibitionist, supply-side centered paradigm known as "the War on Drugs," which has been most forcefully applied in countries such as Colombia (Thoumi 1995; Bagley 1988) and Mexico (Chabat 2002; Astorga and Shirk 2010), is being challenged by several prominent political leaders and academic experts (Global Commission on Drug Policy 2011). These critics propose an alternative regulatory framework, with initiatives ranging from the decriminalization of consumption –particularly of 'soft drugs' such as marijuana- to legalizing the entire drug distribution chain – from production to consumption, as has occurred with cannabis in Uruguay (Mathieu and Niño Guarnizo 2013). These policy initiatives are not the subject of this study.

and passes through several stops before reaching its final destination. Drug trafficking is above all an extremely profitable economic activity, especially for the individual or collective actors who manage the cross-border smuggling, wholesale and retail distribution stages of such products' commercial chains (see Table 1.1 below).

Table 1.1. Price structure of 1 kilo of pure cocaine and 1 kilo of pure heroin, selected countries and cities, mid-1990s and 2000 (dollars)

Stage	Cocaine (mid 1990s)	Cocaine (2000)	Heroin (2000)
Farm production	370 (leaf in Peru)	650 (leaf in Colombia)	550 (opium in Afghanistan)
Export	1200 (Colombia)	1050 (Colombia)	2000-4000 (Afghanistan)
Import	20,500 (Miami)	23,000 (Miami)	10,000 (Turkey export)
Wholesale (kilo)	31,000 (Chicago)	33,000 (Chicago)	50,000 (London)
Wholesale (oz.)	62,000 (Chicago)	52,000 (Chicago)	65,000 (London)
Final retail value	148,000 (Chicago)	120,000 (Chicago)	135,000 (London)

Source: Keefer and Loayza (2010, 18)

I focus particularly on the regulation of the storage and retail distribution of illicit drugs in Latin American urban areas. This inevitably entails a partial exploration of an extremely complex subject. All-too-important issues such as the international smuggling of drugs, the wholesale export from developing to developed countries, and the money laundering of drug trafficking revenues are not the primary focus of this study. The reason for this analytical restriction is that retail storage and distribution are the stages in the supply chain in which traffickers are most exposed to the subnational state's (violent) enforcement, since traffickers require relatively fixed territorial locations to stash, elaborate and sell illicit drugs, while the other stages are generally the purview of national or federal law enforcement agencies. Traffickers must therefore assert their control over these urban spaces, usually through armed violence, which poses a challenge to the state's authority and may result in overt confrontation with law enforcement agencies. Hence, it is at this stage where we are most capable of observing "the selective reach of the state's retreat, persistence, and reassertion" (Friman and Andreas 1999, 3).

Dimensions

Given drug trafficking's association with criminal violence, several scholars have built on civil war and political violence literature⁸ to conceptualize the exchanges between states and drug trafficking organizations (Lessing 2015; Rios 2012; Osorio 2013). Thus, they focus primarily on whether governments confront or negotiate with organized criminal actors, that is, whether the two sides opt to continue or cease violent conflict. However, such conceptualization is not entirely adequate for analyzing drug trafficking. First, unlike rebel groups or terrorist networks, drug trafficking gangs are usually not intent on overthrowing the state but on maximizing their profits, which alters the range of alternatives states have at their disposal. This

⁸ See, among others, (Powell 2002; Kalyvas 2006; Walter 2009; Blattman and Miguel 2009; Boix 2008; Kirschner 2010; Staniland 2012).

motivates state actors not only to confront (or negotiate) with drug trafficking organizations but also to collect rents from this illicit activity. Surprisingly, however, rarely do these studies conceptualize the state’s option to extract rents from organized crime and under what conditions this strategy is likely to prevail.

A further distinction with previous analyses of political violence has to do with disaggregating the state into different actors with distinct interests in drug regulation. In civil wars, the state faces an existential threat in rebel groups, and to some extent is united by definition: all dissenters are part of the opposition, which must be obliterated, while the government’s divided action is likely to lead to its demise. By contrast, politicians and police have diverse incentives and preferences that can reduce the potential for coordination when dealing with organized crime.⁹

Hence, we can distinguish different types of regulatory arrangements of drug trafficking according to two main dimensions: first, whether arrangements emphasize confrontation –either increasing or avoiding it- or rent extraction as the main instrument of regulation; second, the extent to which subnational politicians and police forces coordinate their regulatory approaches (see table 1.2). Different levels of each of these variables map onto four principal outcomes: tacit coexistence, protection-extraction rackets, particularistic negotiations, and particularistic confrontations. Each of them exhibits different levels of both criminal and state violence related to drug trafficking, as well as various levels and forms of state corruption.

Table 1.2. Dimensions and outcomes of informal regulatory arrangements of drug trafficking (dependent variable)

Level of state coordination	Emphasis of state regulation	
	Violence	Rent Extraction
High	<i>Tacit coexistence</i>	<i>Protection-extraction rackets</i>
Low	<i>Particularistic confrontation</i>	<i>Particularistic negotiation</i>

Source: Author’s elaboration

Outcomes

The quintessential coordinated regulatory arrangement, *tacit coexistence* occurs when politicians and police jointly broker and enforce explicit or implicit agreements with criminal actors to restrain levels of conflict between them. Staniland, from whom I borrow this concept, defines this arrangement as one in which “neither side makes a total attempt to destroy the other” and “violence [...] follows the implicit rules of engagement about what is and is not acceptable to each side” (Staniland 2012, 251). This arrangement does not suggest that state actors renege on enforcing drug legislation, but rather that both sides try to avoid unnecessary clashes that might generate spirals of violence. In other words, violence is coordinated, selective, and targeted, rather than uncoordinated, arbitrary or indiscriminate (Kalyvas 2006). When tacit coexistence is in place, levels of criminal and state violence should decrease or remain low.

⁹ On the other hand, several scholars have noted how the internal organization of non-state armed groups affects conflict and violence (e.g. Weinstein 2007; Pearlman 2011).

State corruption, while present, should be less widespread and restricted to low-level police or political actors outside of the government –hence, its ‘uncoordinated’ nature.

During the 2000s, Medellín –once “the most dangerous city in the world”¹⁰- reduced homicides in part thanks to a pact with the head of the most powerful local cartel. This phenomenon was even called ‘Donbernabilidad’, a sardonic twist on the notion that the cartel leader, known as Don Berna, ensured governability by ordering his group to reduce violence levels.¹¹ In El Salvador, a country suffering from gang-related violence, the government temporarily stemmed this tide by brokering a gang truce in 2013, in which imprisoned gang leaders gave instructions to street members to quell the conflict (The Economist 2013). While these pacts were brief, some of them last for generations. In Japan, the national government has coexisted with the central crime organization –the Yakuza- for the better part of a century, implicitly tolerating its activities in exchange for its regulation of violence (Hill 2006).

When governments and police coordinate on capturing rents from crime –in addition to maintaining order- this constitutes a ‘*protection-extraction racket*’. According to Tilly, what distinguishes a racket from the normal provision of security is that the racketeer, in this case the state, charges the client for protection against a potential threat delivered by the state itself (Tilly 1985, 170–1). In this scenario, state actors need to shut down some drug trafficking operations in order to signal their credible role as enforcers, but also to allow drug gangs to conduct their operations so as not to lose their source of rents. To the extent that the state is effective in its protection-extraction role, in which it allows organized criminal actors to operate relatively undisturbed by rival gangs or other enforcement agencies, criminal violence should remain low. State corruption is extensive but coordinated between high-level police and political authorities. The clearest example of this arrangement in the region are the deals between the heads of drug cartels and high-government officials –including several Presidents- during the latter part of the PRI hegemony in Mexico, whereby politicians and police protected traffickers in exchange for succulent payoffs and the promise to control levels of criminal violence (Snyder and Duran-Martinez 2009; Rios 2012). Some authors paint a similar picture in post-Communist Russia, with increasing protection and collaboration ties between criminal syndicates and state law enforcement and intelligence officials (Volkov 2002; Taylor 2013).¹²

A third type of scenario comprises *particularistic negotiations*, in which state actors broker rent-seeking protection deals with traffickers but in a fragmented and uncoordinated fashion. This applies mainly to police carrying out rackets without protection from political incumbents, but can also refer to subnational politicians brokering fragmented deals with drug gangs without coordination with federal authorities. The distinguishing features of this arrangement are its high and disorganized police corruption, and elevated criminal violence. Unable to provide credible protection deals, regulation destabilizes the drug market and increases criminal violence. Going back to Mexico, as centralized protection rackets with drug cartels ended with the PRI hegemony, fractured deals proliferated between local or state-level

¹⁰ Medellín had 6500 homicides in 1991, with a homicide rate of 381 per hundred thousand individuals.

¹¹ Source: InsightCrime. <http://www.insightcrime.org/colombia-organized-crime-news/don-berna>. See also the 2011 Washington Office on Latin America report on Police reform (WOLA 2011, 7–8).

¹² See also “Gangs of Russia: Ruthless mafia networks extending their influence”, *International Business Times*, Apr. 9, 2015.

politicians, police, and the drug gangs operating in their territory, contributing to an increase in violence in several subnational states (Snyder and Duran-Martinez 2009, 263–265). A macabre illustration of this arrangement took place in 2014, when the mayor of Iguala ordered the police to kidnap 43 students and turn them over to a local drug gang, which tortured and, most likely, murdered them (their bodies have not yet been found).¹³

Finally, *particularistic confrontation* refers to cases where the state’s primary approach consists of systematic yet uncoordinated attacks against drug trafficking gangs. This arbitrary and indiscriminate police violence is accompanied, and often preceded, by similarly alarming levels of uncoordinated police corruption. Police violence then is likely to trigger further criminal violence, as more centralized drug gangs confront the police, invade each other’s territory, and victimize their neighborhood’s population to deter (or punish) cooperation with the police.

Particularistic confrontation includes violent conflicts like the one that pit the Colombian state against Pablo Escobar’s Medellin Cartel from the mid-1980s until Escobar’s death in 1993 (Bowden 2002). Among the cartel’s victims were three presidential candidates and the national Justice Minister. To stress the subnational variation of these arrangements, during the same period, the Cali Cartel bargained with the state, keeping nearly 3000 politicians and security officials on its payroll to avoid persecution and spirals of violence (Lampe 2016). Similarly, in Mexico, despite the apparent national-level shift hinted by President Felipe Calderon’s decision to strike the drug cartels in 2006, there is still significant subnational variation in both state responses and levels of criminal violence (Heinle et al. 2014). Table 1.3 depicts the main features of these regulatory arrangements.

Table 1.3. Central features of drug trafficking regulatory arrangements

	Coordinated arrangements		Uncoordinated arrangements	
	Tacit coexistence	Protection-extraction rackets	Particularistic negotiation	Particularistic confrontation
State corruption	Low, decentralized	High, centralized	High, decentralized	High, decentralized
State violence	Low, centralized	Low, centralized	Low, centralized	High, decentralized
Criminal violence	Low or stable	Low, stable	High, unstable	High, unstable

Source: Author’s elaboration

¹³ “Crisis in Mexico: Who is really responsible for the missing forty-three?” *The New Yorker*, Feb. 7, 2015.

3 Existing explanations

This dissertation builds on and speaks to the concerns of two main bodies of literature: the first on political determinants of criminal violence and the second on studies on the politics of police reform.

Explanations of criminal and drug-related violence

While scholars of various disciplines have traditionally emphasized the role of socio-economic factors in explaining variation in criminal violence (Becker 1974; Fajnzylber et al. 1998; Di Tella et al. 2010), recent research has also looked at the political variables that affect these trends, particularly in the case of Mexico. Drawing their attention to former President Felipe Calderon's 'drug war', several scholars point to the destabilizing effect of the increase in fragmentation of political authority after the end of the PRI's hegemony. Whether defined as decentralization of the national government and law enforcement agencies (Rios 2012; Duran-Martinez 2015), partisan coordination between national and local states (Dell 2011), or increased electoral competition (Osorio 2013), more political competition is generally associated with greater state-criminal conflict and higher overall levels of criminal violence.

These studies have made enormous contributions to scholars' understanding of drug-related violence by combining innovative methodological strategies and impressive case knowledge. However, they collectively suffer from scant reference to the actual implementation of security policies by the main law enforcement actors -state and local police-, or their relations with the corresponding political authority (for exceptions, see Föhrig 2013; Duran-Martinez 2015). While politicians might broker deals directly with drug traffickers for protection in exchange for rents and reduced criminal violence, they require security or law enforcement agencies to enforce such agreements.¹⁴

In contrast to this first field, I focus on the police and how political competition –turnover and fragmentation- affects criminal violence via the government's relation to its police force and, subsequently, the police force's regulation of drug trafficking. In doing so, I bring in a perspective missing in existing studies of drug-related violence: the state's *implementation* of different regulations of organized crime. By bringing in implementation, the outcome of interest in this study is broader than merely levels of criminal violence, which is only one of the indicators depicting distinct drug trafficking regulatory arrangements.

Three other studies provide alternative explanations to drug-related violence not exclusively centered on political competition. First, Lessing (2012, 105–111) explains that the government confrontations against DTOs in Mexico, Colombia and Rio de Janeiro result from logistical and acceptability constraints, such as the centralization of the security apparatus and diplomatic pressure from the U.S. However, while U.S. diplomatic pressure matters in Colombia and Mexico, it is less relevant in countries such as Argentina and Brazil, which do not figure as high priorities in the United States' global drug enforcement strategy.

Second, Snyder and Duran-Martinez (2009) argue that geographies of state and criminal actors determine whether illegal activities are accompanied by criminal violence. According to

¹⁴ Even the cases of most direct linkages between politicians and traffickers are mediated by high-level law enforcement officials, usually heads of security and intelligence agencies.

them, if state and criminal actors coincide geographically –i.e. occupy the same jurisdiction- and numerically, state-sponsored protection rackets are sustainable and organized crime should not generate high levels of violence. When this correspondence does not occur, organized criminal activity is bound to generate more violence. While this argument correctly focuses on the concentration of the state as well as criminal actors, I show how over-time variation in the coordination between police and governing politicians often influences the level of centralization of drug trafficking in metropolitan areas or affects criminal violence independently of the fragmentation of organized crime –or its geographical overlap with the state.

Finally, Yashar (Forthcoming) proposes that drug geography is a central determinant of criminal violence, which increases in transit points rather than production or consumption hubs. While this argument is valid when explaining cross-national or subnational differences, it is less relevant in accounting for variation in drug-related violence over time in the same jurisdiction. In this study, I control for its cross-sectional variation by selecting the cases with the greatest infrastructural conditions –e.g. roads and ports- required for drug transshipment.

Explanations of police-government relations and police reform

Police relations with politicians are a widely ignored topic in political science. The main analysis of this subject stems from the police reform literature, which focuses on the political variables that affect the outcome of police reforms undertaken in almost all Latin American countries post re-democratization.¹⁵ Police reforms refer to normative changes introduced to police force structures, organization and functions to make the police accountable to law, respectful of human rights, and responsive to citizens (Bayley 2006, 23). In this sense, encompassing police reform has been more the exception than the rule in Latin America. Reforms have typically floundered before, during, or after implementation due to police resistance, partisan turnover (Davis 2006), corrupt linkages between police and politicians from different levels of government (Eaton 2008; Hinton 2006), societal clamors for punitive policies following violent crimes (Ungar 2009a; A. Holland 2013), or politicians and bureaucrats seeking to avoid blame for such crimes (Flom and Post 2016). Conversely, successful reforms rely on the convergence of various factors, which are not only hard to obtain but also difficult to analyze systematically, such as social movement or societal activism (Fuentes 2005; Moncada 2009), scandals that cause popular mobilizations following police malfeasance (González 2014), or political and police commitment to reform (Arias and Ungar 2009). The general failure of these institutional reform efforts leads the police reform literature to portray current police interventions in Latin America as illustrative of disregard for the rule of law (Brinks 2003; Méndez et al. 1999), ultimately producing incomplete or “disjunctive” democratization (Caldeira and Holston 1999; Arias and Goldstein 2010).

This literature has made extremely important contributions to identifying the obstacles to reform, and shed light on an obscure organization like the police. However, by focusing on reform, which is inherently more difficult than preserving the status quo, it overlooks the police’s differing patterns of accommodation with their political superiors (see as exceptions Prado et al. 2012; Beare and Murray 2007) and the political factors that condition such relationships. Additionally, this literature has not paid much attention to the police’s regulation of organized

¹⁵ Politicians also attempted police reforms, with varied success, after the advent of democracy in Eastern Europe, Africa, and Southeast Asia (Hinton and Newburn 2009).

criminal activities, especially drug trafficking (Sabet 2012 as exception), which is surprising given that preventing crime and violence is its defining function and that drug trafficking is one of the principal security concerns in Latin America. Finally, police are often the primary, if not the only, state institution present in the same territories where drug traffickers operate and the ones with most direct contact with them, although these interactions might vary across contexts and over time. We need to look at police forces' linkages with politicians to better understand what they do and why.

Moreover, as I will show in the empirical chapters, the aforementioned factors do not explain the variation observed in these cases. For instance, police reform may take place under either progressive or conservative administrations. Most of these factors typically account for the onset of reforms but not their persistence, and are less relevant in determining whether politicians control or capture police corruption, i.e. how they affect the police forces' financial autonomy. In short, we require a further conceptualization of the types of relationships between police and politicians, as well as a discussion of how such interactions affect how the police regulate drug trafficking. This dissertation proposes such an effort. In the following section, I provide a condensed illustration of its main argument.

4 Informal regulatory arrangements of drug trafficking: a theoretical framework

This dissertation argues that different combinations of political turnover and fragmentation determine police autonomy and, subsequently, the type of drug trafficking regulatory arrangement implemented in subnational territories (table 1.4).

Table 1.4. Summary of argument

Political turnover	Political fragmentation	Police Autonomy	Regulatory Arrangement of Drug Trafficking
High	High or low	High	Particularistic Confrontation or Negotiation
Low	Low	Medium	Centralized Protection-Extraction Racket
Low	High	Low	Centralized Tacit Coexistence

Source: Author's elaboration

While turnover influences the stability of policies and political authorities –and thus determines arrangements over time–, fragmentation affects policy coordination within any given period. High turnover, i.e. frequent changes in the party in power over time, impedes the consolidation of encompassing police reforms or specific policies that reduce police autonomy. Even when one administration manages to implement these initiatives, a government of different partisan identity is unlikely to sustain them (or to retain the political officials that implemented them) in the next term. Turnover also reduces the police force's incentives to cooperate with the

government because its members consider the current administration irrelevant in determining their career trajectories.

Fragmentation may present itself as divided government, factional disputes between the party leadership, or as cabinets made up of diverse coalition partners. High dispersal of power might prevent the sanction of police reforms or generate further competition for police rents in a given period. However, low fragmentation is not sufficient to reduce police autonomy, since high turnover produces policy reversals and shifts in authorities, hindering the government's leverage over the police and the latter's compliance. Thus, police regulate drug trafficking without political coordination or supervision, resulting in *particularistic negotiation* or *confrontation* as the predominant regulatory arrangement. These patterns are characterized by uncoordinated corruption deals between police and criminal actors, in which police collect rents for themselves, or dispersed lethal attacks by the police against drug gangs, combined with high rates of criminal violence (Table 1.4, row 1).

Meanwhile, entrenched governments (low turnover) are able to reduce police autonomy through two paths. On the one hand, they are more likely to sustain the implementation of police reforms that challenge the institution's internal governance. On the other hand, because politicians in entrenched governments are 'the only game in town', police –especially commanders- have greater motivations to comply with incumbents' directives, since they perceive them as relevant in determining their career trajectories.

In this scenario, low political fragmentation entails that incumbents encounter fewer obstacles or competitors in exclusively *appropriating* police rents from drug trafficking to support their electoral aspirations. To do so, incumbents maintain certain aspects of police autonomy, withholding reform as long as the police supply sufficient funds from corruption and maintain relative order in the subnational territory. In other words, the most dominant political configuration produces medium levels of police autonomy. Consequently, police regulate drug trafficking through *protection-extraction rackets*, with centralized corruption and contained levels of criminal violence (Table 1.4, row 2).

By contrast, high fragmentation enables opposition politicians to control or compete for the incumbents' rent extraction and, thus, provides incumbents with incentives to *restrict* the police's rent-seeking behavior, implementing reform and reducing the institution's autonomy. Politicians thus instruct the police to implement *tacit coexistence* as the main regulatory arrangement of trafficking, in which the latter restrain their rent extraction as well as their confrontation with criminal actors, both of which prevent further retaliation from drug gangs and stave off increases in levels of violence (table 1.4, row 3).

5 Research design

This dissertation applies a multi-level research design, carrying out a subnational analysis across two countries for the last 30 years, i.e. since the return of democratic elections at the state

level.¹⁶ This design carries the advantages of, first, holding national-level variables constant across subnational cases from the same country (Argentina or Brazil), and, second, using process tracing to assess the role of the hypothesized explanatory factors in explaining within-case variation in each case. Thus, each case can be broken up into various time-periods in which we observe variation in the independent (political turnover and fragmentation), intervening (police autonomy) and dependent variables (drug trafficking regulatory arrangements). Given that political turnover is a major explanatory variable for political and police strategies for regulating drug trafficking, I have used each gubernatorial term as a proxy for these intra-case periods, as it is at this point where changes in strategies are more likely to become apparent. However, as the empirical sections will show, regulatory arrangements are often sticky patterns, which can endure for decades before showing signs of a relevant shift.

Given the informal nature of my outcome of interest, I have relied primarily on qualitative evidence, collected through semi-structured interviews during fieldwork in each of the four subnational cases. In addition, I have triangulated this data with journalistic evidence, governmental and NGO reports, and secondary case literature, as well as with quantitative indicators for each variable (see Measurement section in chapter 2).

Case selection

Analyzing drug trafficking in Argentina and Brazil might initially seem surprising. However, these are two of the main drug transshipment and consumption hubs of Latin America, representative of the entire region's increasing internal consumption, which now complements its established role as producer and exporter of illicit substances (CICAD-OID 2015). Brazil is the largest consumer of cocaine outside of the United States, in absolute and relative numbers, while Argentina is the third largest cocaine exporter, behind Brazil and Colombia, and has experienced a significant growth in consumption in the last two decades (UNODC 2012).

These are among the wealthiest countries in the region, and possess relatively high levels of state capacity. Despite widespread cases of police and political corruption, they are not states captured by drug trafficking organizations,¹⁷ and the state controls the vast majority of territory, especially in urban areas. Therefore, they are neither failed states nor "narco" states, which makes the ways in which they enforce drug trafficking legislation representative of a larger set of countries.

Furthermore, as federal countries, Argentina and Brazil are representative of other states where the provision of public security is partially delegated to subnational governments and where state-level police forces are just as relevant as (or more relevant than) national-level forces in controlling drug trafficking. Although this framework is broadly applicable to federal countries, it can also be applied to unitary contexts in which policing has been decentralized.

In relation to the intervening variable in this study –police autonomy- Argentina and Brazil are among the many developing countries in which, after several decades of democratic

¹⁶ In Argentina, both national and state democratic elections took place in 1983. In Brazil, by contrast, direct state elections took place in 1982 but national *indirect* elections occurred three years later. Since this dissertation focuses on subnational politics and policing, I take 1982 as the starting point in the Brazilian cases.

¹⁷ See Naim (2011) for examples of countries where criminals are entering high political positions or, conversely, top level politicians are deeply involved with organized crime.

rule, most police reform initiatives have been either limited or failed altogether. Nonetheless, as we have seen, both countries present subnational and overtime variation in this regard as well (Arias and Ungar 2009; Davis 2006; Hinton 2006; Bergman and Whitehead 2009; Uildriks 2009; Ungar 2011).

Within these countries, the subnational cases selected -Buenos Aires and Santa Fe in Argentina, and Rio de Janeiro and São Paulo in Brazil- include the main metropolitan provinces, where drug trafficking and its related violence are likely to be more pressing problems for politicians and where the police forces' interventions are more frequent.¹⁸ A large urban population implies a greater consumer base for drug traffickers. Additionally, these provinces exhibit similarly high levels of urban poverty and inequality, manifested in numerous marginalized neighborhoods. These urban territories constitute a valued asset for drug gangs – who use them to store and distribute their product-, motivating them to resolve market or territorial disputes through violence. Finally, as we have seen, these cases exhibit both cross-case and within-case variation in the independent variables (political turnover and fragmentation) hypothesized to shape drug trafficking regulatory arrangements by affecting police levels of autonomy.

These states' number of municipalities range from over 50 in Santa Fe to more than 600 in São Paulo, which makes it impossible to cover all of them. Therefore, I carried out fieldwork in specific municipalities within each subnational case to understand the micro-logic of the state's response to drug trafficking. In the Brazilian cases, I conducted fieldwork in the capital cities of Rio de Janeiro and São Paulo: these not only contain an overwhelming share of the state's population but are also the seat of the state government. In Buenos Aires, the population is more dispersed throughout the 24 municipalities that make up the Greater Buenos Aires (GBA) area.¹⁹ While I conducted several interviews with government officials in the provincial capital city –La Plata-, I also focused on two contrasting municipalities –San Martin and Florencio Varela- to analyze the implementation of drug policies at the local level.²⁰ Finally, in Santa Fe, most of my interviews took place in the city of Rosario –the province's largest city and epicenter of drug-related violence- and the capital city (Santa Fe), the seat of the state-level executive and legislative authorities.

Data collection and analysis

During my fieldwork, I conducted interviews with 178 individuals between September and December 2013 (Argentina) and August and December 2014 (Brazil). Most of my interviewees were current or former members of the subnational (state-level) police forces, and politicians with decision-making roles in security (see table 1.5).

¹⁸ I do not consider the Autonomous City of Buenos Aires in this study. Even though it technically constitutes part of Greater Buenos Aires, it has different political authorities and police forces than the *province* of Buenos Aires.

¹⁹ Strictly speaking, this area includes the Autonomous City of Buenos Aires along with the surrounding municipalities, while the 24 municipalities are the Conurbano (Conurbation) of Buenos Aires. However, in this dissertation I refer to them as Greater Buenos Aires (GBA).

²⁰ These varied with respect to their mayors' alignment with the governor: while Florencio Varela is ruled by a longstanding Peronist ally, San Martin mayors have alternatively supported and opposed the provincial government.

Table 1.5. Summary of interviews

Category	Buenos Aires	Santa Fe	Rio de Janeiro	São Paulo	Total
Police	8	5	12	19	44
Politicians	36	27	10	13	86
Mixed ²¹	1	0	1	3	5
Civil society ²²	11	8	20	4	43
Total	56	40	43	39	178

Source: Author's elaboration

With respect to police interviewees, I contacted officers from all ranks, as well as the heads of territorial precincts and divisions in charge of investigating drug trafficking, organized crime and homicides. Interviewing current police officers -both commanders and rank-and-file- is difficult, since they are often restricted from speaking on the record with outsiders without the explicit authorization of police commanders and political superiors. To attain these interviews, I attended neighborhood security meetings and spoke with the police representatives present, or reached out to police officers through their unions or their social media accounts. I then proceeded, using a chain referral (“snowball”) sampling method, to reach out to new contacts. In Brazil, given that many retired police commanders are currently elected officials at the state or local level, it was possible to reach them through their institutional contacts.

With regard to politicians, my initial aspiration was to interview as many current and former secretaries or ministers of security as possible.²³ Admittedly, it was much harder to contact current officials than former political bureaucrats, given the time constraints acting politicians face, dealing with security problems on a daily basis, and, in some cases, the extra pressures of electoral campaigns.²⁴ To compensate for the lack of access to provincial executives, I relied heavily on interviews with representatives from state and local legislatures, particularly those who served on public security commissions, and procured a balance between the main political parties represented in each legislature.

Finally, I contacted a third group of interviewees: individuals from various civil society organizations, including human rights organizations and NGOs from marginalized neighborhoods. These interviews allowed me to triangulate the opinions of politicians and police and evaluate the impact of government policies from the perspective of those directly affected by them. To have a clearer perspective on the cases at the beginning of fieldwork, I also

²¹ For example, former police officers currently serving as elected or appointed government officials.

²² Includes NGO representatives, journalists and academic experts.

²³ The only case where this was not entirely possible was Rio de Janeiro, where, unfortunately, I was unable, after repeated attempts, to procure interviews with the current security secretary or senior members of his cabinet.

²⁴ This proved to be the main difficulty in attaining interviews with government officials in Rio de Janeiro, as my visit coincided with the electoral campaign for the 2014 elections.

interviewed local academic experts on policing, security and drug trafficking, as well as local journalists who follow these topics closely.

Interviews were semi-structured (Leech 2002), i.e. guided by specific themes which varied according to the interviewee's role (police, politician, etc.) and those the respondent brought up. Certain common themes were (1) how interviewees perceived the evolution of drug trafficking and criminal violence in their district; (2) what policy initiatives were taken to tackle the problem of drug trafficking; (3) the evolution of the relationship between politicians and police; (4) the level of coordination between state, national, and local-level officials; and (5) how state politicians dealt with police corruption and police violence, etc.

In all cases, interviewees were asked whether the interviews could be recorded and their names cited before starting. They were also advised that they could end the interview at any time or pause the recording if they wanted to say something off-the-record. In cases of community-based organizations and lower-level police officers, who might have felt inhibited from speaking on-the-record, I did not record the interviews, but rather took notes, which I then transcribed. Interviews were all done in person and lasted from 15 minutes to 4 hours.

I complemented these interviews with qualitative evidence from various governmental and non-governmental reports, as well as national and local newspapers. The governmental reports consulted were the annual reviews of security ministries or departments, as well as those of internal and external police monitoring agencies, from which I took official data on police misconduct. With respect to non-governmental reports, I focused on human rights organizations' reports on police violence and corruption. I also looked for reports of NGOs analyzing criminal violence and drug trafficking dynamics in these countries.

I analyzed my interview data using Atlas.ti, a computer-assisted qualitative data analysis software. Analysis proceeded both deductively and inductively. On the one hand, I searched for recurring patterns in the data in reference to general themes such as drug trafficking, criminal violence, police and the role of the government and its main security officials. On the other hand, I compiled individual responses to broad conceptual categories of interest for this research (police autonomy, political competition, complicity with drug trafficking, etc.) to set up more defined categories, and establish differences between and within the cases.

I used my qualitative evidence from interviews, newspapers and reports to conduct process tracing and account for variation over time in each case (Bennett 2010; Bennett and Checkel 2015). This method allowed me to establish the mechanisms linking the independent, intervening and dependent variables; make sure that variation occurs in this sequence; and assess the relative importance of alternative explanations. Utilizing this method across more than one case allows me to test for the generalizability of the argument.

To measure the indicators specified in the previous section, I extracted statistical data from these sources as well as from government websites and reports. Additionally, I have scraped national and local newspaper articles over a period of more than 20 years to trace variation in patterns of the state's repression on drug trafficking beyond police homicides. I focused on the number and volume of seizures of various illicit drugs (predominantly cocaine), as well as the number of arrested individuals, whether members of the police were involved and, if possible, what their rank was. This data also allows me to infer levels of state involvement in drug trafficking.

6 Original contributions

This study makes various theoretical and practical contributions. Theoretically, it shows how two aspects of political competition, turnover and fragmentation, affect the linkages between politicians and police, and the state's subsequent regulation of drug trafficking. Political competition is known to affect outcomes such as state politicization (Geddes 1994; Grzymala-Busse 2003), privatization of public utilities (Murillo 2009; Murillo and Martínez-Gallardo 2007), social policy expansion (Garay 2010), patterns of business-state relations (Kang 2002) and institutional strength (Melo and Pereira 2013; Leiras et al. 2015), but its incidence with respect to drug trafficking has yet to be explored beyond its impact on criminal violence (see section 3). Past the sensationalist overtones of drug trafficking, violence, and corruption, this dissertation seeks to explain the politics that shape the dynamic relationship between subnational incumbents and their police forces.

This dissertation also seeks to contribute to the burgeoning literature on the political determinants of criminal violence, explaining how the interactions between politicians and police forces affect the state's local regulation of drug trafficking. This scholarly agenda has mostly centered on civil war, genocide, and terrorism, despite the fact that "by far the largest aspect of the global burden of armed violence are the deaths and injuries that occur in non-conflict or non-war settings" (Geneva Declaration and Secretariat 2008, 67). Although this literature has recently tackled drug trafficking, it has focused primarily on the violence it generates, on behalf of either criminals or the state, while neglecting the police's rent extraction from trafficking, and politicians' role in it. In fact, this literature has mostly neglected the police's role, as well as the politics behind the state's coordinated or uncoordinated regulation of this form of organized crime. By contrast, this dissertation disaggregates the state apparatus, showing how police have different preferences vis-à-vis governing politicians and, depending on their levels of autonomy, act in ways that are not in the interest of their political superiors.

Finally, this study utilizes a subnational comparative research design (Snyder 2001) to expand the range of outcomes covered by this literature, which are frequently focused on regime type (Gibson 2012; Giraudy 2013; Gervasoni 2010) and economic policies and frameworks (Snyder 2006; Post 2014). While several studies have explored subnational variation in police reform and drug-related violence separately, they have yet to assess these two outcomes interrelatedly. Analysis of these topics at the subnational level is probably more relevant in federal countries, where state and local police organizations play a larger role in law enforcement, than in unitary states. Nonetheless, turnover and fragmentation at the national-level might also influence national police autonomy and consequent regulation of trafficking in unitary countries.

On a practical level, this dissertation engages with the ongoing conversation on alternative drug control policies. Consequences of the persisting illegality of psychoactive substances include thriving organized criminal actors, mounting state corruption, heightened incarceration rates, and unbearable criminal violence. Even government "successes" in implementing arrangements with low levels of violence have serious negative connotations for citizen security and trust in democratic institutions. Alternative *formal* regulatory regimes of drug trafficking, including the legalization of the entire chain of production of certain drugs,

have begun to be considered by both developed and developing countries, but are still in an embryotic stage. Hopefully this dissertation can further illustrate the risks and consequences of *informal* regulatory arrangements in dealing with this organized crime.

This study also highlights the perils stemming from the maintenance of current criminal justice institutions in most Latin American countries. Changes in drug legislation regimes are not sufficient; reforms to provide fairer and more efficient citizen security in developing countries –especially in Latin America—are necessary as well. Often, the political short-term benefits of unprofessional and corrupt yet subservient police forces outweigh their costs, leading politicians to refrain from democratically reforming their police forces, as well as their judicial and penitentiary systems. This dissertation intends to elucidate the political factors that contribute to incumbents’ reticence to reform their police forces, and the impediments they face when attempting to do so.

Finally, this study tackles the factors that facilitate drug-related corruption and violence. These are two of the most persistently important problems in Latin America as well as other developing regions. Corruption and insecurity reduce citizen trust in governments and wither individual support for democratic institutions. Many of the causes of drug trafficking are beyond the range of problems that politicians and police –or other state actors- can resolve, at least on their own. This does not mean, however, that they have no influence over this issue or, worse, that they should aggravate it through corruption or violence, often directed at civilian populations. Politics and policing, even at the subnational level, matter.

7 Roadmap: Summary of dissertation

The next chapter deploys the theoretical framework presented in this chapter, connecting political turnover and fragmentation to police autonomy and drug trafficking regulatory arrangements. I first define the basic preferences of politicians and police, their incentives to regulate drug trafficking through informal arrangements, and their potential conflicts of interest. I then turn to how turnover and fragmentation affect police autonomy, and how this, in turn, results in distinct patterns of regulation of drug trafficking by the police, with varying combinations of corruption, state violence, and criminal violence.

The following four chapters (3-6) present the empirical material of this dissertation, with each focusing on a different subnational case since the return of democracy –a 30-year period. While each case is primarily representative of a distinct regulatory arrangement, it also varies over time. The first two cases illustrate primarily uncoordinated regulatory patterns: Rio de Janeiro (particularistic confrontation) and Santa Fe (particularistic negotiation). However, their respective trajectories are not identical. Rio de Janeiro has recently shifted toward a partial tacit coexistence regulatory pattern, while Santa Fe, initially classified as a case of protection-extraction rackets, deteriorated into particularistic negotiation since the mid-2000s.

In Rio de Janeiro (Chapter 3), high political turnover and fragmentation prevented subnational governments from reducing the police force’s levels of autonomy since the return of democracy in 1983. This particularly hindered reform attempts by center-left Partido Democrático Trabalhista (PDT, Workers Democratic Party) administrations. Police had few incentives to cooperate with state administrations – even in providing rents to incumbents – and

scarce capacity to maintain pacts with burgeoning drug gangs. Police subsequently engaged in *particularistic confrontations* with the gangs, characterized by high and uncoordinated state corruption and violence, as well as elevated criminal violence. This pattern showed signs of change since 2008, as the progressive entrenchment in power of Partido do Movimento Democrático Brasileiro (PMDB, Brazilian Democratic Movement Party) administrations permitted the implementation of the Unidade de Polícia Pacificadora (UPP, Police Pacification Units) program, implying a partial reduction of police autonomy. Decreasing levels of police and criminal violence reveal a nascent tacit coexistence regulatory arrangement, at least in the city of Rio de Janeiro.

Chapter 4 turns to the province of Santa Fe, Argentina. The Partido Justicialista (PJ, Peronist Party) governed uninterruptedly from the return of democracy in 1983 until 2007, exhibiting low turnover and fragmentation at least until factionalism in the party increased in the late 1990s. Peronist administrations refrained from reforming the police while controlling its rent extraction, resulting in protection-extraction rackets as the main regulatory arrangement. This regulatory regime started to crumble with increasing fragmentation between Peronist factions in the late 1990s, and broke down with the first instance of turnover between different parties, as the Socialist Party won the 2007 election. Facing a new and highly fragmented administration, several police units and high-level commanders used this opportunity to extract protection rents from trafficking for themselves, resulting in *particularistic negotiation* as the primary regulatory arrangement. These increasingly high and uncoordinated levels of police corruption destabilized the drug market and led to dramatic increases in criminal violence since 2008.

By contrast, the remaining two cases, São Paulo and Buenos Aires, have moved toward more coordinated -though not necessarily commendable- forms of regulating drug trafficking: São Paulo has embraced tacit coexistence and Buenos Aires engages in protection-extraction rackets.

The case of São Paulo (Chapter 5) initially resembled the story in Rio de Janeiro, in which high political turnover and fragmentation allowed the police to maintain their high autonomy, with the force's concomitant regulation of drug trafficking through particularistic confrontation. However, the entrenchment of the Partido da Social Democracia Brasileira (PSDB, Brazilian Social Democratic Party) in the state government, starting in 1994 and extending until today, enabled it progressively to reduce the police force's autonomy and professionalize the force. Meanwhile, persistent high fragmentation at the state-level discouraged the government from appropriating police rents, and motivated it to restrict the force's rent extraction. Thus, politicians instructed the police to maintain a *tacit coexistence* with the main drug trafficking gang, the Primeiro Comando da Capital (PCC, First Command of the Capital), which contained both state and criminal violence.

Finally, in the province of Buenos Aires (Chapter 6), as in Santa Fe, the Peronist party governed uninterruptedly between 1987 and 2015. Its entrenchment in power, coupled with low fragmentation, allowed it to bypass police reform while controlling the police and appropriating its rent extraction to feed the party's local political machines. The resulting regulatory arrangement for most of this period is a protection-extraction racket, characterized by high yet coordinated corruption and low levels of state and criminal violence. This arrangement was temporarily shaken up with increases in turnover and fragmentation between party factions

between 1996 and 2003. During this period, the government failed to reduce the police force's autonomy through encompassing reforms and lost its control over police extraction rackets, resulting in the police regulating organized crime through particularistic negotiations, with anarchic corruption and higher levels of state and criminal violence.

The final chapter (Chapter 7) summarizes this dissertation's findings and analyzes the arguments' scope conditions. It also examines this study's theoretical and practical implications, including the normative and political tradeoffs involved in implementing these different regulatory arrangements.

Chapter 2 Theoretical framework

1 Introduction

Drug trafficking presents not only a significant threat to order, but also a potentially sizable source of rents for politicians, police and other state officials. Politicians and police may seek to regulate the industry by confronting (or negotiating with) the actors engaged in this illegal activity, or by extracting rents from them. Sometimes armed confrontation prevails and is difficult to escape, despite its costs. For over twenty years following re-democratization, police from the Brazilian state of Rio de Janeiro have been engaged in dispersed confrontations with criminal gangs, generating seemingly unending spirals of violence. Other times states may seek to negotiate with traffickers to contain violence. The government of São Paulo brokered a centralized pact with the main trafficking gang that stymied confrontation between traffickers and police during the last decade. Alternatively, governments may coordinate rent extraction with police to obtain funds from crime: governors from the Argentine province of Buenos Aires employed the police to extract rents from drug dealing while pacting with criminals to contain criminal violence. However, uncoordinated rent extraction can exacerbate violence and insecurity: in the province of Santa Fe, after a similar compact between politicians and police broke down, the police entered into splintered negotiations with traffickers to collect rents for themselves, leading to unprecedented levels of criminal violence over the last decade.

Despite the relevance of this phenomenon, we still lack an explanation of when and how state actors will engage in each type of response. In decentralized federal democracies, understanding strategic choices requires illuminating the relationships between subnational political authorities and police, and homing in on enforcement. This chapter presents a framework built on these subnational-level relationships.

This research makes two fundamental departures from standard analyses of this topic. First, most studies of drug trafficking and its associated violence treat the state as a unitary actor and neglect the role of the police, despite the latter's fundamental importance in enforcing legislation related to drug trafficking and organized crime. By contrast, I propose that different types of interactions between subnational politicians, primarily governors, and their police forces influence state responses to drug trafficking, with differing consequences with respect to state and criminal violence as well as police corruption.

Second, this theoretical framework scales down one level to focus on middle-tier subnational governments, i.e. states, federal entities or provinces (Snyder 2001). While national governments design drug control legislation, middle-tier subnational actors, mainly state or provincial governors and state-level police forces, are the primary enforcers.¹ Both of these sets of subnational actors have strong disincentives to confront drug trafficking continuously and, at the same time, incentives to implement other informal regulatory arrangements, tolerating limited levels of trafficking in exchange for rents or acceptable levels of violence in traffickers' territorial strongholds. Similarly, their incentives, preferences and strategies might not necessarily align; state regulation of drug trafficking is therefore likely to vary according to the

¹ For example, the Bureau of Justice Statistics census of 2008 registered close to 18,000 state and local law enforcement agencies in the United States.

level of coordination between these actors. In order to impose their preferences over the police, politicians need to reduce police autonomy.

I argue that political turnover and fragmentation affect the levels of police autonomy with respect to elected officials. First, greater *political turnover*—the extent to which the party in power changes from one term to the next—undermines policy stability, decreasing the likelihood of sustaining police reforms, and diminishes politicians’ leverage over the police. Second, *fragmentation*—the dispersal of political power in a given jurisdiction—defines whether politicians can restrict or appropriate police rents. Low fragmentation increases governors’ incentives and capacity to collect rents from police corruption, while high fragmentation compels incumbents to restrict rent extraction by police. Fragmentation can also obstruct the implementation of encompassing reforms that reduce police autonomy.

With high turnover, regardless of fragmentation, politicians cannot reduce police autonomy, whether this implies professionalizing the force or appropriating its rents. Therefore, uncoordinated arrangements prevail, characterized by high and uncoordinated state violence (particularistic confrontation) or police corruption (particularistic negotiation). By contrast, governments with both low turnover and fragmentation have leverage to control the police, and capacity to appropriate its rents, without needing to implement encompassing reforms; thus, they use the police to run drug trafficking protection-extraction rackets, with high yet coordinated corruption, and low levels of state and criminal violence. Finally, entrenched governments with high fragmentation can consolidate reforms and exact compliance from the police, but are less inclined to use it for rent-seeking purposes due either to greater horizontal control or the possibility of rents spilling to political opponents. Thus, they instruct police to implement tacit coexistence when dealing with drug gangs, restraining state violence and corruption, and containing criminal violence.

In the following section, I outline the main incentives and strategies of each collective actor – politicians, police, and drug traffickers. Next, I define my independent variables – political turnover and fragmentation – and explain how they affect police levels of autonomy (section 3). In section 4, I explain how these variables shape distinct drug trafficking informal regulatory arrangements. In section 5, I describe the measurement and operationalization of the variables in this theoretical framework and then outline the scope conditions for my argument (section 6).

2 Politicians, police and organized criminals: preferences and incentives

This dissertation concentrates on how **subnational** (state-level) politicians, i.e. governors and their security cabinets, and state-level police forces, regulate drug trafficking. There is a significantly larger set of state actors involved in drug control policies, including but not limited to the national executive, legislative and judiciary branches, the federal police, intelligence agencies, military forces, border patrol and customs officials. Some of these –presidents, mayors, and state legislators—are relevant secondary actors in this dissertation, inasmuch as they condition fragmentation at the state-level, and influence the state government’s decisions with respect to the police. Nevertheless, I focus on subnational politicians and police for two main

reasons. First, the provision of citizen security with respect to most types of crime is primarily a responsibility of subnational governments in federal countries and, hence, an attribution of provincial governors. Second, even though drug trafficking is a federal crime, subnational security forces often carry out the lion's share of enforcement against wholesale and especially retail drug trafficking, given their size advantage with respect to the other agencies, and their frequent contact with organized criminal actors.² This section outlines the frequently diverging incentives and preferences of these key players, as well as of the organized criminals who are the targets of state regulation.

Politicians

Politicians' main aspiration is to obtain votes to remain in office (or attain alternative offices). This provides them with multiple incentives to appropriate rents from drug trafficking or broker peace pacts to maintain order in the politician's district, both of which might favor their electoral prospects. Especially in weak institutional contexts, politicians often use illicit funds to run their increasingly expensive campaigns or maintain their network of brokers that deliver social services to poor voters and get them to the polls (Kitschelt and Wilkinson 2007; Gans-Morse et al. 2014). They may also use these rents to cover other off-the-books expenses or to fatten their own pocketbooks. However, rents from drug trafficking are an electoral asset only if they are accompanied with relative peace and order. The votes secured by machine politics and clientelism may not overcome the electoral costs of high levels of violent crime.

Politicians usually do not deal with traffickers directly but through the state organization in charge of maintaining order in their jurisdiction: the police. The extent to which politicians may impose their preferences vis-à-vis the police –i.e. reduce police levels of autonomy- will determine the emerging regulatory arrangement with drug traffickers.

Police can help politicians obtain order and rents from illicit activities, and hence aid their electoral prospects.³ First, police can provide order –through either repression of, or negotiation with, organized criminal actors-, enabling politicians to claim credit for better security conditions in their districts. Second, police might deliver rents that help finance politicians' territorial machines, allowing incumbents to employ brokers and mobilize voters.⁴ This practice, common in developing or post-transition countries –e.g. Latin America, Russia, South Africa, and India (Hinton and Newburn 2009; Hope 2016; Gerber and Mendelson 2008; Raghavan 2002)—, was extensive in U.S. cities prior to the Progressive reforms at the end of the 19th century (Fogelson 1977, 18–39; Varese 2013, 9, 106–111).⁵ Hence, politicians have a

² The cases examined in this dissertation do not have local forces, so I focus squarely on state-level police. Federal countries with local as well as state police include Mexico and the United States.

³ These are not the only avenues by which police forces can impinge on politics (see Bayley 1985, Chapter 8), but the main ways *specifically related to drug trafficking* in which police can shape politicians' electoral prospects.

⁴ Police-supplied rents are only one of the many possible illicit sources of finance available for party organizations whose main functioning norms are informal and that engage regularly in clientelism or patronage, particularly in contexts of low party financial transparency (Freidenberg and Levitsky 2006; Kitschelt and Wilkinson 2007).

⁵ This might not be the only destination for such rents. The police might also appropriate them exclusively for the benefit of either the individual officers or the organization, using it as a parallel budget. Politicians might also utilize illicit rents for their personal enrichment, but ultimately this means that they rely less on their own resources to sustain their apparatus.

considerable incentive to use the police for their benefit while not reforming the force to make it more accountable to citizens and the rule of law.

However, police forces' autonomy to manage their internal organization and use their discretion to tolerate or protect certain types of organized crime, may clash with politicians' electoral aspirations, and result in particularistic (or uncoordinated) regulatory arrangements. Police might not only fail to contain criminal violence but may even spark or reinforce it, reducing politicians' chances of claiming credit for order in their districts. Without political coordination or monitoring, police violence may also cause incumbents problems, particularly when perceived as "excessive" or targeting the "wrong" victims.

Devoid of political control, police units might also separately extract rents from traffickers to further their advancement within a corrupt organization. Politicians might also be in the dark as to whether police are keeping their end of the bargain in maintaining lower levels of crime, or skimping on the supplied rents, given the information asymmetry between them. Furthermore, police autonomy to obtain rents –whether or not appropriated by incumbents—may erupt in scandals exposed by the media, judiciary or the political opposition. This carries potential political costs for the incumbent in the form of street protests, criminal prosecution and negative reports in local or national media. Given these issues, politicians might opt to forego the collection of rents, restrict police autonomy, and instruct the police to preserve order.

Thus, while granting police autonomy might carry benefits –provision of rents for electoral purposes-, more autonomous police forces might not necessarily implement politicians' favored drug trafficking regulation strategy. This makes reducing police autonomy necessary to avoid such agency losses. However, only under certain conditions are politicians able to exert greater control of the police, and thus obtain their preferred regulatory arrangement.

The main politicians of interest are state-level executives, i.e. **governors**, who are formally responsible for the state-level police. Governors sometimes design security policies themselves, but normally defer this responsibility to appointed government officials, e.g. security ministers, secretaries or undersecretaries. These government officials may devise security legislation (e.g. laws, decrees, or resolutions), establish security priorities for police forces to implement, and monitor the fulfilment of such objectives by police. Since the governor appoints these officials, we can assume that the choice of a given minister or secretary reflects the governor's preference or that of her party or coalition. Moreover, as the governor has the final responsibility over security in her province, it is reasonable that most of the security minister's decisions should have the governor's explicit or implicit approval. Otherwise, it would not be long before the governor dismissed this minister –or the latter resigned—and appointed another official instead.

Subnational executives have even fewer incentives to confront drug trafficking exclusively through formal policies than national-level executives. First, governors do not have the institutional or material resources to tackle all phases of drug trafficking (cross-border smuggling, internal transport, wholesale and retail dealing, money laundering, etc.). Illicit substances might cross several subnational jurisdictions before reaching the provinces where they are finally sold on the street or shipped overseas. Hence, subnational authorities are generally inclined to blame other provinces, or the national state, for not monitoring the entry and flow of these substances adequately. Finally, promoting investigations into drug trafficking

generally requires coordination with several federal agencies, which the governor (or the police) might suspect of colluding with the same groups they are supposed to control.

Furthermore, economic and political factors beyond the control of subnational governments determine drug trafficking's international market dynamics (Buxton 2006; Youngers and Rosin 2005). For instance, the entry of Colombian cocaine into the U.S. shifted to move through Central America and Mexico after the U.S. government increased enforcement along the Caribbean route in the 1980s, while tighter controls of the Mexican border increased the flow of drugs from South America to Europe. Additionally, international conventions set the main legislative frameworks on drug trafficking, which individual states are unable to modify. Subnational politicians and police do not typically cause these trends, but must deal with their consequences.⁶

Other politicians relevant for this analysis are **mayors, state legislators, and presidents**. Even though they have no formal influence over the state police, they may informally determine the appointment or displacement of police commanders or security ministers.⁷ This enables them to benefit from police rackets, whether in collaboration or conflict with the governor; in turn, police officers may contribute these rents to repay past –or obtain future—favours. These politicians, especially presidents and mayors –who hold executive positions—have a partial responsibility for, and interest in, providing security and regulating drug trafficking in their respective jurisdictions. Mayors are often held accountable for acts of lethal criminal violence occurring in their districts. Presidents, meanwhile, though they are partially responsible for security in the entire country, have greater incentives to intervene in large metropolitan areas, where voters and media attention concentrate. Individual state legislators have less influence over security policies than these other actors, but might collectively seek to obstruct the governor's initiatives for partisan purposes or run protection rackets with the police in their electoral districts.

Police

Most states have several police forces, and each one is a complex and heterogeneous organization.⁸ Nevertheless, in this theoretical framework, I focus primarily on **subnational**

⁶ This dissertation does not propose that it is either possible or desirable for subnational governments to fully eradicate drug trafficking or its harmful consequences, such as health hazards and criminal violence. However, this does not imply that subnational governments are indifferent to, or redundant in, determining the local conditions under which this illicit market functions.

⁷ Mayors might also seek other security resources from the state government, such as larger disbursements of police personnel, vehicles, security cameras, and other government programs.

⁸ Police forces differ across countries according to their number and their degree of centralization of command (Bayley 1985, 53–60). Within a given subnational state, police are organized territorially and functionally (Reiss 1992). Territorially, they are further divided into departments or regions, municipalities, and within-municipality precincts or neighborhoods, which are the locus of the lowest-level base command units. Functionally, they are generally split into specialized divisions according to major crime categories, such as homicides, property crime, organized crime and drug trafficking, along with other less specialized assignments and auxiliary administrative functions (Bayley 1985, 109–113). Despite their internal solidarity (Skolnick 2011), police forces exhibit cleavages between commanders and the lower ranks, between territorial units and specialized divisions, as well as between the heads of different informal cliques.

police forces, i.e. state-level police, and conceive of them as a unitary actor, examining only a subset of their functions: the ways in which they prevent and repress drug trafficking and its related violence. Although national police or security forces –e.g. federal police, military police or armed forces- might act in the same urban area, their interventions are generally limited in scope or temporary, such as during a state of emergency. With regards to drug trafficking, even though it is a federal crime, state-level police forces have the most contact with certain phases of this activity such as retail dealing, which occurs primarily in urban territories.

Police officers' main motivations center on tenure security, career advancement, and personal safety -i.e. preserving their own lives.⁹ The first two apply to both commanders and rank-and-file officers—while the third is more exclusive to street-level police. These motivations shape how police officers perform their distinctive tasks, including crime prevention and order maintenance (Wilson 1968), as well as their behavior within the organization and with respect to politicians. They also make rent extraction a dominant approach by police in regulating organized crime.

There are three reasons that police officers may seek to extract rents from drug trafficking. First, rents can influence police officers' career advancement. Funds obtained from tolerating or protecting criminal activities can grease the wheels of internal bureaucratic processes: they often allow police officers to obtain paid leave, receive sufficient bullets for their service weapon, or influence commanders and political authorities to secure promotions or valued transfers (H. Goldstein 1975, 21; Sherman 1978). This applies particularly to weakly institutionalized contexts, where indicators of improved security and crime control, such as lower crime rates and increased law enforcement activity by police do not play a decisive role in determining police officers' career prospects (Skolnick 2011, 149-150).

Second, rent extraction might also reduce the physical risks emerging from armed confrontation between police and criminals. Fighting heavily armed criminal actors is naturally dangerous for police officers, especially the rank-and-file who face them head-on. Police might prefer to retain discretion on which crimes to repress and which to tolerate (Wilson 1968, 8), either turning a blind eye or collecting protection taxes. This discretionary enforcement not only avoids confrontation but also relieves police from constantly arresting individuals and filling out paperwork for petty crimes, something most of them regard as useless (Reiner 2010; Moore and Kleiman 1989).¹⁰

Finally, rents compensate for police officers' frequent economic scarcities. Police salaries and organizational resources (e.g. equipment or patrol cars) are usually meager and their working conditions are poor, especially for the rank-and-file. In many developing countries, police are non-unionized, work 24-hour shifts, and need jobs on the side -usually in the private surveillance sector- to make ends meet. Many officers might feel justified in collecting side payments from organized crime given the disparity between the personal safety risks they encounter on the job and their formal compensation for them. In addition, when police observe

⁹ "The police officer [...] may well enjoy the possibility of danger, especially its associated excitement, while fearing it at the same time" (Skolnick 2011, 44).

¹⁰ Police may also tolerate petty crimes if this allows them to secure confidential informants, or snitches, who can provide information on more important criminal activities in their jurisdiction (Reuter 1982).

other state actors, such as politicians, the judiciary or other police units in complicity with organized criminal actors, this may lead them to engage in, or at least tolerate, rent extraction.

These preferences may place police officers at odds with political incumbents. Given officers' significant discretion in regulating drug trafficking –and the risks incurred–, they would most likely prefer to collect rents for their own personal or organizational benefit than for politicians' electoral machines or individual pockets. Indeed, police officers are only likely to contribute rents to politicians who can determine their career trajectories. By contrast, when incumbents promote reforms that aim to reduce police forces' internal governance autonomy and officers' street-level discretion, or shut down police extraction schemes, commanders will seek to continue running these rackets, disregarding their implications for maintaining order (and hurting politicians' electoral chances). Of course, neither commanders nor rank-and-file officers want to lose the personal privileges provided by rents from illicit rackets, such as wealth or status.

Politicians' quest for order in their jurisdiction might also conflict with the police force's preferred regulation of drug trafficking. Politicians might demand that the police apply more active repression –e.g. seizing drugs and arresting or killing traffickers–, which reduces police discretion in regulating trafficking, decreases the possibility of extracting rents from crime, and exposes officers to retaliation by criminal actors. Additionally, when repressing lower-level traffickers, police might feel that they are risking their lives while essentially leaving the problem unresolved, as the bottom ranks of criminal organizations are usually made up of poor, young individuals who are easily replaceable if jailed or killed. Concentrating on minor offences that disrupt everyday order, known as “broken windows” or “zero-tolerance policing”, ultimately fills up police stations and prisons with petty criminals, and takes away time for officers to do “real police work.” Finally, depending on how politicians evaluate police's order-maintenance performance, political interference might distort police's career advancement perspectives.

As described above, police commanders are more likely to prefer to retain their autonomy in regulating drug trafficking, which includes the possibility of collecting rents from this activity. Their willingness to subordinate their interests to the governor's demand for order is contingent on whether doing so is likely to advance their careers. This usually requires governing politicians be capable of reducing police autonomy, deciding their career futures according to a political or objective criteria, such as the evolution of crime indicators.

In short, politicians and police officers' basic preferences provide them with strong incentives to find alternative, informal arrangements with drug trafficking actors. However, these core interests are not always aligned (see table 2.1). Being the direct regulator of drug trafficking, police have incentives to pocket rents from this organized criminal activity for themselves, and not contribute to overall peacekeeping in the incumbent's jurisdiction. Politicians, on the other hand, have strong motivations to constrain the police from such actions. The extent to which they are able to do so depends on the turnover and fragmentation they face, which determines whether they can reduce police autonomy.

Table 2.1. Politicians and police incentives in regulating drug trafficking

Actor	Main motivations	Why broker alternative regulatory arrangements	Potential conflicts with other actor
Politicians (governors)	Electoral ambitions	Obtain rents for political machine (<i>electoral success</i>) Obtain relative order (<i>electoral success</i>)	Agency losses (inadequate provision of rents or order)
Police	Career advancement Personal safety	Collect rents for <i>career advancement</i> Reduce likelihood of armed confrontation (<i>personal safety</i>)	Encroachment on autonomy and discretion (loss of rents, increase in danger)

Source: Author's elaboration

Criminal actors

State actors' regulation of drug trafficking affects the incentives and behavior of **criminal actors**, i.e. those who participate in the wholesale and/or retail distribution of drugs. Drug trafficking is a type of transnational organized crime. Academic and policy literature on organized crime has fluctuated between centering on *actors (who)* or *activities/markets (what)*.¹¹ This dissertation considers both perspectives. While I predominantly refer to state actors' regulation of drug trafficking as a criminal market, the functioning of said market is inseparable from the actions of the individual or collective actors who participate in it. At the same time, state actors' interventions against specific traffickers affect the local drug trafficking market as a whole, rather than just the targeted actors; e.g., a crackdown on a major organization may splinter it or empower their main rivals, increasing the market's fragmentation.

Most organized criminals have primarily economic incentives (Schelling 1971; Gambetta 1996). With drug traffickers, such motivation is enhanced by the profitability of this enterprise (Reuter 2014; Rios 2010), although for most low-level gang members being a trafficker provides merely a subsistence salary (Levitt and Venkatesh 2000). Traffickers generally also aspire to power and prestige, but these are largely a by-product of their economic wealth: money allows them not only to buy-off state officials –police, politicians, judges, etc.- but also to distribute goods to their communities, which increases their social legitimacy (Leeds 1996; Gay 2005).¹² As is true for street-level police, traffickers' other main aspiration is typically personal safety, i.e.

¹¹ Examples of the most renowned organized criminal groups are the Sicilian Mafia, the Calabrian N'drangheta, the Russian vory v zakone, the Colombian Medellin and Cali cartels, the Japanese Yakuza and Chinese Triads. Organized criminal activities include, but are not restricted to, drug, human, organ and arms trafficking; goods counterfeiting, extortion, piracy, and gambling. See Paoli (2014) for an extensive review and examples of each group and activity.

¹² Witness the enormous popularity of drug lords such as Medellín's Pablo Escobar Gaviria and Sinaloa's Joaquín 'El Chapo' Guzmán (Salazar 2012; Beith 2011).

not being arrested or killed by police or other gangs. Basically, traffickers intend to maximize their profit for the longest possible time, while minimizing risks to their lives or liberty.

A key condition for traffickers' survival is therefore their capacity to provide rents to police or politicians to ensure protection for their activities. Powerful drug trafficking organizations can directly target heads of governments: Mexican drug lords have coopted not only chiefs of police and security forces, but also mayors, governors and even presidents or their families (Hernández 2013; Grillo 2012; Rios 2012). In Colombia, Medellín cartel leader Pablo Escobar practically bought his way into the National Congress and former President Ernesto Samper allegedly received \$10 million from the Cali cartel to finance his campaign.¹³ More quotidian examples include traffickers paying off police street-level commanders and officers to sell drugs in a given territory, refraining from investigating or arresting their dealers, and perhaps shutting down other dealers' operations (Bunck and Fowler 2012).¹⁴

Finally, traffickers may promise state actors acceptable levels of order on their turf. While not all drug gangs are equally credible regulators, they are at least partially capable of ensuring certain levels of order when in control of a given territory (Snyder and Duran-Martinez 2009). In this case, traffickers seek to avoid state intervention: violence attracts police raids, seizures and arrests, which are not good for business. Drug trafficking typically requires protection to function fluently, either from a more powerful criminal organization or from a state agency. Therefore, traffickers also have the incentive –and means- to enforce order within the territories they control and provide the police or politicians rents in exchange for their protection or, at least, non-interference with their activities.

To sum up, politicians and police have incentives to engage in informal regulatory arrangements of drug trafficking –although their preferences in this regard might not align-, while traffickers have reasons to comply with such regimes, given that doing so helps them to conduct their business. While these arrangements typically involve the pursuit of rents and order, these factors may combine in different ways according to the relation between politicians and police. The next sections outline the analytical framework connecting political turnover, fragmentation, and police autonomy with the state's regulation of urban drug trafficking.

3 Political turnover, fragmentation, and police autonomy

Turnover and fragmentation shape drug trafficking regulatory arrangements through their impact on police autonomy, understood as the probability of implementing formal police reforms, and the degree to which incumbent politicians informally control the police force's rent extraction. In this section, I define these concepts and outline the mechanisms linking them.

Political turnover refers to whether the same party (or faction) remains in power at the state-level executive, i.e. governor's office, from one administration to the next (Grzymala-Busse 2003; Murillo and Martínez-Gallardo 2007; Post 2014). Turnover has two implications. First, it affects policy stability. New incumbents are likely to change policies and staff to satisfy their electorate and activists, as well as to signal a change from the preceding administration. In security, this usually implies a shift in the civilians heading the ministry, and the commanders in

¹³ “Cali Cartel gave \$10M to Samper’s presidential campaign: Cartel executive”, *Colombia Reports*, May 17, 2013.

¹⁴ This cooperation between drug traffickers and the state does not always imply corruption, as the former might grant law enforcement officials information that facilitates the legal persecution of other traffickers or rival gangs.

charge of the police. New governments are also more likely to introduce reforms to subordinate police forces, or undermine the reformist initiatives of their predecessors. As with state service providers, relationships between the government and the police start afresh with each new administration, and coordination between them is naturally more difficult than with entrenched incumbents (Post 2014, 33). Thus, under conditions of high turnover, relations between executive and police are likely to be more difficult, with politicians having larger problems to reduce police autonomy.

In contrast, with lower turnover over time, incumbent parties are able to exert greater control over the state and its resources. They are also more likely to extract collaboration from state organizations and societal interest groups, who mold their strategies in order to play by what they perceive to be “the only game in town.” In other words, “stronger and more entrenched parties (i.e. less turnover) can politicize the state, capture resources, control institution building and privilege themselves unchallenged” (Grzymala-Busse 2003, 1130–1). Entrenched government, therefore, are more capable of reducing police autonomy.

Political fragmentation is the level of concentration or dispersal of political power in a given subnational jurisdiction during a specific gubernatorial term. Governments might face fragmentation originating from factional disputes (intraparty) or opposing parties (interparty), which may manifest in three arenas central to policymaking: the administration, where policies are designed; the legislature, which must approve these initiatives; and the subnational territory where these policies are implemented.

Just as turnover influences policy stability, fragmentation affects policy coordination (Tsebelis 2002). More inter- or intraparty fragmentation results in squabbling cabinet members formulating incoherent policies, opposing legislators impeding the passage of key legislation, or non-aligned mayors challenging policies on the ground. This problem applies especially well to encompassing security reforms: the further a new policy moves from the status quo and the more complex it is, the more fragmentation is likely to prevent its optimal implementation.

Concomitantly, greater fragmentation implies sharing power, and thus also precludes incumbents from benefiting exclusively from patronage (Geddes 1994; Grzymala-Busse 2003), graft or, in this case, police rents. This might occur either because rival political parties or factions compete for such rents, or because they are capable of monitoring or denouncing the government’s extraction schemes.

As said above, fragmentation can involve either parties or factions, within-party groups that represent different ideological strands or respond to diverse individual leaderships that compete for power within the overarching party organization (Beller and Belloni 1978, 419). Factions have electoral, legislative and executive manifestations. Electorally, factions may compete as rival lists in the party primaries.¹⁵ A defeated faction may remain in the party and support the winning group –with or without representation on the ticket- or, where possible, defect and run as a separate party in the general election (Morgenstern 2001). In the legislative arena, factions can form separate blocs with distinct voting behavior (Föhrig and Post 2007).

¹⁵ In cases with Double Simultaneous Vote (DSV), in which citizens cast their votes for parties *and* for specific factions within them, factional competition takes place during the general election.

Finally, in the executive arena, a governor may form her cabinet with representatives of different party factions, analogously to coalitional governments composed of different parties.

Factions in this study represent the functional equivalent of parties. In dominant or hegemonic regimes, often the only possible alternation is between different factions of the ruling party (Boucek 2012) and their disputes can be just as sanguinary as between different partisan expressions. Furthermore, intraparty secessions often pave the way for the end of dominant party regimes (Greene 2009). Of the two national cases in this dissertation, factions are more important in Argentine than in Brazilian parties, particularly in the Peronist Party (Partido Justicialista, PJ) and the Radical Civic Union (UCR, Union Cívica Radical) (Föhrig 2011).

These variables –turnover and fragmentation—are related but distinct in that the change in one variable does not automatically send the other in the same direction. For instance, higher fragmentation may increase the expectation of turnover in the upcoming election but not necessarily result in such a shift. Similarly, a change in the governing party might increase fragmentation, particularly (but not necessarily) if the incoming administration is made up of a coalition of parties or does not obtain a legislative majority. As we will see, with respect to affecting police autonomy, turnover trumps fragmentation since it determines the stability of police-government relations over time. With constant changes in policy, it is both more difficult for reforms to become entrenched and for police commanders to internalize compliance with the administration as a dominant strategy.

Turnover and fragmentation do not affect drug trafficking regulatory arrangements directly but through police autonomy vis-à-vis the subnational administration. Governments intent on regulating drug trafficking (and other forms of organized crime) are faced with the choice to increase, maintain, or reduce extant police levels of autonomy. Whether governments can effectively do so depends on their political entrenchment and concentration of power.

Police autonomy: definition and dimensions

Police autonomy refers to police capacity to "exercise control over its internal governance" (Stepan 1988, 93), and to appropriate rents from illicit sources, including corruption and organized crime.¹⁶ The first part of this definition conveys the police force's formal *organizational autonomy*; the second refers to its informal *financial autonomy*. The concept of autonomy highlights the fact that police have distinct interests and preferences from politicians (Evans et al. 1985, 9) and freedom of action to pursue these goals (Wilson 1989). Given that they are officially under the purview of state-level governors, I focus analysis on police forces' autonomy with regard to these subnational executives, as opposed to other social or political actors.

Organizational autonomy depends on the extent to which politicians introduce and implement reforms that affect the police force's internal governance and externally oriented operations. Police reforms consist of politically-introduced normative changes in the force's organization and functions designed to make the police more accountable to the rule of law and responsive to citizens (Bayley 2006, 23). Such reforms were pressing in the decades following

¹⁶ Although Stepan's theory alluded to civil-military relations following re-democratization, the analogy is pertinent given that the police are also an armed bureaucracy, which can potentially destabilize democratic governments.

Latin American democratic transitions, i.e. during the 1980s and 1990s-, given police involvement in the preceding authoritarian regimes' political repression and human rights violations.¹⁷ Politicians may resort to encompassing reforms that restructure the police entirely, or to piecemeal legislative changes to enhance their control over certain organizational practices, such as training, promotion, and removal procedures, or operational functions, such as designing and supervising crime repression strategies and tactics.¹⁸ Politicians might also combine these legislative changes with informal mechanisms of control, which include the actions and discourses of the governor and the administration's top security officials. With higher levels of autonomy, police commanders have greater power to determine the functioning of their organization, while under low autonomy these decisions are subject to political control.

Financial autonomy relates to the extent to which politicians can restrict or appropriate illicit revenues extracted by police. While the first option involves politicians controlling the police through similar policies such as external monitoring agencies, civil society accountability or informal supervision-, the second does not require any police professionalization, but rather the contrary. Rent extraction, while certainly not inherent to the entire police force, derives from police officers' main incentives –career advancement and personal security— and constraints – non-meritocratic rules coupled with overwhelming levels of crime and meager resources, etc.— in weak institutional contexts. With high financial autonomy, police have more discretion to regulate crime according to their distinct preferences, and would largely seek to extract rents for themselves, which conflicts with incumbents' interests. Politicians would prefer to attain order and appropriate rents for themselves or their parties. Conversely, a higher political restriction or appropriation of police-originated rents implies lower financial autonomy.

These dimensions can combine in various ways. Governors might be able to reduce police autonomy on both dimensions, or not at all. Alternatively, politicians might refrain from implementing reform in exchange for profiting from police corruption. Police forces' 'regulatory expertise', i.e. their capacity to extract rents and potentially maintain order, is a valuable asset they can offer administrations in return for preserving their high organizational autonomy. Finally, a situation of reform coupled with high financial autonomy is less common, since this would signal that politicians lack control of the police and reforms are merely window-dressing.

To summarize, police autonomy has two dimensions. Politicians may affect police forces' organizational autonomy, especially through reforms, or influence their financial autonomy by controlling the force's extraction of rents from crime. The extent to which are able to do so depends on the different combinations of political turnover and fragmentation, and will shape the ways in which police regulate drug trafficking.

How political turnover and fragmentation affect police autonomy

Political turnover and fragmentation shape police autonomy, and, as a result, police forces implement different drug trafficking regulatory arrangements, which differ in the primacy

¹⁷ Following this definition, and police forces' historical authoritarian disposition, this dissertation considers reforms to be of a democratizing and modernizing orientation; normative changes in the opposite direction –e.g. increasing police discretion to apprehend or interrogate suspects- are considered *counter-reforms*.

¹⁸ The most relevant areas for determining police autonomy emerge from police reform literature and the interviews conducted in this dissertation.

of violence over rent extraction and in the degree of coordination between them and governing politicians.

High political turnover means that the ‘new boss’ –i.e. the incoming governor—will probably shift security ministers, policy directives, and police commanders. This is likely to reduce current officials’ time horizons and job motivation, and foster dissent between overlapping commanders with different political allegiances, or between police divisions that encroach on each other’s turf. Furthermore, a new commander is unlikely to have little time and resources to change such a complex organization, and might generate resistance from the corporation if he is perceived as allied with, or subservient to, political authorities. This incongruence reduces politicians’ prospects of extracting compliance from mid-ranking and lower-level police officials, including for the provision of illicit rents.

Under high turnover conditions, **high political fragmentation** further increases police autonomy, hindering the implementation of policies aimed to reform it. Greater fragmentation – such as in divided governments or factionalized parties- raises the likelihood that the government’s reformist proposals will be obstructed, and gives the police potential allies with which to rally against such initiatives, along with incentives to drag their feet and delay implementation. Meanwhile, disputes within the administration’s cabinet reduce policy coherence, giving police fewer incentives to comply with its decisions. Police might even take advantage of this high fragmentation to destabilize the incumbent through street protests, shirking its crime control duties or even intimidating government officials, a form of “violent lobbying to force politicians to make formal policy concessions” (Lessing 2012, 4).

Similarly, under high turnover, fragmentation increases police financial autonomy, and decreases the government’s capacity to restrict or appropriate police rents. When opposition politicians are rent-seeking, police have greater incentives to contribute rents to the incumbent’s political rivals, who might assume power in the near future, while incumbents are perceived as less relevant in determining police officers’ career trajectories. Conversely, when opposition politicians are reform-oriented, they are able to restrain the executive’s rent-seeking behavior through different legislative or political maneuvers, such as summoning the administration’s ministers, denouncing the administration in the media or judiciary, or demanding an impeachment of the governor.

The combination of **high turnover** and **low fragmentation** presents an initially puzzling scenario, but ultimately does not decrease police autonomy. On the one hand, the incumbent might be tempted to utilize the police for rent extraction, given the few barriers she encounters, and the greater coordination with other political actors in implementing these rackets. On the other hand, the police force’s incentive to comply with the current administration does not endure, since it must soon establish a new relation with an incoming government; police officers need relative certainty that their arrangement with the incumbent will persist long enough to provide them with career advancement. Hence, high turnover precludes politicians from reducing the police financial autonomy and appropriating their rent extraction. Similarly, even if the incumbent manages to pass reforms that decrease police organizational autonomy, these are likely to be eroded or reversed by successive administrations of a different party or faction.

By contrast, entrenched governments have greater capacity to reduce police autonomy. With **low political turnover**, police might sense that the incumbent (or her party) is “the only game in town” and that their career prospects depend on positive relations with the government.

It also diminishes the police's incentives to destabilize the government through protest, shirking or intimidation. Police have therefore a greater stake in cooperating with the administration, abiding with its reformist initiatives or providing rents that bolster the incumbent party's political machine. In this scenario, governing politicians are also able to reduce police *financial autonomy* through different mechanisms, depending on the level of fragmentation.

Under **low political fragmentation**, politicians are more likely to *appropriate* police rents, for two main reasons. First, the more the incumbent concentrates power at the subnational level, the lower the appeal for police of making side deals with rival politicians, since these cannot grant credible protection to police rent extraction schemes or hold much weight in influencing their career prospects. Second, in less fragmented contexts, governors are subject to less horizontal accountability and control. Members of the governor's party or faction are less likely to denounce its corrupt dealings, as this can diminish their own electoral prospects as well. Meanwhile, the opposition has fewer opportunities to implement preventive and ex post control mechanisms to deter political participation in police corruption.

Thus, with low turnover and low fragmentation, incumbent politicians are less inclined to promote encompassing police reforms that reduce police formal organizational autonomy. Their political entrenchment gives them greater leverage to extract rents from the police, whereas democratic reform implies making the police more accountable to the rule of law and societal groups, and is therefore inconsistent with harnessing the proceeds of police corruption. Bypassing reforms, politicians can also avoid facing their short-term costs, such as police rebellions and rising crime waves fueled by the police force's 'passive' resistance. Hence, this combination of turnover and fragmentation produces *medium levels of police autonomy*, which scores low on its financial dimension –i.e. politicians appropriate police rents- and high on its organizational axis –i.e. no democratic reform.

Finally, entrenched parties facing **high political fragmentation** are more likely to *restrict* police rent extraction – for the reasons opposite those enumerated above. First, rent-seeking partisan or factional rivals might seek to appropriate illicit police revenues for themselves. Governors might see this as a threat not only to their capture of rents but also to their capacity to maintain order in the province. For instance, police who are partners with a given mayor or state legislator might 'reduce' crime in a given local district by allowing it to take place in a neighboring municipality. Second, a reform-oriented opposition has greater capacity to bring police corruption to light and challenge the administration. When this opposition is more powerful, the incumbent governor might be compelled to limit police rent extraction to avoid losing the next election and ceding power to her opponents. The resulting outcome is *low police autonomy* as incumbents advance reforms to professionalize the police and restrict its rent extraction.

In short, lower partisan turnover provides politicians greater leverage to reduce police autonomy and structure drug trafficking regulatory arrangements according to police (?) preferences, which emphasize the maintenance of order. When coupled with low fragmentation, low partisan turnover enhances the probability that politicians can also appropriate police rents from crime, meaning that they are unlikely to introduce formal reforms to diminish police organizational autonomy. The following section shows how political turnover and fragmentation, and police autonomy influence informal regulatory arrangements of drug trafficking.

4 Shaping drug trafficking informal regulatory arrangements

Political turnover and fragmentation structure police autonomy by influencing the prospects for police reform and for politicians' control over police rent extraction. This, in turn, shapes the types of regulatory arrangements of drug trafficking that are likely to emerge, with varying implications for state corruption and criminal and state violence. This section presents the theoretical linkages between these variables, dealing first with two uncoordinated arrangements, which result from high political turnover and police autonomy –particularistic confrontation and negotiation-, and then with the two coordinated regulatory arrangements which stem from low turnover and police autonomy –tacit coexistence and protection-extraction rackets (See Table 2.2).

Table 2.2. Summary of argument (expanded version).

Political Turnover	Political Fragmentation	Police Autonomy	Regulatory Arrangement	Observable Implications
<i>High</i>	<i>High or low</i>	<i>High</i> No reform, No political control over rent extraction	<i>Particularistic confrontation or negotiation</i>	High and decentralized corruption, High police violence (in particularistic confrontation), High criminal violence
<i>Low</i>	<i>Low</i>	<i>Medium</i> No reform, Political appropriation of police rents	<i>Protection-extraction rackets</i>	High and centralized corruption, Low police and criminal violence
<i>Low</i>	<i>High</i>	<i>Low</i> Reform, Political restriction of rent extraction	<i>Tacit coexistence</i>	Low and decentralized corruption, Low police and criminal violence

Source: Author's elaboration.

Uncoordinated regulatory arrangements: Particularistic confrontation and negotiation

High political turnover increases police autonomy and results in particularistic regulatory arrangements. In this scenario, turnover plays a stronger role than fragmentation, given that the former determines the nature of police-government relations and police regulation of drug trafficking over time. The two emerging arrangements –particularistic confrontation and

negotiation- are distinguished by their high and uncoordinated state violence and state corruption, respectively, while both present high levels of criminal violence.

Particularistic confrontation

Particularistic confrontation is the paradigmatic uncoordinated regulatory arrangement. In this scenario, police carry out disjointed violent actions against criminal actors, unauthorized by political incumbents. This arrangement springs from the administration's inability to reform the police (organizational autonomy) as well as to restrict or appropriate rents from police corruption (financial autonomy). While particularistic confrontation often involves various small groups of police officers acting outside of the law, these are not isolated actions, carried out by a few rogue officials. By contrast, particularistic confrontation usually involves systematic activities of active police units to arrest or kill actual or alleged drug traffickers.¹⁹

The police force's high organizational autonomy, derived from high turnover and fragmentation, inhibits a coordinated strategy to regulate trafficking. Governments that succeed an administration of a different party are hard-pressed to modify security staff, policies and police commanders. New incumbents might have more incentives to enact comprehensive police reforms to subdue autonomous police organizations. High fragmentation, manifested as legislative obstruction or intra-cabinet disputes, might prevent governors from implementing such reforms while those that are implemented are likely diluted or reversed by the succeeding administration bearing a different party sign. Subsequently, governments are unable to reduce police autonomy, which enables the police force to regulate drug trafficking according to its own preferences, with few specific overarching directives or control over its actions.

Unreformed police regulate drug trafficking –and other forms of crime- with practices reminiscent of authoritarian regimes, with little care for the rule of law, fairness or human rights. These include the frequent use of torture and summary executions. When unreformed, the police are also more likely to engage in corruption to obtain funds for procuring their career advancement and other advantages within the organization. More generally, such police forces lack clear policy directives and goals in regulating trafficking, so their actions are uncoordinated and incongruent. Frequent changes in policy undermine the support of even enthusiastic commanders, who sense that their efforts at regulating crime through non-violent means are unlikely to be appreciated. Finally, these organizations also lack control over their own actions, rendering them less responsive to civil society or external monitoring agencies.

Unreformed police forces' financial autonomy also remains high, as governments fail to centralize the former's rents. This is particularly evident under conditions of greater fragmentation, as multiple political actors might seek rents from trafficking but lack of political coordination hinders them from ensuring impunity for themselves or their police accomplices. Police are also less likely to contribute rents to incumbents who cannot credibly influence their career advancement. Uncertain career prospects, coupled with high internal dissent –produced by high turnover of commanders- fosters disorganized corruption in the force as each squad tries to run its own protection racket. Therefore, the police cannot offer credible protection to drug traffickers, and at best broker fleeting deals with them.

¹⁹ This resembles the logic of police death squads (Mazzei 2009; Huggins 1991).

This arrangement exhibits high and uncoordinated state corruption, along with high state and criminal violence. Police officers may extract protection rents from traffickers, but cannot credibly guarantee immunity from repression by other police units, or even themselves. This uncoordinated corruption increases violence by both state and criminal actors, for three reasons. First, police might apply arbitrary violence to extort or punish drug gangs that refuse to pay for protection –or to extract larger rents from them. Criminals are likely to respond in-kind and attack the police, triggering spirals of violent exchanges between both groups, which might also generate civilian casualties in the gang’s neighborhood. Conversely, if criminals collaborate, they might then retaliate against the police if the latter do not keep their end of the bargain, such as when another police unit seizes the gang’s stash or shuts down its operation. Second, uncoordinated police crackdowns might splinter existing drug trafficking groups, resulting in internal succession struggles or conflicts with rival gangs. Traffickers might also strike against their own communities, accusing certain individuals of cooperating with the police.²⁰ Finally, in a cruel twist of fate, corrupt police might go as far as selling weapons to drug gangs, who then use them against other officers. All these factors contribute to high levels of criminal violence, especially in the marginalized neighborhoods that drug gangs use as bases to run their operations.

Particularistic confrontation is usually associated with concentrated criminal markets with fewer drug gangs, which reinforces the conflict between the state and criminal actors. In more centralized markets, drug gangs have the resources –armament, manpower, and organizational capacity- to attack state actors, including the police. Police may, for example, arrest or kill gang leaders and others will rapidly take their place, and the organization persists. Organized and powerful gangs have the wherewithal to carry out elaborate, coordinated attacks that inflict greater harm on the police or the general population. They also have more incentives to confront the police, given the sizable financial losses they incur from police intervention. While the police might be more reticent to extort or attack centralized drug gangs, since these have greater retaliatory capacity, they might also need to resort to violent responses to extract rents from them, thus triggering the spirals of violence characteristic of particularistic confrontation. Police violence might also precede drug market centralization, as gangs seek more power to counter and avert police aggression.

Particularistic negotiation

A less severe uncoordinated regulatory arrangement is *particularistic negotiation*, in which different police units extract drug trafficking rents for themselves. The central feature of this regulatory arrangement is its high and dispersed police corruption, which is uncoordinated both within the police and with political authorities, and stems from the police force’s high organizational and financial autonomy. In this arrangement, various police divisions and officers from different hierarchies concoct separate deals with drug trafficking gangs, promising (non-credible) protection in return for rents. This is also likely to increase criminal violence, although lethal violence committed by the state is lower than in particularistic confrontations.

As in particularistic confrontations, subnational governments’ political obstacles hinder it from reducing police autonomy. With high fragmentation and turnover, these administrations may introduce reforms and policy changes to curb police autonomy but have little capacity to

²⁰ This disciplining measure is common during civil wars or revolutions (Kalyvas 2006).

implement or sustain them. Furthermore, higher fragmentation makes it more difficult for subnational governments to control or appropriate police rents from corruption. Police can thus exploit their high financial autonomy to obtain rents for their own benefit, without maintaining order in the subnational district. A similar scenario might occur under relatively low fragmentation, as politicians' instability reduces their credibility with, and ability to ensure compliance from, the police.

Coordination in rent extraction is lacking also within the police force itself given that frequent changes in government create internal fractures in the force and shorten officers' time horizons. As Evans states: "a protection racket whose triggermen cut individual deals at the first opportunity does not last very long, and the larger the coercive apparatus involved, the more difficult the problem" (1989, 565). While rent extraction can produce order if concentrated by police commanders or political authorities, increasing numbers of police units brokering uncoordinated deals with drug gangs furthers the decentralization of criminal gangs or their expansion across urban territories, and destabilizes the drug market.

In this uncoordinated regulatory arrangement, there is also high criminal violence. Without control from the police, rival gangs might invade each other's turf or engage in ceaseless feuds and revenge killings. The police force's disorganized corruption often motivates these conflicts as a given police outfit might sell out its 'protected' gang's territory to higher bidders, or even supply weapons to different criminal groups. Doing so generates violence between drug trafficking groups –with uninvolved citizens suffering in the process- as they try to expand and consolidate their territorial and market control to oust competitors and maintain their kickbacks to police enforcers. Furthermore, given their lack of coordination and little motivation to obtain order, police are unable to contain internal disputes or inter-gang conflicts.

Particularistic negotiation, unlike its confrontational counterpart, is associated with less concentrated drug trafficking markets, with more limited violent conflict between police and criminal actors. In this case, the police have more leeway to extract protection rents from drug gangs without fearing retribution, and find it easier to arrest or threaten traffickers who do not pay, without resorting to potentially lethal violence. Drug dealers, meanwhile, are compelled to contribute, despite the police force's lack of credible protection, because their organizational resources are scarcer and police can more easily shut down their operations.

Coordinated regulatory arrangements: Tacit coexistence and protection-extraction rackets

In scenarios of low turnover, politicians have greater capacity to reduce police autonomy. As state-level governments consolidate over time, police have greater incentives to obey incumbents, since the latter have greater influence over the former's career trajectories. However, political entrenchment accompanied by the concentration of political power does not result in more professionalized policing, but rather in the politicization of police forces. These governments have greater incentives and capacity to employ the police for rent extraction, thus reducing police financial autonomy while allowing it to maintain certain degrees of organizational autonomy by not enacting police reforms. By contrast, consolidated administrations facing greater fragmentation are more likely to implement reforms and restrict

police extractive capacity. The combination of these factors yields two distinct coordinated regulatory arrangements: protection-extraction rackets and tacit coexistence.

Protection-extraction rackets

When subnational governments experience both low turnover and low fragmentation, they are able to achieve order while utilizing the police to run protection-extraction rackets. Protection-extraction rackets occur when police –in representation of politicians- offer protection to criminal actors in exchange for material benefits (Snyder and Duran-Martinez 2009). What makes this a racket is that police offer traffickers protection in large part against a threat that police themselves can deliver (Tilly 1985, 170–1), for instance, by busting up drug traffickers' operations, arresting or killing gang members, or allowing other criminal groups to raid the occupying gang's territory.

Low turnover induces the police to cooperate with the administration in providing order since they may perceive that the incumbent party or faction is the only game in town and relevant to determining their career trajectories. Meanwhile, low fragmentation motivates incumbents to employ the police for rent extraction and use it to feed their own political machines, reducing the police force's *financial* autonomy, given that political opponents are less able to monitor, denounce, or take over these arrangements.

In return for capturing police rents, politicians maintain the police force's high *organizational* autonomy, i.e. they refrain from enacting reforms that would undermine the police force's capacity to determine its own training, promotion and internal control procedures. This enables the police to employ its traditional rent-extracting methods to regulate crime, albeit for governing politicians' benefit. Incumbents are likely to eschew encompassing reform as long as the police can guarantee tolerable levels of crime and provide politicians with sufficient rents. By contrast, the incumbent might promote reforms when agency losses –either in terms of rents or order—are substantial. While the police force's high organizational autonomy allows it to engage in frequent corruption to regulate crime, its low financial autonomy requires that such corruption be coordinated with governing politicians.

Politicians' centralization of rents affords the police more credibility to enforce agreements with criminal actors, since it is harder to arrest and prosecute corrupt police, let alone governing politicians; therefore, bargains struck with drug traffickers are more stable and effective. Police can thus regulate the drug trafficking market by taxing drug gangs and controlling their territorial expansion. Not being able to grow in size and strength, criminal actors have lower capacity to threaten the police with retaliation. Therefore, criminals have fewer incentives to confront the police, and will restrain from inter-gang conflicts and other forms of criminal violence, which is likely to be low and stable over time.²¹ Criminals are compelled to limit violence on their turfs because otherwise the police can credibly shut down their operations. Subsequently, despite -or rather because of- high yet coordinated corruption, protection-extraction rackets also exhibit relatively low criminal and state violence.

²¹ Darden (2008, 36) shows that, when used to ensure compliance on behalf of state officials, corruption might actually render states more effective. Corrupt states can also be strong.

Tacit coexistence

Tacit coexistence consists of implicit agreements to avoid excessive armed confrontation between the state and organized criminal actors. It does not rule out violence between both sides, but is rather premised on the understanding that “neither side makes a total attempt to destroy the other” and that “violence [...] follows the implicit rules of engagement about what is and is not acceptable to each side” (Staniland 2012, 251). While the state does not formally refrain from its law enforcement responsibility, state actors attempt to avoid escalating confrontation with drug traffickers. More concretely, street-level police will try to maintain – rather than split up- the dominant drug trafficking gangs, and restrain their advance on the gangs’ territory or resources. Therefore, this arrangement presents lower and more stable levels of both state and criminal violence. More importantly, it also depends on the government restricting – yet not appropriating- police rent extraction.

Low turnover allows sustaining reforms or normative changes that reduce police organizational autonomy. Such policy stability allows these political decisions with regard to the police to become sticky, and reduces the police force’s incentive to deviate from that trajectory. This reduced autonomy entails clearer directives for the police to regulate crime and stronger monitoring mechanisms to oversee –and discipline- its corruption and arbitrary application of lethal violence. Finally, reduced autonomy also makes police officers more willing to comply with the government in regulating crime and contributing to order in the subnational territory, since this is more likely to favor their career advancement.

Tacit coexistence not only requires low turnover but also high fragmentation of political power. When power is dispersed, governors have higher incentives to restrict rather than appropriate police rents from organized crime, due to greater horizontal controls or to prevent spillover to political rivals. While governors might prefer to obtain rents as well as order in their districts, when the two are in conflict under conditions of dispersed power, their preference for the latter predominates.

Reducing the police force’s financial autonomy permits the tacit coexistence to function. Excessive rent extraction by the police risks breaking down informal pacts with criminal actors, placing high burdens on their economic activity and spurring criminals’ retaliation against corrupt police officers or violence among criminal actors for territorial control and greater revenues. Therefore, governors will direct the police to restrict their corruption with respect to organized crime.

This regulatory arrangement thus exhibits low and stable state and criminal violence. Increases in confrontation between state and criminal actors are possible, but these should manifest as sporadic peaks rather than sustained growths. Furthermore, state or criminal actors should seek to contain rather than fuel spirals of violence when confrontational episodes occur. The police force’s reduced organizational autonomy also contributes to this outcome, as politicians implement initiatives to restrain its excessive violence, such as changes in its training guidelines, promotion criteria or operational functions.

It might be argued that tacit coexistence is more likely where there is a single major drug trafficking gang since centralized criminal actors are more capable of enforcing restraint by lower-level gang members. Likewise, police are more likely to check their extortion or killing of criminals when the latter have greater retaliatory power. However, the state’s regulation also influences whether criminal gangs consolidate their power or not. For example, while arresting

or killing drug gang leaders can lead to violent succession struggles or invasions by rival gangs, the police officers' avoidance of such actions will contribute to the drug market's stability and centralization. Moreover, tacit coexistence can also occur when the state brokers pacts with two or more criminal organizations.

In short, political turnover and fragmentation determine the police force's organizational and financial autonomy, and through it, shape the state's informal regulatory arrangements of drug trafficking. These arrangements vary primarily in their relative levels, and degree of coordination of state corruption, state violence, and criminal violence. The following section presents the measurement and operationalization of the variables included in this theoretical framework.

5 Measurement and operationalization of variables

This section describes the criteria that I used to measure the variables in this theoretical framework. The variables of interest in this study are political turnover, political fragmentation, police autonomy, and informal regulatory arrangements of drug trafficking.

Political turnover refers to the change or continuity in the party in power at the subnational level. Turnover is either 'low' when the same party or faction remains in power from one period to the next, even if under a different governor, or 'high' when a different party (or faction) takes office. Following the conceptualization of factions described above, I also code turnover between different party factions as 'high'.

I define *political fragmentation* as the degree of concentration or dispersal of political power at the subnational level during a given gubernatorial term. Low political fragmentation requires two conditions: (a) the party is unified, (b) and there is no credible political opposition. By contrast, political fragmentation is 'high' when either of the following conditions apply: (a) the ruling party is split between two or more factions, or (b) there is a credible political opposition at the state-level (Murillo 2009, 21-25). I measure each of these components at the cabinet, legislative and electoral level. With regard to the first, fragmentation is high when the cabinet is composed of members from a diverse coalition of parties or factions. Second, fragmentation is high when the governing party (or faction) does not have a majority in the provincial legislature. Third, fragmentation is high when the incumbent does not obtain a first-round majority in the gubernatorial election or when a relevant faction, distinct from that in power at the subnational level, vies for the party leadership and the state executive office.

I obtained data on turnover and fragmentation from national and subnational electoral authorities, as well as primary and secondary sources—specialized literature and newspaper articles—to establish whether there were factional splits in the ruling party.

The intervening variable—*police autonomy*—refers to whether the government implements police reform and is able to restrict or appropriate police rent extraction. With respect to the organizational autonomy of the police, I focus on whether the administration enacts and enforces reforms or various policy initiatives that reduce the police force's capacity to manage its internal affairs and, consequently, give politicians more control in such areas. Police organizational autonomy is 'low' when reforms are introduced and enforced, and 'high' when reforms are enacted but not enforced or when governors carry out counter-reforms, expanding the police

force's capacity to administer its internal governance. Building on the extant literature and the issues that police officers stressed in my interviews with them, I focus on changes in the following areas: (a) the criteria governing recruitment, training, promotions and transfers; (b) the existence of internal or external monitoring agencies; (c) the formal or informal policies governing the use of force; (d) the police force's organizational structure; and (e) the presence of external accountability mechanisms involving either the government or the community (see Pereira and Ungar 2004). I also look at government purges of the police, which are not engrained in legislation but are often deemed necessary to reform the force. I rely primarily on government laws, decrees and resolutions, as well as national and local journals and secondary literature. To consider a reform to be "enforced," it must survive at least one shift in administration or gubernatorial term.

I code police financial autonomy, i.e. the extent to which politicians control or appropriate police rent extraction, as "high" when the government does not restrict or appropriate the police rents from corruption, and "low" when it does. To measure this, I rely on my interviewees' references to incumbent politicians' attitudes and actions with respect to police rent extraction to assess whether they stimulate or repress police corruption, and whether in the latter case they do so effectively. I then triangulate this data with journalistic evidence and secondary literature.

The different combinations of scores in these dimensions allow for various levels of police autonomy. When both organizational and financial autonomy are high, or both are low, police autonomy is coded in the same way. When there is high organizational and low financial autonomy, i.e. no reform but politicians are able to control (appropriate) police rent extraction, this is coded as 'medium' autonomy. The opposite situation –low organizational and high financial autonomy—is theoretically rare, since it would imply that, despite reform, police rent extraction continues unabated, meaning that the reform is not effective –at least not yet. In the event that this happens, overall police autonomy would also be coded as 'medium'.

Finally, specifying measurement strategies for the dependent variable, *informal regulatory arrangements*, requires highlighting two caveats. First, each subnational state implement a dominant regulatory arrangement, but there may also be features of a different regulatory regime in a given period. Relatedly, the contrast between different regulatory arrangements across subnational areas or in a given subnational state over time is relative rather than absolute. Finally, it is difficult to obtain direct, systematic evidence of some aspects of the arrangements themselves because they are, by their very nature, informal, hidden, or tacit. It would be rare for active police to admit that they broker deals with criminal actors or for politicians to acknowledge that they use rents from drug trafficking to build up their political machines. However, these arrangements have observable implications for levels and forms of state corruption by both police and politicians as well as for state and criminal violence. These dimensions allow for the construction of observable indicators for the dependent variable – informal regulatory arrangements.

State corruption is the hardest variable to measure with precision. For this, I rely primarily on questions in my interviews pertaining to corruption, especially in relation to trafficking, and observe the frequency and content of such responses, and use journalistic evidence and reports from NGOs to present cases illustrative of the mechanisms at work. I also use reports from police external control agencies and non-governmental organizations, as well as

media sources, to track salient police corruption events, and focus on the number and hierarchy of police involved. Clearly, the arrest of a dozen police officers, including commanders, is more indicative of the force's overall complicity with drug trafficking than cases with few arrests of low ranking officers.

I expect state corruption to unfold differently according to changes in turnover, fragmentation, and subsequent police autonomy. When both of these indicators are high, corruption will be decentralized, meaning that it should involve several small, unaffiliated police units –i.e. from numerous territorial and functional divisions-, as well as high-level police commanders. Since these are the ones most directly visible to government officials –and whose exposure is most politically costly-, their participation in deals with organized crime reveals that incumbents have little control over police actions. On the contrary, when police financial autonomy is low, corruption would tend to involve lower-level police officers, whose links to subnational politicians are more diffuse.

Of course, there is a difference between the existence of corruption and its exposure in media or legal channels, which is what most people perceive. Indeed, low media exposure might simply mean that government officials involved in corruption are skilled in concealing it. Here is where the triangulation of data proves useful. If all or a majority of interviewees speak of widespread corruption but there are few specific cases where it surfaces, it suggests that government officials are effective in concealing corruption rather than it being non-existent. In order to reveal the mechanisms of state complicity with drug trafficking, I present a few illustrative examples in each case, drawn from interviews, journalistic evidence, NGO reports or secondary case literature.

My primary indicator of *state violence* are police killings, understood as cases in which actions by subnational police forces result in the death of a third party, whether justified or not. Here again there are several data reliability issues. I include all cases because police homicides are often concealed to exonerate police officers from judicial responsibility; indeed, they were catalogued as 'resistance to authority followed by death' for many years in Brazil. Even this figure might be underestimated, since deaths resulting from police intervention can often be disguised as feuds between gangs or disappearances, in which the bodies never turn up. In terms of sources, I have relied on data from both the state's security ministry or its internal auditing agencies and respected non-governmental organizations.²² I expect state-driven violence to fall with decreased police autonomy and rise when political control of the police diminishes.

Where available, I also employ auxiliary measures such as the ratio between dead civilians and police, and the ratio between dead and injured civilians. Experts agree that when these ratios are lower, police officers employ lethal force more moderately, a sign that political initiatives to restrain its autonomy are taking effect.

With respect to *criminal violence*, I look primarily at state-level homicide rates and, where possible, try to distinguish how and why they were carried out, in order to assess whether

²² Admittedly, not all deaths by police are related to drug trafficking, whether justified or not. Where possible, I try to narrow down this figure to those that are a product of such confrontation. However, police frequently attempt to 'justify' their homicide by stating that the victim was a member of a drug gang.

it was related to drug trafficking or not.²³ I also compare the homicide rates between the state's different regions or municipalities to track geographical shifts in the distribution of violence. Coordinated regulatory arrangements like tacit coexistence and protection-extraction rackets should exhibit concentrated criminal violence in the metropolitan area, and dispersed violence through the state, as the police force's regulation pushes drug trafficking gangs to other regions beyond the metropolitan area.

The main sources for these indicators are governments' security statistics offices, as well as databases and reports by specialized non-governmental organizations. These figures are weighted by population and measured as rates per 100 thousand individuals on a yearly basis – unless specified. Where possible, I have gathered information for the entire democratic period, from the restoration of democratic state elections in Brazil and national elections in Argentina in 1983 until 2015.²⁴

6 Scope conditions

This dissertation explains subnational states' regulation of drug trafficking in within federal, developing, middle-income democracies with weak formal institutions. While the final chapter will explore the scope conditions of this theory in more detail, it is worthwhile to briefly discuss what these might be.

First, the theory is limited to national, or subnational, democracies, i.e. political regimes that fulfill the minimal requirement of competitive elections. For there to be turnover and fragmentation there needs to be democracy. A basic premise is that subnational governors are directly elected and have a non-negligible probability of losing elections, even if they (or their party) come out on top in several successive contests.²⁵ Politicians in non-competitive regimes might also establish different relations with the police and regulate drug trafficking accordingly, but their incentives to do so would not be as affected by electoral demands or by the distribution of power at the state-level. On a related point, this theory is more likely applicable to countries that (re)democratized during the third wave -rather than those that have been continuously democratic for longer periods-, given that the former are more likely to have police forces with high preexisting autonomy.

Second, the theory applies primarily to weak formal institutional contexts, in which informal regulatory arrangements complement or supplement the state's formal regulation of drug trafficking (Helmke and Levitsky 2004). Indeed, Argentina and Brazil have important deficits in judicial independence, the rule of law and control of corruption,²⁶ but are not failed

²³ When systematic data is not available I rely on secondary literature and homicide reports from government agencies or non-governmental organizations.

²⁴ Brazil had open yet indirect presidential elections in 1985. Citizens were first able to vote in direct elections in 1989, after the constitutional reform in the previous year.

²⁵ None of the cases selected allow governors unlimited reelection, an institutional rule often connected with subnational authoritarianism.

²⁶ Argentina ranks 107th out of 175 in Transparency International Corruption Index; 124th out of 142 in judicial independence, and in the 33% and 40% percentiles in rule of law and control of corruption, respectively. Brazil's rankings are: 69th (corruption index), 71/142 (judicial independence), 55% percentile (rule of law) and 60%

states, which cannot fulfill their basic functions and are largely incapable of regulating organized crime.²⁷ In failed states, features such as turnover or fragmentation are probably less important in determining the state's regulation of drug trafficking, or when relevant, would probably play a different role.

Could this framework extend to developed countries with stronger institutions? Drug trafficking is also present and able to corrupt individual state officials in highly developed countries (e.g. United States, Japan, Canada, Western Europe). These countries are also subject to prohibitionist drug legislation, which heightens profits for dealers and entices law enforcement agencies to seek alternative regulation strategies. The issue is whether corruption becomes an equilibrium strategy for state actors to regulate organized crime informally rather than through established, formal channels. Consequently, more institutionalized contexts generally fall outside of this theoretical framework.

Police violence is also much lower in more developed democracies. Even the United States, by far the most violent among Western democracies and where police abuse of lethal force has gained national attention, pales in comparison with the number and rate of victims of police violence in Latin America (Chevigny 1995). Therefore, this theory is most applicable to cases of low- to mid-ranking institutionalization, excluding both failed states and most developed countries with less pervasive political and police corruption.

Third, can this argument travel to unitary as well as federal countries? The subnational research design of this dissertation depends on the delegation of public security responsibilities to state or local-level governments, which is prototypical of federal systems. However, these variables might also affect the relationship of national executives with their *national-level* police forces in unitary countries, as well as the type of drug trafficking regulatory arrangement. In other words, the theory should apply to subnational *and* national state actors, particularly in how turnover and fragmentation might affect the government's capability to reduce police autonomy. However, given the national governments' greater exposure, it might be less prone to informal regulatory arrangements than subnational governments.

Fourth, while this dissertation focuses on the largest metropolitan areas in two countries, the argument can be extended to subnational districts with lower population density. While drug traffickers have a larger potential market in urban areas, and more possibilities to store their product, drug consumption is not unique to these jurisdictions. Lower population density might alter the links between politicians, police and traffickers in different ways. On the one hand, where citizens have a more direct relation with state officials, the latter might find it more difficult to protect or tolerate trafficking without electoral or social sanctions. On the other hand, where these state officials carry large political and socio-economic weight in this jurisdiction, and civil society is weak, it might be easier for them to engage in informal or illicit dealings with organized crime.

Finally, this argument is potentially extensive to other organized crimes besides drug trafficking. The number of crimes included under the umbrella category of 'organized crime' is extremely vast. To be covered by this theory, the main constraint is that they are *territorial*

percentile (control of corruption). Source: Transparency International, <http://www.transparency.org/country/#ARG> and <http://www.transparency.org/country/#BRA>

²⁷ The states unanimously considered as failed includes countries undergoing regime transitions or in civil war.

crimes, i.e. that the individuals that carry them out operate in fixed locations, where they are more likely to develop links with police officers and local politicians. This restriction allows extending the argument to crimes such as extortion, contraband, and human trafficking, but excludes others such as arms trafficking, piracy or money laundering.

7 Conclusion

This chapter has presented the theoretical framework of this dissertation, which argues that political turnover and fragmentation affect police autonomy, which in turn shapes drug trafficking regulatory arrangements. This theory incorporates the police as a key interest group and highlights the potentially divergent preferences between subnational forces and their political superiors. This potential incongruence makes reducing police autonomy necessary for politicians to obtain order and/or rents from the regulation of drug trafficking. The extent to which politicians achieve their goals determines the coordinated or uncoordinated nature of regulatory arrangements, and accompanying corruption, as well as state and criminal violence.

The remainder of this dissertation will test this theory through the within-case analysis of four subnational states in Argentina and Brazil. In each case, I perform process tracing to show how changes in turnover and/or fragmentation and, subsequently, police autonomy, shaped distinct regulatory arrangements of drug trafficking. In Chapters 3 and 4, I present the two cases depicting the dynamics of uncoordinated regulatory arrangements: Rio de Janeiro (Brazil) and Santa Fe (Argentina), respectively. Notwithstanding their similar outcomes, their trajectories differ. While Rio de Janeiro has partially transitioned from particularistic confrontation to tacit coexistence in the last decade, Santa Fe has deteriorated from protection-extraction rackets to particularistic negotiation over the same period.

In Chapters 5 and 6, I cover the two cases that illustrate coordinated regulatory arrangements: São Paulo (Brazil) and Buenos Aires (Argentina), respectively. Again, while both exhibit coordinated arrangements, their evolution over time is distinct. While São Paulo initially exhibited particularistic confrontation of drug trafficking, resembling the pattern in Rio de Janeiro, decreasing political turnover and, subsequently, police autonomy, along with persistently high fragmentation, enabled it to broker a lasting tacit coexistence agreement with the main drug gang. Meanwhile, the Peronist party's dominance in Buenos Aires, i.e. low turnover and low fragmentation, has made protection-extraction rackets the main regulatory pattern, with brief intervals of particularistic negotiation due to fragmentation emerging from disputes between the party's factions.

Chapter 3 Particularistic confrontation: The persistence and end of the police war against the drug gangs in Rio de Janeiro (1983-2015)¹

1 Introduction

On March 20, 2011, on his first visit to Rio de Janeiro, United States President Barack Obama strolled through the streets of the favela (shantytown) Cidade de Deus (City of God). A few years before, this would have been impossible. The favela, made famous by the homonymous Fernando Meirelles film in 2002, was one of several of Rio's extremely violent neighborhoods, controlled by drug gangs that brutalized its residents and engaged in routine confrontations with the police. Rio's police force often resembled a criminal organization itself, with high levels of corruption and extra-legal violence. However, the favela had recently been pacified as part of the state government's signature police intervention program, the Unidades de Polícia Pacificadora (UPP, Police Pacification Units), heralded as bringing down criminal violence and police homicides throughout the city. This chapter explains how this pacification strategy prevailed in a state previously characterized by incessant violence between police and the drug gangs.

This chapter begins by showing how *particularistic confrontation* became the predominant regulatory arrangement of drug trafficking in Rio de Janeiro for most of the period following the return of democratic subnational elections, i.e. from 1983 until 2008. This pattern involved dispersed, uncoordinated attacks by the Military Police of Rio de Janeiro (PMERJ, or PM), which not only responded to but also reinforced violence by drug trafficking gangs against police, favela residents and the city at large. However, the government managed to escape this pattern in the last decade. I will then show how the state implemented a *tacit coexistence* arrangement with the drug gangs in the Rio de Janeiro metropolitan area, with lower levels of police and criminal violence, between 2008 and the present.

After the return of democracy, several state governments attempted to reform the state police, and reduce its autonomy, in particular to restrict its human rights abuses. However, high political turnover and fragmentation prevented governments from implementing reforms or ensuring their continuity when enacted. Between 1983 and 2006, no party managed to remain in power in Rio de Janeiro from one term to the next. The high partisan turnover during this period meant that each new government shifted security staff, policies, and police commanders, fostering dissent within the police, and increasing the force's resistance against the administration. To make matters worse, center-left governments were often succeeded by conservative candidates with punitive orientations on security. However, these right-of-center administrations also failed to control the police; while they intentionally expanded the force's organizational autonomy, they could not centralize police rents from drug trafficking or control police lethality – which buried them politically as criminal violence increased in the city and state of Rio de Janeiro.

¹ The title references the documentary “News from a Personal War” (Salles and Lund 1999, Original title: Notícias de uma guerra particular), an exploration of the ‘war’ between drug trafficking gangs and the state in Rio de Janeiro during the 1990s.

Political fragmentation also limited the government's capacity to reduce police autonomy, by giving the police various political allies to oppose the incumbent's proposed reforms. Furthermore, fragmentation meant that the police force's rent extraction was largely uncoordinated with the incumbent state government and, ultimately, within the police itself. Local mayors and state deputies often used different police units to run protection rackets for their individual electoral benefit. This fragmented political landscape prevented the police from enforcing credible coexistence pacts with drug gangs. The resulting regulatory arrangement of drug trafficking thus consisted of segmented violent and corrupt exchanges between police and traffickers, such as extortive kidnappings and sporadic raids by police, followed by brutal retaliation by traffickers, as well as internal succession struggles and violence by the gangs against the community.²

This pattern persisted for most of this period, at least until the implementation of the Police Pacification Units program in 2008, in which the government instructed the police to occupy certain favelas permanently, and focus on retaking territory and seizing weapons rather than confiscating drugs. This program signified an important decline in police autonomy and a shift in the regulatory arrangement towards *tacit coexistence*, as the state and drug gangs restrained their mutual conflict. Decreased partisan turnover -reflected in the entrenchment of the Partido do Movimento Democrático Brasileiro (PMDB, Brazilian Democratic Movement Party), which holds the governor's mansion since 2006 - enabled this program to persist.³ At the same time, high political fragmentation compelled the government to negotiate support with other parties for the implementation of the UPP, which hindered the PMDB's capacity to capture all profits from police corruption, and motivated the party to restrict the corrupt dealings between police and other politicians. The UPP program thus managed to reduce police and criminal violence, at least in the Rio de Janeiro metropolitan area.

In short, between 1983 and 2007, high turnover and fragmentation inhibited Rio governments from reducing police organizational and financial autonomy and resulted in particularistic negotiations as the predominant regulatory arrangement. However, since 2008, decreased turnover (entrenchment of the PMDB), along with high political fragmentation, has enabled the government to reduce police autonomy, producing a tacit coexistence arrangement to regulate drug trafficking (see table 3.1).

² Michel Misse, a prestigious crime sociologist in Rio, refers to these as exchanges of "political merchandises" ('mercadorias políticas') (2007).

³ Governors in Rio de Janeiro were not allowed to run for re-election until 2006.

Table 3.1. Political turnover, fragmentation, police autonomy and drug trafficking regulatory arrangement in Rio de Janeiro (1983-2014)

Period	Turnover	Fragmentation	Police autonomy	Drug trafficking regulatory arrangement
1983-2007	<i>High</i>	<i>High</i>	<i>High</i> No reform, No political control of police rent extraction	<i>Particularistic confrontation</i>
2008-2014	<i>Low</i>	<i>High</i>	<i>Low</i> Reform, Political restriction of police rent extraction	<i>Tacit coexistence</i>

Source: Author’s elaboration.

The next section provides a brief historical introduction to policing and drug trafficking in Rio de Janeiro before the return of democracy in 1983. The third section shows how high turnover and fragmentation increased police autonomy and shaped particularistic confrontation as the main drug trafficking regulatory arrangement in Rio de Janeiro between 1983 and 2007. The fourth section centers on the implementation of the Pacification Police Units (UPP) program during the Cabral and Pezão administrations (2008-2014), and discusses the government’s relative success in reducing police autonomy and instituting tacit coexistence, a coordinated form of regulating drug trafficking. These sections rely heavily on fieldwork conducted in Rio de Janeiro during the second half of 2014, with close to 40 interviews with police, politicians, and civil society actors.

2 Historical context

Police in Rio de Janeiro, as in the rest of the Brazilian federal units (*unidades federativas*, UF), are divided into Military (PM) and Civil Police (PC) forces. The much larger PM⁴ is in charge of patrolling streets, preventing crime, and maintaining order. The PC is responsible for investigating crimes and bringing evidence to the Public Ministry (Ministério Público, MP) so the latter can prosecute suspects. Despite the fact that public security is primarily the subnational state’s responsibility, the Military Police – according to article 144 of the Federal Constitution – is an arm of the national armed forces. Therefore, state governments cannot entirely alter its organizational structure, though they have the power to nominate the top authorities of both the PM and PC (Costa 2004, 99). This imposes limits on state governments’ ability to restrict police organizational autonomy, even as states maintain some decision-making power over the police.⁵ This chapter focuses primarily on the Military Police, given its centrality to the regulation of drug trafficking and as the object of more reform attempts by governing politicians.

⁴ Currently, the Military Police has almost 50 thousand members, while the Civil Police has only a few thousand.

⁵ For example, judging crimes committed by the Military Police in civilian rather than military courts requires the passage of national legislation.

The Military Police was originally conceived in the early 19th century by political and socio-economic elites to control the influx of former slaves and impoverished classes into cities, and the social turmoil the new arrivals brought with them (Holloway 1993). During the last Brazilian dictatorship (1964-1983), the PM enforced the National Security Doctrine, which included the surveillance and repression of any dissident political activity. Hence, a confrontational approach guided the state's military police response to crime, organized or not, even before the democratic period analyzed in this study. In the late 1970s, the state government formed the elite squad BOPE⁶ to command operations against guerrilla groups and other heavily armed actors. At the same time, current and former police officers also organized informal death squads that terrorized residents of poor neighborhoods in the urban periphery (Perlman 1979).

Critical scholars argue that the police remain an instrument of the dominant elite, and that the institution's main objects of repression are still young, poor, non-white males (Salem 2007, 127). There is some evidence that this is true in Brazil: "Young, poor, non-white male" describes the typical profile of individuals detained for drug trafficking in most of Brazil (Wacquant 2003), including Rio de Janeiro, most of whom have minor responsibilities in the drug gang like alerting when police, rival gangs or strangers approach⁷ or taking small doses of drugs to the *boca de fumo* (drug den), and do not carry weapons (D'Elia Filho 2007, 12). Subsequently, some observers suggest that, following democratization, police officers basically switched from targeting everyone associated with one major presumed threat –political subversion- to another – drug trafficking. However, despite guarding the interests of socio-economic and political elites, police forces have often deviated from the government's preferred crime control policies; that is, they retain autonomy to decide their main approach toward crime, particularly drug trafficking.

The state's regulation of organized crime through corruption and violence did not begin with democracy in Rio de Janeiro. Before the 1970s, the main organized criminal actors were involved primarily in clandestine gambling, running a numbers game called *jogo do bicho*. With the aid of police and political protectors, the dominant 'bankers' (*bicheiros*) controlled several gambling points through the city (Misse 2007). Politicians afforded the police high autonomy in exchange for extracting these rents – which fed political machines such as that of former governor Antonio Chagas Freitas (1979-1982)⁸ – and allowed police death squads to roam favelas, employing extra-legal violence against poor civilians. Drug trafficking was not yet a relevant source of rents for either police or politicians. However, starting in the 1970s there would be a significant shift in the leading characters of organized crime and in their relation with the state.

The gangs that would later control drug trafficking in Rio de Janeiro formed in the Ilha Grande prison during the 1970s. Following the military regime's sanction of the National Security Law of 1969,⁹ the state government mixed common criminals with political prisoners, and the latter passed their greater organizational skills to the former (Amorim 1993; Gay 2005, 55). Subsequently, the incarcerated groups formed the Falange Vermelha (Red Phalanx) to

⁶ The BOPE -Batalhão de Operações Especiais (Special Operations Battalion) - is the elite squad of the State Military Police and is considered one of the most highly trained, and ruthless, police units in the world. See Soares et al. (2008).

⁷ Those responsible for surveillance are called *aviões* ("planes") while couriers are known as *vapores* ("steam") (Barbosa 1998).

⁸ See Motta (2000, 94)

⁹ Lei de Segurança Nacional (National Security Law), esp. decree article 27.

defend themselves against the then-dominant prison gang, the Jacarés. The Falange would then become the Comando Vermelho (CV, Red Command). This group was practically the only gang –or *facção criminosa* [criminal faction] – controlling drug trafficking in Rio until the late 1980s.

A further change during this period took place in the international drug trafficking market. Until the 1980s, cocaine was foreign to most Brazilians and marijuana was the prevailing consumption drug (Dowdney 2004, 25–28). However, the development of cocaine refinement labs in the Amazon run by Colombian cartels, which profited from the increased consumption in the US and Europe, made Brazil a relevant player in the international drug economy. This technological change also reduced the price of cocaine, formerly only available for the Brazilian upper-class. Consequently, drug trafficking became the main source of income for criminal gangs, which had previously been engaged primarily in bank robberies or kidnappings (Amorim 1993, 142).

Buoyed by the economic growth of the 1970s, Rio de Janeiro developed into a prominent consumption market for cocaine. The city's favelas became strategic locations in which to stash and distribute the drug to the rest of the city – particularly the richer Southern Zone –¹⁰ or ship it overseas from the main ports in the Guanabara or Sepetiba Bays (Evangalista 2003, 46). Rio's urban topography favored this expansion, as favelas are located on relatively inaccessible elevated hills (*morros*) that provide traffickers with privileged observation points to monitor invasions by police or rival gangs. It also helped that these favelas have been, and still are, neglected by the provincial and local state authorities (Perlman 1979).

The military regime began its *abertura democrática* (democratic opening) in the late 1970s and Rio de Janeiro, like other Brazilian states, held direct elections for governor in November 1982. The election of Leonel Brizola of the Partido Democrático Trabalhista (Workers' Democratic Party, PDT), who had been exiled during the dictatorship and was the most important opposition candidate, promised a major transformation in the state's management of police forces and police behavior toward the poor.

3 Fragile governments and autonomous police: the persistence of particularistic confrontation in Rio de Janeiro (1983-2007)

This section shows how political turnover and fragmentation increased police autonomy and resulted in particularistic confrontation as the primary regulatory arrangement of drug trafficking between 1983 and 2006. This regulatory arrangement consisted of police officers' recurrent and dispersed use of lethal force against the drug trafficking gangs and civilians in marginalized neighborhoods. Police violence, in turn, fueled criminal violence and made Rio de Janeiro one of the most dangerous states in Brazil: the capital city tragically boasted the fourth highest homicide rate in the country in 2000 (Peres and Santos 2005, 63–64).

During this period, high partisan turnover largely inhibited governments' ability to exact cooperation from the police in regulating drug trafficking. From 1983 until 2006, every state election brought a different political party or electoral coalition to power. These shifts in

¹⁰ Former Civil Police Chief Helio Luz famously said that Ipanema –the quintessential chic neighborhood in the Southern Zone of the City of Rio de Janeiro- “glowed at night”, due to the amount of cocaine that circulated there. For a description of drug consumption patterns in three different Rio neighborhoods, see Zaluar (2004, 307–340).

administration caused frequent changes in security personnel and strategies, resulting in policy instability, incoherence, and improvisation. High turnover -and fragmentation- also motivated the police to resist what they perceived as threats to their autonomy.

Table 3.2. State executive elections in Rio de Janeiro (1982-2014)

Election Year	Governor	Governors' Party	Governor's Vote share (Margin of victory, %)
1982	Leonel Brizola	PDT	34.2 (3.6)
1986	Wellington Moreira Franco	PMDB	49.4 (13.5)
1990	Leonel Brizola	PDT	61 (43.2)
1994	Marcello Alencar	PSDB	37.2 (12.2)**
1998	Anthony Garotinho/ Benedita da Silva*	PDT	46.9 (16)**
2002	Rosinha Garotinho	PSB	51.3 (26.9)
2006	Sergio Cabral	PMDB	41.4 (37)**
2010	Sergio Cabral/ Luiz Pezão*	PMDB	66.1 (45.4)
2014	Luiz Pezão	PMDB	40 (11)**

Source: Author's elaboration from TSE, ISP and NEV/USP

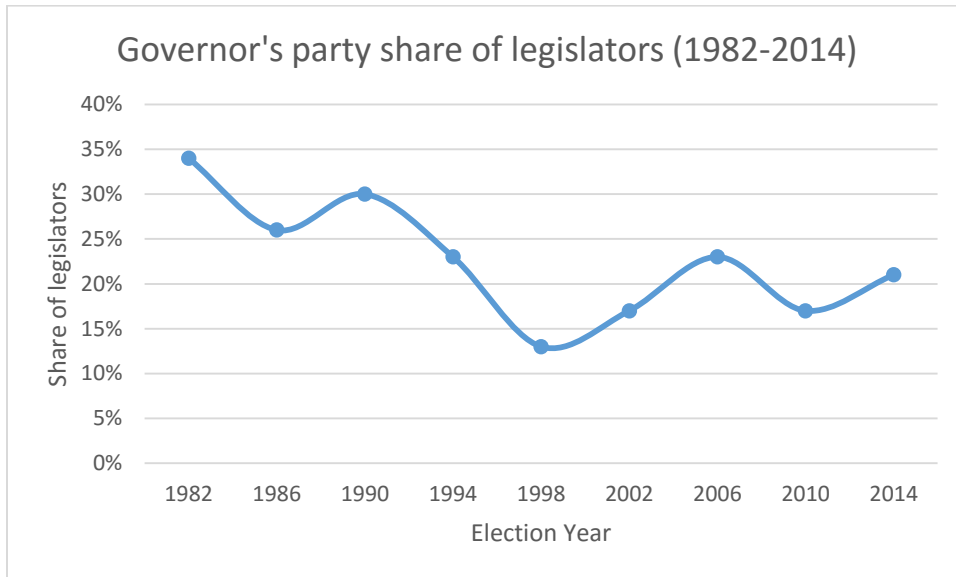
*: Vice-governor completed governor's term.

** : Governor won election in runoff. Numbers in parentheses reflect second round margin of victory.

At the same time, high political fragmentation hindered the government's capacity to control police rent extraction and implement police reforms. Elections in Rio were generally competitive and no state government had a legislative majority – not even when considering the ruling parties' extensive –albeit often unreliable—electoral coalitions. The highest share of the legislature controlled by the party of the governor amounted to less than 35% in 1982 and reached a minimum of 13% in 1998 (see figure 3.1).¹¹ Competitive elections and legislative minorities compelled governors to attempt to form often highly heterogeneous coalitions to rule, which obstructed consensus on police reforms: All governors had, at least initially, to introduce reforms through executive order, which often brought political opposition and police resistance. Without a single party to centralize rent extraction, the police itself was the primary recipient of rents originating from drug trafficking and other illicit activities. In turn, these were dispersed among different, uncoordinated factions of the force in connection with local politicians.

¹¹ Rio's unicameral state legislature is renewed entirely every four years.

Figure 3.1. Share of legislators belonging to Governor’s party, State Assembly of Rio de Janeiro (1982-2014)



Source: Author’s elaboration from TSE, ISP and NEV/USP

The following section describes how different state-level governments failed to reform the police –particularly the Military Police (PM) - or otherwise reduce its autonomy. Reform failures led to the rise of particularistic confrontation as the predominant regulatory arrangement of drug trafficking during this period, an arrangement characterized by indiscriminate police violence, decentralized corruption and persistent criminal violence.

High turnover and fragmentation and the failure to reduce police autonomy

From Brizola’s defense of human rights to rewarding police lethality: Reform cycles and high police autonomy, 1983-2006

Partisan turnover and policy instability began with the recovery of Rio’s democracy. Marking the end of authoritarianism, populist candidate Leonel Brizola (PDT) won the 1982 gubernatorial election and promised a major shift with respect to the police force’s respect for human rights and treatment of the poor. According to one of my interviewees, a former BOPE officer, “Brizola got into the government with a discourse that the police did not know how to treat the worker in the favela, which is true. The security focus were subversives, and for police the worker is the same as the criminal.”¹² Several interviewees recognized this administration as the one that went furthest in promoting comprehensive police reform.¹³

Brizola introduced major changes to reduce police organizational autonomy with respect to the government. The governor’s major ally within the force was Colonel Magno Nazareth

¹² Interview with former BOPE officer.

¹³ Interviews with current PM Colonel, Penitentiary Council member Luciane Boiteux, former BOPE officer, former PM Colonel, criminal judge Rubens Casara, Former PM Captain Sandro Costa and Former PM Colonel Ubiratan D’Angelo.

Cerqueira, who became commander of the PM and the government's main security official. The duo advocated for a citizen –rather than military- police, centered on respect for human rights (Cerqueira 2001). To this end, Brizola dissolved the Secretary of Security, which had been under control of the army,¹⁴ and instituted a new training module regulating the use of force (Hollanda 2005, 81-82). Brizola and Cerqueira also eliminated promotions based on bravura (“bravery”) –which rewarded police for arrests and confirmed kills when confronting criminals. Finally, according to interviewees and various scholars, they mandated that military police not enter Rio's favelas, to prevent the moral and physical harm that the Military Police's invasive *pé na porta* (“foot in the door”) method posed to civilians (Sé 1999, 288; Carrion Jr. 1989, 57; cf. McCann 2014, 39).

However, both reformists faced intense opposition from politicians and police who boycotted their initiatives. Brizola lacked a legislative majority and had severe difficulties in forming a governing coalition. He had run on a platform of opposition to the conservative political machine parties -the PMDB and the Partido Democrático Social (Democratic Social Party, PDS)-, calling them a continuation of the dictatorship, but once elected struck a deal for their support in the legislature, which generated dissent within his own administration (Sé 1999, 253). Conservative political elites attributed the rising crime and violence rates to the government's “soft on crime” approach, calling for more active police intervention, and supporting police protests against the administration (Sé 1999, 289). At the same time, Brizola failed to garner stable support from the political left (e.g. the Workers' Party, PT), who saw him as a populist trying to gain national prominence (McCann 2014, 9, 34).¹⁵

Meanwhile, internal dissent within the Military Police impeded Cerqueira from gaining extended support for his community-policing approach. According to a former BOPE official, “Cerqueira had a visionary proposal, but [...] it was a vision outside of what the police wanted; there was a lot of resistance, and Cerqueira was not a charismatic leader. He spoke better to those outside of the force than those in it”.¹⁶ Street-level police also resisted either by allowing crimes to occur – claiming that “with the governor's human rights policy, we cannot do anything” – or engaging in excessive use of force to destabilize the government (Hollanda 2005, 132–135).

The increase in violent crime and police lethality at the end of Brizola's administration played an important part in the 1986 election of PMDB candidate Wellington Moreira Franco, a conservative politician whose stance on policing and security contrasted dramatically with that of his predecessor.¹⁷ This switch in the party in office brought with it a significant increase in police autonomy. Moreira Franco's campaign appeal was to end criminal violence within six months and, once in office, he let the police loose to “reclaim” the favelas, ordering a major

¹⁴ This enabled naming Cerqueira as the Secretary of the Military Police, the Civil Police and Civil Defense, which the military objected. Interview with Former PM Captain Sandro.

¹⁵ Interview with current PM Colonel. Brizola's political project of “brown socialism” (*socialismo moreno*) rejected the class cleavages drawn by the Workers' Party (PT) and appealed to the non-organized, informal poor.

¹⁶ Interviews with former BOPE officer and former PM Colonel. A non-minor issue was Cerqueira being the first Afro-Brazilian person to command the Military Police. For differences within the police, see also Hollanda (2005, 139).

¹⁷ See Moreira Franco (1991, 155–157).

crackdown on the Red Command (CV).¹⁸ The resulting surge in criminal and police violence contributed to making Moreira Franco one of the most unpopular governors in Brazil and allowed Brizola to win the 1990 election easily.

The reform cycle restarted upon Brizola's return to office. Brizola brought back Colonel Cerqueira and relaunched his community policing initiatives, embodied in the Integrated Centers for Defense and Citizenship (CIED). But though Brizola had been elected with a 60 percent vote share, the state's political fragmentation and instability impeded his efforts to reduce the police force's autonomy. As a current Military Police Colonel who supported the initiative stated, although "it was a good political moment" to implement reforms, Brizola "did not have time to consolidate his changes,"¹⁹ and implement an alternative strategy to dealing with drug-related violence. After Brizola left office to run for the presidency in 1994, he was replaced by Vice-governor Nilo Batista, who faced numerous police protests.²⁰ With increasing levels of violence, Batista was forced to accept the federal government's military intervention in the City at the end of 1994 (Resende 1995). Meanwhile, resentment of the Military Police against Cerqueira got so bad that he was murdered in 1999 by a police officer, presumably in retribution for his tough stance against corruption in the force.²¹ Once again, a reformist, center-left administration had failed to reduce police autonomy due to fragmentation and turnover.

A new partisan swing at the state-level produced another rotund shift in security policy. The new governor, Marcello Alencar of the Partido da Social Democracia Brasileira (Brazilian Social Democratic Party, or PSDB, 1995-1998), reestablished the Secretary of Security and, contrary to Brizola, brought a former Army General to head it, imbuing it with a clear military flavor. More importantly, his secretary, General Nilton Cerqueira, instituted *Faroeste*—"Wild West"—, a bonus for "fearless" police actions, reinstalling the promotion for bravery that Brizola had abolished (Cavallaro and Manuel 1997, 34–38). As a former Military Police Captain told me:

[Faroeste] rewarded the police force's repressive actions: seizures, arrests, and confrontations, even if it resulted in the death of the criminal; it substantially increased police salaries. [...] I had someone in my class who was a Lieutenant, like I was, and got promoted to Captain after a large seizure. That really mobilized the military police apparatus, where the value of promotions is huge, and job prospects are greater than in the Civil Police. Many police were promoted by this logic and many also received a bonus.²²

As under the Moreira Franco administration, the strategy of cutting the PM loose on traffickers failed, leading to an increase in violence committed by both criminals and police—and once again, these negative consequences prompted a change in government in 1998. Once again,

¹⁸ Changes occurring in Moreira Franco's administration were mentioned in interviews with former BOPE officer, current PM Colonel, and former PM Captain Sandro. For crackdown on CV see "Vicious 'Red Command': the gang that taught terror to Rio". *Los Angeles Times*, Aug. 5, 1989.

¹⁹ Interview with current PM Colonel.

²⁰ Batista was Justice Minister—the political official in charge of security policies—, during Brizola's first administration.

²¹ "Estranha eficiência", *Isto é*, Sep. 22, 1999.

²² Interview with former PM Captain Sandro. Also, interview with current PM Colonel.

the increase in violence –by both criminals and police- prompted a new change in government in the upcoming election of 1998.

The high turnover in Rio’s gubernatorial elections manifested again in 1998 and triggered a new reform cycle. That year, Anthony Garotinho, a charismatic young politician who rose from the ranks of Brizola’s PDT but had already distanced himself from the party leader, won the election and initially promoted a major transformation of the police. During the campaign, he and his top security advisors, mainly anthropologist Luiz Eduardo Soares, had published a book containing seven proposals to improve security in Rio, including a major reform of both the Military and Civil Police (Garotinho and Soares 1998, 145–149). During the first months of the administration, they implemented some of these initiatives, including an overhaul of Civil Police stations (*Delegacia Legal* or legal/cool station) and a community-policing program referred to as *Grupos de Policiamento de Area Especial* (GPAE, Police Group for Special Areas), which many consider a predecessor of the UPP (Riccio et al. 2013). Despite being implemented in only a few neighborhoods of the city of Rio de Janeiro, this was the most important community-policing program developed by the state administration to date.

However, the reform did not prosper in reducing police levels of autonomy, in part because of the fragmentation in the administration –and particularly in the Public Security department-, which reduced its coherence and conviction in implementing the reform. Within the Security office there was a split between Soares’ group of progressive academics –backed by the Partido dos Trabalhadores (PT, Workers’ Party)-, and the hardliners who wished to maintain the status quo of police-government relations.²³ Garotinho fired Soares in mid-2000 and broke his alliance with the PT soon afterward.²⁴ Soares claimed that police allowed and even carried out homicides to destabilize the government –reminiscent of what occurred during Brizola’s administrations—and that Garotinho then made a deal with a heavily corrupt and violent police faction known as the “Rotten Bunch” to halt reform so as not to endanger his bid for the presidency in 2002.²⁵ Soares, his life threatened, eventually escaped to the United States in self-imposed temporary exile. Garotinho, meanwhile, held that Soares had been “an inexperienced administrator” without the patience to see the reforms implemented. Nonetheless, attempts to reduce police autonomy during Garotinho’s administration ended after Soares and his collaborators resigned, save for the short-lived tenure of Garotinho’s vice-governor, Benedita da Silva (PT), who replaced him when he resigned to run for the presidency in April 2002.²⁶

This internal fragmentation was also manifested in the government’s lack of conviction and long-term planning in implementing the reform. As a former top ranking officer of the Civil Police put it: “the GPAE and other similar actions were very timid. Garotinho installed it more to test Major Carvalho than because of his conviction. The GPAE ended up becoming an employee of trafficking as a means of survival, because there were too few officers to combat it

²³ This faction was headed by security secretaries (and former army generals) José Siqueira and Josias Quintal de Oliveira. See Soares’ depiction of his tenure as deputy security secretary (Soares 2000).

²⁴ The motive was allowing a filmmaker to pay a drug trafficker to make a movie about his life, which both Soares and the Public Security Secretary had approved.

²⁵ “He fought the Law and...” *Los Angeles Times*, Jun. 12, 2000.

²⁶ During her nine months in office, Benedita da Silva appointed a progressive law professor as security secretary and promoted intelligence operations to arrest drug traffickers (Maggessi 2006). Interview with former high level Civil Police officer.

effectively.”²⁷ According to other former police commanders who spearheaded the GPAE project, one of the reasons for its failure was that lack of planning led to the shuffling of troops from one location to the other to quell constant security demands:

Where do I have police to spare? Nowhere. Where do I have the most police? In the GPAE. OK, then take some out of there, I’ll put some back later [...] Perhaps you started with 100 police, now you have 30. It ends up being a political decision.”²⁸

The ensuing gubernatorial, 2003-2006, also presents a case of high political turnover and fragmentation, which resulted in increasing police organizational and financial autonomy. In October 2002, Garotinho’s wife, Rosângela Assed Barros Matheus de Oliveira (“Rosinha”), won the election over Benedita da Silva, who ran with Soares as her companion. Rapidly reversing Benedita’s reformist initiatives, in early 2003 Rosinha initially restored hardliner Josias Quintal as Secretary of Public Security –the same post he had under her husband-, and then in April Garotinho himself took over as Secretary of Public Security. This marital partnership made clear to police the government’s unwillingness to promote encompassing reform attempts.

During their tenure, the Garotinhos both attempted to centralize police rent extraction but were unable to do so due to the high fragmentation they faced. Having left the PDT in opposition to Brizola, the proportion of state deputies and local mayors loyal to them was minimal, even as they intended to broker an alliance with the larger PMDB. While the Garotinhos intended to use police rents to build their political machine, in part through networks with drug traffickers (Arias 2013, 270), politicians from other parties did so as well. Three interviewees -former Military Police colonel Ubiratan D’Angelo, a former BOPE officer and an academic expert on security- remembered this period as the one with the highest level of “political interference” with respect to the police, not only by the governor but also by state deputies and mayors in determining police appointments. This fragmented political interference increased police financial autonomy and made it more difficult to broker credible deals with traffickers to control violence.

Overall, high levels of political turnover and fragmentation derailed most government efforts to reduce police autonomy following the return of democracy in Rio de Janeiro (1983-2007). The lack of policy stability hindered the capacity of several administrations to reduce police organizational autonomy. Furthermore, lack of coordination between police forces and political authorities and the force’s own internal divisions impeded reducing police financial autonomy and precluded brokering coexistence deals with drug trafficking gangs. Therefore, as we will see, violent and dispersed confrontation with gangs became the default course of action. Commenting on the background of the UPP program, Professor Joao Trajano Sento Sé, an expert on crime from the State University of Rio de Janeiro, summarized the political challenges and policy failures during this period:

The PMERJ had since the 1980s had some experiences of community policing, especially in favelas. The problem was that none of them ever had effective political support; they ended up being solely decisions of some sectors of the military police, with timid political support by the executive, [which] did not invest accordingly, did not take care of

²⁷ Interview with former Civil Police high-ranking delegate.

²⁸ Interview with former PM Colonel Ubiratan.

the program as a strategy. It had great resistance from the PM, and skepticism from public opinion. That's why they were short-lived and had no continuity.²⁹

Particularistic confrontation: the persistent and fragmented 'war on drugs' in Rio de Janeiro

During this period (1983-2007), given their high levels of organizational and financial autonomy, police engaged in dispersed attacks and uncoordinated corruption to regulate drug trafficking. This arrangement sprung from politicians' inability or unwillingness to control the police, the lack of policy directives other than violent enforcement, and politicians' incapacity to centralize police rents. This explosive cocktail fueled and reinforced criminal violence against police and other citizens. In this section, I illustrate how the police's high autonomy resulted in uncoordinated police violence and corruption as well as high levels of criminal violence in Rio de Janeiro.

Police violence: "We entered favelas at night and killed traffickers"

High levels of police autonomy, and the police force's intention to preserve it, translated into recurrent use of violent confrontation –including human rights violations- through two mechanisms. On the one hand, conservative administrations granted police greater autonomy and gave them explicit directives (and incentives) to crack down on criminal gangs. Often, this was the only policy directive the police received to deal with drug trafficking gangs. On the other hand, when progressive administrations, like those of Brizola and Batista, sought to reduce their autonomy, the police often engaged in arbitrary, indiscriminate violence to destabilize the administrations.

An example of the former mechanism is Moreira Franco's promise to end violence in six months in 1987 and, upon assuming office, ordering police to raid favelas occupied by the Comando Vermelho (CV). Such invasions had two consequences that affected the drug trafficking market and criminal violence. First, they splintered drug trafficking gangs, which would thereafter engage in frequent feuds to occupy the rivals' territories. Although the CV would remain the primary drug gang in Rio, its near monopoly had finished.³⁰ Officials in the Moreira Franco administration claimed to have reduced the CV's control of drug trafficking in the city from 90 to 25 percent of the market, as well as its power in the state's prisons.³¹ Naturally, two other criminal factions – Friends of Friends (ADA) and Third Command (TC) – would take up this market share, and become more assertive in confronting the CV.

Second, these raids by police officers motivated drug organizations to acquire increasingly sophisticated weapons to defend themselves against raids from either police or rival gangs. While previous gang members had only had handguns to fight the police, during the 1990s they increasingly purchased automatic rifles (AR-15s, AK-47s, etc.) and even grenade launchers and bazookas to take down police helicopters (Misse 2011). In consequence, high police autonomy destabilized the drug trafficking market in Rio de Janeiro, making it less ordered and more violent.

²⁹ Interview with Joao Trajano Sento Sé.

³⁰ According to former Civil Police investigator Marina Maggessi, the CV held a near monopoly on drug trafficking and peace reigned in the favelas until the early 1990s (Maggessi 2006, 140).

³¹ See *Los Angeles Times* article cited above [fn. 18].

The implementation of *Faroeste* by Security Secretary Nilton Cerqueira, during Marcello Alencar’s administration (1995-1998), also illustrates how increases in police autonomy affect police violence and the regulation of drug trafficking. This decision provoked an immediate rise in police killings, which came to account for almost one out of every ten homicides in the City of Rio de Janeiro in 1995 (Garotinho and Soares 1998, 76–77). Between January 1993 and May 1995, when *Faroeste* began, the monthly average of civilian casualties in confrontations with police doubled from 16 to 32 (Cano 1997, 40). The number of murdered police also increased, further perpetuating the spiral of violence (see table 3.3). Other sources confirm the increase in police casualties during Alencar’s administration (1995-1998) compared to that of Brizola and Batista (1991-1994): there were 31 police officers killed between 1992 and 1994, while there were 90 between 1995 and 1997 (Garotinho and Soares 1998, 77). Higher police autonomy increased violence both by and against the police.

Table 3.3. Victims of police intervention in Rio de Janeiro (1993-1995)

Year	Opponents killed	Opponents injured	Accidental civilian Deaths	Accidental civilian injuries	Police killed	Police injured
1993	155	103	7	48	5	33
1994	220	126	8	80	6	25
1995	358	131	10	91	10	40

Source: Cano (1997)

Police also resorted to extra-legal violence to destabilize unfriendly governments that threatened to reduce the force’s autonomy. Lacking (or disregarding) political coordination of operations against trafficking, police retaliated violently, especially when a member of the force was killed. Although this confrontational approach was primarily directed at drug trafficking gangs, it often resulted in accidental civilian deaths due to stray bullets, as well as summary executions by police death squads. For example, during Brizola’s second administration, following deaths of police officers at the hands of traffickers, PM squads murdered eight street children outside the Candelária church in July 1993, and killed 21 persons in the favela of Vigário Geral in August of that same year. During Batista’s short tenure in office, Military Police invaded various favelas without authorization by the state government, in order to ‘prove their worth’ before the federal army’s intervention in Operation Rio (Resende 1995, 78). Many citizens, in fact, celebrated that the army was coming to Rio because it was perceived as less corrupt and violent than the police.

Some state actions seeking to reduce police autonomy had unintended consequences that affected the structure of the drug trafficking market. According to some interviewees, the state’s ‘hands-off’ security policy during Brizola’s first government, which restricted police access to the favelas, allowed criminal gangs to consolidate their control over the city’s marginalized neighborhoods (Interview with former PM Colonel; see also Sé 1999).³² Furthermore, as traffickers distributed part of their earnings and other social goods that the state failed to provide

³² According to McCann, “Brizola made it clear that he would not repress [jogo do bicho – illegal gambling], and Nazareth Cerqueira carried out and endorsed this directive” (McCann 2014, 107).

—including security and justice- they garnered legitimacy and, in many cases, adoration from favela residents, who often protected them from the police (D. M. Goldstein 2003).

Overall, particularistic confrontation also resulted from politicians' lack of policy directives to the PM as well as administrations' failure to control police operations and incursions into the favelas. For example, former BOPE captain, Rodrigo Pimentel, said: "There was no security policy, either for the BOPE or the BPMs (*Batalhões da Polícia Militar*, Military Police Battalions). We simply entered favelas at night, killed two or three traffickers, seized a couple of weapons, and that was our measure of success. I realized we were just *enxugando gelo* [not achieving anything]".

A current Military Police Colonel also explained the relation between the absence of security policies and the police force's violent actions:

If there is a declared state of war, there can't be security policy; if there isn't a policy, you don't change the police and only produce a violent and brutal police, only prepared for war. Police need to be tough, brutes, beasts, otherwise they don't survive. The violent cop is the only one that is useful for this system. You have to be inside a Caveirão —the BOPE's armored car- looking out as bullets bounce against the steel. Few can endure that. Then only the borderline cop, the one who's between law and illegality, is the useful one.

Corruption: "Police always extorted the criminals"

Police officers' autonomy to strike decentralized deals with drug traffickers embedded corruption as a fundamental part of the state's regulatory strategy. Police autonomy and tenure insecurity — derived from frequently changing political superiors, policies and guidelines due to turnover and fragmentation — heightened the appeal to officers of collecting rents to advance in their careers, or simply to get things done within the organization, like fixing cars, obtaining extra ammunition or taking days off (Gudel 2009). Drug trafficking gangs, present in favelas since the early 1980s, proved an attractive source of such rents.

Corruption was indeed extensive within the force. In 1994, an Army report presented to President Itamar Franco stated that no less than 70 percent of Military and Civil Police were corrupt, while the State Security secretary publicly admitted that up to nine out of ten police officers were involved in corruption (Resende 1995, 75-6). As a former Colonel in charge of overseeing the Military Police (PM) told me, these corrupt practices were more widespread in the PM than in the Civil Police (PC), because PM officers are on the street, while PC officers only take bribes not to investigate crimes once these are denounced in the police station.³³ Although widespread, this rent extraction was not coordinated within the police or by governing politicians, a sign of high police financial autonomy.

Given its lack of credibility as protectors and animosity with traffickers, the Military Police resorted to extortion to extract protection rents from dealers in favelas. I interviewed a group of former traffickers who highlighted various examples of officers' extortive behavior with respect to criminals and residents in poor neighborhoods during this period. One mentioned, "The police always came into [the favela] and extorted the bandits". One time, after

³³ Interview with Colonel Paúl.

he had already done time in prison, “the police picked me up and told me to give them what I had; the battalion commander said that if he saw me there again he would kill me”.³⁴ Another told of how police threatened to open an *inquérito* (formal inquiry) against her, unless she paid them off. She said: “When you are the leader in the community, if there was a robbery, a carjacking, or whatever, near the neighborhood, police say that you are responsible and open an investigation.”³⁵ While different police units took bribes from drug traffickers, these did not result in sustainable agreements to reduce confrontations or homicides. As Professor Michel Misse, an expert on drug trafficking from the Federal University of Rio de Janeiro (UFERJ), told me: “here in Rio there is not a pact but an *arregro* [arrangement]. Police extort money but do not provide protection”³⁶ to drug dealers.

Police’s decentralized corruption did not reduce its confrontations with the gangs, either; on the contrary, these activities were mutually reinforcing. As a current Military Police Colonel told me: “[The police officer] who’s capable of killing is capable of kidnapping and extorting a trafficker. If you strike at violence, you lower police corruption. This [high corruption] is another consequence of war.”³⁷ Corruption generated conflict as well. When traffickers failed to pay their dues, police invaded the favelas, expropriated bandits or even carried out summary executions. This exacerbated traffickers’ animosity and willingness to retaliate against police. Another, more direct way in which police corruption fostered criminal violence –including against the police- was that officers sold high-caliber weapons to drug trafficking gangs. Criminals then used those weapons to attack other police units, which precipitated violent responses by the PM. The police force’s high financial autonomy and lack of internal coordination in regulating trafficking thus fueled criminal violence by favela drug gangs.

Police rent extraction was not coordinated with political authorities, at least in the state-level government. Rio’s high political fragmentation prevented the establishment of encompassing agreements involving the police and traffickers to reduce violence in the state, while also collecting rents. This does not negate the existence of clientelistic networks connecting traffickers, resident association leaders, police and local politicians (Leeds 1996; Arias 2006a; 2006b, 428–9).³⁸ An example of the failure of these rackets involves Governor Anthony Garotinho, who was indicted for heading a crime racket with the head of the Civil Police, Alvaro Lins, and other officers, taking bribes from various criminal activities like clandestine gambling and drug trafficking. While Garotinho was cleared of the charge, Lins was sentenced to 28 years in prison. These rackets, while probably providing vast funds for those involved, failed to contain criminal violence in Rio de Janeiro during the 1998-2005 period, a sign that without dominant politics -low turnover and low fragmentation- it is difficult for governments to utilize the police to obtain order as well as rents from crime.

³⁴ Interview with former trafficker I.

³⁵ Interview with former trafficker III.

³⁶ Interview with Michel Misse.

³⁷ Overall, one of every four interviewees explicitly mentioned war to describe the state’s regulation of drug trafficking in the state, something which did not occur in any of the other cases.

³⁸ Many interviewees, including a former militia member, pointed to rackets run by politicians not with traffickers but with militias, usually composed of former police officers who charged residents of marginalized neighborhoods taxes for “protection,” as well as for other services like gas carafes and illegal cable, electricity or internet connections. Some militia members’ resources and power enabled them to get elected to local- and state-level offices.

Criminal violence: “You either won or lost”

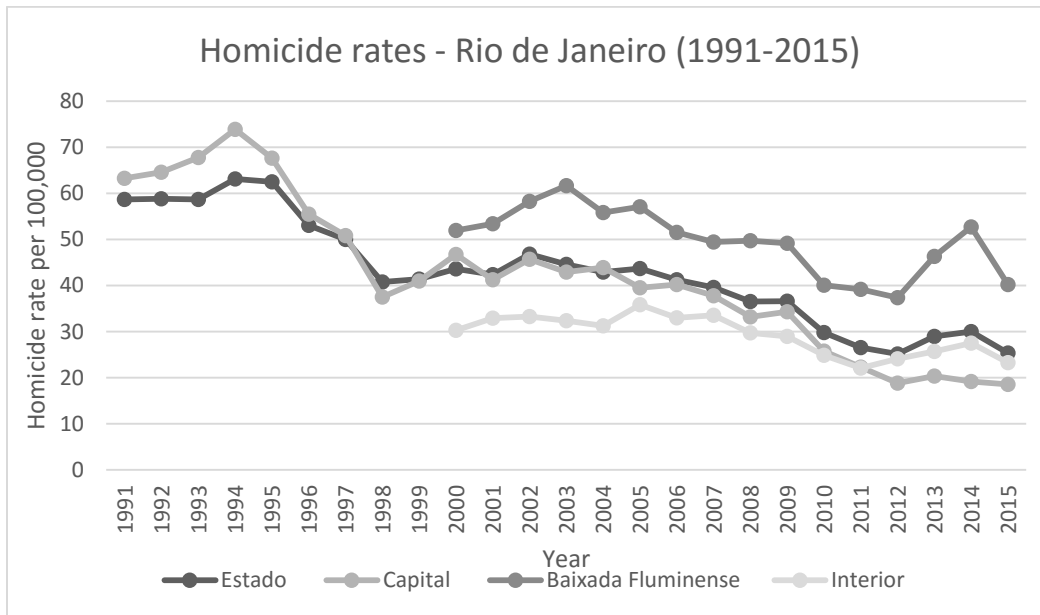
The state’s regulation of drug trafficking through particularistic confrontation resulted in high criminal violence, due to frequent clashes between drug traffickers and police, between rival trafficking gangs, and by traffickers against civilians in favelas. Criminal violence in Rio de Janeiro has fluctuated at high levels, increasing and decreasing in line with each new government’s capacity to control the police.

For a long time, Rio de Janeiro was one of the most violent cities of Latin America. Homicide rates peaked at 60 per 100,000 individuals in 1994, and though they have mostly decreased since then, they remain alarmingly high. While each of these homicides may have had different motives, a study estimated that, in 1992, 57.3 percent of homicides were related to drug trafficking; and ascertained that the pattern was likely the same for previous years (Soares et al. 1996).³⁹

As Figure 3.2 shows, criminal violence is often connected to political cycles in Rio de Janeiro. Homicide rates reached their highest levels during Brizola’s second administration (1991-1994), coinciding with a new failed attempt to reform the police and the force’s intent to destabilize the administration through unauthorized operations against drug gangs. Criminal violence decreased in the Alencar administration (1995-1998), and increased again following the brief reform attempt by Soares during Garotinho’s administration between 1999 and 2003. Violence would decrease significantly following the 2008 implementation of the UPP, which implied a shift in the regulation of drug trafficking from particularistic confrontation to tacit coexistence.

³⁹ Another, admittedly raw, indicator that supports this estimation is the number of homicides committed with firearms. Between 2006 and 2012, over 70% of intentional homicides in the state resulted from the use of firearms. Source: *Relatórios de Bala Perdida* (Stray Bullet reports), Institute of Public Security, Secretary of Security of Rio de Janeiro.

Figure 3.2. Homicide rates in Rio de Janeiro (1991-2015)



Source: Author’s elaboration from ISP-RJ

It is worth pausing to examine the geographical and over time trends in homicide rates in Rio. The state trend usually follows that of the Capital City and greater metropolitan region of Rio de Janeiro, which is home to 65 percent of the state’s population.⁴⁰ This region also has the largest concentration of favelas, many of which are controlled by trafficking gangs, and where police violence and corruption are likely to prevail. Homicide rates in the metropolitan periphery (Baixada Fluminense) are persistently higher than in the Capital, while those in the interior are consistently lower.

Within the Capital City of Rio de Janeiro, homicide rates are particularly concentrated in some of city’s favelas (Rodrigues and Rivero 2012, Zaluar and Barcellos 2013, 28). Confrontation was much higher in the Northern Zone favelas, closer to the airport, ports and the City’s main corridor (Avenida Brasil), than in rich Southern neighborhoods like Copacabana or Ipanema, where many middle or upper class individuals buy drugs for consumption. While the drug geography of the city is a key explanatory factor of criminal violence, it is more useful for explaining variation of violence across the city rather than over time, which can be explained by the high levels of turnover, fragmentation and subsequent police autonomy during most of the period until 2008.

Particularistic confrontation is distinguished not only by high violence, but also by its indiscriminate application by both the state and drug traffickers. A former trafficker, describing his time spent selling drugs in the favela, used similar bellicose terms to those of the police, cited in the previous: “We lived in a time of war. You either won or lost. When police came in, you either killed or were killed. I had some weapons training and could fire few shots but others shot at will and all over the place, not thinking at whom they were shooting, if they were another

⁴⁰ Source: 2014 census.

faction, police, or the community.”⁴¹ This is not surprising given the high number of young men and women who participated in drug trafficking gangs (Dowdney 2004), many of whom also consumed drugs or alcohol. A former high-ranking BOPE officer expressed a similar perception: “The BOPE had to intervene because [regular] military police did not know how to shoot, and neither did the traffickers, so this resulted in a lot of killings.”⁴² The number of police killed during this period – both on and off duty – is staggeringly high, reaching 523 dead and over 2000 wounded (Garotinho and Soares 1999).

Police raids on favelas, either to arrest or kill traffickers, reinforced violence both within the gang and in the community as a whole. First, unless the whole local faction was arrested, a new leader would occupy the place of the arrested or killed chief, and would have great incentives to establish a reputation and consolidate control through an excessive use of violence (Gay 2005; D. M. Goldstein 2003; Penglase 2014). Second, after police raids, rival factions from other favelas were encouraged to invade and attempt to control the territory (Maggessi 2006, 175).⁴³ High police autonomy therefore contributed to violence by destabilizing the drug gangs within favelas, an aftershock of the force’s violent intervention.

Traffickers also unleashed violence against citizens in their neighborhoods, usually with two countervailing purposes. On the one hand, they sought to maintain order in their territories, punishing those who committed crimes – particularly rapes – against other favela residents. As a former trafficker told me, “We –traffickers- took care that nothing happened in the community. You can see that there are many more rapes now. Before, if we had rapists, if we had thieves in the community, we killed them, we took care of it. Even if we were of different factions and fought each other, we all had the same rules as to what was tolerated or not in the community.”⁴⁴ At the same time, gang leaders gained legitimacy by offering protection to residents who could not rely on the state for it (Wolff 2015, 22). On the other hand, they also punished those suspected of collaborating with the police to set an example for the rest of the community. This is yet another mechanism through which police officers’ violent regulation of trafficking engenders or reinforces criminal violence in marginalized neighborhoods.

In short, this period (1983-2007) is characterized by frequent changes in governing parties at the state level with little legislative support or internal coherence. This high turnover and fragmentation made state governments rapidly shift policy initiatives in policing and security, abandoning programs intended to reduce police levels of autonomy, even when such levels were supported by progressive factions within the police. Consequently, the police retained their high organizational and financial autonomy and regulated drug trafficking through indiscriminate and arbitrary violent police repression and corruption, without much political control or police coordination, resulting in high levels of criminal violence. While certain aspects of this arrangement remain in place, beginning in 2008 there have been important modifications brought on by the installation of Police Pacification Units (UPPs), which implied a transition to the regulation of drug trafficking through tacit coexistence that I will discuss in the following section.

⁴¹ Interview with former trafficker I.

⁴² Interview with former BOPE officer.

⁴³ In a similar vein, Lessing argues that non-selective, i.e. indiscriminate, confrontation by the state generated incentives for traffickers to respond violently to state repression (Lessing 2015).

⁴⁴ Interview with former trafficker IV.

4 Police Pacification Units in Favelas: Moving towards tacit coexistence (2008-Present)

After a period characterized by high turnover and fragmentation, which resulted in high police autonomy and regulation of drug trafficking via particularistic confrontations, Rio de Janeiro's government shifted toward a tacit coexistence arrangement beginning in 2008. This change did not occur immediately following the inauguration of the new administration in 2007. In fact, the newly elected governor of Rio de Janeiro, Sérgio Cabral (PMDB, 2006-2013), began by reproducing the drug trafficking regulatory arrangement applied by his predecessors. His campaign proposal did not contemplate police reform but centered on renewing the force's vehicle fleet, setting up control towers over the main highways, and increasing both the number of Military police battalions and police personnel.⁴⁵ During his first year in office, the government did not alter the reactive logic by which the police had always acted (Beltrame 2014, 103), and even authorized violent police operations. Consequently, homicides resulting from police interventions reached a record high of 1300 in 2007. Total homicide rates were also critical. With several events in which would draw the world's attention to Rio de Janeiro over the following years, the government needed a change in its security policy and its ways of engaging drug trafficking to lower levels of criminal violence.

Beginning in December 2008, the state government of Rio de Janeiro installed Police Pacification Units (UPP) in certain favelas of the capital city. This program represented a major shift from the state's previous regulation of drug trafficking through particularistic confrontation, which had predominated since the return of democracy, towards an alternative arrangement of tacit coexistence. The administration prioritized regaining territorial control of gang-ridden favelas, as opposed to confiscating drugs or cracking down on the gangs. The government also planned and announced invasions in advance instead of letting police arbitrarily raid marginalized neighborhoods. While not strictly an encompassing police reform, the administration also targeted other areas of police autonomy such as training and its discretionary use of force.

In this section, I assess the political factors that led to the UPP program's emergence, and more importantly, its persistence for more than eight years (and counting), which distinguishes it from most previous alternative policing strategies pursued during the previous period, which only lasted a few years at most. I argue that decreasing political turnover, coupled with persistent high fragmentation, permitted the government to consolidate this program and reduce police autonomy. Then I explain how this program represents an alternative regulatory arrangement of drug trafficking –tacit coexistence–, with different implications for police violence and criminal violence. Finally, I discuss the limits of this approach, mainly in terms of its territorial scope, the extent of its reformist content and its implementation in the city's favelas.

The PMDB, Cabral and Beltrame: reducing police autonomy in the Marvelous City

This section shows how turnover and fragmentation influenced the government's capacity to reduce levels of police autonomy. There is little dispute that the government needed

⁴⁵ “Confira as propostas de Sérgio Cabral para o governo”. *O Globo*, Sep. 29, 2006.

to pacify the city in preparation for the international events to take place there over the following years: the 2007 Pan-American games, the 2013 Global Youth Encounter –which brought Pope Francis to the city-, the 2014 FIFA World Cup, and the 2016 Olympic Games. Undoubtedly, these global events strongly influenced governing politicians’ choices: the international promotion of Rio as a city safe for foreign visitors would clearly not hurt officials’ electoral chances in 2010 and beyond. However, these factors do not completely explain how the government managed to implement and, more importantly, maintain, this initiative during the entire period (2008-2015), while so many other alternative policing models had previously collapsed in less than a gubernatorial term.

Like previous administrations, Cabral and the PMDB faced a scenario with high political fragmentation, which ironically contributed to the initial implementation of the UPP. Having failed to achieve a majority in the first round, Cabral was elected in the runoff while heading a relatively broad (and heterogeneous) coalition. Like his predecessors, the governor did not have a majority in the state legislature. However, he built different political alliances and provided political support to his security secretary, Jose Mariano Beltrame, to introduce changes that would gradually reduce police autonomy.

Low turnover, i.e. the PMDB’s entrenchment in office, in turn, explains the persistence of the UPP over time. During this period, Cabral became the first Rio governor to win reelection in 2010 and his vice-governor, Pezão, carried on after him in 2014.⁴⁶ More importantly, Security Secretary Beltrame and most members of his team remained in their position through this entire period, ensuring the continuation of this policy.

The state government inaugurated the first UPP in the Dona Marta favela in December 2008. While the security secretary had conceived the idea before, a key factor in implementing the subsequent units was the coordination with the local government of the city of Rio since 2008. In October, the city elected Eduardo Paes, also from the PMDB, as mayor. It was the first time the same party had been in power in both the state and the city of Rio de Janeiro since 1986 – an important convergence of partisan interest given that close to 40 percent of the state’s population lives in this municipality, and when most drug trafficking gangs operate from favelas located there.⁴⁷ More concretely, the city government invested close to R\$30 million to pay bonuses for the UPP police (\$R500 per month per officer initially⁴⁸ and R\$750 since 2012⁴⁹). This state-local coordination provided the political and financial support necessary to implement and sustain the program: all but the first UPP were installed after Paes’ term began on January 1, 2009 (see table in appendix). In his book, Beltrame, the main official responsible for the UPPs, reflected:

It’s impossible to not register the daily feedback that governor Sergio Cabral, and, starting in January 2009, mayor Eduardo Paes gave me about the provisions taken [with regard to the UPPs]. They saw the opportunity of change way before the more conservative police sectors. When we reflect on the success or failure of public policies,

⁴⁶ Pezão had already stepped in for Cabral in July 2014, after the governor resigned to run for the national senate.

⁴⁷ According to the 2014 census, the population of the City of Rio de Janeiro is 6,453,682 and 16,231,365 for the state.

⁴⁸ Established by state decree 41.653/2009 (January 22, 2009). USD equivalent: \$213.

⁴⁹ “Políciais militares de UPPs receberão aumento na gratificação”, *Imprensa RJ*, Jul. 25, 2012. (USD equivalent: \$368). Also, interview with State Security Secretary (SESEG) mid-level official.

we can say that, without an alignment from top to bottom, nothing will work. (Beltrame 2014, 111)

The administration's incremental implementation of the UPPs and other complementary initiatives to reduce police autonomy contrasted with the more ambitious, encompassing reform attempts of previous administrations. The government installed most of the first UPPs in Southern Zone favelas, because these had already undergone community-policing experiences and were relatively more tranquil than marginalized neighborhoods in the Northern and Western Zones of the City.⁵⁰ Had the government done otherwise, it would have risked failure and public disenchantment right from the start, further motivating the police and rival politicians to oppose the program.

Lacking a partisan majority in the state legislature, Cabral took advantage of his party's coalition with the Workers' Party (PT) at the national, state, and local level to build programmatic support for the UPP. This ensured the state government would face less opposition from the left in carrying out its security proposals, preventing clashes like those between Soares and Garotinho in 1999 or the problems populist Brizola faced with the PT in the early 1980s. The federal government provided fiscal resources⁵¹ and military troops for interventions in larger and more problematic favelas, like the Complexo da Maré, which helped the program get off the ground and gave it political credibility with center-left state deputies and councilmen.⁵² As a PT councilman told me: "We understand that, for [PT Presidents] Dilma and Lula, governing Brazil depended in a way on the PMDB, because it was the largest party in the National Congress [...] hence in Rio we have a national, state, and local alliance [with the government]".⁵³ Illustrating the PT's support of the UPPs is the fact that it was a PT state deputy who presented the first bill to bring a normative framework to the implementation of the UPP in late 2010: Law 5890, signed by Governor Sergio Cabral a few days into his second term (Cano, Borges, and Ribeiro 2012, 17).⁵⁴

The governor also responded to the high fragmentation by insulating and supporting his chosen security secretary, former Federal Police investigator Jose Beltrame, from external political influence. Thus, the administration avoided becoming entangled in a particularistic give-and-take with other state or local politicians, and restricted the chances for the latter to use the police to run protection rackets. For instance, Beltrame narrates how, early in Cabral's administration, a mayor from an important city came into his office seeking the appointment of a given police commander, and was bluntly ignored (Beltrame 2014, 96). Former Undersecretary for Security Márcio Colmerauer similarly expressed that Cabral immediately gave Beltrame complete authority to choose military police battalion commanders and civil police delegates,

⁵⁰ See Beltrame (2014).

⁵¹ For example, state police and municipal guards received training courses and housing credits, among other things, through the Programa Nacional de Segurança com Cidadania (PRONASCI, National program of Security with Citizenship).

⁵² This relationship was mutually beneficial, at least in the short-term, as it gave the national government a congressional majority and allowed the PT to carry votes in Rio de Janeiro during the 2010 and 2014 presidential elections.

⁵³ Interview with PT councilman Reimont.

⁵⁴ This law was regulated by decree N. 42.787, sanctioned on January 6, 2011.

which had previously been negotiated with local politicians (Colmerauer 2014, 37).⁵⁵ A former BOPE officer supported this view, stating that, in contrast with other administrations, there was during Cabral's tenure not as much political interference in determining promotions:

Not today, Cabral did not get involved in that [i.e. police appointments]. For instance, during Garotinho's time, commanders of battalions and stations were determined by the influence of state deputies, especially in the areas further from the center, like the Baixada Fluminense, Western Zone, etc. To get promoted, especially to Colonel, you needed a good relationship with the command and the security secretary; otherwise, you got stuck at Lieutenant. Technically, there is a commission that evaluates both objective and subjective criteria but the objective ones are always left aside.⁵⁶

The endurance of the PMDB in the state government ensured the stability of Cabral's security staff and policy, and the consequent reduction of police autonomy. This political subordination of the police is exemplified by the fact that Beltrame, along with his team, has persisted as security secretary for more than nine years (2007-Present), while the average tenure for his ten predecessors between 1995 and 2006 was less than fifteen months.⁵⁷ Moreover, the secretary's stability contrasted with frequent changes in the leadership of both the Military and the Civil Police over this period. Between 2007 and 2014, there were five different heads of the Military Police and four of the Civil Police. As former PM Colonel Jorge da Silva, a critic of the administration, told me:

Q: Everything the police do is decided by the government?

A: The police are an organ of the executive. When the governor decides he will concentrate all the staff in the UPP, what is the PM Commander going to do? He has to obey; if not, he's out. You know how many PM Commanders passed with Beltrame? Five. Why? One week, a lieutenant got shot and died. Last week, a captain got shot and died. The next week, there's a militia with a colonel involved in corruption. But the secretary remains; he has nothing to do with that! (Sarcastic) You understand?⁵⁸

A specific instance of failed police protest lends further credit to the notion that the government reduced police autonomy. At the end of Cabral's first year in office (2007), a group of Military Police colonels held a protest to demand higher wages and better working conditions for the troops (Colonel Paúl 2011, 29–40). While the demands had merit, the administration perceived them as an illegitimate attempt by police commanders to impose their terms on the new boss, rejected the demands, and dismissed the PM commander, who had condoned the protests: "If we didn't act rigorously then, the consequences would have been dangerous. The solution was to remove [Military Police Commander Ubiratan D'Angelo] from his post" (Beltrame 2014, 84). Forty-one PM officials responded by demanding Beltrame's resignation

⁵⁵ See also Alves and Evanson (2011, 202).

⁵⁶ Interview with former BOPE officer.

⁵⁷ Beginning with the reestablishment of the Secretary within the government in 1995, during Marcello Alencar's administration. See table with entire list of security secretaries in the appendix.

⁵⁸ Interview with former PM Colonel, Jorge da Silva. Da Silva, who had been commander of the PM during Garotinho's administration, was one of his advisers during the latter's campaign. As of yet, there are no credible accusations of corruption against Beltrame.

and the commander's restitution.⁵⁹ Cabral declared that "those few [colonels] that are looking for trouble and disorder will not manage to destabilize the [organization]", and stood by Beltrame.⁶⁰ The secretary then expelled eight high-ranking commanders, transferred other intransigent colonels to irrelevant positions, and coopted the rest of the protesters by promoting them to higher posts.⁶¹ Following this crisis, there were no more police rebellions. Evidently, the government's perceived stability and strength modified police incentives in collaborating with the administration, even if it meant a reduction in its autonomy. Like one of the leaders of the original protest told me: "after [us –the protesting colonels], no one in the Military Police said 'no' to the government".⁶²

The perceived success of the initial 12 UPPs was key to securing Cabral's landslide reelection in 2010: he obtained 66 percent of the vote in the first round, 45 points over his closest contender —the largest margin since Brizola's victory in 1990. Naturally, the 'father' of the UPP, Security Secretary Beltrame, remained in his post during this period as well, and this program persisted and expanded: 38 UPPs were in place by the end of 2014.⁶³ Partisan continuity, i.e. no turnover over the next two administrations (Cabral-Pezão 2011-2014, and Pezão 2015-current) permitted the implementation and persistence of the UPP and other initiatives that reduced police autonomy and shaped a distinct regulatory arrangement of drug trafficking, at least in the City of Rio de Janeiro. In short, the PMDB managed to reduce police autonomy, especially as it became entrenched in power, while the high fragmentation it faced motivated to implement policies controlling crime rather than extracting rents from the police.

Designing and implementing the UPPs: reducing police autonomy

The government's implementation of the UPP program entailed a reduction of levels of police organizational autonomy in various respects. In consequence, some police commanders voiced disapproval of the program, and in doing so revealed that it represented a departure from their preferred mode of drug trafficking regulation. As a former BOPE officer told me: "Former PM Commander Colonel Mario Sergio Duarte said that the PM needed more battalions and less UPPs."⁶⁴ However, this did not obstruct the government's continuing implementation; they had projected 40 UPPs, and installed 38, by the end of 2014.

The program instituted different police training and appointment procedures. All Military Police soldiers received preparation in community policing, conflict mediation, human rights, gradual use of force, etc., to prepare them to serve in the UPPs, where they were all initially assigned before transferring to PM battalions. Presumably, staffing UPPs with new recruits ensured that UPP police were not 'contaminated' by the corrupt practices of their older

⁵⁹ "Exoneração de Ubiratan provoca crise na segurança", *Jornal do Brasil*, Jan. 30, 2008.

⁶⁰ "Apoio a coronel exonerado divide PM e abre crise na segurança do Rio", *Jornal do Brasil*, Jan. 30, 2008.

⁶¹ One of the coronels initially leading the protest became the next commanding general of the Military Police. The resistant coronel was transferred to "the freezer", i.e. an irrelevant bureaucratic post, and then expelled from the force (Colonel Paúl 2011).

⁶² Interview with Colonel Paúl.

⁶³ Cabral resigned in July 2014, and left his vice-governor, (Luiz Fernando de Souza) Pezão to finish his term. Pezão won his own election in 2014.

⁶⁴ Interview with former BOPE officer.

peers, although a mid-level government official, speaking off-the-record, was skeptical of this notion because of the embeddedness of corruption in *carioca* police culture.⁶⁵

While many police resented both the new training format and being directly assigned to the UPPs, their resentment was not sufficient to derail the program or jeopardize the secretary's stability, as it had in the past. When I asked him about this, the Colonel formerly in charge of the program stated: "There was some [police] resistance, because it wasn't seen as a typical action on behalf of the police, especially by the younger officers, who think of police as a tool to combat crime that requires confrontation" rather than conflict mediation or proper treatment of citizens.⁶⁶ Others were also concerned that six months of training is not long enough,⁶⁷ and that police get to the UPPs unprepared for dealing with conflict. A former PM Colonel –highly critical of Cabral's administration- describes the incentives for soldiers in getting to the UPP, and provides an alternative interpretation of the decreased confrontation between police and traffickers – that new UPP police avoid confrontations to survive and obtain promotions as the years go by:

For the young men who wanted to get in the PM, the UPPs were optimal because they [...] enter as public officials and have a fixed income and guaranteed employment. They have no infrastructure, no training, but they got into the police. Most cops in the UPPs want out. The conditions are bad, horrible, and more dangerous; they don't learn anything. In the UPP, if you want to do police work, you get into shootings: you kill or die. If you don't want to, you just catch drunks, or stop fights between spouses. The soldier is promoted based on time served. If he stays 12 years in the UPP, he will learn nothing about being a police but will be a Sargent and command a street patrol.⁶⁸

The UPPs also reduced police autonomy by modifying the logic by which police intervened in favelas –at least in the Capital. While in the past, police had invaded marginalized neighborhoods, often without political authorization, UPP occupations were planned and directed by the Security Secretary and his civilian staff (Beltrame 2014). The government's order, according to Cabral, was that "no one enters a community without a planned and well-thought out action, something that is not altogether clear to the public" (Alves and Evanson 2011, 209).⁶⁹ The elite squad, BOPE, would usually lead the initial invasion and once the favela was secure, the UPP would be installed. The administration went as far as to announce the occupations to the public beforehand, often allowing the traffickers to leave the favela to avoid bloodshed.⁷⁰

The government also decided where and when the invasions would take place and UPPs would be installed. As state deputy Flavio Bolsonaro told me:

⁶⁵ Interview with current mid-level official in SESEG.

⁶⁶ Interview with former PM Colonel. Also mentioned in interviews by SESEG official, Colonel Paul, and journalist from *Jornal do Brasil*.

⁶⁷ Interview with state deputy Flavio Bolsonaro.

⁶⁸ Interview with Colonel Paúl.

⁶⁹ Certain interviewees, including the conservative party state deputy mentioned above, criticized this approach, claiming that it allowed traffickers to escape to the periphery and increased crime there.

⁷⁰ See, for instance, the account of the peaceful occupation of the São Carlos favela. "Policia faz operação no Complexo de São Carlos para instalação de unidades de policia", *O Globo*, Feb. 6, 2011.

A: I think another problem of this policy was not hearing those who were in the firing line, the PMs, about which was the best way to give continuity to the UPP implantation.

Q: Police did not participate?

A: They do not participate in determining where the next UPP is going to be. The PM Commander General, in various opportunities, did not have the power to say: “it is best to install an UPP here, not here”. That decision became exclusively political.⁷¹

This does not imply that the UPP program was devoid of improvisation and muddling through. In recalling the implementation process, the former UPP commander-in-chief stated, “I improvised a bit, selecting police that I thought would be enthusiastic about the idea, but there wasn’t, despite the good will, a systematic effort to create an institutional structure. I feel the same way with the Secretary. I don’t doubt the good will but I think there have not been structures to maintain these changes”.⁷² Furthermore, some areas selected for UPP interventions were chosen as a result of specific criminal events that took place there, such as the killing of two journalists by militias in the favela of Batam. Nonetheless, compared the dearth of policy directives in previous administrations, the UPP effort represented a major leap forward in terms of security policy planning, design and stability (see also Denyer Willis and Mota Prado 2014).

In addition to the UPPs, the government instituted other actions to control the police force’s excessive violence and human rights abuses. Contrary to the Marcello Alencar administration’s Faroeste policy, it rewarded police for achieving a *lower* number of civilian casualties. To this end, the Cabral administration created a system for monitoring certain strategic crime indicators starting in 2009,⁷³ and included *autos de Resistencia* (deaths resulting from police intervention) beginning in 2011.⁷⁴ Additionally, the government monitored police officers’ actions through cameras on their persons and vehicles. In the words of a municipal guard, ‘smart phones with cameras are also important. Before, the police had a certain liberty because nothing was recorded. Today, when they enter a community, they are more careful in approaching, [in respecting] the resident’s human rights, in case they make a complaint and you end up with an administrative process’.⁷⁵

Notwithstanding its merits, the UPP does not represent a comprehensive police reform. It maintains the organizational structure and core functions of Rio’s police, albeit reorienting the police force toward a proximity-policing model – in which police stay in favelas and interact more frequently with residents – rather than a merely reactive one – in which they sporadically invade poor neighborhoods. Furthermore, the administration has not affected other areas of police autonomy. There have been few discernible improvements in the existing oversight institutions designed to control the Civil and Military Police, whether referring to the *Corregedorias* (Internal Affairs unit), external *Ouvidorias* (Auditing agencies), the Public Ministry,⁷⁶ or the checks-and-balances between both forces. Nonetheless, the UPP represents the

⁷¹ Interview with Flavio Bolsonaro.

⁷² Interview with former PM Colonel and UPP commander in chief.

⁷³ Executive Decree No. 41.931/2009.

⁷⁴ Executive Decree No. 42.780/2011. See also “From hero to villain in Rio”, *The Economist*, Sep. 14, 2013.

⁷⁵ Interview with Municipal Guard of the City of Rio de Janeiro.

⁷⁶ Interview with Luciane Boiteux, State Penitentiary Council.

most important (and effective) effort to date by state-level governments to reduce police autonomy since the return of democracy.

The UPPs: seizing territory, not drugs. The implementation of tacit coexistence in the Rio Metropolitan area

In an interview with the British newspaper *The Guardian*, Security Secretary Beltrame declared: “we cannot guarantee the end of drug trafficking nor is it our intention. What we want to end is the paradigm of territorial control by armed drug traffickers”.⁷⁷ This vision is also explicitly articulated in the UPP’s official website: “it is not the objective of the UPPs to end with drug trafficking or criminality. It is to retake territories occupied by heavily armed criminal factions”.⁷⁸

The above quotes summarize how the UPP program differs from the particularistic confrontational regulatory arrangement that characterized Rio de Janeiro’s approach to drug trafficking through this period. Before, military police entered the favelas to settle scores with traffickers or engage in sporadic search and kill missions; now, they carried out planned occupations with the aim of retaking territories and seizing weapons instead of drugs. As a current PM Colonel put it: “Before the UPP, we went in, shot each other [police and traffickers], and got out. Now we stay”.⁷⁹

The UPPs constitute an alternative regulatory arrangement, *tacit coexistence*, i.e. an implicit agreement between two parties to restrain from overt conflict. This arrangement springs from the police force’s reduced autonomy. The UPPs reduced police officers’ uncoordinated extortion of, and indiscriminate violence against, traffickers and other favela residents. Moreover, political officials instructed police to forego drug seizures in favor of confiscating weapons, thus granting the traffickers implicit permission to sell drugs in the favela. While such tolerance might have previously been present due to the decision of individual police units, it was now a comprehensive, and explicit, government policy. At the same time, traffickers also sought to avoid confrontation with the police, at least temporarily. Thus, this period exhibits lower levels of both police and criminal violence, and (perhaps paradoxically) more coordinated police corruption, although many of the problems inherent in the previous arrangement - particularistic confrontation- remain.

Decreasing police violence

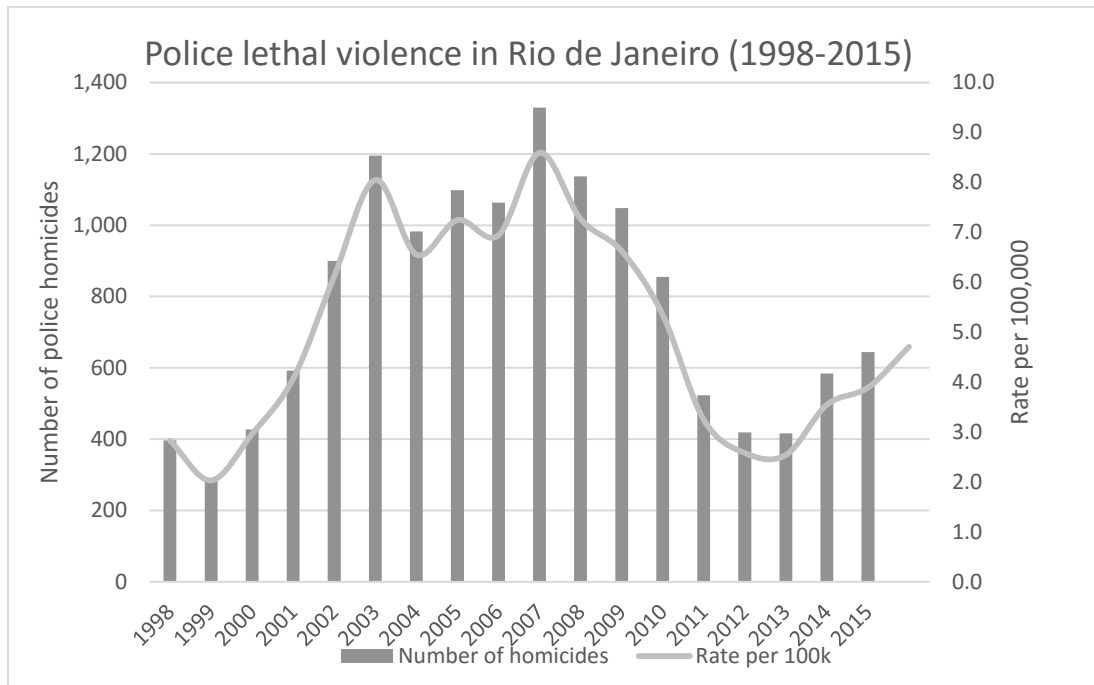
After the implementation of the UPPs, state-driven violence has clearly declined. Police homicides had increased sharply between 1999 and 2007, in which they reached a record 1330, which represented a rate of 8.6 homicides per 100,000 individuals. By contrast, police homicide rates have dropped continuously between 2008 and 2013, reaching a minimum value of 400 cases -2.5 per 100,000. While slightly increasing in the subsequent two years (2014-15), they are still less than half their maximum value (see Figure 3.3). This pattern illustrates a clear shift toward a less confrontational regulation of drug trafficking, i.e. tacit coexistence, during the 2008-2015 period.

⁷⁷ The Guardian, April 12, 2010, “Rio de Janeiro police occupy slums as city fights back against drug gangs”.

⁷⁸ Source: UPP website, www.upprj.com/index.php/faq

⁷⁹ Interview with current PM Colonel.

Figure 3.3. Homicides resulting from police intervention, Rio de Janeiro (1998-2015)



Source: Author’s elaboration from Instituto de Segurança Pública do Rio de Janeiro (ISP-RJ)

The UPPs generated a sizable reduction in police violence. According to Magaloni et al. (2015), police killings in favelas would have been 60 percent higher without the UPP intervention.⁸⁰ On the one hand, this decrease is related to changes in police autonomy introduced by the program itself, such as the differential training for rookie police officers and greater monitoring of police actions, as well as the System of Performance metrics that rewards the police for non-lethal conflict resolution. But the decrease also reflects the emergence of an alternative regulatory arrangement, as police have steered away from indiscriminate favela invasions, and are tacitly instructed by the government to tolerate drug trafficking in the favela.

Police are no longer sporadically invading favelas or responding with armed confrontation to avenge killings of officers by traffickers, as occurred in the past. This non-violent intervention also precludes traffickers’ retaliation and police occupation reduces the probability of invasion by criminal factions. Comparing the dynamics of violence between past programs and the UPP’s regulatory effort, Colonel Ubiratan, former Commander of the Military Police, told me:

Police always place fixed control points in places where there are few police, and when there was a problem –you have a criminal that everybody knows is there, so police have to arrest him; police want to seize drugs; [or] you have group A fighting with group B- then police go there. Then, every time police come in with a larger group, you have a reaction by the traffickers, and it increases the insecurity of the place. The result: criminals and police dead and injured [...]. As police occupy that space [with the UPP]

⁸⁰ See also Ferraz and Vaz (2013).

neither of those two things will happen: police will not enter nor will you have an invasion by a rival gang.⁸¹

Of course, entrenched police violence is difficult to extirpate. In this sense, not everybody praises the program or finds it to constitute a significant departure from past police practices. Former BOPE captain Pimentel explained:

The UPP proposed community police, proximity police, younger, more educated, more prepared police, trained for a better relationship with the community. But that police officer belongs to the same police force that combats, the police of the BOPE, the Tropa da Elite. He is also a truculent police officer, who hits the [favela] resident in the face, who rapes the women. Unfortunately, if you ask them whether they prefer to be UPP or BOPE, they want to shoot; they don't want to go to the UPP and be a proximity police, they go to be a combat police. Trafficking resists in the main communities and confronts the UPP... Then the UPP police officer has already taken a position of war, being more aggressive, he hates trafficking and traffickers. That's very dangerous". It seems that while it is difficult to instill a new culture in the police, that objective is also complicated by the very conditions police face in the UPP.⁸²

One of the most resounding cases of police violence during this period also reveals society's decreased tolerance for such abuses, even when they target favela residents. The disappearance and murder of Rocinha stone-worker Amarildo in 2013 symbolized the endurance of the PM's vices despite, or even because of, the UPP program. The commander of the Rocinha UPP—a former BOPE high-ranking officer—had received information that Amarildo was a major local drug trafficker, and sent a unit to arrest and interrogate him. Amarildo was tortured and his body did not appear for days. Only after several street protests and his family's meeting with Governor Cabral did his body turn up.⁸³ The commander and several members of his unit were arrested and charged. The new commander, when I interviewed him, admitted this episode tarnished the image the UPP intends to project. According to one of the investigating officers, interviewed for this project, Secretary Beltrame did not want to grant the Civil Police green light to proceed so as not to damage the UPP's credibility. The investigating officer was sacked from his precinct and forced into retirement.⁸⁴

Politicians and social movement activists from the left also contended that the UPP was merely “window dressing,” while police officers' abuses of favela residents continued.⁸⁵ There are even allegations that, as a perverse consequence of the bonus for low civilian deaths, police are now simply ensuring that the bodies are never found, resulting in an increase in disappearances in the state. Despite the aforementioned criticisms, practically all candidates in the 2014 gubernatorial election promised to maintain the UPPs,⁸⁶ whose greatest impact has been in the reduction of police lethal violence.

⁸¹ Interview with Colonel Ubiratan.

⁸² Several other current and former military police expressed a similar perception of the police force's warrior mentality.

⁸³ Interview with Rio journalist. The protests claiming for Amarildo's appearance were bundled with the population's opposition to the government's increases in bus fares, which also stirred major riots in São Paulo.

⁸⁴ Interview with former Civil Police investigator.

⁸⁵ Interviews with several NGO representatives, Judge Rubens Casara and Lawyers' Association representative.

⁸⁶ “Ataques entre candidatos marcam primeiro debate in Rio”, O Globo, Aug. 20, 2014.

Persistent police corruption

It is difficult to say if, and how, the UPPs have changed the level and form of police corruption in Rio de Janeiro, at least in the areas where they were implemented. On the one hand, the new training given to military police officers before entering the UPP intended to reduce corruption by separating new recruits from 'tainted' police. On the other hand, it is doubtful that extended police corruption can be significantly reduced in the short or medium term, even by offering a bonus to UPP officers. Most interviewees, when questioned about this program's impact on police corruption, responded that it had not varied much with respect to previous patterns, even though police were making efforts to prevent it and punish it when found.

Corruption could also result from the more frequent interaction between police and traffickers in favelas with UPPs, which often leads them to seek alternative, more peaceful arrangements to avoid mutual confrontation. Officers in the UPPs are not immune to capture by traffickers. For example, in 2011, the PM arrested thirty officers from the Fallet UPP who received over R\$50,000 in bribes.⁸⁷ As Professor Michel Misse told me “as police are very corrupt, within the UPP drug trafficking still goes on, only more discreetly and [by] paying bribes to police”.⁸⁸ This might signal a change in the modality of corruption, as police shift from extorting traffickers through violence to granting dealers protection in exchange for mutual non-aggression.

In comparison to the previous period (1983-2007), there are two main changes with respect to police corruption, at least as evidenced by criminal investigations that have been covered by the media. First, police appear to be acting in larger groups to broker protection rackets with traffickers, showing a higher degree of internal collusion than before. Second, and relatedly, higher-level commanding officers from both the PM and the PC appear more frequently connected to these rackets. In addition to the case mentioned above, in February 2011, a Federal Police investigation arrested 38 police officers, including the second-highest ranking officer of the Civil Police, for participating in drug trafficking protection rackets.⁸⁹ Although this could be interpreted as a sign of a lack of control by political superiors, at least ex post controls are effective in detecting some cases of police malfeasance.

As before, with the exception of the Garotinho administration, governing politicians have not been directly linked to police protection rackets. Beltrame in particular has a reputation for great integrity and, despite the PMDB's known involvement in corruption scandals such as the *Petrolão*,⁹⁰ its top state officials were not denounced as corrupt by the opposition politicians I interviewed. Other politicians are known to run protection-rackets with militias, particularly in the Western Zone and the urban periphery: 90 percent of citizen reports of militia activity between 2006 and 2011 were from three municipalities –the Capital and two in the Baixada Fluminense (Cano, Borges, and Ribeiro 2012, 30–33). While the government brought down

⁸⁷ “Beltrame nega crise em UPP e reforça que policiais corruptos serão expulsos”. *O Dia*, Sep. 12, 2011.

⁸⁸ Interview with Michel Misse.

⁸⁹ “38 arrested for police corruption in Rio”. *The Rio Times*, Feb. 15, 2011.

⁹⁰ The *Petrolão* refers to the judicial investigation on corrupt procurement processes by the state oil company, Petrobras. By mid-2016, when this dissertation was filed, it had already resulted in the imprisonment of several of the country's major businessmen and politicians.

several militia leaders as the result of a legislative inquiry in 2007, these groups still control various favelas and have deep political connections.

In short, the UPPs might have diminished police incentives to resort to violent extortion to extract rents from trafficking, as they did in the past. Nonetheless, bribes and other protection schemes might become more frequent as the police are in constant interaction with traffickers in favelas. While some officers might simply broker peacekeeping agreements, others might take the opportunity to set up their own protection rackets.

Reducing criminal violence

The implementation of tacit coexistence, with greater coordination between governing politicians and police in regulating drug trafficking, contributed to a substantial decrease in criminal violence. Between 2008 and 2014, homicide rates have decreased by nearly 40 percent in the city of Rio de Janeiro and by 20 percent in the state overall. These values represent the lowest homicide rates registered for this entire period (1983-2014).

This tacit coexistence regulatory arrangement breaks the spiral of violence between police and criminals. As we have seen, since police permanently occupy spaces formerly controlled by traffickers, there is no need for police units to invade favelas for retaliation or extortion, and rival gangs will typically not invade to avoid clashes with the police. Relatedly, traffickers already in favelas also restrain their aggression against the police. The former traffickers I interviewed acknowledged that drug gangs did not confront the police as much as they used to, although they also warned that criminal factions were dormant, ready to pounce on the state whenever they sensed the opportunity was at hand. As one of them told me, “If they haven’t, it was because they did not want to have problems”.⁹¹ While this regulatory arrangement has not necessarily reduced drug traffickers’ presence in or control of favelas, it appears to have shifted their relationships with police -as traffickers restrain themselves from confronting the cops- and other citizens -as they are less likely to carry out excessive violence within the favela.

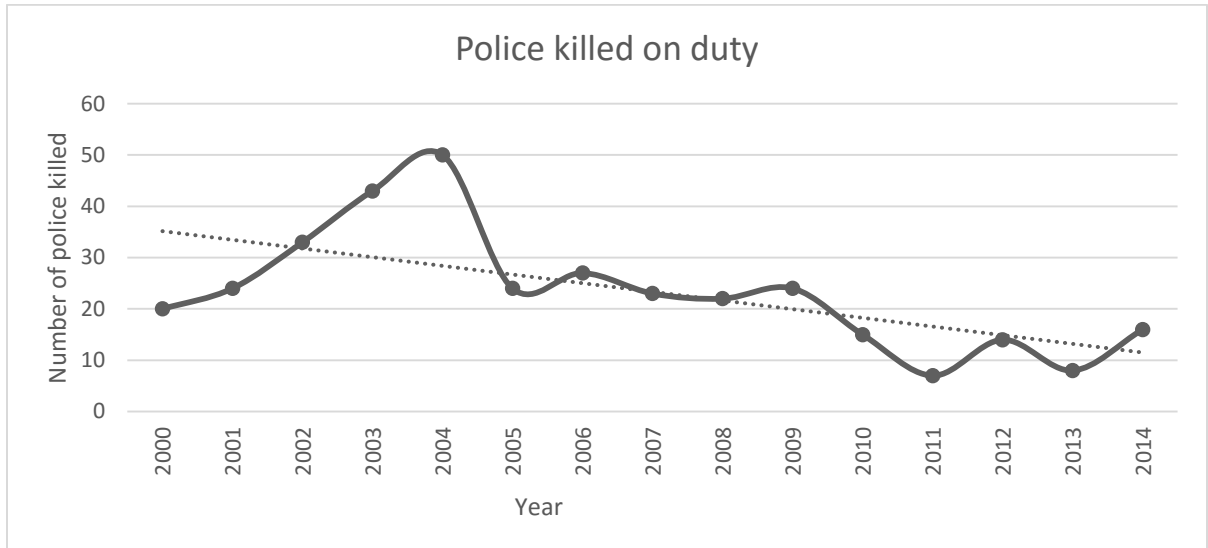
Correspondingly, the number of police killed on duty has decreased from 23 in 2007 to 16 in 2014, reaching its lowest level, eight, in 2013 (see figure 3.4).⁹² This decrease presents a clearly different picture from the 50 killed police in 2003, and contrasts with the steady rise in police casualties between 2000 and 2004. This downward trend also reflects the new tacit coexistence between police and traffickers in favelas in the metro area as spirals of violence between police and traffickers are less likely to occur.⁹³

⁹¹ Interview with former trafficker #4.

⁹² Unfortunately, the Institute of Public Security (ISP) stopped publishing the number of police killed *off duty* – which has always been larger than that of police killed on duty- after 2007.

⁹³ In northern parts of the city, however, the UPPs encountered greater resistance from traffickers. For instance, when I was in Rio, a commander was killed in the Nova Brasília UPP, located in the Alemão Complex. An investigation by the Civil Police later concluded that he had been the victim of ‘friendly fire’, shot by one of his own men when they were battling a criminal attack. “Disparo feito por soldado matou comandante da UPP Nova Brasília”. *O Dia*, Oct. 6, 2015.

Figure 3.4. Police officers killed on duty in Rio de Janeiro, 2000-2014



Source: Author’s elaboration from ISP-RJ.

The UPPs: Mudança or maquiagem (Change or makeup)?

While the UPPs represent a change in the regulation of drug trafficking in Rio de Janeiro, they have received their fair share of criticism. During my fieldwork, I conducted two separate visits to Rocinha –one of the largest favelas in Rio de Janeiro- and spoke with several local residents and municipal state representatives, as well as the top police officials. These interviews, among other evidence, allow us to evaluate the extent to which favela residents think that UPPs have met their stated objectives. More generally, it also enables us to reflect on the extent to which certain features of particularistic confrontation persist in Rio.

All community residents agreed that the Rocinha UPP –installed in 2011- had not changed anything, at least not for the better. They stated that previously they could turn to “the power” (i.e. traffickers) to solve disputes, and that trafficking maintained order in the favela; that was no longer evident, and disorder was more prominent.⁹⁴ Residents also asserted that confrontation between the gangs and the state persisted, even though it was less frequent than before. A local Civil Police delegate corroborated this perspective, stating: “[Traffickers] took advantage of the Amarildo case and increased their resistance”.⁹⁵ In short, while Rocinha residents considered that the UPP had not established an alternative governance to that of traffickers in the favela, it did imply a tacit coexistence between traffickers and the police as they restrained from confronting each other.

In terms of evaluating the UPPs unintended consequences, many interviewees also perceived that the program generated a potential problem as it fragmented trafficking and enabled less experienced criminals to take over neighborhood gangs. This might potentially

⁹⁴ From 2006 to 2011, when ADA trafficker Nem was *dono* (boss) of Rocinha, the gang refrained from violence against the state or civilians to protect their business (Glenny 2016). Rocinha had, therefore, relative order *before* the state’s intervention.

⁹⁵ Interview with Rocinha Civil Police delegate.

jeopardize tacit coexistence in the medium term. As former BOPE Captain Pimentel told me, “before, police used to detain seven teenagers per day; today they catch around 35 a day. It is a signal that in [the favelas of] Alemão, Mangueira, Rocinha, the first generation of traffickers (18-26 years old) are in prison and the younger generation rises up. They are younger, more violent, more inconsequential, and with the benefit of impunity”.⁹⁶ A current UPP commander also stated that “trafficking was clearly weakened by the UPP; they no longer show off weapons but there are crossfires. [...] It changed [things] in that more minors are used, and smaller quantities of drugs are sold. The market is more fragmented”.⁹⁷ Captain Sandro and Colonel Ubiratan used this same term, saying that “after the state came in, trafficking was weakened and became more fragmented. It also decreased the amount of weapons” drug traffickers possessed, which lowered its retaliatory capacity and the overall level of violence.⁹⁸ In this sense, it remains to be seen whether this tacit coexistence arrangement is capable of achieving a stable equilibrium of low confrontation, given the increasing fragmentation of drug trafficking gangs, their decreased social role within favelas and the persistence of trafficking as an informal economic activity generating large revenues for various poor individuals.

An additional issue concerns the scope of the program, since it only applies directly to 40 favelas in a state with close to 1000 favelas and over 16 million inhabitants. Many contend that, while crime has decreased overall, it has also shifted from the Capital -where most UPPs are- to the periphery. As former PM Colonel Da Silva told me:

Here in Niterói [a neighboring municipality], the battalion had 1200 men; it was reduced to 850. Close to here is the municipality of São Gonçalo, which has more than 1 million inhabitants, the second city of Rio de Janeiro. It ended up with 650 PMs, while the UPP in Rocinha has 700 PMs for 70,000 inhabitants. They emptied Niterói, São Gonçalo, and Baixada. Then, the traffickers spread and without police, it created chaos. We are now living in a security chaos because the government decided to put all its attention into the UPPs.⁹⁹

Although the evidence to support such claims is inconclusive, it is true that the distribution of both homicides and police interventions resulting in death has shifted mainly from the Capital city and adjacent municipalities to the rest of the state mainly Baixada Fluminense and the Interior. In 2000 approximately 44% of homicides were in the City of Rio, in 2015 these proportions had decreased to 29%, while growing from 28% to 36% in the Baixada over the same period (See figure 3.5).

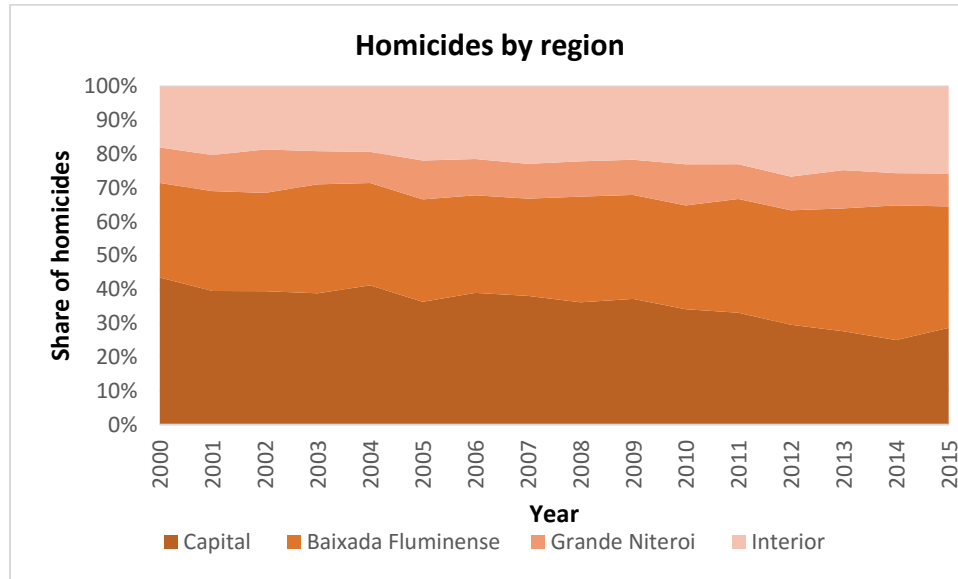
⁹⁶ Interview with Rodrigo Pimentel.

⁹⁷ Interview with UPP Commander.

⁹⁸ Interview with Colonel Ubiratan and Captain Sandro.

⁹⁹ Interview with former PM Colonel Da Silva.

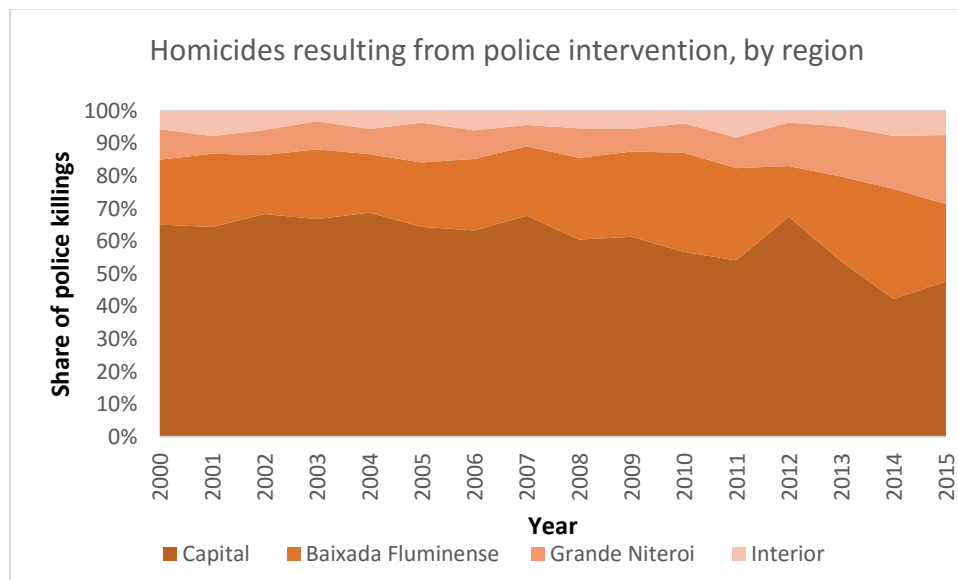
Figure 3.5. Distribution of homicides by region in Rio de Janeiro (2000-2015)



Source: Author's elaboration from ISP-RJ

Similarly, the distribution of lethal police interventions also shifted from the Capital to the Interior in the past fifteen years. While in 2000 65% of police homicides took place in the City of Rio, in 2015 this proportion had dropped to 48% (see Figure 3.6). These trends relate to the predominant implementation of tacit coexistence through the UPPs in the Capital, which has displaced violent crime, and the police's brutal response to it, to the periphery and the Interior, where many of the traffickers who abandoned the occupied favelas have relocated.

Figure 3.6. Distribution of homicides resulting from police intervention by region in Rio de Janeiro (2000-2015)



Source: Author's elaboration from ISP-RJ

In short, the implementation of the UPPs reduced police autonomy and altered the regulation of drug trafficking in the metropolitan area of Rio de Janeiro, marking a shift from particularistic confrontation to tacit coexistence. However, while there have been important reductions in police and criminal violence, some remnants of the police force's regulation of drug trafficking through particularistic confrontation still persist. Police still carry out frequent violations of human rights of suspects and civilians, and conceive of the regulation of trafficking as a primarily confrontational endeavor. Furthermore, Rio's police are still perceived to be extremely corrupt. While the UPP aims to tackle this corruption, it also risks furthering such malfeasance, since by placing the police in permanent contact with drug traffickers – and thus exposing them to greater risk of attacks – it may motivate police to reach coexistence bargains built on corrupt exchanges with dealers.

5 Conclusion

The case of Rio de Janeiro illustrates how high political turnover and fragmentation resulted in high police autonomy and shaped particularistic confrontation as the predominant regulatory arrangement of drug trafficking, with dire consequences for the city and the state. Politicians' attempts to reform and control their police forces rapidly collapsed, if they got off the ground at all. Unrestrained police units engaged in dispersed attacks and fragmented (and unstable) deals with drug trafficking, piling up bodies on both sides. In short, competitive politics and autonomous policing conspired to make Rio de Janeiro one of the most violent cities in Brazil –and Latin America- during the 1990s and early 2000s.

The combination of low turnover and high fragmentation since 2008 permitted the reduction of police autonomy via the implementation of the UPP. This program is the closest Rio's government has gotten to police reform, and signifies the transition to a different regulatory arrangement: tacit coexistence. The gradual implementation of the UPP, both in terms of geography and content, is probably a key policy feature for future governments to incorporate in order to effect significant changes in their police forces. However, this program by itself has so far been insufficient to eliminate the police force's entrenched corruption and violence or replace drug traffickers' control and governance in marginalized neighborhoods. Finally, it remains to be seen whether the program can expand –or even survive- after the last international event that prompted its initiation, the 2016 Olympics, has passed.

This case bears relevant implications for the role of political ideology and the federal government in controlling police and regulating trafficking. First, the UPP was introduced by the conservative PMDB, although it rapidly gained support from the leftist PT, as part of their broader national, state and local-level alliance. This fact is significant in light of the failure of more progressive administrations, like those of Brizola and, initially, Garotinho, in reducing police autonomy. Second, while this alignment points to the relevance of federal government support for the state government's implementation of security policies, this cooperation was not enough for this program to persist, as this depended primarily on state (and local) political dynamics. Other instances of partisan alignment between state and national parties, such as the PSDB during the late 1990s, have not had the same consequences for police autonomy or drug trafficking regulation.

The next chapter considers a relatively less drastic scenario of uncoordinated regulatory arrangements, that of particularistic negotiation in Santa Fe, Argentina. While exhibiting high

criminal violence, especially for Argentine standards, unlike in Rio de Janeiro, the state police has not engaged in dispersed attacks but in fragmented and corrupt deals with traffickers. This case also differs from its Brazilian counterpart in its trajectory: while initially exhibiting a coordinated arrangement –protection-extraction rackets-, it shifted to an uncoordinated response –particularistic negotiations- in the last decade. Nonetheless, as we will see, politics and police-government relations play a similar role in determining the regulation of drug trafficking at the subnational-level.

Chapter 4 The emergence of the “Argentine Medellín”: Particularistic negotiation in Santa Fe

1 Introduction

On the evening of October 11, 2013, Santa Fe Governor Antonio Bonfatti was preparing to watch the Argentina-Peru soccer match, a qualifying game for the 2014 World Cup. Suddenly, fourteen bullets pierced through the walls and windows of his private home. Miraculously, he and his wife escaped unscathed. The ensuing investigation revealed that it was not a drug gang –on which the administration had started to crack down -, but members of the provincial police who had performed the attack. The attack signaled two undeniable facts: First, some sectors of the provincial force were not only out of the government’s control but also deeply involved in drug trafficking. Second, these corrupt links had contributed to increases in criminal violence that made the national media and political opposition compare Santa Fe, and particularly its largest metropolitan area, Rosario, to the city that epitomized drug violence in Latin America: Colombia’s Medellín. This chapter demonstrates how high political turnover and fragmentation increased police autonomy and shaped an uncoordinated regulatory arrangement of drug trafficking, with high corruption and criminal violence in Santa Fe.

The province of Santa Fe is a case of the emergence of *particularistic negotiation*, a less radical variant of an uncoordinated regulatory arrangement. Its trajectory differs from the other cases in this dissertation, in which decreasing turnover over time reduced police autonomy and generated coordinated drug trafficking regulatory arrangements. By contrast, Santa Fe transitioned from a situation of low turnover and low fragmentation, medium police autonomy, and protection-extraction rackets as the main regulatory arrangement for drug trafficking from 1983 to 2007, to one of high turnover and high fragmentation, high police autonomy, and particularistic negotiations since then.

Between 1983 and 2007, as the Partido Justicialista (PJ, Peronist Party) governed the province uninterruptedly and without much opposition from other parties. Low turnover and fragmentation enabled Peronist governments to exercise informal control of the police by either appropriating or restricting the latter’s rent extraction, which reduced police *financial* autonomy. In exchange, most PJ governments reached a mutual accommodation with the police, granting it greater *organizational* autonomy and refraining from introducing reform. Consequently, during this period (1983-2007), police regulated drug trafficking primarily through protection-extraction rackets-informal agreements with criminal actors that counted on political tolerance or participation. However, the PJ’s continuous rule until 2007 obscures the alternation between different Peronist factions, particularly between 1997 and 2003, which prevented the enforcement and stability of the only two attempts at police reform.

Turnover and fragmentation both increased beginning in 2007, as a new party came to power for the first time since re-democratization. In December 2007, the Socialist party took over as the lead member of a broad coalition of non-Peronist parties, the Progressive Front. This political turnover shifted the government’s relationship with the police, as the new incumbents – or their ministers- refused to collect police rents. Furthermore, higher intra-party and interparty fragmentation, manifested in splits in the cabinet and divided government between the executive

and the legislature, diminished the coherence and stability of policies affecting the police force, increasing police autonomy. In short, the Socialists did not introduce democratizing reforms nor restrict or appropriate police rents from crime.

The change in the relationship between the police and the government brought in a new regulatory arrangement of the province’s expanding drug market: particularistic negotiation. Different police units and high-ranking officers exploited the lack of political control to broker splintered deals with high-level wholesale dealers and low-level retail sellers, offering them protection in return for rents, which police officers mostly pocketed for themselves. In light of this uncoordinated regulation, drug trafficking gangs expanded their operations, decentralized their distribution, and invaded each other’s territories, often resulting in open-street shootings between rival gangs. This deregulation of drug trafficking has contributed to the persistent and significant increase in criminal violence, particularly in the metropolitan areas of Rosario and Santa Fe, since 2008. In short, between 1983 and 2007, Santa Fe exhibited low turnover and low fragmentation, which resulted in medium police autonomy and the regulation of drug trafficking through protection extraction-rackets; however, since 2007, increases in political turnover and fragmentation augmented police autonomy and brought in a new regulatory arrangement: particularistic negotiation (see Table 4.1).

Table 4.1. Political turnover, fragmentation, police autonomy and drug trafficking regulatory arrangements in Santa Fe, 1983-2015

Period	Turnover	Fragmentation	Police autonomy	Drug trafficking regulatory arrangements
1983-2007	<i>Low</i> (except during factional conflict, 1997-2003)	<i>Low</i> (except during factional conflict, 1997-2003)	<i>Medium</i> No reform, Political appropriation of police rents	<i>Protection-extraction rackets</i>
2008-2015	<i>High</i>	<i>High</i>	<i>High</i> No reform, No political control of police rent extraction	<i>Particularistic negotiation</i>

Source: Author’s elaboration

This chapter proceeds as follows. In the second section, I introduce the Santa Fe subnational case before 1983, and explain its police force, political system, and role with regard to drug trafficking in Argentina. In the third section, I focus on the continuous Peronist rule between 1983 and 2007, in which most governments established a mutual accommodation with the police. I also show how turnover and fragmentation between different factions of the Peronist party during the late 1990s and early 2000s hindered the implementation of reforms to reduce police autonomy. The combination of lack of reform and centralization of police rents by governing politicians resulted in police-run protection-extraction rackets as the main regulatory arrangement during this period. In the fourth section, I illustrate how, after the Socialist Party came to power in 2007, turnover and fragmentation between and within parties increased police

autonomy and shaped particularistic negotiations as the primary drug trafficking regulatory arrangement, with intensified (and fragmented) police corruption and criminal violence.

2 Police, politics and drug trafficking in Santa Fe before 1983

With 3.4 million inhabitants (2010 Census), Santa Fe is the third largest province in Argentina, and has the country's third largest city –Rosario, with close to a million people. Santa Fe is, on the one hand, one of the richest Argentine provinces, given its production and export of various agricultural products. On the other hand, its urban areas –particularly Rosario- exhibit high inequality, combining luxurious boulevards and mansions with slums and run-down low-income housing.

The province currently has 19,000 police officers, distributed among 19 regional units. As in other Argentina provinces, the structure of the Santa Fe provincial police is hierarchical and militarized, divided into superior and lower-level officers (*suboficiales*). Like most police forces in Argentina, the Santa Fe police participated actively in the political repression carried out by authoritarian governments, particularly during the last dictatorship (1976-1983). The head of the Rosario Police during this time, Agustin Feced, was later charged with 270 crimes against humanity and sentenced to prison –posthumously- in 2014. This authoritarian legacy would remain relevant for many years after the return of democracy in 1983.

Police in Santa Fe were pioneers in unionization, though, like in the rest of the country, police unions are not formally recognized. Police wages are low, especially for low-ranking officers; their working conditions are poor –they often work 24-hour shifts, along with over-time and moonlighting in private security companies, to make ends meet- and many perceive they have lost the respect of the population, particularly since the former's recent involvement in drug trafficking.

Santa Fe's strongest parties are the Peronists (PJ), who governed the province uninterruptedly between 1983 and 2007 (albeit through different factions during the latter part of this period), and the Socialists, who have been in power ever since, having won the last three consecutive elections (2007-2015). While Peronists typically capture more electoral support in the interior of the province and the north, the Socialists' main stronghold is Rosario, which has a large middle class.¹

Santa Fe's political institutions contribute to the province's high political turnover and fragmentation of power. Unlike the other cases in this dissertation, the province never reformed its constitution to allow for gubernatorial reelection. Therefore, each term necessarily brings in a new incumbent, giving contenders from other parties or factions greater electoral chances. As in Buenos Aires, governors only a plurality to win elections and there is no runoff, which sets a low threshold for state executives to reach office. The other distinctive Santa Fe institution is the *Ley de Lemas*, or double simultaneous vote (DSV), in place between 1991 and 2004, which united diverse Peronist factions under a single party and helped the PJ remain in power until 2007. I will discuss its implications further in the next section.

¹ In the last two elections, some Peronists remained with the pro-national government (FPV) while others supported center-right candidate Miguel del Sel from the PRO, a party based on the city of Buenos Aires.

The system for electing legislators, on the other hand, exhibits a clear majoritarian bias, which separates it from the other cases in this dissertation. Santa Fe's legislative electoral rules are important in that, while they would seem to reduce political fragmentation, dispersal of power in the legislative arena has occurred nonetheless, given the importance of factionalism. The province has two legislative chambers with different electoral systems. On the one hand, the lower chamber elects 50 deputies with the whole province as the electoral district and grants a nominally automatic majority of 28 deputies to the list with most votes. Santa Fe is the only case in this dissertation where electoral rules provide an automatic legislative majority to the party with the most votes. Despite this condition, many governments have had difficulties gaining a legislative majority due to intraparty fragmentation. Meanwhile, the Senate is composed of 19 senators, one for each electoral district, chosen by plurality vote. The conservative Peronist Party/faction's dominance in interior electoral districts –which are over-represented- has resulted in their consistent domination of the Senate, thus resulting in divided government for incumbents from different parties or factions.

Finally, organized crime has a long history in Santa Fe, particularly in Rosario. According to Varese (2013), the Sicilian mafia tried to settle in Rosario in the early 20th century, taking advantage of the city's large Italian immigrant population, but failed to do so because the city's main economic activity –grain export- was not suited for charging protection taxes (cf. Sierra 2014). Drug trafficking entered the province through a different door. During the 1970s, police commander Feced, in collaboration with military dictator Galtieri, allegedly supervised the entry of Bolivian cocaine into the province (Del Frade 2000), an early signal of the provincial police force's connection to drug trafficking.

Situated on the coast of the Paraná River, Rosario is the main outlet for Argentine agricultural exports, especially grains, many of them harvested in the province and nearby region. Thanks to its strategic geographical position, Rosario has always been a key port for transshipment of large quantities of illicit substances to and from Argentina, but did not become a major internal consumption and distribution market until the 2000s. During the first decades of the 21st century, various criminal gangs –often benefiting from police protection- would incorporate drug trafficking as one of their primary activities. Subsequently, they would engage in frequent territorial disputes to control an ever-growing market.

3 The Peronist years (1983-2007)

Peronism: dominance and factionalism

Between 1983 and 2007, the Peronist party (PJ) governed the province uninterruptedly. During the first part of this period, low turnover and low fragmentation prevailed in the province, as there was one dominant faction in power. This combination of factors allowed the government to appropriate or control police rent extraction, in exchange for not reforming the police. However, in the later stages, particularly between 1997 and 2003, turnover and fragmentation increased with disputes between the two main factions, headed by former governors Obeid and Reutemann, which derailed reform attempts sponsored by the former.

Two institutional elements favored this development. The first was the constitutional ban on reelection, which remains in place until today. The second was a particular electoral system, the Ley de Lemas, or Double Simultaneous Vote (DSV), established in 1990 and abolished in 2004.² Through this system, each party could present as many lists (*sublemas*) within the party label (*lema*) as it wanted for each electoral office at stake (governor, legislators, mayors, etc.). The votes from each intra-party list would then count towards that party's total votes. This system provided an alternative to primaries, as *sublemas* were the electoral vehicles of different factions within the party.

The Ley de Lemas potentially increased intraparty fragmentation while reducing turnover. On the one hand, factions could resolve their disputes in the general election while remaining within the party. This system proved an advantage to the PJ, which grouped several factions of various ideological inclinations and policy preferences. On the other, the dominant faction would have a greater chance of winning the gubernatorial election due to the aggregation of votes from different *sublemas*, generating perverse results. While gubernatorial candidates from the Unión Cívica Radical, (UCR, Radical Civic Union) or the Socialist Party received more votes in three of the four elections under this system, the aggregation of votes of different *sublemas* enabled Peronist candidates to emerge victorious (see table 4.2). Finally, in 2004, Peronist governor Obeid abolished the Ley de Lemas, honoring a compromise made during the campaign with Socialist candidate Hermes Binner.³

Table 4.2. Governors of the Province of Santa Fe, 1983-2015

Election Year	Governor	Party/ Coalition	Governors' vote share (Margin of victory, %)	Election under Ley de Lemas
1983	José M. Vernet	PJ	41.4 (1.1)	No
1987	Víctor Reviglio	PJ	44.1 (16.1)	No
1991	Carlos Reutemann	PJ	46.8 (6.3)	Yes**
1995	Jorge Obeid	PJ	50.7 (3.4)	Yes**
1999	Carlos Reutemann*	PJ	57.6 (16.2)	Yes
2003	Jorge Obeid*	PJ	51 (5.8)	Yes**
2007	Hermes Binner*	PS-FPCS	52.7 (10.7)	No
2011	Antonio Bonfatti	PS-FPCS	39.7 (3.6)	No

Source: Author's elaboration based on Andy Tow Electoral Blog.

*: new governor is from a different party or faction than predecessor, i.e. high turnover.

** : indicates that the governor was not the most voted candidate but won due to the aggregation of votes of his party, because of the Ley de Lemas.

(a) PJ: Partido Justicialista, also Peronist Party

(b) PS-FPCS: Partido Socialista-Frente Progresista Cívico y Social (Socialist Party – Civic and Social Progressive Front)

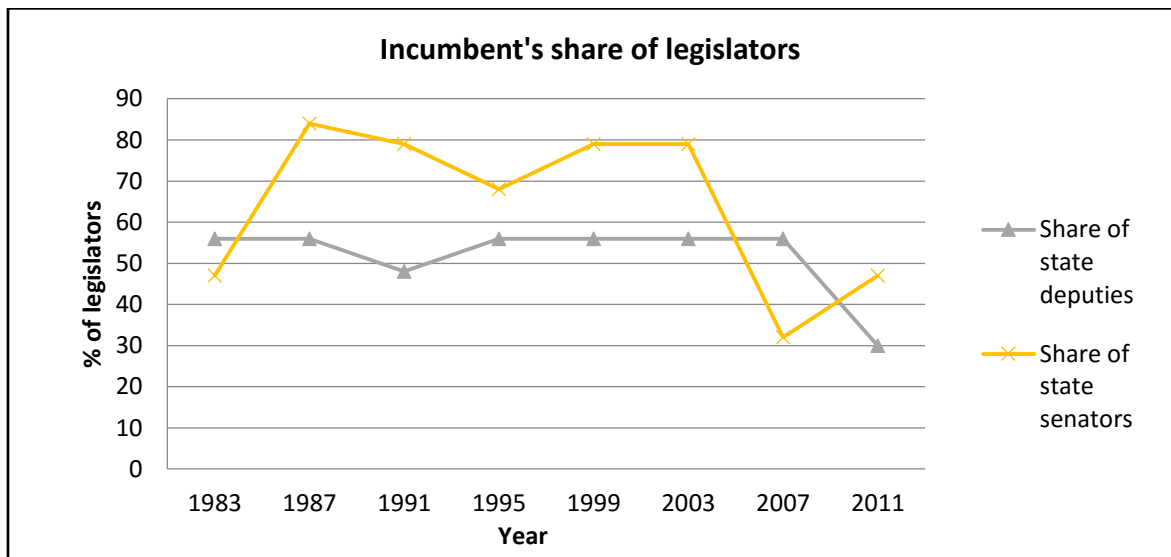
The Peronist party also benefited from the current legislative electoral system to dominate both houses during its tenure. First, it received immediate majority in the chamber of deputies between 1983 and 2007 -with the exception of 1991, in which they were a few

² Law 10.524 (1990).

³ "La legislatura de Santa Fe derogó la polémica Ley de Lemas", *La Nación*, Dec. 1, 2004.

legislators shy of a majority; nonetheless, as we will see below, this dominance eclipses differences between different factions in the PJ. Furthermore, they often controlled over 70 percent of seats in the provincial senate between 1987 and 2003. The Socialists governments' that have ruled since 2007, on the other hand, have had much less dominant legislative results: they have never reached a majority in the provincial senate and lost their majority in the lower chamber in 2011 (see figure 4.1).

Figure 4.1. Share of provincial deputies and senators belonging to Governor's party, Santa Fe (1983-2011)



Source: Author's elaboration from Andy Tow's Electoral Blog and Santa Fe Electoral Court

During the 1980s, the Peronists won two consecutive elections, remained relatively united and faced little external opposition. In the 1983 elections, Jose María Vernet, the candidate supported by the Peronist orthodox faction,⁴ beat the UCR candidate, making Santa Fe the largest territory controlled by the PJ at the time.⁵ After his arrival in office, Vernet set up the 'Peronist Cooperative', an informal alliance between different party leaders to distribute patronage jobs and political power, which managed to preserve party unity. From this group Victor Reviglio, who had initially served in the administration as Minister of Health, emerged as the chosen successor for the 1987 election. He won the province by a 16 percent margin over the UCR.

Political corruption scandals clouded Reviglio's administration and jeopardized the PJ's chances in the 1991 election.⁶ The two largest scandals involved the vice-governor, impeached and deposed for fraud, and the Peronist mayor of Santa Fe –Vernet's former vice-governor – who also resigned under allegations of corruption in 1989.⁷ Two game-changing decisions

⁴ The orthodox wing of Peronism supported Ítalo Luder, the defeated presidential candidate, and included, among others, the heads of the most powerful unions.

⁵ The UCR had won the presidency as well as the provinces of Buenos Aires and Córdoba.

⁶ On the corruption scandals surrounding Vernet and Reviglio see "Vernet and Reviglio, con pasados polémicos", *La Nación*, Dec. 30, 2001.

⁷ See "El regreso del Trucha", *Página12*, Jan. 10, 2005.

emerged as a result. One was Peronist President Carlos Menem's promotion of a political outsider, Carlos Reutemann – a former F1 racing driver – as the future candidate for governor.⁸ The other was the incorporation of the Ley de Lemas into the electoral system to preserve party unity in 1990. The combination of Menem's support and the Ley de Lemas ensured Reutemann's electoral victory in 1991: he received fewer individual votes than the UCR candidate, but won by combining the votes of all the other *sublemas* within the PJ. During the better part of this period, the government did not attempt to reform the police but rather mostly tolerated police organizational autonomy in return for capturing its illicit rents.

Turnover remained low in the 1995 election as Reutemann designated Jorge Obeid, then mayor of the Capital, as his chosen successor (Damianovich 2001, 33–42). However, this election would prove to be the last moment of party unity, as these two leaders' paths parted over time, and they alternated in office: Reutemann returned to the governorship in 1999, and Obeid, running against Reutemann's handpicked successor, won again in 2003.

Disputes between the two leaders signaled increasing fragmentation in the party. They embodied the often-contradictory tendencies that live together under Peronism: Reutemann, a political outsider, represented the center-right sector of the party, mostly aligned with the national governments of Menem (1989-99) and Duhalde (2002-03), and had various individuals who had participated in the dictatorship in his cabinet. Obeid, by contrast, had participated in the Peronist youth movement during the 1970s, and been detained during the dictatorship. Consequently, he would become one of the main representatives of the center-left Peronist faction, more closely aligned with the left-leaning governments of Nestor and Cristina Kirchner (2003-15). The increasing competition between Reutemann and Obeid hindered the latter's attempt to reform the police – the only such initiative during this period.

The double pact with the police: absence of reform and excess of funds

Until 1997, Peronist governments did not attempt to reform the police or otherwise reduce its organizational autonomy. Afterwards, high fragmentation and turnover combined to undermine several reformist efforts. At the same time, the party's entrenchment in power and low fragmentation for most of this period permitted the government to control rents from police corruption, thus reducing police financial autonomy. A federal prosecutor acknowledged to me that Peronist governments allowed police corruption but kept it in check:

[The police structure] did not change during the administrations of governors Vernet, Reviglio, Reutemann, Obeid, etc., but the PJ always had a very particular relationship with the police. I think they were always conscious about placing strict limits, establishing very concretely what could and could not be done.⁹

An alternative interpretation is that Peronist administrations appropriated rents from police rackets. In return, they granted the police greater organizational autonomy, i.e. did not engage in reform. As the current Secretary of Public Security told me: "In Santa Fe, the political

⁸ Menem brought several famous political outsiders as candidates for top position in the Party, including Reutemann, popular singer Ramón 'Palito' Ortega and boat-racing champion Daniel Scioli, then governor of Buenos Aires (chapter 6).

⁹ Interview with federal prosecutor of Santa Fe, Juan Murray.

decision [in the 1990s] in order to control the police was to tax it. In other words, the police had to give the political authority a certain amount of money each month. *That is strategically a way of controlling the police, illegally, but a way of control.*”¹⁰

High police organizational autonomy characterized Peronist governments since the 1980s. Upon taking office, Governor Vernet maintained the police force’s structure inherited from the dictatorship,¹¹ along with several officers who participated in human rights abuses. He would also enact a new Provincial Personnel law, which made it difficult to dispose of state officials under investigation, including police officers suspected of corruption or other misconduct.¹² Reviglio’s government (1987-1991) did not modify the police force’s organizational or operational autonomy either.

Reutemann, like his predecessors, maintained the police force’s high organizational autonomy, overlooking –and to some extent encouraging– its human rights abuses (G. González 2007, 157). During both of his administrations, Reutemann proclaimed iron fist policies and distributed high material and institutional resources to the police. When I asked the provincial police chief during his first term to evaluate Reutemann’s security policy, he said, “[It was] perfect, because he trusted us, and he gave us the resources we needed. For instance, one day I went to the tell the governor I needed a helicopter and he told me the only one he had was his own, but that I could take it [...] When a governor suspects you, you can’t work in the same way”.¹³

While Reutemann maintained the status quo, Governor Obeid (1995-1999) proposed a broad reform to reduce police organizational autonomy.¹⁴ Some of the key proponents of the reform, like the minister of Government, Roberto Rosúa, and the governor himself, came from the Peronist left-wing and were concerned with the police force’s entrenched authoritarian practices and personnel. The scandal following the torture and murder of a young detainee by the Robberies and Burglaries Division also prompted the reform. Finally, the government was also concerned about the extent of the police’s organizational autonomy at the time, the result of no previous government having reformed it since 1983. According to a high-level politician in the administration, “the [Government] ministry -the organ formally in charge of the police- did not have any clue what went on with the police; it did not even have a record of which police were in each location.”¹⁵ Although Obeid initially rose to power with Reutemann’s blessing, this reform reflected (and enhanced) fragmentation within the party, pitting the two leaders and their legislative blocs against each other.

In their attempt to reduce police organizational autonomy, Obeid’s administration passed a law that dismissed police involved in the dictatorship,¹⁶ modified the force’s recruiting and

¹⁰ Interview with current security secretary Matías Drivet (emphasis added). Also interviews with Alicia Gutierrez, Diego Poretti, Daniel Cuenca and Carlos del Frade.

¹¹ The most recent law determining the police’s organization dated from 1975, one year before the military regime took power.

¹² “Santa Fe tiene 400 policías que están procesados y siguen en actividad”, *Clarín*, May 11, 2001.

¹³ Interview with former provincial chief of police, Mariano Savia.

¹⁴ See also F. Rosua (1998) and Gonzalez (2007).

¹⁵ Interview with Fernando Rosua. See also Sozzo (2005, 48).

¹⁶ Law 11.511 (November 6, 1997).

training system, and dissolved the Robberies and Burglaries division.¹⁷ He also created the first Office of Internal Affairs as an external auditing agency to monitor the force (Sozzo 2005; Palmieri et al. 2001).¹⁸ The reform echoed the proposed transformations regarding the police occurring in Buenos Aires as well as other Argentine provinces at the time.¹⁹

However, growing fragmentation within the provincial PJ impeded the full enforcement of the reforms. Although the Peronists had a nominal majority in the legislature, several deputies were Reutemann supporters and did not answer to Obeid, which led them to obstruct the administration's initiative (G. González 2007, 159; Damianovich 2001). As Fernando Rosúa, a high-ranking member of Obeid's two administrations, told me: "We sent a reform project to the legislature in 1997-98, but it got stuck in the chamber; neither the pro-government nor opposition legislators promoted it because it directly eliminated the provincial police chief and centralized control in political hands."²⁰

Police commanders took advantage of this fragmentation to resist the reform, sometimes operating in conjunction with Peronists from the opposition. Rosúa told me that the police chief, whom they had inherited from Reutemann's administration, challenged the government's policies in the provincial Senate, controlled by the rival Peronist faction.²¹ This police chief, who praised Reutemann effusively, expressed his disgust for Obeid's government:

The other [governors] understood us perfectly well and trusted what we said. That's why we had a good police force. But Obeid was really a person who was on a different path. I cannot say the same about Binner. Binner is really a gentleman and Bonfatti also. But Obeid was terrible.²²

This fragmented political scenario allowed the police to drag their feet, weakening an unfriendly government and counting on its replacement by a more favorable administration in the subsequent election – a likely outcome given the provincial constitutional ban on reelection. Rosúa provided an example of this mechanism:

During Obeid's first government, we made an agreement with the European Union in which they would contribute to the police's technical training. We signed the deal, which took a lot of work, but at the time of implementing it, Obeid was no longer in government and Reutemann was in office. A French consulting firm had won the bid; the French were already here; all that was needed was a law to approve this agreement. Reutemann

¹⁷ "Los policías que no tienen destino", *Página12*, Jul. 5, 1998.

¹⁸ Decree 1359 (August 22, 1997). Later, the government introduced a new decree (626/98) placing the external affairs division directly under the political office of security.

¹⁹ For reviews of other police reforms in Argentina outside of Buenos Aires see Salles Kobilanski (2011), Constantino (2014), Barreneche and Galeano (2008), among others. A major difference with Buenos Aires was that the Santa Fe reform did not involve changing the penal process code from an inquisitorial to an adversarial system. The latter, among other things, places criminal investigations in the hands of prosecutors rather than judges, often accused of accommodating relations with the police. Santa Fe finally passed a new penal process code in 2015.

²⁰ Interview with Fernando Rosúa. This reform intended to establish a new law regulating the police organization – the existing one dated from the 1970s- and condense the three laws that regulated the provincial police at that point into a single one.

²¹ Interview with Fernando Rosúa. The police chief, Mariano Savia, corroborated this account in our interview.

²² Interview with Mariano Savia.

sent it to the legislature, the legislature voted for it but Reutemann vetoed it, and it was a major blow to the process of police reform.²³

The high partisan turnover that which ensued further impeded the budding reformist measures from taking hold. During his second administration (1999-2003), Reutemann halted or reversed several of Obeid's reforms. The new governor made significant changes in security staff and policy. A few days after Reutemann's inauguration, the new Government and Justice Minister announced, "The previous reform project is buried."²⁴ Reutemann also named a former National Intelligence Agency officer, notorious for his role in the dictatorship, as Secretary of Public Security. While he retained the Director of Internal Affairs, "they limited her and had no interest in continuing with what had been done."²⁵ The governor's enabling discourse with respect to police violence contributed to a near doubling in the number of casualties from police intervention between 1999 and 2000: from 26 to 48 dead, and from 116 to 233 wounded (Sozzo 2005, 29).²⁶ Among other statements and actions by Reutemann's officials to promote police violence are the following: In 2000, the Secretary of Public Security stated, "We are not here to protect the rights of criminals"²⁷ and rewarded an officer involved in two "trigger-happy" cases that had resulted in deaths. The epitome of police violence occurred in response to the social protests, which took place during the December 2001 crisis. Reutemann fueled the repression by refusing to negotiate with social protestors and ordering the police to use live ammunition instead of rubber bullets (Pandolfo 2010, 203). Unfortunately, in this case, the police were responsive to the government and killed seven social activists over two days, the most casualties in all of Argentina's provinces.

Obeid replaced Reutemann again in 2003, and attempted another, slightly more moderate, police reform. He created the Office of Secretary of Security to increase political control over the police and placed the former head of Internal Affairs as the force's first female chief. In 2004, the government created the Institute of Public Security (ISEP), in which civilians would jointly supervise police training.²⁸ In 2006, having become the dominant faction –and facing lower fragmentation–, the administration managed to get the legislature to approve a new Police Personnel law,²⁹ which –among other things– established that boards with political and civil society representatives would define police promotions, depriving police commanders of their exclusive prerogative in this matter.³⁰ A member of the current Socialist administration, in line with this initiative, explained how this system worked in the past:

Before, selection committees were like this: you were an underofficer that wanted to become an officer; ok, aha, well, this will be 10 thousand pesos, you can pay it in two,

²³ Interview with Fernando Rosúa.

²⁴ Cited in Sozzo (2005, 51).

²⁵ Interview with Máximo Sozzo, local university professor and security expert. See also Sozzo (2005, 52).

²⁶ Máximo Sozzo, a local security expert, compared this transition with that between Duhalde and Ruckauf in Buenos Aires in 1999, (see chapter 6). See also "Arturo Cruz será el nuevo jefe de la Policía", *El Litoral*, Dec. 15, 1999.

²⁷ "No estamos aquí para proteger delincuentes", *El Litoral*, Jan. 17, 2000. Cited in Sozzo (2005, 51).

²⁸ Law 12.333 (approved on September 2, 2004).

²⁹ Law 12.521 (approved on April 6, 2006).

³⁰ Several government officials in the current administration recognized the importance of this feature, as well as the resistance it generated from the force (see below).

three months. If you can't pay it now, when you get promoted and have a new division, it gets deducted. I participated in one of these boards with Tognoli, Sola – [the provincial chief and vice-chief until October 2012]-, another politician and 3 former bosses. The guys came and crossed out names, without any selection criteria other than what we already knew; you didn't see it directly, but you knew how it happened.³¹

By contrast, the former police chief defended the previous police promotion system and criticized its alternative:

Before, there was a board system composed of superior officers. It analyzed every aspect thoroughly. It made interviews. It looked at the average of the applicant in the superior school and elaborated a report in which those with greater scores were promoted. That then was controlled by the state prosecutor. Now they say that system was corrupt. I don't see how it could be. It's impossible... Now they have a tribunal [with several members]: a police officer, a representative of human rights organisms, a university representative, etc. So, there is only one person who knows about the police and can ask you about it.³²

However, Obeid's government was again unable to enforce these changes. The ISEP ended up combining civilian and police training staff, and loosening educational requirements in order to recruit more personnel. Furthermore, neither the exiting Peronist government nor the succeeding Socialist administrations implemented the civilian boards regulating police promotions.³³ Consequently, despite the attempted reforms during both of his administrations, the police maintained its relatively high organizational autonomy from the government.

While factional turnover and fragmentation impeded the implementation of encompassing police reforms during Obeid's administrations, former police interviewees concurred that Peronists exercised greater control of police corruption than the Socialist governments in power since 2007. The low political interparty fragmentation the Peronists faced also probably reduced the likelihood that rival political parties could effectively denounce their wrongdoings, either in legislative or judicial forums. In addition, key sectors of the police were responsive to the different Peronist administrations. Reutemann's former police chief told me of a conversation he had with the governor concerning the corruption scandals involving the Buenos Aires police force:

One day, Governor Reutemann was reading the paper and the title story was "Maldita Policía" (Damned Police). He said to me: "Mariano, if this happens to me, I'll die." If the governor says that, what can you answer? "Governor, this will never happen to you." I went back [to the force] and said, "If anyone does anything wrong, he'll have hell to pay."³⁴

Similarly, a high-ranking official clearly described Obeid's personal control of police corruption:

³¹ Interview with current undersecretary of provincial security ministry, Diego Poretti.

³² Interview with Mariano Savia.

³³ During this interval, the Socialist government suspended this provision by decree and only implemented it in 2014.

³⁴ Interview with Mariano Savia.

I think Obeid was very tough and very positive in controlling the force, because anyone who wanted to get involved in a corrupt deed knew that, if he was caught, he would immediately lose his job and his career. He was very tough, very rigid, even pressuring the people in Internal Affairs so that they did their job correctly and punished those who did not adjust to the government's directives.³⁵

In short, most Peronist administrations managed to exercise control over police rent extraction while granting it high organizational autonomy. This situation would shift in 2007: with a new party –the Socialists- in government and greater dispersal of political power –both within and between the parties- police corruption became rampant and damaging to both the government and the provincial population.

Protection-extraction rackets (1983-2007)

During the first two decades after the return of democracy, police-run protection rackets were the main regulatory arrangement for crime in Santa Fe. The police collected rents from various organized criminal activities, including the incipient drug trafficking in the province, with political acquiescence or even involvement. During this period, criminal violence fluctuated but remained at relatively low levels.

Police corruption: "How many campaigns have the police funded?"

Before the 2000s, drug trafficking in Santa Fe was not yet the primary source of police rents or security concerns that it would become in later years. Nonetheless, several interviewees commented on the police force's historical rent extraction from clandestine gambling and prostitution, considered the 'purer' forms of corruption –in contrast with drug trafficking or other more serious forms of organized crime. The Secretary of Complex Crimes for the Socialist government, a former officer herself, commented on the police force's traditional association with organized crime:

I entered the police in 1987. [Drug trafficking] then was not a problem. The issues of police connivance in that period were clandestine gambling, prostitution, the classic stuff. Drug trafficking did not exist, it was not even perceived as a business. Obviously, that has changed. I wish we could return to clandestine gambling.³⁶

A former police officer and current union delegate went further, asserting that politicians benefited from police rent extraction from clandestine gambling (among other illegal activities):

A: There was corruption but it was focused in the command, mostly.

Q: The regional command?

A: Yes, from there on up. But there was always a direct connivance with politicians in power. That's clear. There was a chief of police that in 1986-I think-, said in the main newspaper: "how many campaigns have been paid with money from clandestine gambling". Check out how things have changed now.³⁷

³⁵ Interview with former high-ranking police officer from Rosario.

³⁶ Interview with current Secretary of Complex Crimes, Ana Viglione.

³⁷ Interview with former police officer and current union delegate, Alberto Martinez.

Similarly, a former precinct boss publicly stated in 1998 that “the Provincial Chief of Police, the Police chief in the City of Santa Fe, and the Minister of Government collected the money from illegal gambling” (Del Frade 2000, 128), an accusation which also highlights the police’s coordination of rent extraction with the ruling Peronist administration.

This pattern prevailed during Reutemann’s first administration, as members of the police force itself ended up denouncing towards the end of his term. On April 1995, a group of officers released a communiqué stating that the incumbent Undersecretary of Public Security “considered himself the owner of the bounty” and had implemented a rent collection scheme, which included auctioning police units to the highest bidders, i.e. those who supplied the most rents. While one might think the police alone appropriated these rents, since the Undersecretary in question was a former police commander, it would be difficult to argue that the incumbents did not realize this pattern was in place.

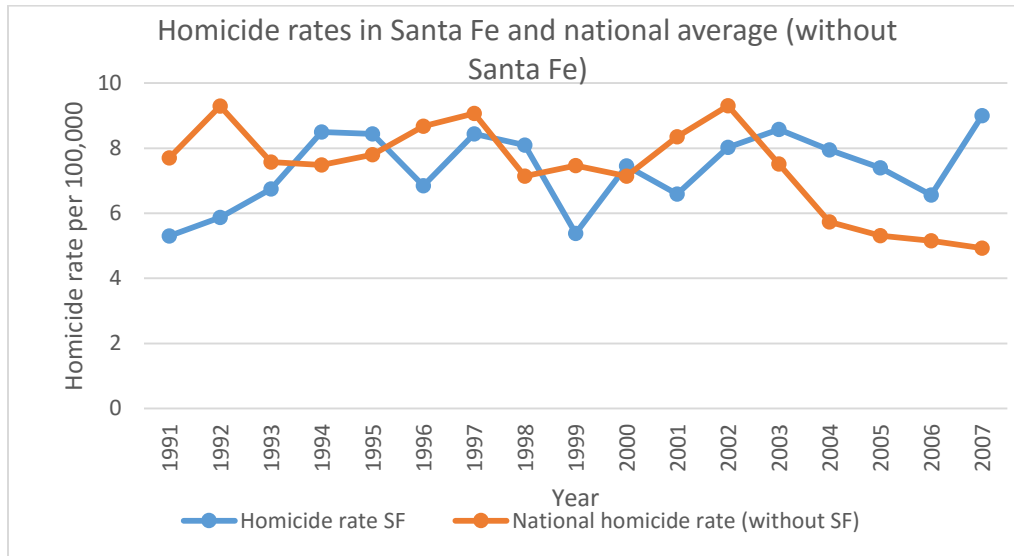
Despite the predominance of clandestine gambling as the source of illicit income, police officers in Santa Fe were also involved in the protection of the incipient drug trafficking business in the province. One of the most resounding illustrations of the protection of drug trafficking by police, politicians, also involving the judiciary, occurred in 1993. A lower court judge was investigating six police officers and other civilians –including a close associate of President Menem- involved in a drug ring. Suddenly, she was promoted to the Higher Court of Appeals, most likely to take her off the investigation, and the officers were then acquitted (Del Frade 2000, 156–161). The same judge would go on to denounce an entire regional police unit in the interior of Santa Fe in 2007 for its presumed involvement in drug trafficking. This shows both the endurance of police linkages with drug trafficking and that, unfortunately, these repeated warnings were insufficient to make governments more proactive in dealing with this issue.

Criminal violence: “Police controlled the street”

During this period (1983-2007), criminal violence in Santa Fe remained within the national parameters and relatively under control. Homicide rates in the province increased but also fluctuated markedly (figure 4.2). Between 1991 and 2007, the homicide rate almost doubled, rising from five to nine per hundred thousand individuals. However, it usually remained below the national homicide rate. Obeid’s last year in office (2007) marked the end of a three-year decrease in homicide rates that had begun in 2003, and had coincided with the country’s economic recovery – due to the commodity boom of which the province was a primary driver.³⁸ This is important to mention since, as we will see, the increase in violence in the main metropolitan areas during the subsequent years overlaps with the last years of economic growth in the country and the province.

³⁸ There is a suggestive association between political cycles and criminal violence in Santa Fe, as it increased during the Reutemann administrations (1991-95, 1999-2003) and decreased during the larger share of Obeid’s two terms (1996-1999, 2003-2006).

Figure 4.2. Homicide rates per 100,000 individuals, Santa Fe province and national average (without Santa Fe), 1991-2007



Source: National Crime Information System (SNIC), National Justice Ministry.

Figure 4.2 shows that criminal violence was not a new phenomenon in Santa Fe, and in fact that some of the increases in homicide rates preceded the Socialists' arrival in government (December 2007). This may suggest that the police's regulation of organized crime was not entirely effective, especially toward the end of this period. However, subsequent years would see a much greater (and faster) increase in homicide rates in the metropolitan areas in the province than in any other part of the country.

During the early 2000s, drug trafficking gangs expanded. A key component of this growth was the increasing participation in drug trafficking of *barras bravas* –cliques of hooligans- from the city of Rosario's main football clubs: Rosario Central and Newell's' Old Boys. *Barras bravas*, already immersed in illicit businesses like reselling game tickets and 'guarding' parked cars, became increasingly involved in street-level drug dealing, and fought each other for market control.³⁹ Consequently, drug-related violence increased. In 2005, assassins gunned down the leader of the Newell's faction, one of the city's main drug dealers, after his police associates apparently set him up for the hit (Federico 2008, 176–7). The police's involvement with traffickers, as well as execution style assassinations in Downtown Rosario, had reared their ugly heads, a foretelling of the police corruption and criminal violence to come.

While drug trafficking existed in Santa Fe long before the Socialists came to power in 2007, police regulated it, along with other organized criminal activities, through protection-extraction rackets. Since the force counted on the tolerance or protection from important sectors within the ruling Peronist party, it regulated such enterprises in coordination with the government – that is, without provoking political crises – and prevented great increases in criminal violence. In other words, police corruption, while high, was relatively organized and not yet a political liability for provincial governments. Over the following decade, under the

³⁹ Like in Buenos Aires, *barra bravas* in Rosario also have political connections, providing services as mobilizing or breaking up gathering of rival politicians.

auspices of the police's *uncoordinated* protection, drug trafficking and drug-related violence expanded, especially in the metropolitan areas of Rosario and Santa Fe.

4 The Socialists in government (2008-2015)

Increased turnover and fragmentation

For the first time since the return of democracy in 1983, a non-Peronist government took power in the province of Santa Fe on December 10, 2007. Hermes Binner, the former mayor of Rosario (1995-2003) and one of the founders of the provincial Socialist Party, took office as head of a coalition that included the Radical Civic Union (UCR) and other non-Peronist parties. Of these, the Socialists were the most important, having governed the province's largest city (Rosario) continuously since 1989.⁴⁰ The election of 2007 was the first conducted without Double Simultaneous Vote (DSV) since 1987, which undoubtedly facilitated Binner's victory. Four years later, in 2011, Antonio Bonfatti, another Socialist leader and Binner's Minister of Government, succeeded him in office.⁴¹

Bonfatti won the 2011 election by a slim margin, benefiting from the division between Peronist forces into the center-left FPV-PJ and the center-right Unión PRO. While they remained in power, the Socialists' political capital had decreased. With respect to the 2007 elections, the Progressive Front's (FPCS) vote share fell from 52.7 percent to 40 percent. Furthermore, the Progressive Front lost its majority in the lower chamber, and remained a minority in the Provincial senate, controlled by the Peronists.

In addition, the Socialists faced high political fragmentation within the cabinet, as they headed a broad and diverse government coalition. Struggles between different sectors of the coalition generated policy incoherence, and diminished the government's authority over the force. Furthermore, the government's most reform-oriented security ministers were not politicians from the Socialist party, and thus lacked political support to enforce their initiatives. Finally, lacking a legislative majority also generated obstacles to security decisions. As a former high-level political official in Obeid's administration told me:

Generally, governors arrive without a majority. I think the last one who had a majority in both houses was Reutemann. A government official who does not know how this works ends up either crazy or demoralized after five months. I think this happened to Cuenca [the first security minister], a guy I respect.⁴²

During the Socialist administrations, the police would often exploit this fragmentation to seek allies in the political opposition. Eventually, they would also resort to intimidation to resist

⁴⁰ The Radicals had been the second largest party since 1983 –having actually gained more votes than Peronist individual candidates in 1991 and 1999–, but lost their prominence after the failure of De la Rúa's presidency (1999-2001). The Socialist governments in the city of Rosario were Hector Cavallero (1991-1995), Hermes Binner (1995-2003), Miguel Lifschitz (2003-2007) and Mónica Fein (2007-current).

⁴¹ The Socialists won the gubernatorial election again in 2015, with former state senator and Rosario mayor Lifschitz barely surpassing Union Pro candidate Miguel del Sel by 2000 votes (0.2%).

⁴² Interview with Fernando Rosúa. In addition, the Socialists complained that, after Binner's election, Obeid made several last-minute appointments, including two Supreme Court judges, 24 lower-court judges and the accounting tribunal. "Son decisiones que no compartimos", *Página12*, Nov. 14, 2007.

the government's timid encroachments on their autonomy.

Increased police autonomy: no reform or control over police rent extraction

Despite the Socialist Party's progressive orientation, these administrations did not reduce the police force's organizational autonomy. The Socialists inherited a police force that remained essentially unreformed after 24 years and, given the high political turnover, faced several transition costs when moving into office. This caveat notwithstanding, Socialist governors did not attempt any major reform to strengthen the political control over the police or make it more accountable to the rule of law. Furthermore, the Socialists had always denounced the presumed corruption of Peronist administrations. Consequently, they proclaimed that they would build a different relationship with the force, in which they would not participate in police rent extraction. However, while Peronist governments had exercised greater informal control by either limiting or pocketing the police's corruption rents, the Socialists did neither.

The first Socialist administration set out, ostensibly, to reduce the police force's organizational autonomy. Binner created the Ministry of Security and maintained the Police Personnel Law (12.521/2006)⁴³ although, like Obeid's government, he did not enforce the new police promotions regime. Binner's first security minister, Daniel Cuenca, a criminal law jurist and university professor, created a Secretary of Control of the Police to monitor the force and a Secretary of Community Prevention to formulate security policies that were not exclusively centered on police repression. However, in his own words, in "setting up a ministry from scratch [he] wasted a lot of time on administrative issues such as [approving] promotions, locations, prisoner custody, etc., and had less time for daily operations" or broader reformist initiatives.⁴⁴ Moreover, he inherited a chaotic administrative situation from the previous government: "debts, lack of [signed] promotions, no staff, not even a desk".⁴⁵ Cuenca rapidly encountered police resistance to his command, which fluctuated from passive disobedience—"some get in line, others pretend to", he said - to active intimidation. For example, he found notes in his office that said "Get out, usurper," and eventually decided to bring in his own meals to the Ministry for fear that the police who worked there might put something in the cafeteria food. The stress eventually took its toll. He suffered a near-heart attack while in office, and resigned in December 2009.

The tenure of Cuenca's replacement, Alvaro Gaviola –the former director of Civil Registry, who had no experience in security-, illustrates how high fragmentation within the cabinet increased police autonomy. Gaviola's appointment spurred conflict with the Socialists' coalition partners, who promoted a different candidate and complained of Binner's unilateral decision.⁴⁶ Furthermore, as soon as Gaviola took office, he appointed a former police commander as secretary of security – but had to reverse his decision immediately after several cabinet members threatened to resign. This incident highlighted the fragmentation between progressives without partisan affiliation to the coalition, and more conservative politicians, such as the justice minister – the person responsible for both Gaviola's and the secretary's

⁴³ Police interviewees said they thought the government would change this law upon arrival to office.

⁴⁴ Interview with former security minister Daniel Cuenca.

⁴⁵ Ibid.

⁴⁶ "El mal humor de los radicales", *Página12*, Dec. 4, 2009.

appointment.⁴⁷ This internal dissent resulted in the gradual departure from the security cabinet of several officials who had participated in Cuenca's initial reformist attempts.⁴⁸ Consequently, the administration relinquished control over the police. In the words of an opposition legislator, “instead of politicians driving things, they were allowing police sectors to come into the government to run the force.”⁴⁹

Binner's successor, Antonio Bonfatti, appointed the former secretary of penitentiary affairs, Leandro Corti, as his first security minister in December 2011. Like Cuenca, Corti had experience as a lawyer and academic, but no partisan affiliation with the government. He intended to assert greater control of the police, particularly in his informal interactions with the force's commanders, but did not find sufficient political support. As he told me in an interview, to control the force, “First you need not to take money from the police, even if it sounds elementary. Second, you need to have a lot of political support, because you will not be making too many friends. Hitting these guys on the head implies having a pretty big dick, so to speak.”⁵⁰ He also commented on the difficulties of being security minister, beyond the usual bureaucratic and administrative problems: “You have no personal life, and the cops know everything: if you take drugs, if you're gay, if you are a womanizer, if you have kids, if you are separated, everything”.

Corti also regretted his (and other politicians') inability to design and implement coherent policies with long-term impact while in charge of security:

This [process] has catastrophic results, because time passes, a four-year process ends and you realize you didn't even generate the basic conditions for a coherent, serious, rational, sustainable public policy and it's over. Politics is reduced to managing the contingent and urgent; politics is devoured by the obsession of what pays better electorally and that goes against the logic of building rational public policies in general.⁵¹

This reflection illustrates how turnover conspires against the implementation of policies to reduce police autonomy.

Corti resigned in June 2012, after Governor Bonfatti undermined his decision not to hold a football match in Santa Fe for security reasons.⁵² Subsequently, Bonfatti appointed long-time Socialist state deputy Raúl Lamberto as security minister. It was the first appointment of a security minister from the party ranks, and proved to be the most stable—he remained in place until the end of Bonfatti's administration in December 2015. Lamberto focused on reaching a consensus with the commanders, while at the same time gradually increasing the political control of the police. As he told me:

You define political power with political decisions. The decision to educate, to train [the

⁴⁷ “Superti subió a Giacometti y lo debió bajar por la rebelión de los secretarios”, *La Capital*, Dec. 4, 2009. <http://www.lacapital.com.ar/superti-subioacute-giacometti-y-lo-debioacute-bajar-la-rebelioacuten-los-secretarios-n322284>.

⁴⁸ Interview with former mid-level political official in first Socialist Administration.

⁴⁹ Interview with FPV state deputy Eduardo Toniolli. Also interview with Fernando Rosua.

⁵⁰ Interview with former provincial security minister Leandro Corti.

⁵¹ *Ibid.*

⁵². “Por el partido de Central renunció al Ministerio de Seguridad Leandro Corti”, *La Capital*, Jun. 6, 2012.

police] is very important. The decision to establish an administrative control is very important. Now, it has to be done in a framework: it's a boat that you have to fix as it sails along, because this is the police you have, and you don't have the chance to say "ok, I'll stop, fix it and move on." *For that, you need political decisions, a plan and consensus that you reach with dialogue, with comprehension, by delineating that the old structures did not work.*⁵³

However, this ministerial shift did not decrease police autonomy. Many opposition politicians and even former government officials criticized the administration's approach, arguing that tough decisions, rather than consensus, were the way to deal with the police. For instance, former minister Corti stated, "The [Socialists] have an absolutely naïve, comfortable and even irresponsible position. I know that Lamberto is not corrupt, but he has this political thing of winging it, surfing [muddling] through, and here you need someone to make determinations and political decisions with support."⁵⁴ In a similar vein, the provincial public defender told me: "with Lamberto, things worsened. There was a large growth in the ministry's administrative personnel, with a lot of kids who don't know anything, and without developing a concrete action plan to first know what is going on and then act."⁵⁵

In October 2012, four months into his tenure, Lamberto faced a major crisis that illustrates the police force's high autonomy from political oversight: the resignation and arrest of Police Chief Hugo Tognoli.⁵⁶ A Federal Police investigation had revealed that Tognoli protected at least one major local traffickers. After a few days on the run, the former chief turned himself in to the province's Elite Squad and was remanded in custody of the federal judiciary of Rosario. Both Socialist administrations had promoted Tognoli on account of his 'impeccable' record: Binner had made him head of the Narcotics Division, and Bonfatti placed him in charge of the entire police force in December 2011. This is a sign that police commanders managed and filtered promotion procedures for political authorities. Also revealing of the provincial government's lack of control of the police is the fact that a *federal* agency, the Policía de Seguridad Aeroportuaria (PSA Airport Security Police), provided the information that led to Tognoli's arrest. This incident made it clear that the government could no longer ignore the need to clean up the force. As one high-ranking political official in the security ministry expressed: "This helped reflect that we needed a structural change and this idea became shared by most sectors within the police, who understood we needed strong transformations in training, and in the force's operational capacity."⁵⁷

By 2013, criminal violence in the province had increased dramatically. Only at this point did the government start working on a project to decentralize the police force's structure, in order to reduce the power of the top commanders.⁵⁸ However, this reform was limited and the

⁵³ Interview with current Security Minister Raul Lamberto (emphasis added).

⁵⁴ Interview with former minister Corti.

⁵⁵ Interview with provincial public defender Gabriel Ganon.

⁵⁶ See "Tognoli se entregó y quedó detenido en Santa Fe", *La Nación*, Oct. 23, 2012. See also "Ousting of police chief highlights Argentina's vulnerability to organized crime", *InsightCrime*, Oct. 31, 2012.

⁵⁷ Interview with security minister Lamberto. Also interview with undersecretary of public security Diego Poretti.

⁵⁸ Interview with member of CEMUPRO team in charge of developing reform plan. See also "El gobierno inicia la reforma policial", *El Litoral*, Feb. 9, 2013.

government has not yet fully implemented it.⁵⁹ To some extent, it is telling that the most important change the Socialists intended to enforce –civilian boards to dictate police promotions - had been introduced in 2006 by Peronist Governor Obeid during his second administration.⁶⁰

Despite –or because of- the government’s limited advance against the police force’s autonomy, the Socialist administration encountered significant resistance from sectors in the law enforcement community. Almost all security ministers and high-level staff suffered various threats and intimidation. In December 2013, the police refused to patrol the streets, demanding higher salaries and better working conditions.⁶¹ In response, the Bonfatti administration requested that the federal government send in the national military police to prevent lootings and riots.⁶² Finally, the provincial government issued a decree raising police wages and the crisis abated.

Both political rivals and police pointed to the administration’s “lack of coherent messages” to the police force -a consequence of the government’s high internal fragmentation. The police force exploited these divisions to increase its autonomy from the government. For example, a current union delegate stated,

Q: What are the main problems or conflicts the police have with the political leadership?

A: First, that there are no precise orders. It’s all improvised. Day by day. According to where the conflict is, we see how we resolve it. Today there is [one secretary of security], but tomorrow you come along with other ideas and modify everything.⁶³

Another police union delegate, an active mid-ranking underofficer, agreed, saying that: "The best way to sink a ship is by putting in more than one captain and now they have several: the minister, the security secretary, the secretary of complex crimes, the chief of police..."⁶⁴

The fragmentation faced by the provincial government also gave police the opportunity to delay their adherence to political decisions. This dynamic is similar to when Obeid had attempted to pass a reform law, which was obstructed by pro-Reutemann factions in the legislature. As the current undersecretary of penitentiary affairs told me:

For example, if you kick someone out, he can file an administrative complaint that will delay things until the next administration and get reinstated. I mean, as political actors we have very short deadlines. If I said ‘in six months, I will leave my position’, nobody will listen to me because they start to make good with the next guy. If a superior officer considers my position shaky, he will try to sabotage it.⁶⁵

The police also benefited when the Socialists lost their majority in the lower chamber during Bonfatti’s term (2011-2015). The government complained that the legislative branch summoned its security cabinet for “ridiculous” proceedings to undermine the administration. As

⁵⁹ “Idas y vueltas de la reforma policial”, *El Litoral*, Aug. 31, 2014.

⁶⁰ Interview with Maximo Sozzo, local security expert.

⁶¹ “Santa Fe: Se sublevó un gremio de policías y Bonfatti los denunció penalmente”, *La Política Online*, Dec. 5, 2013.

⁶² “El gobierno envía 1500 gendarmes a Santa Fe por pedido de Antonio Bonfatti”, *La Nación*, Dec. 7, 2013.

⁶³ Interview with current police union delegate, Hector Aguiar.

⁶⁴ Interview with current police union delegate, Alberto Martinez.

⁶⁵ Interview with provincial undersecretary, Security Minister.

the Secretary of Complex Crimes told me:

If you look at the entire history of this province, who has gone [to the legislature] as much as we have? [Security Minister] Lamberto went three times, I went once... They say a lot of things that muck up the playing field, and that take you out of the everyday management to struggle to respond to things that are stupid.⁶⁶

In another illustration of how the police benefited from high political fragmentation, a legislator from the Progressive Front claimed that police “operated with legislators, to change the course of policies, to prevent the new selection and promotion mechanisms.”⁶⁷ The provincial public defender also stated that, on a daily basis, “The police were much more active in operating politically than the government.”⁶⁸

As stated in the analysis of the PJ’s rule in Santa Fe, there are contending perspectives as to whether Peronist governments limited police corruption or benefited from it. However, it appears that they were more effective in informally controlling police rent extraction, at least enough to prevent it from destabilizing the government. By contrast, the Socialists were less adamant in reducing the police’s financial autonomy through either formal or informal mechanisms. Former provincial Security Minister Corti hinted at this difference in the management of the police between the two parties:

You have to be rational in the sense of having some criteria of justice, not cracking heads whenever you feel like it, but giving clear signals that this is the line and that if you step out of line, the political leadership will [use] the stick. This is the Socialist administration’s main Achilles’ heel [but] they don’t see it that way. Whether it’s because of fear, style, political culture, I think that, in this regard, Peronism has been much more realistic.⁶⁹

The following quote from a current police union delegate below also reveals the force’s perception of the Socialists’ relationship with the police:

These ones [the Socialists] are just like the others [the Peronists] with respect to our sector, with respect to the mistreatment we receive as workers. There may be some differences in terms of their management styles. *Now we can say anything and don’t get administrative reports filed. If we said the things I’m telling you to the Peronists, we’d get reported [or kicked out].*⁷⁰

In short, the Socialists’ arrival in government after 24 years of Peronist rule signified a new linkage between incumbent politicians and the police. According to incumbent politicians, the government severed the corrupt links with the police that had existed during previous administrations. Most interviewees from outside of the government agreed that the Socialists did not receive money from police rackets. However, in part due to internal political disputes and external political conflict, the Socialists were unable or unwilling to police autonomy, which increased during their administrations. This decline in political control over the police had a

⁶⁶ Interview with Ana Viglione.

⁶⁷ Interview with state deputy Alicia Gutierrez.

⁶⁸ Interview with Gabriel Ganon.

⁶⁹ Interview with Leandro Corti.

⁷⁰ Interview with Héctor Aguiar.

profound effect on the force's later regulation of drug trafficking in the province.

Particularistic negotiations: decentralized corruption and high criminal violence in Santa Fe (2007-2015)

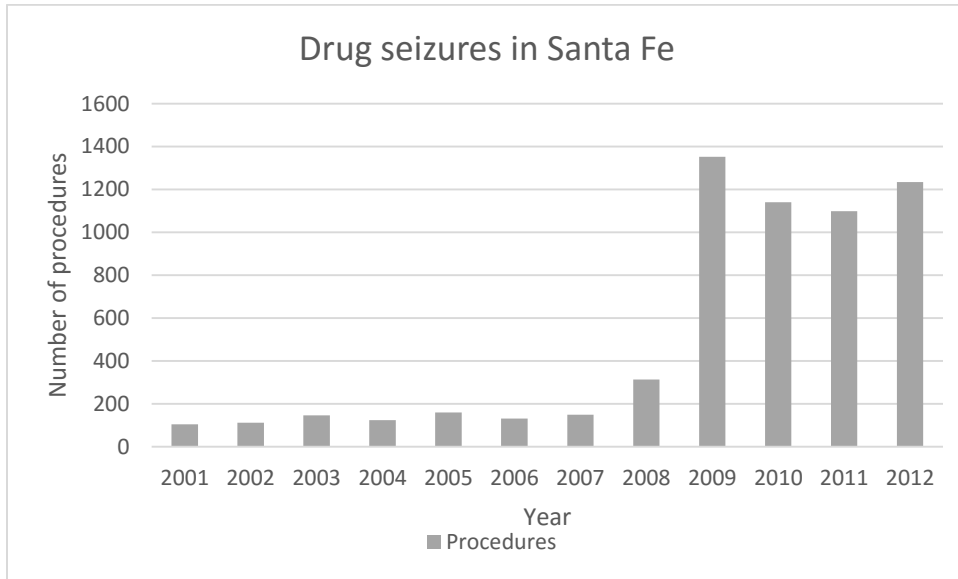
The police force's high autonomy in Santa Fe resulted in particularistic negotiations as the main drug trafficking regulatory arrangement after 2007. In contrast with the previous Peronist administrations (1983-2007), which had not advanced on police reform but had controlled police rent extraction, the Socialists had failed on both counts. Particularistic negotiation involves dispersed deals between different police units and criminal actors, without the control or coordination of political superiors. Politicians may control police rent extraction by either restricting or appropriating it. In the case of the Socialist governments, neither of these options occurred. Subsequently, drug trafficking gangs operated without any effective constraint on their expansion or their conflicts with rival groups. The increasing levels of criminal violence, namely homicide rates, between 2008 and 2014, particularly in the metropolitan areas of Rosario and the Capital, reflect this uncoordinated regulatory arrangement.⁷¹

Admittedly, the Socialists faced a different scale of drug trafficking, which increased significantly in Santa Fe over the last decade. The number of drug seizures grew tenfold, from 105 in 2001 to 1234 in 2012 (figure 4.3), with a marked jump between 2008 and 2009 –two years into the first Socialist administration.⁷² Around 75 percent of these procedures were street controls –as opposed to raids-, an indication that the police find most drugs by chance rather than due to criminal investigations. However, this phenomenon was common to most provinces in Argentina; even provinces with similar geographical traits advantageous to drug trafficking -e.g. airports, ports, and highways as transshipment routes- like Buenos Aires (see Chapter 6) did not exhibit as rapid or large an increase in criminal violence as Santa Fe did.

⁷¹ Most of the evidence below refers to Rosario because it is geographically more convenient for drug transshipment and domestic distribution.

⁷² During this period, Argentina became a more important route in international drug trafficking. However, not all urban areas experienced the same expansion of domestic consumption nor criminal violence.

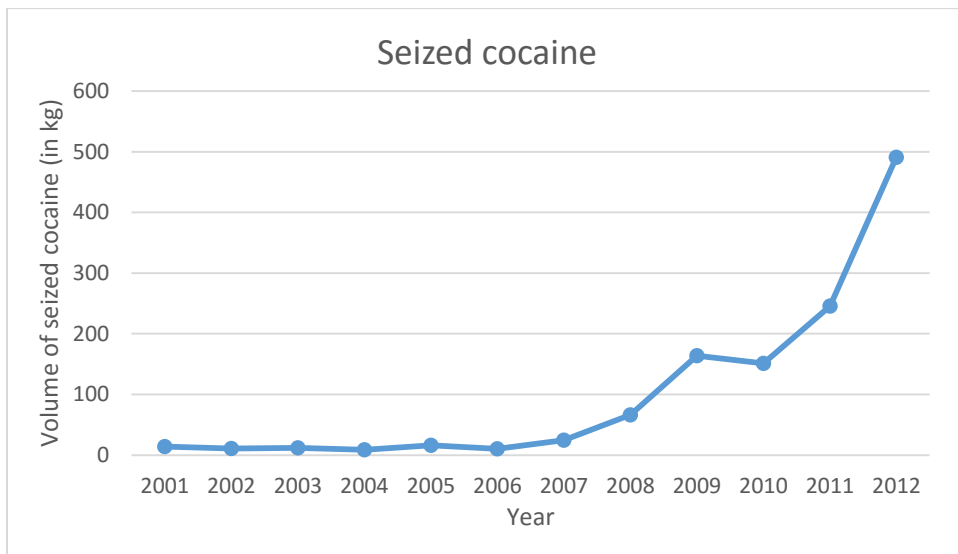
Figure 4.3. Number of drug seizures in Santa Fe (2001-2012)



Source: Author’s elaboration from Santa Fe Ministry of Security

The volume of cocaine seizures increased consistently over time as well (figure 4.4). While the provincial police seized only 14kg of this drug in 2001, a decade later this amount had grown to 490kg. While this growth also relates to Argentina –and Santa Fe- becoming a more significant transshipment hub for illegal drugs, it also signals that more gangs and individual dealers operated within the city, many of them with police protection, an indication of the changed regulatory arrangement (particularistic negotiation) that predominated in the province.

Figure 4.4. Volume of cocaine in kg seized in Santa Fe (2001-2012)



Source: Author’s elaboration from Santa Fe Ministry of Security

Finally, the number of individuals detained for drug related offenses between 2009 and 2012 practically equaled the number of procedures carried out. One possible interpretation is that, on most occasions, the police arrest individuals in possession of drugs for retail distribution

or consumption, i.e. the lowest echelons of the drug trafficking pyramid. This is another indication of the extent of fragmentation of the drug trafficking market in Santa Fe, and the incapacity of police forces to regulate it effectively.

High and decentralized police corruption: “Today, even Corporal Cacho asks you for money”

Although police connections with drug trafficking and organized crime preceded the Socialist administrations, during the 2007-2015 interval they expanded, and became more evident, because of the police force’s high autonomy from the government. The case epitomizing the entrenchment of corruption in the force was the arrest of provincial Police Chief Hugo Tognoli in October 2012.⁷³ Tognoli, along with subordinates from his tenure in the Narcotics division, had been involved in at least two cases of complicity with drug traffickers, including protecting a wholesale cocaine dealer in exchange for \$ARS30 thousand per month.⁷⁴

All interviewees, even government officials and police officers, acknowledged the widespread corruption in the police. To some extent, the force’s extreme autonomy contributed to the exposure of its corrupt dealings: the government’s lack of coordination with the police in extracting rents from crime ultimately left these sectors without political protection, facilitating their investigation and arrest by judicial authorities and federal forces. Tognoli was not the only high-ranking police officer arrested for protecting drug traffickers. The criminal investigation into one of the main drug gangs in Rosario –the Canteros, also known as “Los Monos” [The Monkeys] – resulted in the indicting of 36 people, including 11 police officers, in 2013.⁷⁵ Police protection extended to both the high-level dealers, mostly from the outskirts of Rosario,⁷⁶ and the small-scale drug distributors in the city’s slums. As a current mid-level official in the security ministry told me, police corruption was particularly acute in Rosario and the Capital:

Specifically, the two cities –Rosario and Santa Fe- generate a lot of problems, because that’s where the police have the most territorial control, because they have the most staff and because there are greater possibilities for generating businesses.⁷⁷

Different police units extracted rents from drug retail, engaging in dispersed deals with low-level traffickers. Many interviewees pointed out that, in Rosario, the main drug distribution mechanism was through “bunkers” -enclosed fortifications in slums and impoverished neighborhoods, which operated in broad daylight, mostly with police authorization.⁷⁸ In this sense, a federal judge said, “The emblem of impunity is the way drugs were sold in Rosario, the bunker –a Rosarian invention-, a fortress so that everybody knows. The only thing missing is a neon sign.”⁷⁹

While police corruption was certainly not a new phenomenon, the Socialist

⁷³ See “Renunció el jefe de la Policía de Santa Fe”, *El Litoral*, Oct. 19, 2012, and “Acusado de proteger al Narcotráfico renunció el jefe de policía de Santa Fe”, *La Nación*, Oct. 20, 2012.

⁷⁴ See “La larga saga de Hugo Tognoli”, *Página12*, Nov. 3, 2012.

⁷⁵ The accused included top ranking officers working for the Secretary of Complex Crimes, which absorbed the Narcotics division.

⁷⁶ The Federal police arrested one of the largest wholesale dealers in September 2013. They found over 300kg of cocaine paste and 400l of chemical precursors in his home in Funes, a small municipality outside of Rosario.

⁷⁷ Interview with Diego Poretti.

⁷⁸ Many of the bunkers are run by children or teenagers, recruited by traffickers who paid those ARS\$300 (around US\$30) a day, and slightly more if they had weapons.

⁷⁹ Interview with federal judge Vera Barros.

administrations' lack of control over the police, including its refusal to centralize police rent extraction, encouraged the force's regulation of trafficking through particularistic negotiations. The current Socialist Undersecretary of Complex Crimes stated that, while police corruption continued, it did not end up in politicians' pockets –hinting that this was standard procedure in previous administrations. Her statement also reveals that police are less likely to be credible protectors of criminals:

Some police officers are still collecting money, but they also know that it's not for any of us. That's a strong message because it says you [the police] can no longer guarantee impunity. You can charge but you can't guarantee protection [to criminals]. Because I don't warn you when I'm going to raid the place. Then you'll have to be accountable, but that's your problem.⁸⁰

Coincidentally, interviewees from the political opposition did not accuse Socialist governors or security ministers of receiving funds from or participating in police corruption.

Police corruption was not only severed from political protection but also increasingly uncoordinated within the force itself. While in other periods, the force's commanders might have benefited from the institution's hierarchical structure to centralize illicit rents, this was no longer the case. This lack of coordination generated more fragmented linkages between police and drug traffickers, as everybody sought a piece of the action. A federal judge also highlighted the decentralized deals between police and traffickers: "Drug trafficking in Rosario became scandalous because police protection, which always existed but was contained, became decentralized, so every police precinct ran three or four bunkers."⁸¹ The former security minister Corti described the police force's decentralized corruption more graphically: "[today] even corporal Cacho asks you for the money."⁸²

The police force's dispersed negotiations with drug traffickers enabled the latter to expand their influence and further fragmented drug distribution, particularly in Rosario. According to one of the journalists most familiar with the drug trade in Rosario, four gangs fought for control of the city's neighborhoods and distribution points.⁸³ However, they decentralized drug retail by subcontracting the activity to individuals or families in poor neighborhoods.⁸⁴ A study by the National University of Rosario (UNR) found more than 400 drug retail points in the city, most of them peddling small quantities. Two decades earlier, the mayor at the time had asserted that there were only 15 drug kiosks in Rosario, another sign of how much drug trafficking had grown in volume and number of sellers (Del Frade 2000, 107).

This fragmentation reinforced the police force's diminished capacity to regulate the market effectively, particularly in terms of containing criminal violence. As a local expert and former government official said: "With more fragmentation [of the drug market], the police boss can collect the money but his control is more limited."⁸⁵ A neighborhood social movement activist in Rosario explained the link between police autonomy, decentralized drug trafficking

⁸⁰ Interview with Ana Viglione.

⁸¹ Interview with Vera Barros.

⁸² Interview with Leandro Corti.

⁸³ Interview with journalist Carlos del Frade.

⁸⁴ Interview with activists from the social movement Movimiento 26 de junio.

⁸⁵ Interview with former member of Provincial Security Ministry and local security expert.

and criminal violence in more detail:

Today, what's happened with drug trafficking is a product of deregulation, of the de facto self-government of the police; the business has grown horizontally. Small and mid-size family companies have proliferated that devote themselves to drug trafficking without being heavyweight drug dealers. They are small families that mounted a kiosk in a neighborhood and are in constant dispute with the police force. It is even becoming a problem for the police to regulate all this. There is a process of horizontal spread of violence. All kinds of conflicts, in most cases, are solved with guns. There is another point: another great corollary of police self-government is that the community has more access to firearms. In fact, it is illustrative that, if you run a statistical cross analysis, most homicides occur with guns that are police standard issue.⁸⁶

Coincidentally, the provincial prosecutor before the State Supreme Court told me that, until that point in the year –November 2013- they had reports of 27 police standard issue 9mm “stolen” firearms.⁸⁷ Although many of these were authentic thefts, there is also a suspicion that police sold some of these weapons to criminals. Like in Rio de Janeiro, police corruption in Santa Fe sometimes directly contributed to increases in drug-related violence.

This magnitude of police corruption is not exclusive to Santa Fe. Police sectors in all the other cases examined in this study also extract rents from drug trafficking. However, their greater coordination with the government and within the police allowed them to regulate the criminal market and control violence by reaching informal agreements with traffickers. One of these types of arrangements –protection-extraction rackets, often referred to as a “double-pact”, i.e. deals between politicians and police, and between police and criminals-, may have worked previously in Santa Fe, but it is no longer effective. As a former police officer, and current union delegate, told me:

[Before,] the police controlled the street. If something happened, it was minimal or it had a license to happen. Then the disarray came; today, there are areas where the police cannot enter. The police are irrelevant. You put a vase and it's the same. There's no respect. Now, that's not to say “oh, poor us”. There were people who worked inside the force for this to happen.⁸⁸

In other words, the police's extensive and decentralized corruption ultimately diminished its capacity to control crime and violence.

Escalating criminal violence

This regulatory arrangement –particularistic negotiation- generated a substantial increase in criminal violence in Santa Fe. Between 2008 and 2014, the province experienced a dramatic increase in homicide rates, driven primarily by its two main departments and cities: Rosario and the Capital (city of Santa Fe).⁸⁹ While in the Rosario metropolitan area, there were 127 homicides recorded in 2010, in 2013 this number had risen to 264, equivalent to a homicide rate

⁸⁶ Interview with social movement activists.

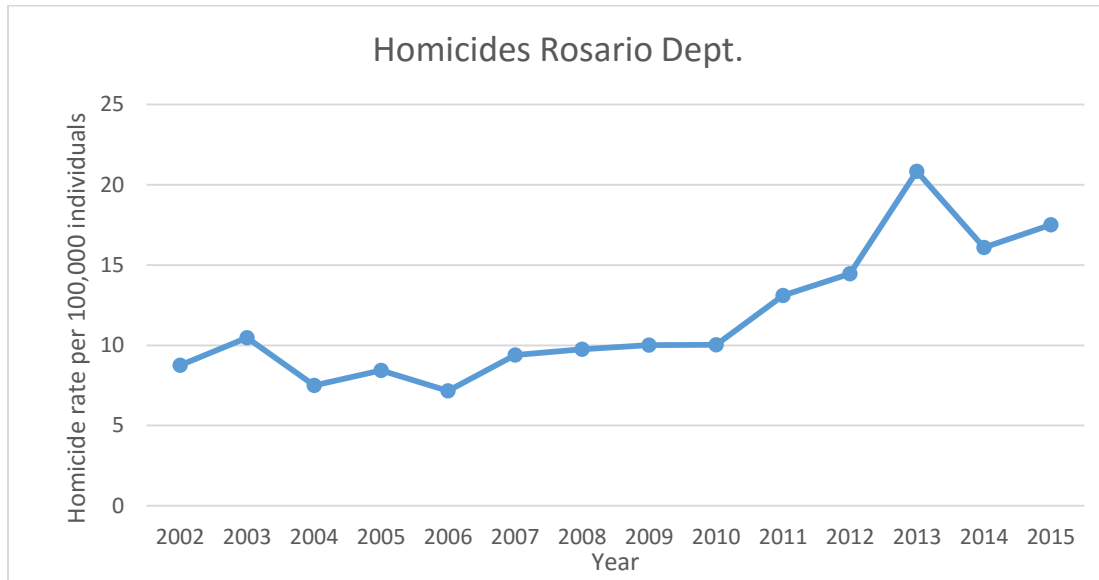
⁸⁷ Interview with provincial general prosecutor, Jorge Barraguirre.

⁸⁸ Interview with Alberto Martínez.

⁸⁹ Unfortunately, both the province and the national state have stopped publishing crime statistical series in 2008, so I was only able to obtain fragmented data from various sources.

of 21 per 100,000 individuals – the highest in the district’s history.⁹⁰ Of these, 217 homicides (82 percent) occurred in the city of Rosario. The homicide rate was even higher in the neighboring city of Villa Gobernador Galvez -32 per 100,000-, the highest in the entire country that year. This increase followed the escalation in conflict between drug trafficking gangs and the unraveling of the provincial police force –e.g. the chief’s arrest in late 2012. Violence levels decreased in 2014 but bounced back the following year (see figure 4.5).

Figure 4.5. Homicide rates in the Department of Rosario (2002-2014)



Source: La Capital (2015).⁹¹

Meanwhile, in the second largest metropolitan area in the province –the capital city of Santa Fe and the surrounding municipalities- homicides reached record levels in 2014. While the previous highest point was 117 homicides in 2007, seven years later there were 150 homicides in the metro area.⁹² The homicide rate for the Capital department that year was 26 per 100,000, while for the city it was 32.8 per 100,000 inhabitants.⁹³ On the other hand, at least between 2008 and 2011, homicide levels in the interior of the province remained much lower –at 3-4 per 100,000 - and did not increase, highlighting the fact that criminal violence in Santa Fe had become a predominantly urban phenomenon (see figure 4.6). To put these numbers in perspective, the national homicide rate in Argentina in 2012 was 7.2 per 100,000, meaning these metro areas were three (Rosario) or more than four (Capital) times as violent as the national average. Similarly, they were also three or four times the average homicide rate in Greater Buenos Aires, which was 7.3 in 2011, and where protection-extraction rackets, a coordinated regulatory arrangement, were the main strategy to deal with drug trafficking during this period (Chapter 6).

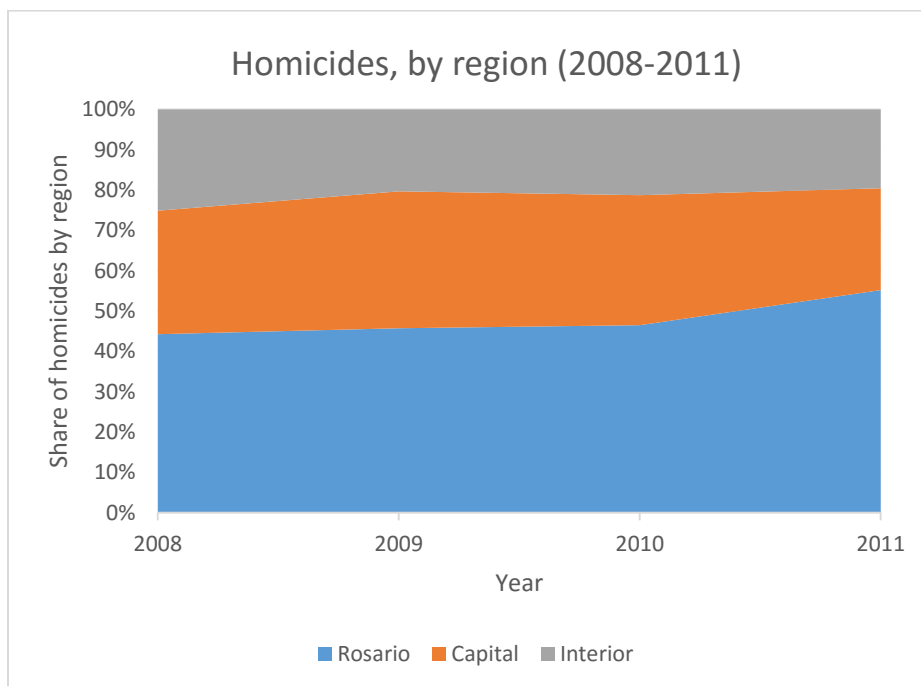
⁹⁰ “Rosario tendrá hacia finales de este año la mayor tasa de homicidios de su historia”, *La Capital*, Nov. 4, 2013.

⁹¹ “El primer semestre cerró con 115 homicidios, un 15 por ciento menos que 2014”, *La Capital*, Jul. 12, 2015.

⁹² See “Triste record en Santa Fe: 153 homicidios durante 2014”, *La Nación*, Dec. 31, 2014, and “Quién pone los cadáveres”, *Periodico Pausa* blog, Dec. 29, 2014.

⁹³ “La tasa de homicidio de la ciudad de Santa Fe fue de 32.8”, *Agencia Fe*, Sep. 9, 2015.

Figure 4.6. Relative distribution of homicides between Rosario and Santa Fe metropolitan areas and the Interior of the province of Santa Fe (2008-2011)



Source: Author's elaboration from Santa Fe Provincial Security Ministry.

Of course, not all of these homicides result from drug trafficking. The Socialist administrations have argued that most of these crimes occur due to 'interpersonal conflicts', while only between 15-20 percent of homicides are drug-related.⁹⁴ Nonetheless, it is evident that the increase in violence in Santa Fe coincided with the provincial government's inability to control the police, and the police's subsequent regulation of drug trafficking through particularistic negotiation, in which the force was not able to reach a peacekeeping bargain with more organized criminal actors. Some general characteristics of the province's homicides support this version. For example, in the Capital department, three out of every four homicides involved the use of firearms, a marker of the presence of organized crime. During this period, the number of weapons seized by the police increased by over 300 percent between 2007 and 2012, from 36 to 162.⁹⁵ In addition to those purchased by criminal actors from outside sources, the police also participated in many of these sales, while a large number of weapons and ammunition were also stolen from police precincts or military facilities. In 2014, there were 560 reports of stolen firearms in Santa Fe, of which 110 belonged to police officers, many of whom could not explain how the theft happened.⁹⁶ It is highly probable that drug traffickers acquire most of these weapons to protect their merchandise; they then distribute them to young boys recruited as

⁹⁴ The government reached this conclusion using certain indicators like the perpetrator's criminal record, the prior relationship between the victims, their respective domiciles, etc.

⁹⁵ Source: Provincial ministry of security, Crime Statistics Office.

⁹⁶ "En Rosario usaban Facebook para comprar y vender armas ilegales", *La Nación*, Jun. 20, 2015.

“soldiers” to guard bunkers from which drugs are sold in slums.⁹⁷ Even if these weapons are then used in homicides committed for other reasons -e.g. brawls between young men over money, girls or reputation- there are also indirectly connected to the growth of drug trafficking in the province, and the police’s regulation of it solely through decentralized protection deals.

Ultimately, the failure of this regulatory arrangement compelled the government to shift its approach. Following a spree of drug-related homicides in the first semester of 2013,⁹⁸ the government’s coalition partners realized they needed to take a more active stance against drug trafficking and bring down at least one major drug gang, or they were in danger of losing the upcoming election.⁹⁹ The government subsequently supported a local judge who had been investigating a series of homicides connected to the main drug gang in Rosario, the Canteros family.

As several gang leaders fell, so too did many of their police associates. This sparked a series of threats against the case judge and lead prosecutor, as well as the top political authorities in the Security Ministry and even against Governor Bonfatti. This was the first attempted assassination of a governing politician since the return of democracy in Argentina. The judicial investigation determined that at least four police officers participated in the shooting, suggesting that it was a retaliation against the provincial government’s efforts to shut down their drug trafficking rings (Burzaco and Berensztein 2014, 159–162).¹⁰⁰ Several incumbent politicians claimed that the attempt on the governor proves that they are not involved with drug trafficking gangs or police corruption.

Nonetheless, as the Socialist Party enters its third consecutive gubernatorial administration, the government has not yet advanced a comprehensive police reform nor succeeded in reducing overall police autonomy. Police benefited from the high fragmentation during the two first Socialist administrations to regain their financial autonomy, keeping rents for themselves as opposed to handing them over to political authorities. Although scandals involving police complicity with traffickers are less frequent since 2015 than they were in Binner or Bonfatti’s administrations, it remains uncertain whether the government will reduce or be able to control police corruption.

5 Conclusion

In this chapter, I have examined the province of Santa Fe, Argentina, a case of transition from a coordinated to an uncoordinated regulatory arrangement. The low turnover and low fragmentation during most of the Peronist rule (1983-2007) allowed to government to control police rent extraction, often appropriating such rents, in return for not engaging in comprehensive police reforms. Police, therefore, ran protection-extraction rackets to regulate

⁹⁷ Cases of minors involved in drug trafficking grew by 800% between 2011 and 2015. “Soldaditos de la droga: las causas con menores crecieron más de 800%”, *Perfil*, Aug. 1, 2015.

⁹⁸ Among these, on New Year’s Day 2013, a drug gang killed three social activists in Villa Moreno, because it confused for rival dealers. In late May, a succession of murders followed the assassination of the leader of the Canteros gang.

⁹⁹ Interviews with two local journalists and a current Rosario councilmember.

¹⁰⁰ Interviewed representatives of an NGO that denounces organized criminal activities suggested an alternative version: that hitmen targeted Bonfatti in retaliation for breaking a previous compromise or pact with police and/or traffickers.

organized crime, with relatively low levels of violence. However, after the Socialists took office at the end of 2008, turnover and high fragmentation increased police autonomy and resulted in the regulation of drug trafficking through particularistic negotiations. As the Socialists did not restrict or appropriate police rents, officers' pocketed proceeds from corruption for themselves and allowed a major growth in criminal violence in the province.

This chapter illustrates the fragile nature of protection-extraction rackets as coordinated regulatory arrangements. On the one hand, they are stable as long as both partners –police and politicians- benefit from them, and the basic players and terms of the agreement do not change. On the other, they can rapidly collapse with a change in cast, and bring about dramatic consequences. A single instance of political turnover–the 2007 election-, accompanied by high fragmentation, was sufficient to alter the relationship between the government and the police, resulting in unfettered, decentralized deals between police and traffickers, and alarming increases in criminal violence in the province's metropolitan areas. This reminds us of the cumulative nature of police-government relations. If the force is accustomed to dealing with the government and managing crime in a certain way for over twenty years, a single change in the party in power can be a destabilizing event on both counts. This pattern recalls –albeit to a different scale- what occurred after the end of the PRI hegemony in Mexico, where the collapse of pacts between national political and law enforcement authorities and the heads of drug cartels accelerated a surge in criminal violence during the PAN administrations (2000-2012). It also suggests what could happen in other national or subnational states after dominant or hegemonic regimes exit from power.

The cases in the preceding two chapters exhibited uncoordinated regulatory arrangements, one that persisted for long periods (Rio de Janeiro), one that emerged following recent changes in turnover and fragmentation (Santa Fe). The next two chapters display how decreasing turnover over time has allowed governing subnational politicians to reduce police levels of autonomy while producing a more coordinated regulation of the drug trafficking market. They also illustrate how different levels of fragmentation allow politicians to reduce the police force's financial autonomy in various ways, and thus create regulatory arrangements centered on rent extraction or the preservation of order.

Chapter 5 ‘O acordo de cavalheiros’ [a gentlemen’s agreement]: Tacit coexistence in São Paulo

1 Introduction

“*Você nunca tem visto uma biqueira?* (You’ve never seen a drug den before?)” Corporal X asked when he picked me up at the train station in one of the southern neighborhoods of São Paulo’s sprawling metropolis. While driving to his house, he identified no fewer than ten locations he knew to be drug selling points: a store with a hair salon on the bottom floor, a narrow passageway, a run-down public park and several open terrains. I asked him ‘what are the police doing about it?’ He said it depended on his commanders, who changed every couple of months: some were more proactive and demanded that officers bring back results; others were more ‘hands-off’ and held that drug control was a low priority. When I asked him about the government’s response to the PCC, the most important drug gang in São Paulo, he told me that there was an “*acordo de cavalheiros*” (gentleman’s agreement) between the state and the gang “not to mess with each other.” Several other sources also talked about this pact, what I refer to here as a *tacit coexistence* regulatory arrangement. This chapter explains how this pact emerged and why it persisted over time.

The police did not always have such truce with drug traffickers. São Paulo’s regulatory arrangement of drug trafficking initially resembled that of Rio de Janeiro (Chapter 3). Following the return of democratic gubernatorial elections in 1982, high partisan turnover and high fragmentation obstructed police reform, and contributed to the high organizational and financial autonomy enjoyed by the state police. High police autonomy implies lack of police coordination with the executive in defining security policy goals, scant political oversight of police implementation of crime control policies, internal dissent in the force, and lack of police cooperation with the government in regulating crime. This high autonomy, in turn, led to the emergence of particularistic confrontation as the main regulatory arrangement of drug trafficking and crime, consisting of dispersed violence and corruption by both Military and Civil Police forces, applied without a defined or coordinated strategy.

However, in the mid-1990s politicians began restricting police autonomy. Partisan turnover decreased as, after their victory in 1994, Partido da Social Democracia Brasileira (PSDB, Brazilian Social Democratic Party) candidates for governor never again lost a state election in São Paulo. Furthermore, at least until 2010, all of the party’s leaders belonged to the same faction. At the same time, high political fragmentation persisted during this period. Initially at least, the PSDB faced highly competitive elections, mostly against conservative, pro-law-and-order parties, which it defeated in runoff contests. Furthermore, the PSDB could never achieve a majority in the state legislature. This high fragmentation had two major effects on police autonomy. First, it generated the need to reach broader consensus with the opposition to advance reforms, which obstructed some policy decisions but ensured their stickiness once they were implemented. Second, it restricted the government’s capacity to appropriate police rents from organized crime for itself alone, given both the competition for, and control of, these rents by other parties. This political fragmentation explains why the state’s subsequent regulatory arrangement turned out to be tacit coexistence, as opposed to the protection-extraction rackets we observe in Buenos Aires, where the ruling party faced far fewer challenges during most of its tenure (chapter 6).

All PSDB governments since 1994 have reduced police autonomy by providing precise policy objectives to guide the police’s actions, promoting human rights training, creating professionalized territorial units and specialized divisions against organized criminality, and instituting enduring mechanisms of internal and external accountability. These combined actions have dramatically reduced deaths resulting from police intervention and contributed to a massive drop in criminal violence in São Paulo during the first decade of the new millennium. Furthermore, reducing the police force’s autonomy enabled the implementation of a *tacit coexistence* regulatory arrangement of drug trafficking, which is most clearly revealed between 2006 and 2014, when the state maintained an implicit truce with the Primeiro Comando da Capital (PCC, First Command of the Capital), the strongest drug gang in the state.

This pact began after a series of prison riots and street attacks led by the PCC in May 2006, which left over 500 people dead. The government enforced this pact by reducing pressure on imprisoned PCC leaders, restraining violence against them on the street, and allowing the gang to run its drug trafficking business. In return, the criminal faction desisted from prison rebellions and also contained its violent attacks against the state, including the police, in the urban periphery of São Paulo. The persistence of this informal regulatory arrangement is illustrated by the stability of low homicide rates during this period, especially in the urban periphery, where the PCC was strongest as well as the restrained confrontation between the PCC and the state police.

Table 5.1 summarizes the relationship between my argument’s variables for this chapter. During the first years following the return of democratic elections in 1982, high turnover and fragmentation resulted in high police autonomy, obstructing reforms, and installing particularistic confrontations with criminals as the main regulatory arrangement, reaching extreme levels of police violence in the early 1990s. However, since 1994, the PSDB has won every election for the state executive office while governing in a context of high political fragmentation. The PSDB’s stability in power allowed it to reduce police autonomy while high fragmentation compelled it to create a more professionalized police force, leading to the regulation of drug trafficking through tacit coexistence, particularly, as we will see, since the mid-2000s.

Table 5.1. Political turnover, fragmentation, police autonomy and drug trafficking regulatory arrangements in São Paulo (1983-2014)

Period	Turnover	Fragmentation	Police autonomy	Drug trafficking regulatory arrangement
1983-1994	<i>High</i>	<i>High</i>	<i>High</i> No reform, No political control of police rent extraction	<i>Particularistic confrontation</i>
1995-2014	<i>Low</i>	<i>High</i>	<i>Low</i> Reform, Political restriction of police rent extraction	<i>Tacit coexistence</i>

Source: Author’s elaboration

This chapter focuses on the within-case variation in drug trafficking regulation by the state of São Paulo between 1983 and 2014. The following section combines a brief historical background on the state police and organized crime before the return of democratic state elections in 1983, and accounts for the direct relationships between high turnover and high fragmentation, high police autonomy and the predominance of particularistic confrontation as the primary regulatory arrangement of crime until the mid-1990s. The third section shows how different PSDB administrations since 1994 reduced police autonomy, while the fourth section focuses on the emergence of tacit coexistence as an alternative regulatory arrangement of drug trafficking since the late 1990s. Finally, the fifth section describes the enforcement of the truce since 2006 between the state and the PCC.

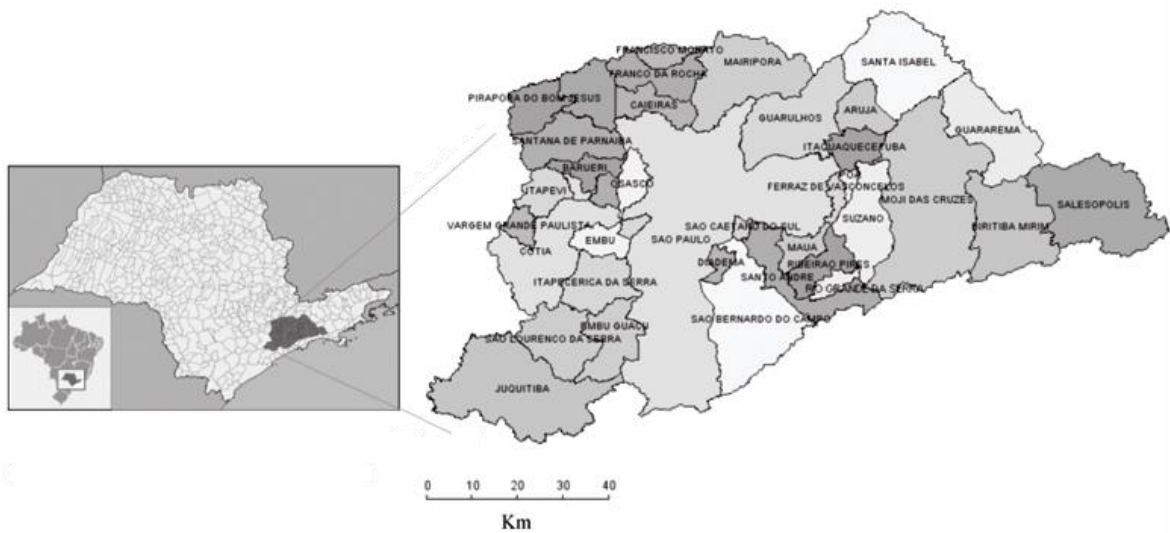
One could argue that the PCC’s monopolistic control of drug trafficking in São Paulo was what enabled this truce to subsist. Indeed, the PCC is by far the most powerful organized drug trafficking gang in the state, and as such is well-equipped to contain criminal violence within its ranks and credibly threaten retaliation against the police. Nonetheless, as I will show, the stability of the arrangement depended as much, if not more, on the actions of the state, and particularly the police, than of the PCC. Furthermore, the state government was partly responsible for the emergence and consolidation of the PCC. In other words, the PCC’s growing monopoly was also a product of the state’s chosen regulatory strategy.

2 The police that kills: São Paulo before and after re-democratization, 1983-1994

Historical context

São Paulo is the largest state in Brazil, with more than 44 million people. Although the state has 635 municipalities, 20 million live in the 39 municipalities that make up the Greater metropolitan area and over 11 million in the capital City of São Paulo alone (see figure 5.1 below).

Figure 5.1. Map of the State and Greater Metropolitan region of São Paulo (RMSP)



Source: Viana et al. (2009)

Like all federal units, it has two state police forces: the Military Police (PM), in charge of street patrolling, crime prevention and repression, and the Civil Police (PC), responsible for registering and investigating criminal offenses. Each force has a pyramidal structure with territorial units and specialized divisions; there are over 50 neighborhood-level PM battalions (*batalhões*) and more than 90 Civil Police precincts (*delegacias*), which are the smallest territorial level police units, within the city of São Paulo alone. An additional Scientific Police force is in charge of examining crime scenes and conducting forensic tests but is much smaller than the other two in personnel and resources. Currently the São Paulo State Military Police has over 100,000 officers while the Civil Police has over 40,000.

Both police forces in São Paulo have a long record of inefficiency, corruption and human rights abuses that began before the military dictatorship (1964-83) and continues today. The São Paulo Civil Police force only obtains enough evidence for the Public Ministry (MP) to prosecute 8 percent of homicides in the state (A. Zaluar 2004). Furthermore, several studies point to the Civil Police force's recurrent use of torture to extract confessions or bribes to 'settle' arrest records with criminal suspects (Mingardi 1992; Chevigny 1995, 149). Finally, during the dictatorship, the Civil Police formed death squads (*esquadrões da morte*) to take out suspected criminals in a perverse attempt to maintain its prestige with respect to the fiercer Military Police, which was already engaged in similar actions (Bicudo 2002; Huggins 1991).

Meanwhile, São Paulo's Military Police (PM) has developed a justified reputation as one of the most violent police forces in the country. Between 1980 and 2000, the police killed over 10,000 people, far more than were murdered during the entire dictatorship. The ROTA,¹ the PM's elite squad –akin to Rio de Janeiro's BOPE– had a prominent role in this regard, registering over 3500 murders between the 1970s and the early 1990s (Barcellos 2005, 318, 328). This brutal record earned it the moniker '*a polícia que mata*' (the police that kills). The ROTA killed indiscriminately and arbitrarily: most of its victims had no prior criminal records, possessed no firearms at the time of death, and often exhibited execution-style gunshot wounds in the back (Barcellos 2005). Obviously, the ROTA was not the only police unit to engage in these practices, which are common throughout the Military Police force. One of the key issues of police autonomy during this period was the extent to which governments limited or expanded the ROTA's role in fighting crime, especially drug trafficking.

High turnover, fragmentation and police autonomy: failed reforms and punitive shifts (1983-1994)

During the first years following the return of democratic elections, high political turnover and high fragmentation in São Paulo hindered the state government's efforts to reduce police autonomy. In 1983, elected governor André Franco Montoro, from the PMDB, promised to conduct a major reform of the police, similar to the effort to democratize the Military Police attempted by Leonel Brizola in Rio de Janeiro. Unlike in Rio, however, Montoro's reform focused primarily on the Civil Police, over which the state government had greater control.²

¹ "ROTA" stands for Rondas Ostensivas Tobias de Aguiar (Tobias de Aguiar Ostensive Rounds), in recognition of the PM's historical patron.

² Recall that the Military Police are an arm of the Federal Armed Forces and less susceptible to broad organizational change by the state government.

Montoro made several decisions to curb both police forces' penchants for corruption and violence (Caldeira 2000, 165). He initially appointed pro-human rights secretaries of Security and Justice, strengthened the Civil Police's Auditing Agency (*Corregedoria*), created the Community Security Councils (*Consegs*),³ and removed several of the most notorious ROTA killers from the street (even though he could not dissolve this unit entirely).

However, Montoro faced heavy political opposition, even from within his own party. His own vice-governor, Orestes Quércia –also from the PMDB- campaigned against Montoro's chosen candidates for key elections, including the mayoralty of São Paulo. In addition, Montoro lacked a legislative majority and soon lost popular support for his policies. His police reform proposals drew criticism from across the political spectrum, which reacted particularly strongly to his plan to withdraw the ROTA from the streets (Mingardi 1992; Caldeira 2000, 170).

Montoro and his staff also encountered high police resistance. The lack of political consensus motivated police officers to oppose his proposed reform: they dragged their feet to delay its implementation, sabotaged it through deliberate acts of violence, and overtly demonstrated against it, betting on the government's short tenure in office (Guaracy Mingardi 1992; Y. González 2014). For example, during the 1986 municipal campaign, several Civil Police delegates signed a manifesto criticizing the reform (Caldeira 2000, 166). Montoro ended up partially reversing these reforms at the end of his term, and police autonomy remained largely undisturbed (Pineiro et al. 1991).

The PMDB's nature as São Paulo's dominant, catch-all party produced instances of turnover and fragmentation in the next two election cycles, as politicians who belonged to the same party turned against each other. Montoro's vice-governor, Orestes Quércia, from the PMDB's conservative faction, won the state election in 1986. Already beset by internal differences, the party split in 1988, as its more progressive leaders left to form the PSDB.⁴ This high partisan turnover ushered in an important shift in the government's stance toward security and policing. Along with his security secretary –former ROTA officer and the succeeding governor, Luiz Antonio Fleury Filho- Quércia reversed Montoro's reforms, and adopted a punitive approach to crime control. Both men explicitly supported a “tougher police” that “acted boldly” (Caldeira 2000, 170-172) and favored the approach that “*bandido bom é bandido morto*” (a good criminal is a dead criminal). Although winning the 1990 election with Quércia's support, Fleury then accused his predecessor of engaging in corruption and overspending the budget, which meant that tension brewed between the two figures -and in the PMDB- during Fleury's term.⁵ Fleury's administration particularly favored punitive policies: Reversing Montoro's mandate, he remobilized the ROTA, providing it with new cars and equipment, and authorized the most brutal repression by the Military Police to date -the massacre in the Carandiru prison in 1992. Fleury also disabled some of Quércia's initiatives, like the grid-based patrol system the latter had installed, according to a councilman who served in the police during

³ The CONSEGs were created by State Decree 23.455 (1985) and regulated by resolution SSP-37 (1985).

⁴ Among them were former governor Montoro, future president Fernando Henrique Cardoso and future governors Mario Covas Jr., Geraldo Alckmin and José Serra. “Conheça trajetória política do ex governador Orestes Quércia, que morreu hoje aos 72 anos”, *O Globo*, Dec. 24, 2010.

⁵ Fleury left the PMDB at the end of his administration and returned to the party after Quércia's death. “Com morte de Quércia, Fleury Filho volta ao PMDB”, *Valor Econômico*, Aug. 10, 2011.

these administrations.⁶ All of these measures augmented police autonomy, and affected its regulation of organized crime.

Particularistic confrontation of drug trafficking and crime: Creating an enemy

High police autonomy during the 1983-1994 period resulted in particularistic confrontation as the predominant regulatory arrangement against crime. Drug trafficking was incipient in the 1980s but grew substantially in the 1990s, especially in terms of the consumption and distribution of white powder cocaine and crack cocaine. While the Narcotics division detained only 284 individuals for drug-related offenses in 1991, it arrested more than twice that – 689 – in 1996 (G. Mingardi 1999, 14).⁷ However, drug trafficking –and its regulation by the state- was also highly fragmented: around 80 percent of those arrested for trafficking sold crack stones –i.e. single doses, worth US\$3-8- and small amounts of marijuana (G. Mingardi 1999, 21; 2001, 380), and drug distribution lacked centralized territorial control by organized criminal actors.

As part of its approach to combat drug trafficking and criminality, the police force's utilization of lethal violence rose during Montoro's tenure (1983-1985) –probably as an expression of the force's rejection of the government's reform (Mingardi 1992; Caldeira 2000) - and worsened during Quéricia and Fleury's administrations. Fleury's first two years in office were the worst in terms of deaths resulting from police intervention in São Paulo to date, with 1140 casualties in 1991 and 1470 in 1992. The paradigmatic example of institutional violence promoted by the Fleury administration was the execution of 111 prisoners, who had already surrendered, in the Carandiru prison on October 2, 1992⁸ – an episode that would become central to the history of organized crime and drug trafficking in São Paulo. The government was forced to rein in the police after this incident caused massive local and international outrage and, subsequently, the number of victims of police lethal intervention dropped to 409 the following year.⁹

It is more difficult to provide a systematic account of police corruption since there was no external controlling mechanism to keep track of these reports, which in itself is indicative of the force's high financial autonomy. In 1999, the *Ouvidoria* (Police Ombudsman) reported that the organ in charge of monitoring corruption complaints –the *Conselho Justificativo* (Justification Council) - was extremely bureaucratic, slow and inefficient at its task. An in-depth study on the Civil Police during the Montoro reform suggested that the force's traditional corrupt practices, usually tied to torture and other violations of detainees' rights, continued throughout this period (Mingardi 1992).¹⁰

⁶ Interview with Reis, former police officer and current councilman for the City of São Paulo.

⁷ These are only flagrant arrests, i.e. cases the police “stumble upon” and do not involve criminal investigations.

⁸ Highlighting the impunity and inefficiency of the São Paulo judicial system, 23 police were convicted of these murders only in 2013, more than twenty years after the event. The commander, in turn, was acquitted in 2006. See “Police sentenced over Brazil Carandiru jail massacre”, *BBC*, Apr. 3, 2014.

⁹ Several politicians and social sectors supported the police's violent intervention; some former police officers even ran with ‘111’ as their electoral identification number, celebrating the number of deaths that took place in the prison.

¹⁰ The heads of the Civil Police under Quéricia and Fleury were later sentenced to prison, charged with organizing corrupt procurement processes during these governors' administrations. See “Ex-chefes da Polícia são condenados a prisão em São Paulo”, *Folha de São Paulo*, Dec. 6, 2005.

The state's violent and uncoordinated approach to regulating crime contributed to criminal actors' increasing organization. The first major organized criminal gang in São Paulo, the PCC, emerged in 1993, following the Carandiru massacre. It was born in the prison of Tabuaté, as a faction seeking to defend the rights of prisoners, who were housed in abhorrent conditions and subject to constant abuse by prison personnel.¹¹ For most of the remaining decade, the PCC would remain primarily a prison gang, although its members also engaged in different types of relatively organized criminal activities outside the prisons, such as kidnapping, bank robberies, murders, extortion. They also planned and executed several impressive prison breakouts. For a long time, government officials refused to acknowledge the PCC's importance, often claiming that the organization was no more than a media fabrication (Souza 2007). The government's initial passivity enabled the PCC to expand its control of the prison system and eventually become the most powerful organized crime group in São Paulo. Its relationship with the state would change substantially during the following decade.

3 PSDB consolidation and police professionalization (1995-2014)

After the conservative governments of Quéricia and Fleury, the second major attempt at police reform came during the administration of Mario Covas, Jr, which began in 1995. Covas, one of the founding members of PSDB, led his party to narrow victories in the 1994 and 1998 gubernatorial elections, defeating populist-right wing candidates in the second round both times.¹² Following Covas' death in 2001, the PSDB would go on to win the following four consecutive gubernatorial elections – in 2002, 2006, 2010, and 2014 – consolidating itself as the dominant party in São Paulo. The party's twenty-two (and counting) consecutive years in office rival the lengthy duration of the Peronist governments in Santa Fe (1983-2007) and Buenos Aires (1987-2015).

¹¹ The gang released a manifesto, with premises such as “Peace, Justice and Freedom”, “peace among criminals” and “war with police”.

¹² Governors –and other executives in Brazil- are able to run for reelection since the 16th constitutional amendment of 1997.

Table 5.2. São Paulo governors' electoral performance (1983-2014)

Election year	Governor	Party	Coalition	Winner's vote share (margin of victory)
1982	André Franco Montoro	PMDB	None	44.92 (21.4)
1986	Orestes Quércia	PMDB**	(PMDB, PSB, PC do B, PCB)	40.78 (13.9)
1990	Luiz Antonio Fleury	PMDB**	(PMDB, PL, PFL, PSD, PTdoB, PTR)	28.17 (3.5)**
1994	Mario Covas	PSDB	PSDB/PFL	46.84 (12.2)**
1998	Mario Covas-Geraldo Alckmin*	PSDB	PTB / PSD / PSDB	22.95 (10.7)**
2002	Geraldo Alckmin-Claudio Lembo*	PSDB	PSDB / PFL / PSD	38.28 (17.2)**
2006	José Serra	PSDB	PSDB/PFL/PTB/ PPS	57 (26)
2010	Geraldo Alckmin	PSDB	N/A	50.59 (15.3)
2014	Geraldo Alckmin	PSDB	PSDB / DEM / PEN / PMN / PT do B / PTC / PTN / SD / PPS / PRB / PSB / PSC / PSDC / PSL	57 (36)

Source: Author's elaboration from Tribunal Superior Eleitoral (TSE)

*: The vice-governor finished the term after governor resigned

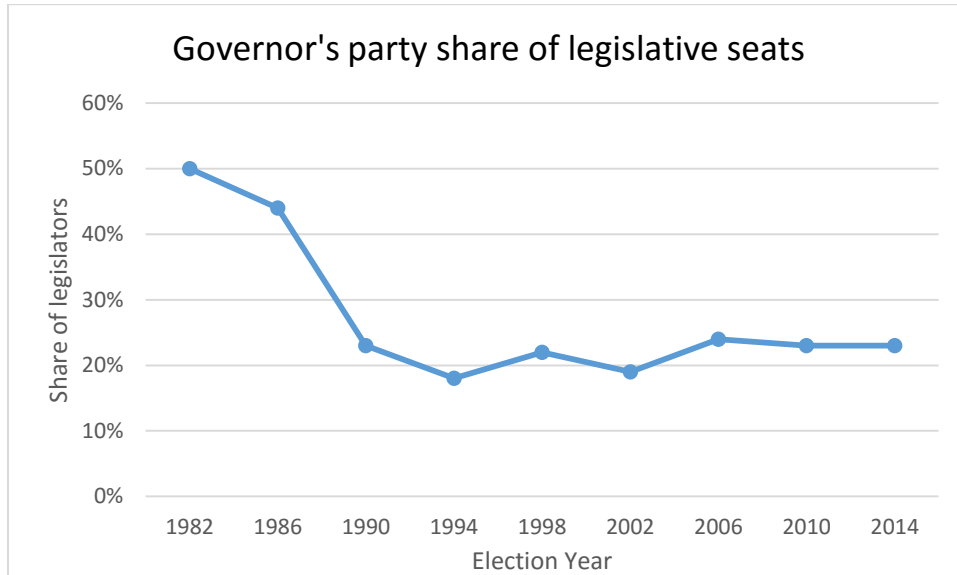
** : New governor belong to the same party but a different faction than his predecessor, i.e. there is partisan turnover.

Given their political stability, PSDB governors were able to sustain several of their proposed initiatives to professionalize the police and subordinate it to political authorities. Like governments in Rio de Janeiro, PSDB governors in Sao Paulo faced constitutional limitations beyond their control in modifying the Military Police's structure, although they were able to change both the PM and PC's training, promotion and displacement procedures. Hence, a large part of the changes, both in the Military and Civil Police, related to the degree to which politicians formulated crime control policies, and monitored whether the police followed these directives.

Though electoral turnover stopped after 1994, PSDB administrations faced highly fragmented political contexts. Never in their 20 years in power, did the PSDB manage to secure a legislative majority: it never gained more than 25 percent of the seats in the State Assembly (see figure 5.2). As shown in Table 5.2, all governments secured power by forming broad electoral coalitions – and the first three PSDB gubernatorial electoral victories came only after a

second round of voting.¹³ In short, lack of partisan turnover enabled the PSDB to enact and sustain its police reforms, reducing police organizational and financial autonomy since the late 1990s.

Figure 5.2. Governor’s party’s share of legislative seats, São Paulo (1982-2014)



Source: Author’s elaboration from Tribunal Superior Eleitoral (TSE)

This fragmented scenario prevented the administration from centrally appropriating police rent extraction and motivated it to control it to avoid other politicians profiting from it, thus reducing the police force’s *financial autonomy*, and permitting the implementation of tacit coexistence as the main regulatory arrangement. The remainder of this section shows how successive PSDB governors decreased police autonomy in São Paulo.

The Tucanos¹⁴ in charge of the police

Despite political fragmentation, the Covas administrations (1995-2001) obtained legislative consensus to implement several initiatives that reduced the police force’s organizational autonomy. On his first day in office, Covas created the Police Ombudsman – approved unanimously by the State Assembly – “to monitor irregular acts committed by police,” and appointed the head of a well-known human rights group to preside it.¹⁵ He also instituted the PROAR –Programa de Reciclagem de Policiais Envolvidos em Situações de Alto Risco (Recycling Program for Officers Involved in High Risk Situations) - by which all police officers involved in fatal shootings were temporally removed from the streets (Caldeira 2000, 179;

¹³ This trend would shift after 2006, as Serra and Alckmin earned resounding first-round electoral victories in 2006, 2010, and 2014.

¹⁴ Tucanos (toucans) is the popular name by which members of the PSDB are known.

¹⁵ Decree n. 39.900, January 1, 1995.

http://www.dhnet.org.br/dados/livros/dh/br/livro_santodias/06_nasceouvidoria.htm

author's interview with Guaracy Mingardi). Through these initiatives, the government would restrain police rent extraction and abuse of lethal force, two key features of the force's autonomy.

The governor accelerated these reforms after the infamous massacre at Favela Naval on March 3, 1997, in which Military Police officers were filmed humiliating, torturing and executing the residents. Covas publicly apologized for the event and described the scenes as "deplorable." He proceeded to send a large reform package to the legislature,¹⁶ and managed to pass a law prohibiting torture.¹⁷ After initial resistance from police commanders, in December 1997, the new Commander of the Military Police presented a Community Policing proposal "to protect the life, liberty, equality and integrity of all persons" (Neme 1999, 87), the first time that the PM explicitly recognized the importance of protecting human rights. This program remains in place today.

Covas' administration also reduced police autonomy through clearer policy objectives and alternative initiatives to control crime. By the late 1990s, São Paulo's homicide rates were out of control, peaking at 35 per 100,000 individuals in the State with over 50 in the Capital and Greater Metropolitan Region, and Covas' administration made reducing them its primary security policy objective. However, instead of promoting a punitive response by the police, as Quercia and Fleury had done, the government invested heavily in alternative crime control policies with greater planning and fixed goals to guide police behavior. For example, it implemented an ambitious disarmament plan; as Security Secretary Petreluzzi told me, "we forced the police to apprehend weapons. We apprehended around ten, twelve thousand weapons each month and it was mandatory for patrols to do this in four or five neighborhoods each night."¹⁸ The Covas administration also established a curfew on bars and nightclubs to reduce violence provoked by excessive alcohol consumption, and installed a Comp Stat crime monitoring system to assign and monitor police based on real-time data (Goertzel and Kahn 2009; Veloso and Ferreira 2008).¹⁹ The government tested these initiatives first in the city's most violent neighborhoods - "the corpse suppliers", as the Chief of Police referred to them- so that "the police regained the trust of the community".²⁰

The Covas administration also created specialized divisions within the Civil Police to investigate homicides and kidnappings. According to the former head of the Delegacia Estadual de Homicídios e Proteção a Pessoas (DHPP, State Division of Homicides and Personal Protection), the government "territorialized the specialized police and specialized the territorial police." In other words, the government placed the specialized DHPP in charge of every murder in the state, working alongside Civil Police territorial precinct investigators, to increase the homicide clearance rate and reduce the perception of impunity among the population.²¹ The same applied to kidnappings: former Civil Police chief, Marco Desgualdo, stated that, "Covas

¹⁶ "Dez anos depois, tragédia vira lição", Secretaria de Segurança Pública, Mar. 5, 2007.

<http://www.ssp.sp.gov.br/noticia/lenoticia.aspx?id=8045>.

¹⁷ Law No. 9455, passed on April 7, 1997.

¹⁸ Ibid.

¹⁹ The state government first tested this program in the high-crime neighborhood of Diadema and then expanded it to the rest of the city and metropolitan area.

²⁰ Interview with former Chief of Civil Police, Marco Desgualdo.

²¹ Interview with Domingos Paulo Neto, who would then become the Chief of the Civil Police of São Paulo.

also wanted to reduce the rate of kidnappings. He had the idea of creating an anti-kidnapping division because we were used to the usual rate of kidnappings and suddenly we had 2 kidnappings a day, which was absurd.”²² The government also increased the jurisdiction of the specialized divisions in charge of investigating organized crime –the Departamento Estadual de Investigações Criminais (DEIC, State Department of Criminal Investigations)- and drug trafficking –the Departamento Estadual de Prevenção e Repressão ao Narcotráfico (DENARC, State Department of Prevention and Repression of Narcotics)- which successive administrations maintained.

Covas, who won reelection in 1998, was able to consolidate his reformist proposals during his second term (Sapori 2007, 13). His two security secretaries –Jose de Afonso (1995-1999) and Marco Petreluzzi (1999-2002)—, former members of Montoro’s progressive administration, combined compromises with the police with firm decisions to increase the political control of the force. They emphasized instilling a culture of respect for human rights in the Military Police to restrain its use of lethal force (one of the key dimensions of police autonomy),²³ while also improving its equipment, technology, and overall professionalization. When I interviewed him, Petreluzzi stated that “there was a saying in São Paulo that you couldn’t control the police; it’s baloney. We set goals and they complied with most of them.” He also highlighted the importance of the secretary’s discourse in establishing the limits of police actions:

With the police, it is like this: you make a speech that you think is only for the crowd, but the police are listening. So if you say things like “Police will be hard! It will confront crime! It will leave no stone unturned!” the cop on the street thinks that you’re freeing him up and he goes full steam ahead.²⁴

Former Secretary Petreluzzi also told me of how he attempted to curtail police autonomy by fostering collaboration between the PM and PCs, giving them policy targets and holding them accountable for reaching them or not:

When I took office, I noticed that the jurisdictions of both police were anachronistic, non-compatible. The first decision I made was to unify these areas and make them compatible. Afterward, we tried to create integrated work routines because it was fundamental to have accountability for either success or failure. How do you do that? Every month, territorial chiefs, the PM Captain and the head delegate, had to turn in a report signed by both of them, talking about the crime problems in the area and proposing ways to confront it. That was necessary to be promoted. It was the only way I could find.²⁵

Following Covas’ death in 2001, his successor Geraldo Alckmin invited Petreluzzi to remain in office and continue these initiatives. After Alckmin won the 2002 election, Petreluzzi resigned and was replaced by fellow prosecutor Saulo Castro Abreu, who was “contrary to

²² Interview with Marco Desgualdo.

²³ According to security expert Guaracy Mingardi, the first Covas administration temporarily suspended all police involved in shootings for one month (interview).

²⁴ Interview with former security secretary Marco Petreluzzi. Caldeira describes a similar episode involving a dialogue between Montoro’s secretary Reale and Fleury in 1986 (Caldeira 2000, 168-169).

²⁵ Interview with Marco Petreluzzi.

[Petreluzzi's] position on human rights."²⁶ However, during Saulo's tenure (2003-2006), the government's course on security and policing did not change drastically. The secretary kept the main authorities of the Military and Civil Police, as well as those of the main specialized divisions, and continued with the crime prevention programs begun during Covas' administration, e.g. disarmament, community-policing, witness protection, etc. (Sapori 2007).²⁷

After Alckmin left to run for president in 2006, Jose Serra –then the PSDB mayor of São Paulo - won the state gubernatorial election. As the PSDB remained in power, so the reforms began under Covas persisted. Serra's first security secretary, Ronaldo Marzagão (2007-2009), adhered to the guidelines and doctrine established during the Covas administration.²⁸ Two of his core principles were to “guarantee security while preserving basic human rights” and “privilege intelligence over force.”²⁹ For example, he created the Center for Integrated Intelligence for Security (CIISP) and frequently monitored Military Police operations personally to preempt unnecessary use of violence. He particularly recalled an uprising in the favela of Paraisópolis, in which four military police officers were shot but no PM fired back, signaling the firmness and effectiveness of the governments' hands-on control of police lethality.

The government's intention of reducing police autonomy did not dissipate after Marzagão's resignation in 2009, the result of extreme stress –“we had to deal with over 12,000 calls on a normal day, without emergencies,” he told me - and a corruption scandal involving his undersecretary. Although his successor, Antonio Ferreira Pinto, was identified with harsh law-and-order policies –including the 1992 Carandiru prison massacre-,³⁰ the reduction of police autonomy persisted. However, it shifted focus primarily to the Civil Police, which had been involved in the corruption scandal, and eased pressure on the Military Police. Ferreira Pinto's most significant decision was to place the PC's Internal Affairs division (*Corregedoria*) under the control of the Secretary of Security.³¹ During his first year in office, he opened more than 7500 internal reviews of Civil Police officials, forcing 81 of them to leave the force, and employing different disciplinary sanctions to another 500.³² Ferreira Pinto also transferred leading Civil Police officers from central to peripheral police stations. However, he did not apply the same measure to the Military Police force, which retained its Internal Affairs Division under its jurisdiction, and relied increasingly on the ROTA to lead investigations against the PCC.³³ This decision had important consequences for the regulation of drug trafficking, causing

²⁶ Interview with Marco Petreluzzi. Also interview with Guaracy Mingardi.

²⁷ Petreluzzi, however, offered a contrary interpretation, stating that the governor, “while a correct, serious and dedicated man...does not have a security policy, and the policy [depends on] who's secretary at the time”. Interview with Petreluzzi.

²⁸ Marzagão had been a member of Franco Montoro's original cabinet (1983-86).

²⁹ Interview with Ronaldo Marzagão.

³⁰ Ferreira Pinto, a former Military Police coronel, had been Secretary of Penitentiary Administration twice, both times after important crises: first, following the 1992 Carandiru massacre and then after the May 2006 PCC attacks.

³¹ Former Civil Police Chief, Domingos Paulo Neto, told me he objected this initiative because the PC had been, in his mind, efficient in controlling itself internally.

³² “Conheça Antonio Ferreira Pinto, o secretário de Segurança Pública”, *Veja*, Apr. 30, 2010.

³³ When I interviewed the current Coronel in charge of the division, he suggested that the Military Police were in fact quite effective and strict in internally monitoring police misconduct (interview with Coronel Levi, head of the Military Police Internal Affairs unit). Other Military Police interviewees shared this opinion.

a temporary collapse of the truce between the state and the PCC, and increasing levels of violence dramatically during 2012.

After Geraldo Alckmin won the 2010 state election, Ferreira Pinto maintained his post as secretary of security after Geraldo Alckmin. The heads of the Military and Civil Police, as well as the commander of the ROTA, were also confirmed, further demonstrating the continuity of security staffs and policies between different PSDB administrations, something unheard of in the other cases in this study.³⁴ The head of the Military Police, Coronel Camilo, told me he was invited to remain in his spot because “in 2010, safety was so good it was not an issue in the election.”³⁵

Another feature of policy continuity enabled by the PSDB’s entrenchment in government were the Community Security Councils, or Consegs, originally conceived by the Montoro administration. These councils represented a key external accountability mechanism, hence an important measure to reduce police autonomy. The Consegs gained traction during subsequent PSDB periods with the creation of the Community Police in 1997, and were later expanded to the entire state.³⁶ This participatory institution brings citizens together monthly with the local Military and Civil Police authorities to discuss security problems in their neighborhoods and hold police accountable for their performance, helping police foster better linkages with citizens and obtain vital information to combat crime (Y. González 2014). Obviously, police relations with the community in São Paulo are still problematic and afflicted by inequality and violence. While citizens understandably fear police abuse of lethal force, police officers complain of citizens’ lack of trust. On my visit to a military police precinct in the Eastern Zone of the City of São Paulo, three officers commented on these difficulties:

We have a lot of resistance in the favela; every time we go, people either say they did not see anything or they just shout at us or assault us. However, in the elitist areas it is not much better; they might have a better relation with the police but generally it is an exchange of favors, such as “I’ll give you free food if you patrol here and look out for my store.” Society is hypocritical, poorly educated, they do not support the police. They don’t deserve anything.³⁷

However, the Consegs have persisted throughout five PSDB gubernatorial administrations, which included seven security ministers and even more police commanders of the Civil and Military Police. The lack of partisan turnover has prevented rivals from dismantling the initiative, allowing it to gather sufficient political and societal support.

Throughout different administrations, PSDB governors and security ministers often selected and supported Military Police commanders who were committed to professionalizing the police, thereby reducing its autonomy. Unlike Nazareth Cerqueira in Rio de Janeiro, who generated as much resistance as loyalty within the force, *paulista* commanders were better-able to maintain the support of their troops and effect changes. For example, as Commander of the

³⁴ The only other similar instance took place in Rio de Janeiro, as security secretary Beltrame remained in his post following the transition from Sérgio Cabral to Luiz Pezão in 2013.

³⁵ Interview with Coronel Camilo.

³⁶ There are 84 in the Capital, 55 in the metropolitan Region and 337 in the Interior.

<http://www.conseg.sp.gov.br/historia.aspx>.

³⁷ Interview with three Military Police soldiers in an Eastern Zone Military Police Battalion.

Military Police (2009-2012), Coronel Camilo switched the ammunition used by the force, as previous calibers had passed through the bodies of intended targets and hit innocent bystanders.³⁸ He also tried to convey a different public response to cases of lethal violence. After the PM murdered a delivery boy in 2009, Camilo immediately reached out to the media and human rights groups to explain that the PM did not accept these actions and had expelled the officers involved. This stance contrasted markedly with the statement of the previous Commander of the PM following the Carandiru massacre in 1992, who said that if the police had truly gone to the prison to kill, there would have been thousands dead, instead of 111 casualties. The support of a politically strong government was undoubtedly important for these changes to persist.

The reduction of police autonomy by the PSDB administrations is reinforced by analyzing the force's lack of resistance to these measures, especially by the high command. Often, when police feel that incumbents threaten their autonomy, they might formally protest and demand the replacement of a given secretary or even a change in administration, particularly when they perceive governments as fragile, as occurred during Montoro's tenure. For instance, when in September 2008 an association of Civil Police delegates went on strike demanding better wages and working conditions, the government repressed it through the Military Police and did not suffer major repercussions. Alternatively, police might shirk from controlling crime or excessively repress street protests, both of which might have negative repercussions for the governor. However, in contrast with attempts to force the PMDB Montoro administration to reverse its reforms in the 1980s, the police did not perform these actions against the PSDB administrations.³⁹ Police resistance against PSDB since 1994 was weaker than it had been during the 1980s, especially during Montoro's administration.

In short, the PSDB's tenure in power across four electoral cycles during this period (1994-2014) provided the state with sufficiently low political turnover to ensure policy continuity that succeeded in reducing police autonomy over time. This does not imply that different security secretaries in São Paulo did not have differing, sometimes even contrasting views of relevant issues – for example, with respect to the importance of police respect for human rights. However, several initiatives -like the creation of the Ombudsman office, the PROAR plan, and the prohibition of torture- originally proposed by the Covas administration pertaining to political control of the police, and consequent reduction of its autonomy, persisted through this period. These changes affected the police force's regulation of organized crime, as well as its more general resort to violence and corruption, diminishing its propensity to systematic and decentralized violence and corruption.

4 Informal regulatory arrangements in São Paulo, 1995-2014: toward tacit coexistence

São Paulo's reduced police autonomy resulted in a gradual shift from the regulatory arrangement of particularistic confrontation in the late 1990s toward tacit coexistence. This new regulatory pattern would become most evident, however, only after the 2006 PCC rampage. By

³⁸ Interview with Coronel Camilo. See also "Comandante-geral da PM: "o pior bandido é o de farda", *Veja*, Apr. 30, 2010.

³⁹ By contrast, police officers have conducted this type of operation against the mayor of the city of São Paulo, Fernando Haddad, a member of the PT (Workers' Party), who is not aligned with the governor (Y. Gonzalez 2014).

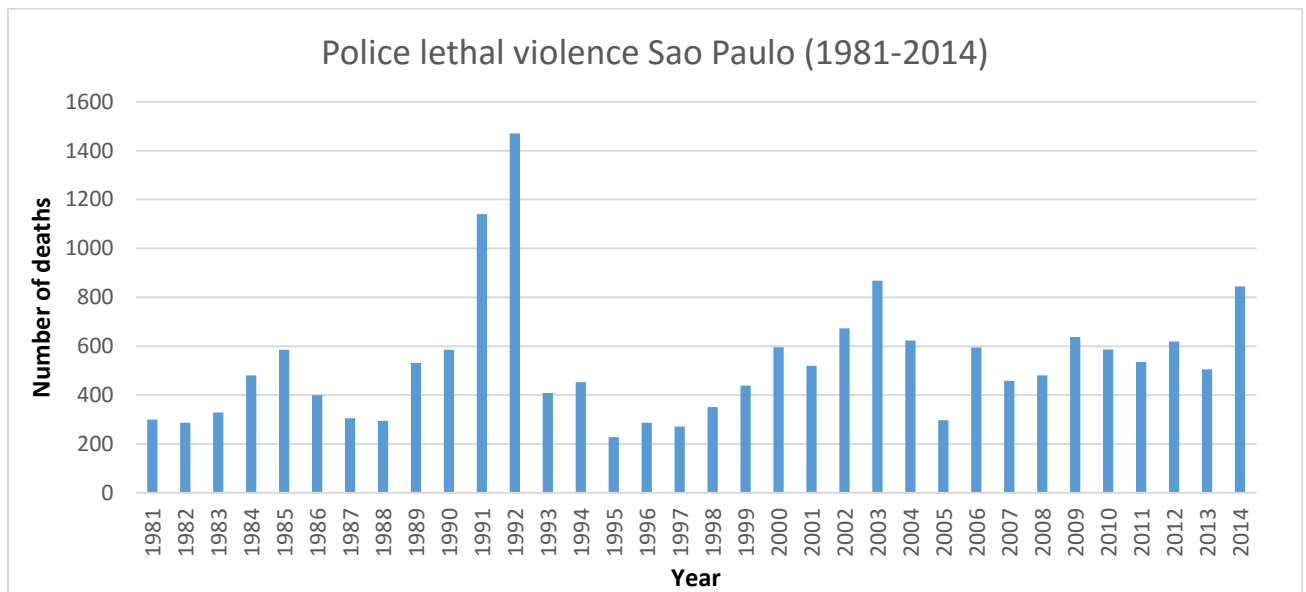
then, drug trafficking had become the major organized criminal activity in São Paulo and the main criminal gang, the PCC, had consolidated its control over drug distribution in the state. After a series of PCC attacks in 2006, the state came to recognize the PCC’s organization and power, and brokered an implicit pact with the PCC to prevent the gang and the police from engaging in excessive violence against one another.

The state’s previous regulatory arrangement with respect to crime –particularistic confrontation- contributed to the PCC’s consolidation as the main drug gang in São Paulo. The current arrangement would help preserve the gang’s hegemony and relative peace, as uncoordinated attacks could have fractured the organization and destabilized the drug market. In this section, I will first analyze how reduced police autonomy affected the force’s regulation of drug trafficking and criminal violence after 1995, particularly in reference to police officers’ propensity for violence and corruption and, in the following section, deal specifically with how the truce between the state and the PCC persisted between 2006 and 2014.

Leaving “the police that kills” behind

As the government provided police with more defined security goals, different training procedures and alternative conflict resolution mechanisms –and enforced their compliance- institutional violence decreased when compared to the previous period (1983-1994). The changes instituted by the Covas and Alckmin administrations reduced police violence in the state, particularly during Covas’ first term (1995-1998). Police violence increased slightly between 1999 and 2003 –as the PCC also grew in strength- although at a slower rate than during the 1980s; it then decreased and remained relatively stable until 2014 (see figure 5.3).

Figure 5.3. Evolution of casualties of lethal police violence in São Paulo (1981-2014)

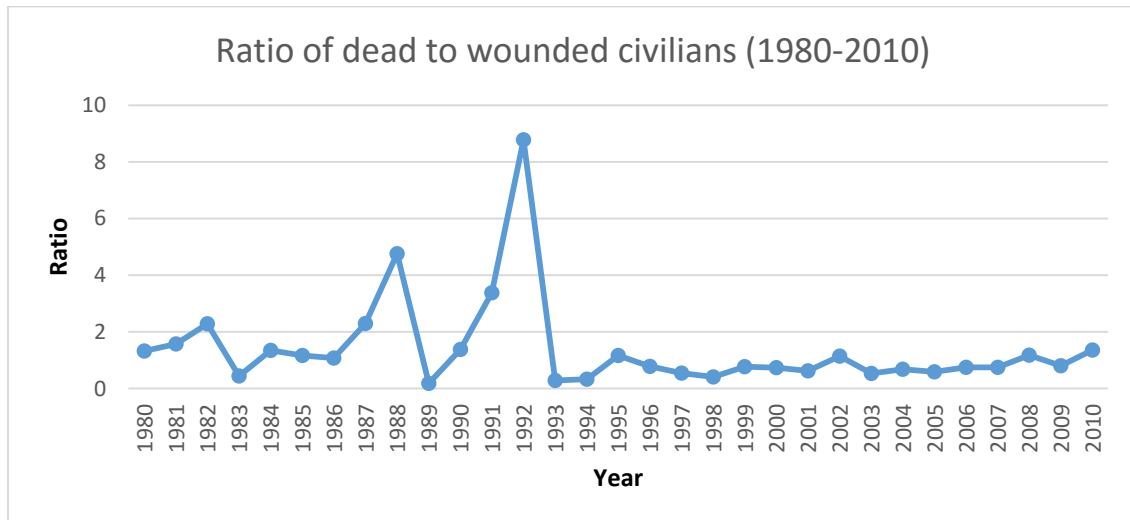


Source: Author’s elaboration based on NEV-USP, SSP-SP, Caldeira (2000) and Pinheiro et al. (1991) .

A further measure of police brutality is the ratio of dead to wounded civilians in police actions, which suggests whether police shoot primarily to kill or to immobilize a suspect, the

former being an indication of higher police autonomy. According to a news database compiled by the Center for the Study of Violence of the University of São Paulo (NEV/USP) the ratio between dead and wounded civilians as a result of police intervention, which had mostly increased through 1992, dropped and remained relatively stable afterward (see figure 5.4). This trend suggests that PSDB administrations managed to restrain the Military Police’s lethality since *before* the start of the truce with the PCC in 2006, i.e. that it was not only the gang’s strength which led to this change in policing strategy.

Figure 5.4. Ratio of dead to wounded civilians as result of police intervention (1980-2010)



Source: Banco de Dados da Imprensa – NEV/USP (Newspaper database – Center for the Study of Violence, University of São Paulo).

In consonance with these trends, since Covas’ first term the Military Police (PM) –or, at least, some of its commanding officers- reassessed its propensity for lethal violence following the government’s mandate. As the former Commander of the PM, Coronel Camilo, told me, a key episode in this regard was the massacre in Favela Naval in 1997: “The Commander at the time, Carlos Alberto Camargo, created a human rights commission in the PM and the police placed a human rights course in all of its curricula. Also, he brought in these human rights concepts to all other courses, such as approach procedures, and then created the Human Rights department in the PM, I think in 2000.”⁴⁰ These changes, as we saw, were originally presented to the police by the Covas administration. Given the government’s political and policy stability, these commanders had greater support to carry out their initiatives within the force, whereas in other cases –like in Rio de Janeiro- high political turnover shut down reformist initiatives emanating from the police itself.

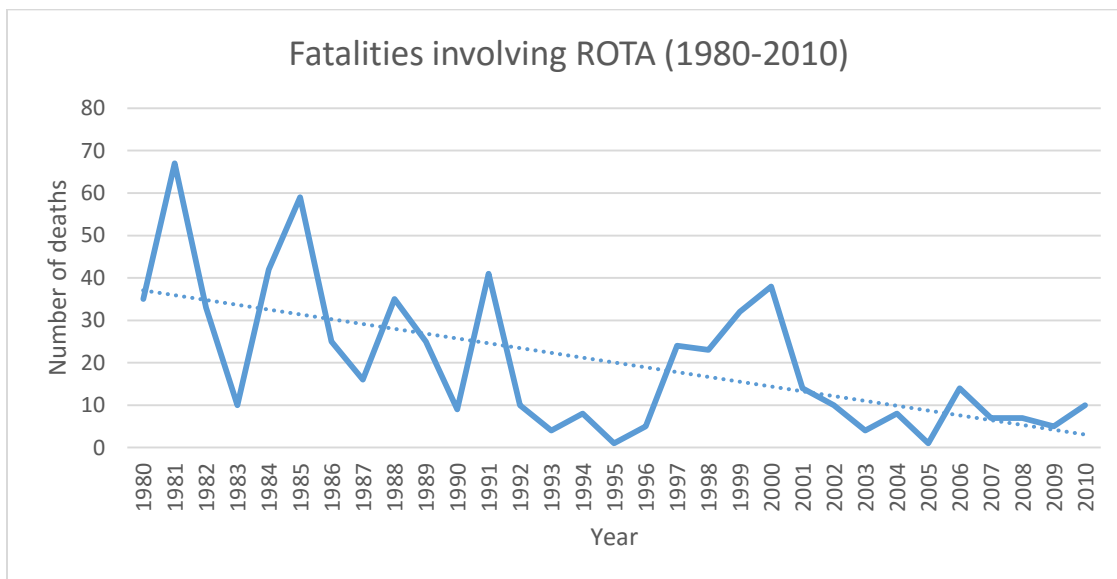
Other mid-ranking officers confirmed this shift in the police’s approach due to their higher professionalization, while low-level officers were more skeptical. A current PM Captain emphasized the importance of police training in improving relations with the community and reducing police mistreatment: “There are courses, constant specialization. There is a great focus in improving the police’s relation with the community, which has improved a lot. We have not

⁴⁰ Interview with Coronel Camilo.

had complaints or allegations of mistreatment lately.”⁴¹ However, a young soldier from the same precinct revealed the problems of implementing this renewed training: “It’s contradictory, because if I go on patrol with a more experienced cop, who was educated with the logic of the 1970s –the dictatorship and fighting guerrillas- and he wants to hit a suspect, I can’t say anything. Even if we are of the same rank, if he has one more year of experience than me he is my superior. At the same time, I took over 100 hours of human rights courses.”⁴²

Another indication of reduced police autonomy is that a further measure of police brutality, the number of ROTA (elite squad) operations resulting in fatalities, also declined during this period from 67 in 1980 to 10 in 2010 (see figure 5.5). Unlike in Fleury’s administration, most PSDB governments contained the ROTA rather than utilize it as the main instrument to combat crime and drug trafficking. The drop in ROTA fatalities was particularly pronounced after 2000, after which there is an almost uninterrupted decrease from 38 in 2000 to 10 in 2010. The Tucanos’ ability to control the elite squad contrasts with Montoro’s administration (1983-1986), which was able to contain the operations initially but then suffered increased ROTA activism at the end of its term. This downward trend is significant given the ROTA’s historically high share of lethal killings and its reputation as the most feared squad within the Military Police.

Figure 5.5. Number of deaths resulting from ROTA operations (1980-2010)



Source: Author’s elaboration from NEV/USP (Center for Studies of Violence, University of São Paulo).

Furthermore, while in the past the ROTA intervened without political authorization, presently, at least according to one of its current commanders, most operations are agreed upon with the political leadership. This commander also stated that, “The force has become more technical and less political in choosing where and how it acts,” using tools such as geo-

⁴¹ Interview with Military Police Captain, Police precinct in Eastern Zone of São Paulo.

⁴² Interview with Military police soldier, Eastern Zone precinct.

referencing to distribute its personnel according to crime hotspots through the state.⁴³ The squad also focuses primarily on preventing robberies, due to a matter of scale and because, in doing so, it “also prevents murders during robberies (*latrocínios*).”⁴⁴ The darker side of the ROTA would regain prominence during the tenure of Security Secretary Ferreira Pinto (2009-2012), especially in 2012, when he relied on the elite squad to confront the PCC, raising the confrontation between the police and the gang, and temporarily derailing the truce between them.

The government’s initiatives have also reduced the autonomy of the Civil Police, historically known for torturing detainees to extract bribes and confessions. A current delegate told me that the most important change has been the incorporation of technology in investigations. He explained: “30 years ago, police worked with the system from the dictatorship, which consisted in getting information through torture. That does not exist anymore. Technology has replaced torture as a way of getting information by the police. Of course, there are still [members] of the old guard who still cling to these practices. Today the investigator does not need a gun; he needs to learn how to use a laptop.”⁴⁵ The PC’s acceptance of these changes implies a restriction of its everyday rent extraction, i.e. its financial autonomy, something that Montoro’s administration tried but failed to limit.

Notwithstanding these relevant changes, police violence in São Paulo remains troublingly high, which nuances the extent of the government’s reduction of police autonomy and the implementation of the tacit coexistence regulatory arrangement. In 2009, a Human Rights Watch report documented 397 “resistance” killings by on-duty police the previous year, filed as “homicides resulting from police intervention,” and therefore legitimate deaths, several of which showed evident signs of being summary executions (HRW 2009, 22).⁴⁶ One particular unit, the *Batalhão de Choque* (Shock Command), was responsible for 305 killings between 2004 and 2008, while only injuring 20 people and suffering just one police casualty (HRW 2009, 40). Furthermore, there were over 500 killings by presumed police death squads between 2006 and 2008 (HRW 2009, 44). Finally, the report unmasked persistent police malpractice in conducting investigations, including frequent cover ups of the homicides.

In accordance with the features of tacit coexistence, lethal violence against police has also decreased markedly over this period, meaning the PCC leadership is also partly constraining its troops from battling the police. The number of police killed on duty decreased from 50 in 1996 to 16 in 2015 (a 68 percent reduction). The numbers are particularly low after 2006, when the pact between the state and the PCC was in place (see figure 5.6). This indicates that there are fewer street confrontations between police and criminals, particularly the PCC, with less use of lethal force by either side. Nonetheless, this data does not include the large proportion of killings of off-duty police officers, a fact that accounts for the perception of vulnerability expressed by several PM Officers.

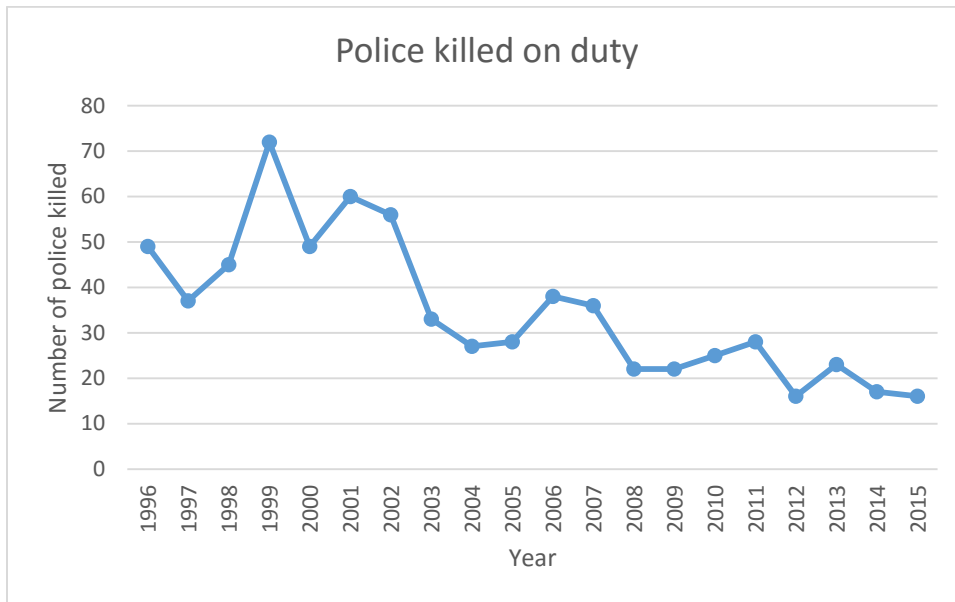
⁴³ Interview with Operational Commander of ROTA.

⁴⁴ Ibid.

⁴⁵ Interview with current Civil Police investigator, Southern Zone of São Paulo.

⁴⁶ São Paulo’s State Deputy Ombudsman, interviewed for the Human Rights Watch report, expressed that 80 percent of police reports of killings raised suspicions of abuse.

Figure 5.6. Number of police killed on duty in São Paulo, 1996-2015.



Source: Secretaria de Segurança Pública (SSP)

While state governments were reducing police autonomy, the PCC was establishing its hegemony within São Paulo’s expanding prison system, eventually controlling at least 80 percent of state penitentiaries (Dias and Salla 2013, 399). The PCC dominated prisons not only by brutally eliminating its competitors but also by regulating the prisoners’ conduct, e.g. prohibiting rapes, use of knives, and crack consumption within the prison. Gang members also bargained for better housing conditions with prison authorities, which gained them the respect of other inmates (Biondi 2010). At the same time, they gradually increased their criminal presence outside the prisons, engaging in kidnappings, extortions and bank robberies to sustain the organization financially and fund their breakouts. They also began to confront the state more directly. In 2002, they murdered three municipal mayors and, in 2003, killed a judge in charge of enforcing prison sentences.

During this period, the PCC gradually shifted to drug trafficking as its main criminal activity, and currently supplies -and profits from- the vast majority of drug selling points in the city, state and beyond.⁴⁷ By 2002, it had already established ties to the main drug trafficking organization in Rio de Janeiro, the Red Command (CV) (Amorim 2003). Internally, it also experienced a key change in leadership in the early 2000s as Marcos Willian Camacho, or “Marcola,” expelled the organization’s other two most prominent figures. From then on, the PCC perceived and promoted itself as a horizontal organization, in which there was no single leader and in which collective tribunals, rather than individuals, made decisions (Dias 2013; Biondi 2010).

During both Covas’ and Aleckmin’s administrations (1995-2006), the state government largely ignored the threat posed by the PCC. Former security secretary Petreluzzi acknowledged that, during his tenure, “The PCC was mainly the responsibility of the penitentiary

⁴⁷ Interview with DEIC chief delegate.

administration staff. We had a task force with the PM and PC but I think that organized crime was also a task of the Federal Police” and that “our main concern was everyday crime.” However, the former secretary admitted that the government also involuntarily contributed to the PCC’s prison expansion:

We identified six or seven gangs in prison, not just the PCC. And our government made a mistake, motivated by the respect for human rights. The Secretary for Penitentiary Affairs, worried about rebellions, thought the best thing was to separate the organizations in different prisons. What we did not foresee is that when you have a lot of organizations in the same prison one controls the growth of the other: in a rebellion, they fought and the winner killed the others, sometimes cut off their heads and threw them outside. To prevent this, we said: “let’s separate the factions”. But we allowed them to grow even bigger. [By the time] we identified this, it was too late.⁴⁸

With the intention to reduce police violence, PSDB administrations that followed Covas mostly favored an intelligence-centered strategy to deal with organized crime. While there was not yet an informal pact in place, this shift toward intelligence-gathering since the late 1990s exemplifies the state’s intention to avoid unnecessary conflict with criminal actors. Operations carried out by the Military Police relied on extensive prior intelligence gathering, and had greater planning and coordination than those of previous decades, which had often been commanded solely by the ROTA. By contrast, the PSDB effort was led by specialized divisions within the Civil Police, such as the Department of Criminal Investigations (DEIC) and the Department of Drug Prevention and Repression (DENARC) – a change of strategy that was made possible by the PSDB’s consolidation in power and its capacity to create a professionalized police force. These units managed to apprehend various notorious chiefs of the PCC and other individuals involved in organized crime. As more PCC leaders concentrated in state prisons, the gang became larger and more organized.

The government conducted confrontational responses against the gang in 2001 – after the PCC incited a series of coordinated prison riots – and in March 2002, following the murder of a municipal mayor. This latter operation killed a dozen PCC members. Nonetheless, unlike what occurred in Rio de Janeiro – where state violence was arbitrarily and indiscriminately exercised by the police against traffickers – these responses exhibited greater coordination between politicians and police, as they were more organized between different sectors of the force, counted on government supervision, ended rapidly, and did not result in spirals of violence.

Fighting police corruption from inside and outside

While police corruption in São Paulo is still problematic, most interviewees noted that, following the PSDB reforms that reduced police autonomy, it was less extended in the upper echelons of the police hierarchy and that it had few links with trafficking, still less with the PCC. Former secretaries of security Petreluzzi and Marzagão downplayed the magnitude of corruption in the force, as did former PM Commander Coronel Camilo, who stated that, during his tenure, corruption was more closely tied to the slot machine rackets than to drug trafficking. By contrast, former police ROTA captain –and current São Paulo city council member- Conte Lopes

⁴⁸ Interview with Petreluzzi.

declared that “trafficking could not have advanced as it did without police corruption. We know there are places where the [trafficker] goes to the [Civil] Police station and pays a fee to operate as he wants. And the same goes for some Military Police.”⁴⁹

These issues notwithstanding, police corruption in São Paulo is less extensive than in the other cases, or compared to its own prior levels. During the PSDB’s gubernatorial administrations, no PM Commander or Chief of the Civil Police has been forced to resign under allegations of corruption – a unique phenomenon when compared to the reasons why police commanders in Rio de Janeiro, Santa Fe, and Buenos Aires have left their posts. Furthermore, there was only one major scandal involving corrupt government officials: in 2008, the undersecretary of security took bribes for wiping the records of various Civil Police officers who had participated in racketeering. Other officials in the Civil Police uncovered this scheme and the undersecretary resigned. In general, while acknowledging the government’s pact with the PCC since 2006, opposition politicians and other observers did not consider the incumbents or security secretaries to be taking money from drug trafficking, either by themselves or in connection with the police.

Some higher-ranking military and civil police officers, while recognizing extant corruption, also hinted at the police force’s own efforts to control and punish it. For example, the Military Police Captain of a precinct in a poor neighborhood in the Eastern Zone told me that “[corruption] here in the precinct used to be very high; it’s always worse in areas where there are many shops, drugs and prostitutes. We switched the troops completely, rotated the entire troop in less than one year and tried to instill in them caution in how they proceed and be on the lookout.”⁵⁰

Nonetheless, these internal monitoring practices are not without obstacles. A current commander in the City of São Paulo told me that the extension of civil rights to the police has made its internal control of malfeasance more difficult:

[Police corruption] increased, I think, in the last 25 years because with democratization, police started having more rights. Before, it was very easy to conduct an internal investigation if you suspected a police [officer] was involved in criminal affairs. Within a month, they kicked him out, just based on suspicion. Today, this procedure takes more than a year because the police officer has a right to counsel, to see the evidence against him... These are the constitutional guarantees we have, but it makes punishment more difficult. The alternative is to transfer them to another unit.⁵¹

Similarly, low-level officers recognize the existence of corruption within the organization and the fact that it’s hard to uproot it. A PM soldier told me that if he saw his partner involved in crime, he would ask to be transferred and would not report him, since “he [the partner] walks around armed in the street and can also give information to the criminals.”⁵² These quotes suggest that corruption in both police bodies is present, if not extensive, among the lower ranks, at the same time that it is mostly unconnected with politicians or high-ranking police authorities,

⁴⁹ Interview with Conte Lopes.

⁵⁰ Interview with Military Police Captain, Eastern Zone precinct.

⁵¹ Interview with high-level police commander.

⁵² All Military police interviewed claimed that corruption was substantially larger in the Civil Police than in their force.

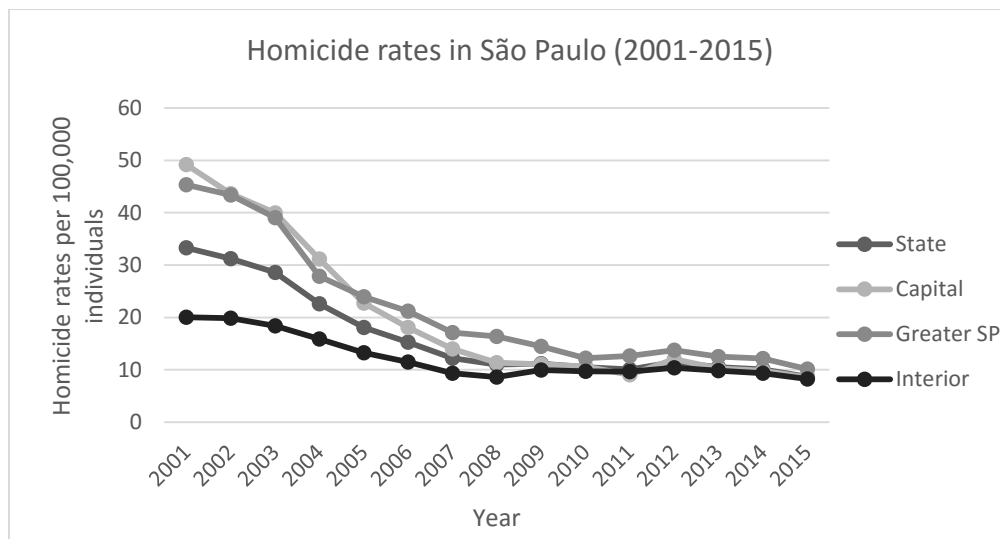
who – like their political superiors – seek to control and punish it. Relatively contained corruption is necessary to maintain a tacit coexistence with drug traffickers, as excessive rent extraction can result in police violence, e.g. extortions or summary executions to force traffickers to pay rents -as occurred in Rio de Janeiro- and retaliation by criminal gangs to force police to lower their protection costs.

From horror to success story: reducing criminal violence

The PSDB government’s promotion of alternative policing strategies to control crime, such as endorsing community policing, restricting access to firearms and instituting alcohol curfews, contributed to a major decrease in criminal violence.⁵³ Between 2001 and 2015, homicide rates decreased by 70 percent, from 35 to less than 10 murders per 100,000 individuals (see figure 5.7). This drop was even more pronounced in the Capital and the Greater Metropolitan Region of São Paulo, which saw a drop from as many as 50 homicides per 100,000 individuals in 1999, to less than 9 per 100,000 in 2015.

Following the PCC’s violent attack and the installation of the truce in 2006, homicide rates continued to decrease or remained stable at low levels until 2015. As we will see, this development is partly attributable to the PCC’s regulation of criminal violence, a key component of its truce with the state. By contrast, the most important -and comparatively marginal- increase in murder rates came in 2012, when the truce between the state and the PCC was temporarily broken.

Figure 5.7. Homicide rates in São Paulo by region (2001-2015)



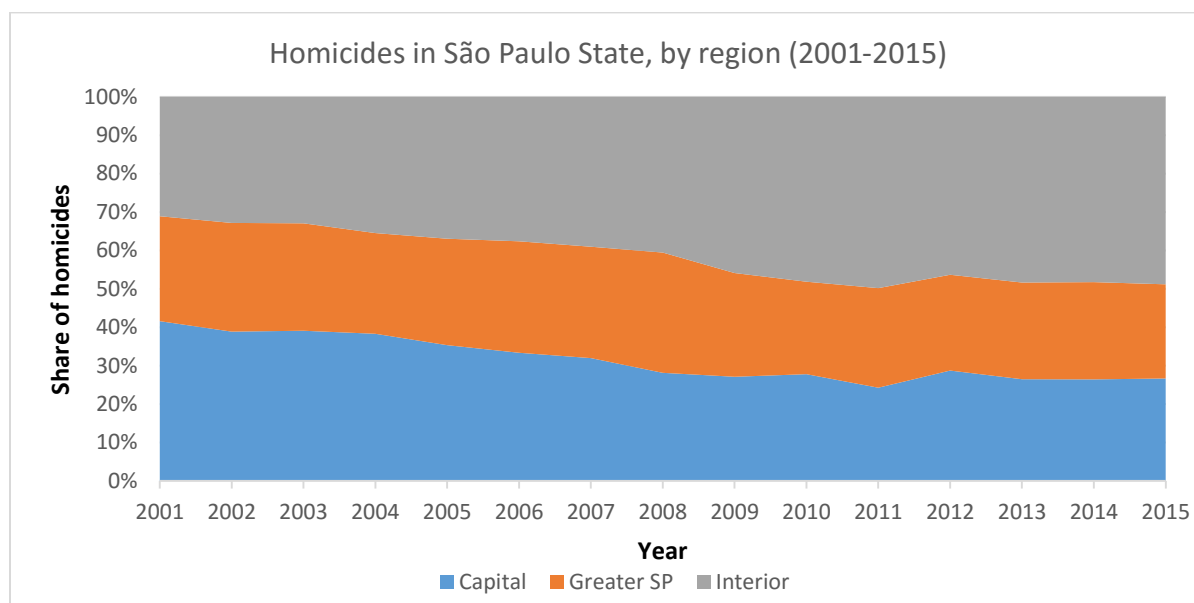
Source: Author’s elaboration with data from the SSP-SP

As Figure 5.8 corroborates, the proportion of homicides that took place in Greater São Paulo, including the Capital, fell from 70% to 55% between 2001 and 2015. This trend is consistent with the implementation of coexistence in the main metropolitan area, where the PCC

⁵³ Other scholars claim that socioeconomic and demographic factors are the main driver behind this decrease (Peres et al. 2011).

is strongest and well-equipped to contain criminal violence, and where the state's regulatory strategy is likely to be concentrated.

Figure 5.8. Geographical distribution of homicides in the State of São Paulo (2001-2015)



Source: Author's elaboration with data from the SSP-SP

This regulatory arrangement with respect to drug trafficking, and the PCC in particular, could hardly have persisted without the stability of policies that reduced police autonomy, including initiatives to control police lethal violence, corruption and determine crime control goals for the force, which were maintained through successive PSDB administrations from 1995 to the present. The following section focuses on the government's truce with the PCC after 2006, highlighting the mechanisms by which the state's regulation of drug trafficking through this tacit coexistence regulatory arrangement is enforced.

5 Truce with the PCC: the enforcement of tacit coexistence

A key turning point in the relation between the state government and the PCC, which consolidated tacit coexistence as the predominant regulatory arrangement, took place in May 2006, when state penitentiary authorities attempted to relocate prominent PCC figures to maximum-security federal facilities. In retaliation, the organization carried out rebellions in over 70 state prisons that propagated to the streets, as criminals attacked police stations and other government buildings. During the following days, a violence epidemic would literally shut down the city and leave almost 500 people dead, including 43 police officers (Adorno and Salla 2007). The Military Police was responsible for a large share of the casualties, as it had been authorized to respond in full force by acting governor Claudio Lembo.⁵⁴ Although the

⁵⁴ Lembo (from the PDT) was Gerardo Alckmin's vice-governor in 2002 and assumed the governorship following Alckmin's resignation to run for the 2006 presidential election.

government claims that all the civilian victims belonged to the PCC, family members of many of the deceased dispute this notion.⁵⁵

The attacks only subsided after a truce between the state and the PCC, signaled by a meeting between Marcola –the PCC’s apparent leader- and leading Civil Police officials.⁵⁶ Thus began an implicit pact between the government and the PCC that would last for the following eight years. In return for abstaining from further prison and street riots and regulating violence in the urban periphery, the PCC would be able to maintain its drug trafficking enterprise, and the police would restrain its violent attacks against gang members. This truce contributed to the persistence of low criminal and police violence throughout the state, especially in the Capital and its surrounding metropolitan area, where the PCC is strongest. While the government has not officially recognized this truce, almost all police officers and politicians I interviewed, as well as several media and scholarly sources, have attested to its existence. For example, a prominent PT council member stated: “Today, from 2007 till now, with some exceptions of fights with the police [...] there is a tacit agreement between the police and the PCC.”⁵⁷

This truce persisted until at least 2014, and was only interrupted briefly during a period of higher confrontation between the state and the PCC between May and November 2012. This violent intermission was not the result of the PCC breaking the truce or an autonomous attack by the police against the drug gang but a decision by then security secretary Ferreira Pinto to give more power to the Military’s Police elite squad (ROTA) in leading investigations on the PCC. In the next section, I explain how the state government enforced the truce with the PCC in the prisons and on the street, how the gang restrained criminal violence in the urban periphery, and why the truce temporarily collapsed in 2012.

The enemy you know: the state sponsors the PCC’s prison hegemony

The implementation of tacit coexistence required state police forces restraining their conflict with the PCC in both the prisons and the streets, as well as the PCC regulating criminal violence in the urban periphery. The police force’s reduced autonomy, which resulted from the PSDB’s consolidation as the dominant party in São Paulo, enabled these arrangements to emerge, as politicians and police commanders were able to constrain police attacks on the PCC. When the political strategy with respect to the PCC changed during Ferreira Pinto’s tenure as security secretary in 2012, violence between the police and the gang increased significantly, temporarily breaking this truce.

An analysis of the government’s response to the PCC must begin with São Paulo’s prison system. According to a 2013 investigation by the journal *O Estado de São Paulo*, out of 7800 PCC members in the state, 6000 are imprisoned, including most of the gang’s leaders.⁵⁸ However, these imprisoned leaders convey orders to street-level members to either confront the

⁵⁵ Interview with representatives from human rights NGO, Eastern Zone of São Paulo. See also www.maesdemai.com. The Human Rights Watch Report detected at least 17 suspicious killings during this month (2009).

⁵⁶ This was confirmed with the testimony of one of the Civil Police officials who participated in the meeting. See “Estado fez acordo com PCC para cessar ataques de 2006, mostra depoimento”, *Estado de São Paulo*, Jul. 27, 2015,

⁵⁷ Interview with PT councilmember José Américo.

⁵⁸ “Entenda o funcionamento do PCC e a sua influencia”, *Estado de São Paulo*, Feb. 26, 2014.

state or withhold retaliation, in addition to running their different organized criminal activities. There are several instances of conference calls in which a tribunal of imprisoned PCC members judge those who have broken the gang's rules and committed certain types of crimes.⁵⁹

There are three main instruments with which the state can threaten PCC leaders' control within the prisons, and thus likely escalate conflict with the PCC, triggering prison riots and street revolts. The first is by transferring leaders to federal maximum-security prisons, where they are usually placed on a 22-hour lockdown. The second is placing them in a harsher disciplinary regime within state-level penitentiaries, known as Regime Disciplinar Diferenciado (Differential Disciplinary Regime, RDD). Finally, the government can obstruct PCC communications with external members by blocking cellular signals around the prison or preventing the smuggling of cell phones into the prison.

During this period (2006-2014), the São Paulo state government largely avoided confronting the PCC on all these fronts. It did not transfer its leaders to maximum-security prisons. In return, these high-ranking members maintained relative order in an overpopulated prison system, preventing further riots and rebellions (Dias 2013).⁶⁰ The government also eschewed recurrence to the harsher disciplinary regime (RDD);⁶¹ Marcola, the PCC leader, for example, was only sent to RDD once during this period.⁶² Finally, PSDB administrations have not disrupted cellular phone signals around the prisons, and corrupt penitentiary system personnel allow the smuggling of phones into the prison to continue.⁶³ As a Military Police lieutenant told me:

The PM never again raided a prison, or entered a cell to look for weapons, drugs, or cell phones. Prisoners have more freedom to have these things, to talk on their cell or to use internet in the prison. It's part of the agreement (*acordo*) with the government. The state backed away and the PM lost as a result.⁶⁴

This does not imply that the state never punished the gang in prison. A high-ranking official from the Civil Police's DEIC unit told me: "In 2012 [sic], Marcola was in RDD for sixty days and nothing happened. They were preparing an escape plan, so they knew that the punishment was appropriate. When they perceive that there is 'justice,' they do not react violently."⁶⁵ One of the leading investigators of the PCC added: "Marcola owes me his [close to] 300-year jail sentence. I put his wife in jail for money laundering. They do not like me but they respect me – [i.e. don't make attempts against his life] - because I never altered evidence to put them in jail."⁶⁶ These quotes illustrate another aspect of the implicit pact between the state

⁵⁹ "Brazil prison gang conducted ten hour conference call", *InsightCrime*, Dec. 5, 2012.

⁶⁰ See also "¿Por que Marcola, suposto lider do PCC não está em um presídio federal?" *iG São Paulo*, Aug. 20, 2014.

⁶¹ See discussion of relevance of RDD and the decrease of PCC members in that condition in Dias (2011, 319).

⁶² "Marcola foi uma vez para regime disciplinar diferenciado em 9 anos". *Estado de São Paulo*, Jul. 28, 2015.

⁶³ In my interview with him, former PC chief Marco Antonio Desgualdo seemed puzzled by the fact that cellular signals outside of prisons were not blocked, which he attributed to resistance by the phone companies.

⁶⁴ Interview with Military Police lieutenant.

⁶⁵ Interview with senior chief of the DEIC, the Organized Crime division of São Paulo Civil Police (SP-32). A newspaper article claims the RDD resulted from a wiretap where Marcola threatened to kill Governor Alckmin (See fn. 63).

⁶⁶ Interview with senior DEIC investigator.

and the gang: both police and criminals tacitly recognize and respect the limits on the appropriate use of violence or, in this case, repression.⁶⁷

Overall, the state government did not dispute the PCC's control in most of São Paulo's prisons. This allowed the PCC to consolidate its hegemony in the São Paulo prison system and maintain its connection with its members and affiliates on the street to keep a lid on potential conflicts with the police and regulate the use of violence on the periphery. Fittingly, since 2006, there have been no major prison riots, rebellions or attacks by the PCC against the government.

Low police autonomy: Restraining police clashes with PCC in the streets

The government's reduction of police autonomy also enabled the truce to persist in the streets, restraining police violence and rent extraction against the PCC with the intention of preventing deadly exchanges between them from escalating. Keeping the police under was essential to the sustenance of tacit coexistence in São Paulo, with relatively low levels of police and criminal violence.

Several Military Police officers highlighted the government's restraint on their confrontation against the PCC, objecting to what they considered "political interventionism in police affairs."⁶⁸ Furthermore, they claimed that PM Commanders –following the governments' orders- were constraining the rank-and-file from lashing out against the gang, even after other police were killed, to avoid fueling a spiral of violence. While showing me pictures of dead police officers sent by his WhatsApp group, Corporal X told me that the administration reported these deaths as '*latrocínios*' (deaths following robberies) to disguise the PCC's targeting of police officers and to prevent the PM from launching violent reprisals against the PCC.⁶⁹ Two different PM Lieutenants confirmed this perspective. The first, a lieutenant from Guarulhos, told me:

It used to be that when a police officer was the victim of robbery or homicide, those who were in his Company or Battalion increased searches so that the crime would not be left unpunished. Today, that information is not released, so that police do not act. Murders are disguised. Police find out anyway because of the images that circulate in WhatsApp groups. They don't disclose the facts in the Police intranet either. The troops feel neglected and [that criminals are acting with] a sense of impunity.⁷⁰

Similarly, a *subtenente* (under-lieutenant) from a precinct in the Western Zone of the City of São Paulo added:

The state says the cop dies in a robbery or off duty but that's not what happens. They are killed by order of the leaders of the criminal gang [*facção criminosa*, i.e. the PCC]. They say the police died in an attempted robbery, to not alarm the population.⁷¹

⁶⁷ Denyer Willis presents a similar argument in his extraordinary ethnographic work of the state police (2015).

⁶⁸ Interview with Lieutenant of São Paulo Military Police, Guarulhos.

⁶⁹ Overall, robberies followed by homicides (*latrocínios*) decreased between 2001 and 2013, but grew during the last years of this period, particularly after 2010.

⁷⁰ Interview with Lieutenant of São Paulo Military Police (Guarulhos).

⁷¹ Interview with Lieutenant of São Paulo Military Police (Western precinct).

In general, as shown by the above quotes, street-level police officers perceive that the government is inactive in fighting the PCC, even when inaction means leaving police unprotected. The same feeling was conveyed by former ROTA captain Conte Lopes: “We had two police who were attacked by the PCC, the criminals shot at them eight times. To take care of their family, we rented a house in the periphery so that they could move there. The police took away his gun, left the comrade unarmed. There is no support for the police. The criminal has more support than the police.”⁷²

Police commanders confirmed this attempt to restrain police violence to avoid confrontation with gang members escalating. As the current high-ranking officer in the Capital City precinct explained: “Police are scared of being the next victim. That stress leads them to react inappropriately and shoot innocent people... This generates a self-reinforcing circuit, because the police kill someone, this generates anger against the police, someone wants to kill the police, police want revenge, etc.”⁷³ Police commanders seek to prevent this violent circuit, if not from emerging, at least from becoming self-reinforcing and potentially unstoppable. As several interviewees pointed out, these instructions came down from the administration. Reduced police autonomy permits achieving this objective.

Furthermore, PM interviewees claimed that their commanders restricted the prosecution of drug trafficking, most likely to avoid the ignition of conflicts with the PCC. As Corporal X pointed out when we were driving through the Southern periphery of São Paulo, the police did not apply constant enforcement against drug trafficking, probably so as not to disrupt the PCC’s main source of income and invite violent retaliations. Several higher ranking Military Police officers told me that suppressing drug trafficking was not one of their main priorities. As a lieutenant in Guarulhos, a municipality North of the city of São Paulo, told me: “There are no operations against drug trafficking. In general, it is not a concern of PM Battalions. We focus on five main indicators: homicides, vehicle theft, vehicle robbery, and other thefts and other robberies.”⁷⁴

Admittedly, while the police restrained its confrontation against the PCC, the gang might be less inclined to restrain its members from attacking the police. However, as we will see, the gang also seeks to restrict conflict against the police when serves its economic interest. Furthermore, in contrast with their massive attack on the state in 2006, the PCC’s actions are more limited. Both the under-lieutenant cited above and a soldier from Guarulhos told me that the PCC no longer carried out massive attacks on police precincts but targeted individual police, especially when they are off-duty. Some gang members or affiliates presumably kill police to pay off debts with the organization, or as a rite of passage to become a member. Consequently, police officers understandably feel personally vulnerable as they see or hear that fellow cops have been killed, even if the trend is declining over time.

For tacit coexistence to persist, the police (and governing politicians) should also restrain their rent extraction from drug trafficking, since failing to do so could incite violent responses from the PCC and generate continuous clashes between the gang and the police. For example, a report by the Harvard Law School International Human Rights Clinic and the Brazilian NGO

⁷² Interview with current councilmember, and former ROTA Captain, Conte Lopes.

⁷³ Interview with high-ranking Military Police officer in Capital precinct.

⁷⁴ Interview with PM Lieutenant, Guarulhos, SP. The commander from the Capital precinct articulated the same idea.

Justiça Global (Global Justice) concluded that the Civil Police's kidnapping of Marcola's godson, and their subsequent extortion of the PCC leader, provoked the May 2006 uprisings (2011). Politicians reacted by restraining the autonomy of the Civil Police, especially during Ferreira Pinto's administration (2009-2012), reinforcing external and internal control mechanisms, such as placing the Internal Affairs office under the supervision of the secretary, that limited the force's extraction. Governing politicians are not extracting rents from the PCC either, at least not in bulk. So far, the strongest political connection to the PCC involved a state deputy of the Workers' Party (PT), who was suspected of laundering money for the gang.⁷⁵ By contrast, no interviewee accused administration officials of taking money from the PCC.

Given the gang's retaliatory power, police had incentives to reduce their extortion of, and rent extraction from, the PCC. As in other cases, corruption is still present in São Paulo's Civil and Military Police, but, according to most interviewees, it is not extensive in the force, particularly in regard to drug trafficking. Only one former police interviewee mentioned the possibility that high-ranking police officers also collected rents from drug trafficking.⁷⁶ Corporal X told me that several officers he knew were on the take, although not from drug trafficking but from taxing businesses to let them operate without the required licenses. As mentioned above, the fact that police profit from running rackets other than drug trafficking –e.g. gambling or commercial licenses- might be a way to avoid the confrontation with the PCC that could result from extracting excessive rent from the gang, while still allowing officers to retain an additional source of income.

On the other hand, police corruption might increase because of the lack of the governing politicians' lack of willingness to confront the PCC. In other words, it could be a byproduct of the state's reduced conflict with the gang. In this sense, a PM soldier stated that many police are unmotivated because of the government's insufficiently aggressive response and, in addition to being less willing to go out and do their job, are turning to corruption"⁷⁷, though he did not specify from which source. In short, police corruption persists in Sao Paulo; however, as far as I could find out, it is generally concentrated in lower-ranking members of the force and does not involve police commanders or governing political authorities -which constitutes the essence of a protection-extraction racket. Furthermore, police officers generally seek other sources of illicit rents than drug trafficking. This limited corruption, concentrated at lower levels, allows tacit coexistence to persist whereas abundant rent extraction could derail the truce.

Keeping their end of the bargain: PCC regulation of criminal violence in the periphery

This tacit coexistence arrangement implies a restrained conflict between the state and criminal actors. In this case, the PCC also refrains from engaging in continuous or major attacks against the police. The gang also contributed to the low levels of criminal violence in the state by maintaining order in their turf in the urban periphery. These actions allow the PCC to

⁷⁵ "Luiz Moura e cinco empresas de ônibus são suspeitos de lavagem de dinheiro para o PCC", *Estadão de São Paulo*, Jul. 29, 2014.

⁷⁶ Interview with retired Military Police officer.

⁷⁷ Interview with Military police soldier, Guarulhos.

maintain its highly profitable drug trafficking monopoly, avoiding police interventions and potential clashes with the cops.

First, the PCC's leadership often tries to contain violence against police. Gang leaders recognize that confronting the police is likely to generate a violent backlash and, importantly, disrupt business operations and thereby reduce the organization's profitability. Such moderating influence is usually transmitted from the prison, where most of the leaders are, to the street. As the current head of the Organized Crime Investigating Unit (DEIC) told me:

In São Paulo, the PCC have one person responsible for each area. From the prison, they manage things, debating on the phone: we've intercepted 6-hour conference calls. After a *dono* [local boss] was killed in a shooting with the police, they debated; some members wanted to go to war, but they resolved to hand over the dead man's franchise to a friend of theirs. In another case, the police killed four individuals, including a son of one of the leaders in prison. They were waiting for a large drug shipment. The dead man's friends—in the street—said they were going to retaliate, but from the prison, they said they cared about the money, not about revenge. They had to administer the business, not mess with the police. There is a difference between the voices of the street and the prison. In the street sometimes they forgive debts for killing a police [officer] and that starts a spiral of 4, 5 deaths until the prison command stop it.⁷⁸

Second, the PCC also helps contain levels of criminal violence by its members against other citizens within the urban periphery.⁷⁹ As we could tell from figure 5.6 (above), homicide rates in the state, the city and the Sao Paulo metropolitan region decreased or remained stable at low levels during the years of the pact (2006-2014), with the exception of a temporary rupture of the truce in 2012.

Part of the gang's motivation for maintaining order was economic self-interest, as escalating criminal violence might force politicians to unleash the police against the PCC and shut down their operations. Security expert Guaracy Mingardi explicitly linked this restraint to "a non-written agreement: the guy responsible for the *biqueira* (drug selling point), he doesn't want complications; he wants to sell. If he starts to let people get killed there, the (PM) Captain will be held responsible and the (PC) delegate will get on him. He wants the business but without the deaths. There is a very clear rule. The PCC has some influence."⁸⁰

Various PT legislators, who have their electoral strongholds in neighborhoods controlled by the PCC, commented on how the gang reduced violence in these areas by eliminating competitors in drug trafficking and punishing those who commit crimes in the community. The following dialogue with councilmember Jair Tatto illustrates this dynamic:

Q: The PCC controls crime in the periphery?

A: Controls, disciplines, organizes.

Q: How do they do that?

⁷⁸ Interview with current head of DEIC.

⁷⁹ For an account of the PCC's management of conflict in the urban periphery of São Paulo see Feltran (2011) and Manso (2009), among many others.

⁸⁰ Interview with Guaracy Mingardi.

A: It is a local action. They break up small (drug) organizations and reduce local conflicts. They help the community [by organizing] parties; they create a policy to avoid problems with the community. They even go as far as disciplining a young boy who breaks in a house to steal.⁸¹

Representatives from a human rights NGO in a poor neighborhood in the Eastern Zone of the city of São Paulo told me of a very similar story regarding the PCC's micro-level crime regulation. Their locale had been broken into and burglarized twice by two kids from a "troubled family" in the neighborhood. The community turned them in, and the traffickers made them return what they had stolen.⁸² These revelations show that the PCC effectively constitutes an alternative mode of governance, providing justice and security in the urban periphery, mostly alongside rather than in opposition to the state. The gang's regulation of criminal violence in the urban periphery, where they have consolidated their control -in part with the government's acquiescence-, is another of the key ingredients of the persistence of tacit coexistence. The less the criminal violence, the less the state will be forced to intervene and the more the traffickers can continue with their enterprise.

A temporary lapse of peace: The break of the truce in 2012

Although the truce between the government and the PCC persisted mostly uninterrupted throughout this period, there was a brief intermission of increased confrontation between May and November 2012. However, this does not qualify as a regression to the previous regulatory arrangement -i.e. particularistic confrontation- as the repression was coordinated by the political leadership and ended rapidly once the secretary left office.

The crucial factor behind this temporary shift was Secretary of Security Ferreira Pinto's decision to rely more heavily on the ROTA, as opposed to specialized divisions in the Civil Police, to investigate organized crime.⁸³ This decision involved specifically the elite squad, not the Military Police as a whole. In fact, the Commander of the Military Police at the time stated that the policy of confrontation that broke the truce emerged after his departure, and holds the secretary responsible for the escalation in violence during this period:

We had an increase [in conflict] from 2012 until now, in my opinion, because there was a misguided steering of security toward confrontation. [Ferreira Pinto] had the idea that you had to be hard and rigid with crime. During the years I was in command, I did not always let that happen. There was a balance. With my exit, he did what he always wanted to do: use special troops [ROTA] in fighting crime.⁸⁴

This quote highlights the fact that going after the PCC was a decision of political authorities -Secretary Ferreira Pinto- and not an autonomous initiative by the police. Contrasting

⁸¹ Interview with councilmember Jair Tatto. Similar narrations appeared in interviews with PT councilmember Jose Americo, and PT state deputy Donato. These same legislators admitted that they needed the approval of gang members to campaign in certain neighborhoods.

⁸² Interview with representatives of community-based NGO in Southeastern zone of São Paulo.

⁸³ Technically, the Civil Police are in charge of investigating crimes but the Military Police have special units authorized to perform this function.

⁸⁴ Interview with Coronel Camilo.

with Camilo's criticism, the commander of the ROTA at the time, Coronel Telhada, praised the secretary's strategy for its unyielding confrontation of drug trafficking and the PCC:

We had a secretary called Antonio Ferreira Pinto who fought hard against organized crime. He brought me to the ROTA. We fought every day, seized weapons, money, [arrested] the heads of crime. Hardly a week went by without two or three operations. When I left the ROTA and he left the Security Department that ended. Fighting now is minimal, it's nothing, it's embarrassing.⁸⁵

Telhada's testimony underscores both the change in government policy toward the PCC during Ferreira Pinto's tenure, resorting increasingly to violent enforcement and temporarily breaking the truce with the PCC, as well as the restoration of limited confrontation once the secretary left. The results of the initial shift were immediately apparent. The ROTA killed twice as many more individuals during the first half of 2012 (45) than in the same period in 2010 (22). After one operation ended up with several PCC members killed, the gang vowed to kill six police for every dead gang member in retaliation.

Similarly, during 2012, 106 policemen were killed, most of them presumably by the PCC, nearly twice as many as the previous year (56).⁸⁶ The heightened clash between the police and the PCC, and particularly the large number of police victims, eventually caused Secretary Ferreira Pinto to resign in November 2012. The police, in turn, killed between 100 and 200 more people than they had during the previous year, according to the data source consulted.

Ferreira Pinto's successor, Fernando Grella Vieira,⁸⁷ a former head state prosecutor, promised a police force more respectful of human rights, signaling that the police's violent approach would halt.⁸⁸ In the first eight months of 2013, the government expelled 398 police officers -the highest monthly average during Alckmin's government- and arrested 237.⁸⁹ At the end of 2013, victims of police violence decreased back to their 2011 level.⁹⁰ Coronel Telhada, as one could predict, was extremely critical of the new secretary: "he is an honest, hardworking person, whom I respect; however, he is no good as security secretary [...] he may know about laws, but he doesn't know the police."⁹¹ This change in office intended to restore the tacit coexistence that the previous secretary had disrupted.

Of course, this tacit coexistence arrangement is by no means perfect in avoiding confrontation. Military Police street-level officers, the ones most exposed to criminal violence, ascertained that patrolling is increasingly more dangerous for them. Replicating punitive discourses of past years, they often complain that criminals have more rights than police, or that

⁸⁵ Interview with Coronel Telhada.

⁸⁶ <http://www.terra.com.br/noticias/infograficos/ataques-a-pms/>. See also, "What's killing Brazil's police?" Graham Denyer Willis, *New York Times*, Dec. 1, 2012. Only three of these police officers were killed on duty; the rest were either off-duty or retired.

⁸⁷ Neither Grella nor his deputy secretary returned my requests for an interview.

⁸⁸ See "Novo secretário de Segurança assume prometendo mudanças e respeito aos direitos humanos", *UOL notícias*, Nov. 22, 2012. Grella is also labeled in this manner by former secretary Petreluzzi, who cast him in a similar shade as Marzagão (and himself). Interview with Petreluzzi.

⁸⁹ "Média de policiais presos e demitidos em 2013 e a maior da era Alckmin em SP", *R7 Notícias*, Oct. 15, 2013.

⁹⁰ <http://ponte.org/pms-de-São-paulo-matam-uma-pessoa-a-cada-10-horas/> According to this organization, the police killed 715 people in 2012 and 574 in 2013. Official records from the SSP are: 535 (2011), 619 (2012) and 505 (2013).

⁹¹ Interview with Coronel Telhada.

police receive more punishment for killing than do criminals, and criticize the government for not doing anything against the PCC. At the same time, police violence has grown during 2014. Whether the arrangement persists in the long term will depend on the government's ability to still reduce police levels of autonomy through the actions of its security staff and politicians. Until the end of Alckmin's administration –he won reelection in October 2014- the government has avoided signaling a shift toward a more active confrontation against the PCC, aware of the risks this implies in terms of police's excessive violence.

6 Conclusion

The evolution of São Paulo following re-democratization reveals how police autonomy decreased with the PSDB's entrenchment in power in a context of high political fragmentation, and how this enabled a tacit coexistence with the main drug gang to regulate organized crime. It illustrates how politicians' preference for order over rents from police corruption, and police officers' fear of reprisals from gang members led to restricted confrontation and rent extraction by the police and maintained low violence between state and criminal actors. Like with Rio de Janeiro after the implementation of the Police Pacification Units (UPP), this case demonstrates that government initiatives to reduce police autonomy must be sustained over successive administrations before its effect can be borne.

São Paulo also forces us to reexamine the conditions under which non-aggression agreements between state and criminal actors might emerge and persist. On the one hand, governments need to remain in office for sufficiently long periods to be able to implement significant changes to the police force's organization and crime-fighting strategies. On the other, when governments face no relevant political opposition, the temptation to profit from police rents is bound to increase –as we will see in the case of Buenos Aires; in the presence of powerful drug trafficking organizations, rent extraction increases might result in the collapse of peacekeeping arrangements and increases in criminal violence. São Paulo also presents a quandary in that this coordinated arrangement involves the state ceding part of its authority to non-state armed actors, who, at the same time, often have greater legitimacy in marginalized neighborhoods than the police itself, given the latter's historical mistreatment of poor individuals.

Furthermore, this case shows that reducing police autonomy is not a strategy that is exclusive to progressive or left-of-center governments. Like Cabral's PMDB in Rio de Janeiro, São Paulo's PSDB is typically considered a conservative, right-of-center party, although it was thought of as more progressive in its early years. However, both of these parties have had greater success in reducing police autonomy than center-left governors like Brizola (Rio de Janeiro) or Montoro (São Paulo), in part because the latter are bound to generate more rejection and resistance from the police.

Finally, this case illustrates how political decisions shape drug trafficking markets. While in Rio de Janeiro, post-authoritarian administrations inherited an already powerful criminal faction –the Comando Vermelho (CV); in São Paulo, the government's violent treatment of prisoners, criminals, and marginalized sectors in general, contributed to the emergence of the most powerful drug gang in the state, the PCC. Meanwhile, its subsequent decisions in security and penitentiary policy permitted the gang to consolidate its monopoly on

drug trafficking in São Paulo, which, given the consequences of gang fragmentation in Rio de Janeiro, is not an entirely negative development.

The next, and final, case chapter -Buenos Aires- illustrates how low turnover allowed incumbents to reduce police autonomy. However, unlike what occurred in São Paulo, governors in Buenos Aires faced less political fragmentation and thus, instead of promoting democratizing reform, exploited their entrenchment and higher concentration of power to appropriate police rents and regulate trafficking through protection-extraction rackets.

Chapter 6 Managing the ‘Bonaerense’: Protection-extraction rackets in Buenos Aires

1 Introduction

On the eve of the 2015 primaries, the most popular Argentine TV show broadcast the story that the Peronist candidate for governor of Buenos Aires, Aníbal Fernández, then the National Government Chief of Staff, was the head of a drug dealing organization responsible for the murder of three men involved in trading ephedrine –a chemical precursor commonly used for making synthetic drugs. Like most other drug organizations in the province, these dealers paid protection rents to individuals in the provincial and federal police. In 2007, the victims’ drug stores had also contributed funds to the Frente para la Victoria (FPV, Front for Victory), President Cristina Kirchner’s electoral vehicle and the dominant Peronist faction in the province and country. Fernández eventually won the primary but lost the general election, marking the first time the Peronist party had relinquished control of the province since 1987.¹ This defeat in the most populous province in Argentina also contributed to the loss of the current Buenos Aires governor -and FPV presidential candidate-, Daniel Scioli, in the national election. As we will see, the overlap of factional disputes within the Peronist Party, drug trafficking, and criminal violence is a common feature of a province in which the regulation of drug trafficking has predominantly consisted of protection-extraction rackets run by police and appropriated by Peronist politicians.

During most of this period (1987-2015), the province of Buenos Aires exhibited low political turnover and low fragmentation. The Peronist party governed the province for 28 consecutive years, between 1987 and 2015. Being the largest party at the state and national-level, the Peronists did not require interparty coalitions to govern the province, and on most occasions, held a majority in both chambers of the provincial legislature. The party also controlled over 60 percent of the province’s municipalities, and over 70 percent in Greater Buenos Aires region, throughout this period. Since ousting the Unión Cívica Radical (UCR) in 1987, other parties practically did not pose a threat to the Peronists’ control of the governorship until 2015.

This entrenchment and lack of opposition allowed Peronist administrations to subordinate the police and appropriate the rents that police collected from organized crime, often using such funds to finance local political machines and electoral campaigns. This reduction of police *financial* autonomy did not, however, result in a more democratic or professional police force, which remains plagued by high corruption, inefficiency and human rights abuses. In other words, the Buenos Aires police retained its high *organizational* autonomy. The flipside of this “double pact,” in which the police had low financial but high organizational autonomy, consisted in politicians granting police the discretion to broker informal agreements with criminal actors in order to extract rents and contain violence in the metropolitan area. Thus, the police regulated

¹ Fernandez accused national deputy Julián Domínguez, his Peronist opponent in the primaries, of feeding this information to the TV show, which was known to be a fervent critic of the national administration.

drug trafficking primarily through *protection-extraction rackets*, a pattern characterized by centralized corruption and relatively low state and criminal violence.

However, the “double pact” arrangement was not constant over this period. During the late 1990s, disputes between the party’s factions increased political fragmentation and turnover in the province.² Between 1997 and 2003, police autonomy grew as well: not only did the police successfully resist two reform attempts, but they also cut off their provision of rents to governing politicians, withholding a larger portion of rents for themselves. During this period, the police regulated drug trafficking and other organized criminal activities via *particularistic negotiations*, i.e. dispersed and unstable deals with criminal actors. The police’s decentralized regulation of crime contributed to the increase in state and criminal violence in the province during this period. Intra-party fragmentation and turnover, in this case at least, were more important than partisan stability and lack of interparty fragmentation in explaining the government's capacity to affect police autonomy, and shape subsequent regulation of drug trafficking.

In short, for 20 out of its 28 years in power (1987-1996, and 2004-2015), low turnover and relative unity between Peronist factions allowed the administrations to reduce police autonomy to medium levels: Governments managed to centralize police rent extraction in return for not engaging in significant police reforms. The police subsequently regulated drug trafficking through protection-extraction rackets, with low criminal violence and high (yet centralized) corruption by the police. However, an interval of higher intraparty fragmentation and turnover between Peronist factions between 1997 and 2003 increased the police force’s autonomy and resulted in the police engaging in decentralized deals -particularistic negotiations- to regulate organized crime, neglecting the control of criminal violence -and sometimes even furthering such violence (see table 6.1).

Table 6.1. Political turnover, fragmentation, police autonomy and drug trafficking regulatory arrangements in Buenos Aires, 1983-2015

Period	Turnover	Fragmentation	Police autonomy	Drug trafficking regulatory arrangement
1983-1996, 2004-2015	<i>Low</i>	<i>Low</i>	<i>Medium</i> No reform, Political appropriation of police rents	<i>Protection-extraction rackets</i>
1997-2003	<i>High</i>	<i>High</i>	<i>High</i> Reform cycles, No political control of police rent extraction	<i>Particularistic negotiation</i>

Source: Author’s elaboration

² Factions are a key element of Argentine politics, especially within its two main parties, the PJ and the UCR (Föhrig 2011).

This chapter explores the relation between political turnover and fragmentation, police autonomy and the regulation of drug trafficking in the province of Buenos Aires between 1983 and 2015, centering on Greater Buenos Aires (GBA), the metropolitan area around the Capital City (*Capital Federal*); the City itself is excluded from this study because the provincial police do not have jurisdiction there. The second section provides a brief historical context pertaining to the Buenos Aires police, politics and drug trafficking before the return of democracy in 1983, and explains how the Peronists' low turnover and fragmentation since 1987 enabled them to use the police to run protection-extraction rackets beginning in the early 1990s. The third section shows how fierce intra party disputes between different Peronist factions jeopardized this equilibrium between 1996 and 2003, increasing police autonomy and resulting in particularistic negotiation as the main regulatory arrangement of organize crime. The fourth section shows how the double pact between politicians, police and criminals in the province was restored and fortified following 2004; as Peronist governments consolidated their hegemony and reduced their internal disputes, police regulation of trafficking through protection-extraction rackets once again became the dominant strategy.

2 Police, politicians and drug trafficking in Buenos Aires: from 1983 to the mid-1990s

Historical summary

From its inception, the Buenos Police force, commonly referred to as “La Bonaerense,” has engaged in systematic corruption and committed widespread human rights abuses. During Argentina’s numerous 20th century dictatorships, the Buenos Aires police played a prominent role in repressing dissident political activities. This repression ranged from suppressing strikes and protests by Socialist and Communist unions in the early 20th century, to the persecution of Peronist activists during the military dictatorship of 1955 (Walsh 1984). During the last (and most brutal) Argentine dictatorship (1976-1983), the Buenos Aires police ran several clandestine torture centers in the province and was responsible for numerous cases of kidnapping, torture, disappearance and murder (CONADEP 2006). Several police officers who committed these abuses remained on-duty well into the democratic period.

The Bonaerense has also structurally lacked investigating capacity and crime-solving efficiency.³ It grew accustomed to resorting to torture and other breaches of civil rights to “solve” crimes in response to political and social pressure (Barreneche 2012). Like most Latin American and Argentine police forces, it also lacks proper working conditions. Police are on duty for 24 hour shifts, and need to work overtime or moonlight in the private security sector to make ends meet.⁴ Police stations, vehicles, equipment and infrastructure are archaic and poorly maintained. Police unions lack formal recognition; whenever the force organized, the national

³ Unlike Brazilian police, Argentine state police do not have separate preventive and investigative forces.

⁴ According to the Chamber of Private Security Businesses, there are over 250 thousand people employed in this sector in Argentina, 100 thousand of which are non-formal workers. Over 70% are in the city and Greater Buenos Aires (Fleitas Ortiz de Rozas 2011).

military quickly suppressed its protests (Barreneche 2011). The force is also understaffed: almost half of its personnel are on medical leave or assigned to other functions besides crime prevention, including prisoner custody and administrative duties.⁵ These structural hardships predispose the force to finance itself informally through corrupt activities, while their lack of formal sectorial representation leads officers to adopt illicit, and even violent, means to “lobby” political authorities, including deaths threats and other forms of intimidation.

Police corruption in the province has a long history. Historical police rackets include the regulation of criminal activities such as clandestine gambling and prostitution since the early 20th century. Politicians’ participation in such rackets is not new either: there are accounts of the complicity of police and political strongmen with crime in Greater Buenos Aires since at least the 1930s (Caimari 2012, 28). However, the gamut of illicit activities from which the police extracted rents grew substantially since the 1990s, as Argentina’s role in the global drug trafficking economy changed.

For most of the 20th century, Argentina remained primarily a transit country for drugs imported from Bolivia (cocaine) and Paraguay (marijuana) and shipped to developed countries, mainly in Europe. Buenos Aires was in the center of this distribution chain, as the province’s multiple airports, seaports, and extensive highway network made it the country’s predominant distribution hub. Cocaine consumption grew in the 1980s, but mostly was restricted to wealthier individuals and some members of the artistic community (Pasquini and Miguel 1995).

This pattern would change dramatically in the 1990s, as more cocaine (and other drugs) not only flowed through but also remained in Argentina, often under the auspices of high-ranking politicians and immediate associates of President Carlos Menem (1989-1999) (Lejtman 1994; Pasquini and Miguel 1995). The increased purchasing power of the middle-class and the pauperization of popular sectors caused by neoliberal reforms in the 1990s expanded both domestic demand and supply, as excluded individuals increasingly dealt small quantities of drugs to support their own livelihoods and, in some cases, their own addiction (Kessler 2004, 145). Although these changes applied to the entire country, they were particularly evident in Greater Buenos Aires –the most populated area in the country, with nearly 13 million people according to the 2010 census.⁶ In GBA, the confluence of police corruption and political opportunism would play a key role in drug trafficking’s expansion and subsequent regulation – which combined formal prosecution with diverse informal instruments, including tolerance, protection, and even participation by police officers.

Peronist hegemony and police autonomy: Controlling the province and the force’s rents (1983-1996)

The strongest national and provincial party since its inception in 1945, Peronism has governed Buenos Aires practically uninterrupted since the return of democracy in 1983, marking its low turnover and fragmentation. After 1983, it did not lose a gubernatorial election for 32 years. All governors who have vied for reelection since 1994, when the provincial

⁵ “Solo la mitad de la policía bonaerense combate la inseguridad”, *La Nación*, Sep. 25, 2013. The government nearly doubled the number of police before its exit on December 2015 to its current size of 95,000 members.

⁶ This figure includes the Autonomous city of Buenos Aires. Without it, the 24 municipalities that make up GBA amounted to almost 10 million people according to the 2010 census.

constitution was amended to permit governors to serve for more than one term, have won by an even larger margin than when they first came to power. Furthermore, after 1995, the most important contenders for provincial office and in the mid-term elections have come from forces that split from the ruling party.

Peronist governors from aligned factions succeeded each other between 1987 and 1995, when Eduardo Duhalde was reelected. Between 1997 and 2003, turnover increased as both Carlos Ruckauf –elected in 1999- and Felipe Solá –the vice-governor who finished Ruckauf’s term- hailed from different factions than their respective predecessors. Turnover would decrease once more as Solá –reelected in 2003- and Daniel Scioli came from the same Peronist faction, headed by President Néstor Kirchner. From then until 2015, the dominant Peronist faction would be under the electoral label of the Front for Victory (FPV) (table 6.2).

Table 6.2. Governors of Buenos Aires and their electoral performance, 1983-2011.

Election year	Governor	Governor’s party	Governor’s vote share (%)	Margin of victory (%)
1983	Alejandro Armendariz	UCR	52	12.5
1987	Antonio Cafiero*	PJ	46.5	6.8
1991	Eduardo Duhalde	PJ	46.3	22.7
1995	Eduardo Duhalde	PJ	56.7	35.7
1999	Carlos Ruckauf*/ Felipe Solá* ¹	PJ	48.3	7
2003	Felipe Solá	PJ	43.3	30.9
2007	Daniel Scioli	FPV-PJ	48.2	31.7
2011	Daniel Scioli	FPV-PJ	55.1	39.2

Source: Author’s elaboration from Andy Tow Electoral Blog.

*: New governor is from a different party or faction than his predecessor, i.e. there is high turnover.

¹: Felipe Solá finished Ruckauf’s term.

UCR: Unión Cívica Radical

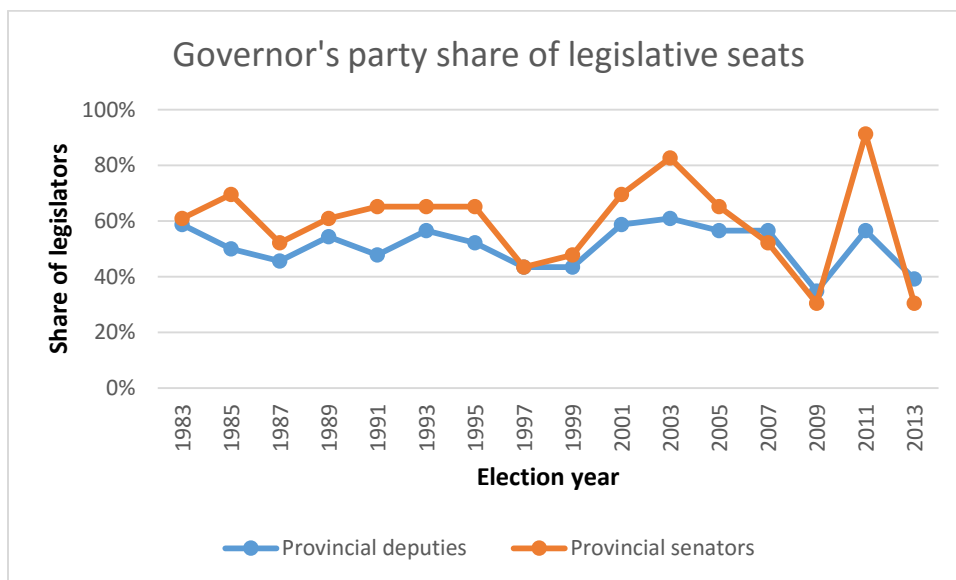
PJ: Partido Justicialista

FPV: Frente para la Victoria (also PJ)

Peronists also encountered low fragmentation when governing the province. Unlike their Brazilian counterparts or the Socialist party in Santa Fe, Peronists did not require a multiparty coalition in order to gain or maintain power. They often lacked credible competition from other parties, particularly since the collapse of the UCR following the 2001 Argentine crisis (Lupu 2015). As figure 6.1 shows, Peronists emerged from eleven of the sixteen legislative elections, which are held every two years, with a majority in the provincial legislature – and accounted for as many as 90 percent of provincial senators in 2011. That year, the FPV-PJ peaked in power as Governor Scioli (and President Cristina Kirchner) won their

respective elections with over 50% of the vote, carrying a great legislative majority in their coattails. The main blows to the Peronists' hegemony in the province came in 1997-99, when the party came close to losing the governorship to an alliance formed by the Radicals and the FREPASO (Front for a Country in Solidarity, itself made up of former left-leaning Peronists), and in 2009 and 2013, when right-of-center factions would confront the dominant FPV.

Figure 6.1. Governor's party share of legislative seats (Buenos Aires, 1983-2013)



Source: Andy Tow's Electoral Atlas

This concentration of political power is even clearer when one examines the municipal level. Peronist mayors have consistently governed over 70 percent of the 24 municipalities in Greater Buenos Aires, and over 60 percent in the province overall. Political competition is limited within these municipalities as well: Local governments in Buenos Aires allow for unlimited reelection and in several cases the same mayors –mainly Peronists, but a few Radicals as well- have ruled uninterruptedly for over 20 years.⁷ This factor is significant because rents from drug trafficking and organized crime have often ended up financing local political machines, run by municipal mayors or political activists loyal to them. For most of the period, political financing from drug trafficking also benefited governors, since local political machines also contributed votes and organizational strength to their campaigns.

However, while Buenos Aires has consistently low levels of *interparty* fragmentation, it has repeatedly experienced significant *intraparty* fragmentation. Peronism is a movement-party that contains multiple factions – or political groupings bound by informal ties, which do not answer to the party's formal leadership. Peronism's formal organization, in fact, matters little in making decisions inside the party (Levitsky 2001; 2003). This intra-party conflict often pits the movement's two main political leaders, i.e. the President and the Governor of Buenos Aires, against each other, and carries over to the alignment of municipal mayors. In some instances,

⁷ Some non-Peronist mayors also established a hegemonic rule over the municipalities, such as the Posse dynasty in San Isidro (1983-current) and Enrique Garcia in Vicente Lopez (1983-2007), both from the Radical Party (UCR).

intraparty disputes are strong enough to cause the rupture between the main party leaders, as occurs when a dissident faction defects to compete separately in elections. However, most of the time, quarreling faction members cohabit the same party.⁸

The remainder of this section examines the relation between Peronist state governments and the provincial police between 1987 and 1996. During this period, the state government's low turnover and low fragmentation enabled a mutual accommodation between politicians and the police, centered on the latter's provision of rents extracted from criminal activities in exchange for the former's political protection and avoidance of police reform.

'The best police in the world': Police, governors and mayors' mutual accommodation, 1987-1996

Provincial governments since the return of democracy had reached an understanding with the police that initially proved mutually beneficial. Police retained their organizational autonomy, in particular their power to regulate criminal rackets through informal and illicit means; while contributing parts of the collected protection rents to finance state and local political machines and other obscure gubernatorial expenses –such as paying off journalists— and maintaining socially acceptable levels of crime. While various authors have described the Bonaerense as a “self-governed” (i.e. highly autonomous) institution (Binder 2004; Sain 2004; 2008), ultimately the state government authorized, and exploited, the police force's capacity to dictate its own organizational affairs. At the same time, the force's autonomy depended on its collaboration with governors and municipal mayors, who lobbied for officers' promotions or shielded them from judicial prosecution.

Because they benefited from police corruption, provincial governments did not attempt to reform the police during this period. The only attempt took place during the administration of Peronist governor Antonio Cafiero (1987-1991), and it collapsed rapidly. Cafiero appointed as Luis Brunati, a progressive Peronist, as Minister of Government, the office then in charge of the provincial police, who intended to cleanse a force notorious for its human rights abuses, including the killing of three young men in Ingeniero Budge, a suburb in Southern GBA. Brunati recalls that when he took office, the police brought him several gifts, including a rifle and a German shepherd (supposedly for protection), as well as an envelope filled with cash. The police justified the bribe by saying that “politics was very expensive.” Brunati rejected the gift and, after purging several precinct bosses who participated in criminal rackets, faced multiple police protests and personal threats (Chevigny et al. 1991, 16). Having failed in his attempted reform and with little support from Cafiero or the Peronist party, Brunati resigned after a year.⁹

In 1991, Eduardo Duhalde, formerly the mayor of a lower-middle class municipality in the south of Greater Buenos Aires, won the 1991 gubernatorial election, marking a partisan continuity in the state executive.¹⁰ Duhalde had been Vice-President to Carlos Menem, a charismatic caudillo from the northern province of La Rioja who defeated Cafiero in the presidential primary in 1988 and then won the 1989 general election. However, as the sitting

⁸ We observed a similar dynamic in Santa Fe (Chapter 4) during the period of the Ley de Lemas, which allowed rival factions to solve their dispute in the general election as opposed to having primaries.

⁹ “La historia de un precursor”, *Página12*, Apr. 11, 2004.

¹⁰ Starting in 1995, state and national elections are concurrent and governors can run for one reelection.

vice-president, Duhalde had Cafiero's support in the 1991 gubernatorial elections and ran practically without opposition from within the party.

Duhalde created the office of Secretary of Security in 1992 (which became a Ministry in 1998), but had little intention of sacrificing police contributions to the Peronist political machine in Greater Buenos Aires by reforming the organization. During this period, the state government did not introduce any relevant measures to reduce the police force's organizational autonomy. The province lacked crime prevention plans, protocols regulating officers' use of force or shaping police training, as well as mechanisms of external control to check police actions, particularly in reference to corruption. According to former security secretary Alberto Piotti, the province's security problems left no room for engaging in structural reform. As he told me, "being in charge of security [in Buenos Aires] consists of always giving bad news. It's like having the rod of King Midas backwards."¹¹

This is only partly true. While it certainly existed before, the police force's connections to state and local politicians deepened during the early 1990s, as the government benefited from police rent extraction from illicit activities. Journalistic and academic sources highlighted the personal associations between Duhalde, Piotti and several high-ranking members of the police who ran various illicit enterprises in the metropolitan area, including drug trafficking (López Echagüe 1996; Córdoba 2007). During Piotti's inauguration ceremony as security secretary, Duhalde referred to the Bonaerense as "the best police force in the world" (Dutil and Ragendorfer 1997, 239), a phrase that would come back to haunt him as police corruption and violence hurt his performance in the 1997 and 1999 elections.

In the early 1990s, the provincial police were managing various criminal rackets under the protection, and for the benefit of, local and state politicians, most of whom were members of the Peronist party and concentrated in Greater Buenos Aires (Eaton 2008). Duhalde allowed these partnerships between police and local politicians to proliferate because doing so strengthened his own territorial machine in the province. The mayors' lack of opposition in their own municipalities and their political proximity to the provincial government reduced the opposition's chances of promoting successful criminal investigations of these rackets.

This mutual accommodation between politicians and police related to a broader transformation in the Peronist party. During the 1990s, Peronism shifted from a unionist to a clientelist party, incorporating a new mass of informal and unemployed individuals who suffered the consequences neoliberal reform (Auyero 2001; Levitsky 2003). These clientelistic machines, managed by brokers (*punteros*) who belonged to a local political faction (*agrupación*), delivered necessary social benefits to impoverished populations in the metropolitan area, yet often distributed them discretionally according to whether recipients showed up at campaign events or turned out to vote (Auyero 2001; Nichter 2008; Stokes 2013; Szwarcberg 2015; Weitz-Shapiro 2014). Police rents from crime constituted a major source of funds for these local machines.

During this period, the regulation of the incipient and highly fragmented drug trafficking market in Buenos Aires consisted of police collecting and politicians centralizing protection rents from small-scale local dealers or higher-level wholesalers. Rents from drug trafficking and other criminal activities, like prostitution, illegal gambling, and car robberies, allowed police chiefs and their subordinates to grotesquely fatten their pocketbooks and still feed politicians' local

¹¹ Interview with former security secretary Alberto Piotti.

machines or buy political (and judicial) protection for themselves. Meanwhile, organized criminals who contributed rents would be allowed to operate as long as they suppressed violence and kept their turf under control, or contributed information leading to the resolution of high-profile violent crimes. Partly because of the profitability of this arrangement for all parties, drugs began to flood the province.

Upon his inauguration in 1991, Governor Duhalde declared that the Buenos Aires police would lead the fight against drug trafficking in the province. Duhalde had already enacted local-level drug prevention initiatives in his hometown of Lomas de Zamora in collaboration with the Catholic Church. During our meeting in 2014, Duhalde showed me a book with news clippings of his statements against drug trafficking and the attempt on his life in 1988, which he believes was committed by drug traffickers. But while the former governor and president portrays himself as a crusader against illicit drugs, many of his political detractors allege that he facilitated the expansion of drug trafficking in the province during the 1990s, although they have not backed up their claims in court.¹²

Whether Duhalde knew it or not, the Bonaerense was protecting and profiting from the same criminal enterprise that it was ostensibly combatting. A journalistic investigation calculated that during the 1990s the police levied up to USD\$100 million per month from illicit sources, including protection fees from drug trafficking (Dutil and Ragendorfer 1997, 113). There are various accounts of police not merely protecting but also running drug distribution in Greater Buenos Aires with local Peronist machines. The “narco-police” scandal of 1996, which involved officers from a division in charge of controlling drug trafficking in the Southern Zone of GBA, revealed that several dealers were brokers or activists from the Peronist party, or their associates. Journalist López Echagüe claimed that retail selling in key locations, such as the Central Market in La Matanza and the largest informal market in Lomas de Zamora, counted on protection from local political patrons, most of them allied with Duhalde (López Echagüe 1996).¹³ Ethnographies of urban clientelism narrate that Peronist brokers distributed drugs to mobilize activists to political rallies (Auyero 2001). Members of local political cliques (*agrupaciones*) indirectly linked to the municipality or supporting a particular local political leader oversaw or directed these activities. Although no mayor has been charged with taking money from drug trafficking, several have been accused of corruption or participation in other rackets, usually following splits in the ruling party at the local-level (M. O’Donnell 2005).

Journalists and judicial investigations also cast doubt upon the police’s alleged ‘successes’ in confronting drug trafficking. The two most important seizures by the BA police during this period were “Operation White Coffee” and “Operation Strawberry,” which were carried out in conjunction with the National Intelligence Agency (SIDE). In the first case, while the police initially claimed to have seized 1800kg of Colombian cocaine, they later filed only 1030kg into evidence. In the second, the police seized a shipment with over two tons of cocaine in Buenos Aires but arrested only low-level handlers and intermediaries, raising suspicion as to why they did not find any higher-ranking members of the organization. The judiciary then

¹² Opponents who have publicly alleged that Duhalde facilitated drug trafficking in Buenos Aires include Civic Coalition national deputy Elisa Carrió, and social movement leader Luis D’Elia (Federico 2008, 15–25).

¹³ During his investigation, Echagüe was severely beaten by two bodyguards of one such political patron, who were active police officers.

acquitted all detainees due to the police force's irregular proceedings, raising the suspicion that police had deliberately botched the investigation (Burzaco and Berensztein 2014, 30–34).

The linkages between governors, mayors and police would persist largely undisturbed for most of the analyzed period (1983-2015). Nonetheless, as we will see in the following section, starting in the mid-1990s there were at least two instances in which, in response to serious scandals involving the police that threatened the government's electoral prospects (Hinton 2006; Y. González 2014), the provincial administration would introduce broad reforms to reduce the police force's formal organizational autonomy. However, increased intra-party disputes and turnover between different Peronist factions would prevent these reforms from gaining traction and motivate the police to resist their implementation.

3 Factional disputes, police reform cycles and particularistic negotiation, 1997-2003

Between 1997 and 2003, the provincial police's autonomy would increase as the result of higher Peronist intraparty fragmentation and an instance of political turnover. In the October 1997 mid-term election, governor Duhalde experienced his first electoral defeat, in large part due to a major intraparty split. After winning reelection in 1995, Duhalde –who could not run for another term in the province- declared his intentions to succeed Menem as president in 1999. However, the sitting commander-in-chief wanted to change the Constitution (once again) to run for a third term and, when this proved impossible, favored Duhalde's rivals and sabotaged the governor's campaign. This conflict between the two Peronist leaders (Ollier 2010, 99–100) illustrates the increasing intraparty fragmentation in the PJ. Furthermore, the center-left FREPASO, a faction that split from the national PJ in the early 1990s in opposition to the neoliberal reforms and widespread corruption of President Menem's administration, allied with the UCR to form a coalition that overcame the Peronist apparatus in the Buenos Aires province.¹⁴ This heightening fragmentation would greatly affect the unfolding of security politics and the regulation of drug trafficking over the following years. Finally, factional turnover occurred as Ruckauf –Duhalde's successor- distanced himself from the exiting provincial boss in the 1999 election, while his own vice-governor, Felipe Solá, who came from a different faction, replaced Ruckauf midway through the term.

Among the battles fought during this internecine war between the Peronist factions was a struggle over the control of the provincial police, which would result in a succession of police reforms and counter-reforms and, more importantly, the disruption of the provincial government's exclusive appropriation and control of police rent extraction. In contrast to previous years, when police corruption and its political ties had remained hidden under the surface, police scandals involving extortion, kidnapping, drug trafficking and murder erupted repeatedly during the 1997-2003 period.

The tipping point of such intraparty disputes that led Duhalde to introduce a broad police reform to restrict police autonomy was the arrest of 14 police officers on July 13, 1996, who were accused of participating in the bombing of the Jewish Center AMIA in 1994, the largest

¹⁴ The FREPASO presented a broad security plan, with police reform as one of its main proposals. The alliance with the UCR was dubbed *Alianza para el Trabajo, la Justicia y la Educación* (Alliance for Work, Justice and Education).

terrorist attack ever carried out on Argentine soil. The scandal of police involvement in terrorism forced the resignations of Duhalde's security secretary, Alberto Piotti, and the provincial police chief in August 1996. As it turns out, the judge in charge of the AMIA investigation had paid a car thief working under police protection to finger officers from the provincial force, at the behest of Menem and some of his most important cabinet members, evidencing the level of internal fragmentation in the PJ.¹⁵ A popular magazine story titled "Maldita Policía [The Damned Police]," enumerating the police's illicit businesses, also accelerated the reform.

With a view to his 1999 presidential prospects, in October 1996 Duhalde introduced an encompassing police reform (Ragendorfer 2002). This would be the first of several cycles of reform attempts from the late 1990s to the early 2000s that were followed by erosion or downright reversal (Ungar 2009; Macaulay 2012; Flom and Post 2016). Duhalde appointed provincial prosecutor Eduardo de Lazzari as security secretary, and de Lazzari immediately expelled 300 high-ranking police officers. The government also passed a judicial reform that took criminal investigation powers away from provincial judges—who relied strictly on the police, and so were often complicit in police corruption—and placed it in the hands of state-level prosecutors.¹⁶

However, intraparty fragmentation doomed Duhalde's reform attempt from the start. Peronist mayors, concerned about how centralized political control of the police would upset the protection rackets that fed their local machines, challenged the initiatives. As de Lazzari told me: "The municipal mayor would call and say 'I want such and such [for the street boss in their district]'; I had a lot of problems with mayors."¹⁷ De Lazzari also stated that he cut off the government's previous utilization of funds from police corruption to buy-off journalists. He told me how previous secretaries would pay off journalists to praise them in the press, while it was easier to get criticized once the payments stopped.¹⁸

The reform triggered both police resistance, as well, often through violent means. The gravest example of police backlash was also connected to the dispute between the two main Peronist leaders: on January 25, 1997, a police unit murdered a news photographer at the request of an infamous businessman with links to President Menem. Governor Duhalde claimed that "they threw a corpse at my feet," and he implicitly accused the president of exploiting the case to hurt his presidential candidacy. In another, recurring example of police resistance, then secretary of security de Lazzari had shots fired at his house and anonymous photographs taken of his children.¹⁹ De Lazzari resigned in March 1997, after which Duhalde appointed municipal mayor Carlos Brown to repair his relationships with local politicians and police commanders (Dutil and Ragendorfer 1997, 301) by temporarily halting implementation of the reform initiative.

The reform restarted following Duhalde's electoral defeat in the October 1997 mid-term. The governor appointed a provincial legislator to restructure the police,²⁰ and then brought on as

¹⁵ Menem and some of his former ministers are currently awaiting trial for this scheme.

¹⁶ Law No. 11.922 (approved on December 18, 1996).

¹⁷ Interview with former security secretary Eduardo de Lazzari. See also Eaton (2008).

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Decree 4508/97, published in the Official Bulletin on December 31, 1997.

security and justice minister former federal judge Leon Arslanián (1998-1999), who directed the greatest effort to reduce the police's organizational autonomy to date.²¹ Arslanián dissolved the position of Chief of Police and placed a civilian as head of each division; he decentralized the police territorially, created an external auditing agency, and instituted municipal and neighborhood security forums as external accountability mechanisms, among other measures.

However, political fragmentation within the PJ would derail the reform. Arslanián complained that municipal Peronist mayors “[were] not buying my ideas; some believed that we had to negotiate with the police. This was a generalized notion among Peronists”.²² Arslanián resigned in April 1999 when the Peronist candidate for the upcoming election –Duhalde’s chosen successor, Carlos Ruckauf- notified him that he would not continue with his reform.²³ Naturally, this did not motivate the police to comply with the administration’s reformist proposals.

Duhalde’s handpicking of Ruckauf as his successor also heightened fragmentation by spurring conflict with other provincial party leaders who expected to succeed the governor. One of these contenders, a strongman in La Matanza, the province’s largest municipality, had strong ties with commanders of the ‘Damned Police’ and apparently ran one of the main drug trafficking rackets through the district’s Central Market. Control of the police’s rent appropriation had loosened and slipped away from the governor’s exclusive hold.

Motivated by the risk of losing the 1999 electoral contest to the center-left ALIANZA, Ruckauf promoted an explicitly punitive approach to security to distinguish himself from his contenders (Ragendorfer 2002). Using violent campaign slogans such as that the police needed to “*meter bala a los delincuentes*” [riddle criminals with bullets], he won a slim victory over the ALIANZA contender and retained Peronism’s control of the province – even as the PJ lost the presidency. Even though Duhalde had handpicked Ruckauf as his successor, the latter distanced himself from his patron’s security proposals, both during the campaign and once in office, representing an instance of turnover during this period.

Factional turnover also brought along a major policy shift, as newly elected governor Ruckauf reversed several ongoing reforms meant to democratize the police. Ruckauf reinstated the Chief of Police as the force’s highest authority, sponsored a law reducing restrictions on police apprehension and interrogation of subjects,²⁴ dismantled citizen security forums, and offered a six-month bonus to police that killed criminals “caught in the act.” These decisions increased autonomy by devolving the police their internal governance and augmenting their discretion in dealing with street-level crime, through both corrupt and violent means. However, the Bonaerense’s high autonomy would soon backfire to hurt Ruckauf’s administration, as the force orchestrated the ouster of his first security minister after only three months (Ragendorfer 2002). Ruckauf’s next minister was the current chief police, Ramón Verón, a high-ranking member of the *Maldita Policía* (Damned Police). His appointment meant that the old police bosses -including former commanders removed during the reform period- would maintain their control over the force’s illegal activities. Ruckauf resigned in January 2002 to take office in the

²¹ This effort culminated in the passage of Law 12.154, which restructured the provincial security system (passed on August 5, 1998).

²² Interview with former security minister Leon Arslanián. See also López Echagüe (2000, 159).

²³ Interview with former Governor Eduardo Duhalde.

²⁴ Law 12.405.

national administration, and left his vice-governor, Felipe Solá, who was considerably less punitive in his orientation toward crime control, to take his place.

Once more, intraparty turnover and fragmentation both triggered and hindered the administration's intention to reduce police organizational autonomy. Solá's accession to the governorship was a case of turnover because Solá belonged to a different Peronist faction from Ruckauf and professed a different orientation in terms of security: He told me that Ruckauf's punitive orientation was "populist, cheap."²⁵ Soon after Solá took office, the province experienced a new reform cycle, triggered by another episode of police violence and obstructed by political fragmentation.

During Solá's term, Argentina was in the midst of a massive socio-economic and political crisis with regular street protests of unemployed associations and social movements. In June 2002, the provincial police violently repressed one of these social protests and murdered two activists. Solá claimed that sectors behind President Eduardo Duhalde²⁶ had choreographed the repression along with the National Intelligence Agency and the provincial police. Solá's future vice-minister of security called it an "open confrontation between the police and [social] organizations" to "wear down and discipline governor Solá," who had declared his intention of running for reelection in 2003 without consulting the Peronist leadership (Sain 2004, 24–26).²⁷

The governor called upon two leading figures of the center-left faction of the Peronist party, Juan Pablo Cafiero -son of the former governor- and Marcelo Sain, to bring the police under control. They introduced a broad reform, completely restructuring the security ministry and shutting down the police's rent extraction from the province's car chop shops, where most stolen cars ended (Sain 2008, 182–191). However, Solá instructed them to not "rock the boat" by interfering with the police in an election year (Sain 2008, 211), which suggests that the governor feared the consequences of not having the political machine and party leaders who benefited from police rent extraction behind him in the upcoming gubernatorial contest. Before resigning in December 2002, Sain publicly alleged that police corruption had funded the provincial Peronist political machine and that the administration's ongoing problems with the police stemmed from the Peronist intraparty dispute between the faction headed by Duhalde and that which contained dissident leaders like Solá (Sain 2008, 208).

The reform provoked another brutal response by the police, who stirred up a kidnapping spree through their criminal associates in the metropolitan area of Buenos Aires. Some of the victims included family members of famous actors and soccer players, which augmented the visibility and political damage of the crime wave (Sain 2008, 209–210). They also carried out other attempts to intimidate the administration, including threatening Security Minister Cafiero repeatedly with death (and thereby forcing his resignation in September 2003) (Klipphan 2004). With Cafiero out, Solá appointed Juan Jose Álvarez, who had been the national Secretary of Justice, Security and Human Rights under Duhalde and identified with the Peronist right wing.

²⁵ Interview with Felipe Solá.

²⁶ In December 2001, Argentine President De la Rúa resigned, and after a week of political uncertainty, Congress appointed National Senator Duhalde to head a transition government until the 2003 election.

²⁷ Solá would refer to the event as a "conspiracy handled by outside people with some sectors of the police". "Felipe Solá: Mi relación con Néstor Kirchner fue mala", *BA Noticias*, Dec. 12, 2012.

Álvarez intended to continue the reform, but due to ongoing threats had to change bodyguards twice during his first month in office, and resigned after only three months.²⁸

After Solá won reelection by a landslide in October 2003, he once again reshuffled his security cabinet, placing his former minister of Agrarian affairs, a man of his inner circle but without any prior experience, into the open security minister post. In April 2004, a new security crisis emerged after the kidnapping and murder of Axel Blumberg, an upper-middle class student. Blumberg's father organized a massive rally in front of the national Congress demanding more active government responses to insecurity. Solá proceeded to call on Arslanián once again to implement an encompassing police reform. While the components of this new reform were very similar to the previous attempt, the outcome would be different as reduced turnover and fragmentation within the party enabled the provincial government to increase its control over the police.

Particularistic negotiation: From the 'best police in the world' to the 'damned police'

As the Peronist's control of the police dwindled in the midst of increasing intraparty disputes and factional turnover during the late 1990s and early 2000s, the party's coordinated protection rackets broke down. While contributing to the Buenos Aires Peronist political machine, police chiefs also ran these schemes for their personal financial benefit. Many of them acquired luxurious houses, cars, and boats whose costs greatly exceeded officers' official income. In the end, this conspicuous consumption proved the officers' undoing, as different units confronted each other to increase their own incomes by controlling greater swaths of turf and more businesses in Greater Buenos Aires. A former high-ranking official described the street conflicts between police units as a "free-for-all, led by the bosses."²⁹

As the pact between police and governing politicians collapsed, incumbents moved against the formerly untouchable bosses of the Bonaerense. During the successive waves of reform between 1996 and 2003, several high-level commanders were forced into retirement. One former police chief only escaped judicial punishment due to health reasons: he passed away in 1997 (but not before saying, "I told you those sons of bitches would not put me in jail"). The pact between politicians and police had broken down.

This lack of coordination was also evident within the police force itself. For instance, in what the press then referred to as the "Narcopolic" scandal, a commander tried to expose another police division's protection of traffickers, only to have his own division's racket revealed in the process. These turf wars even resulted in police murdered by their fellow officers (Dutil and Ragendorfer 1997).

Police violence against criminal actors and civilians also increased during this period. According to the Center for Legal and Social Studies (*Centro de Estudios Legales y Sociales*, CELS), between 1987 and 1990, the average number of civilian victims of police violence was 138; between 1996 and 2004 it was 210—a 35 percent increase when normalized by population. Far from being isolated incidents related to increased confrontation between cops and criminals,

²⁸ "Juan José Álvarez ya cambió dos veces su custodia", *La Nación*, Oct. 16, 2003.

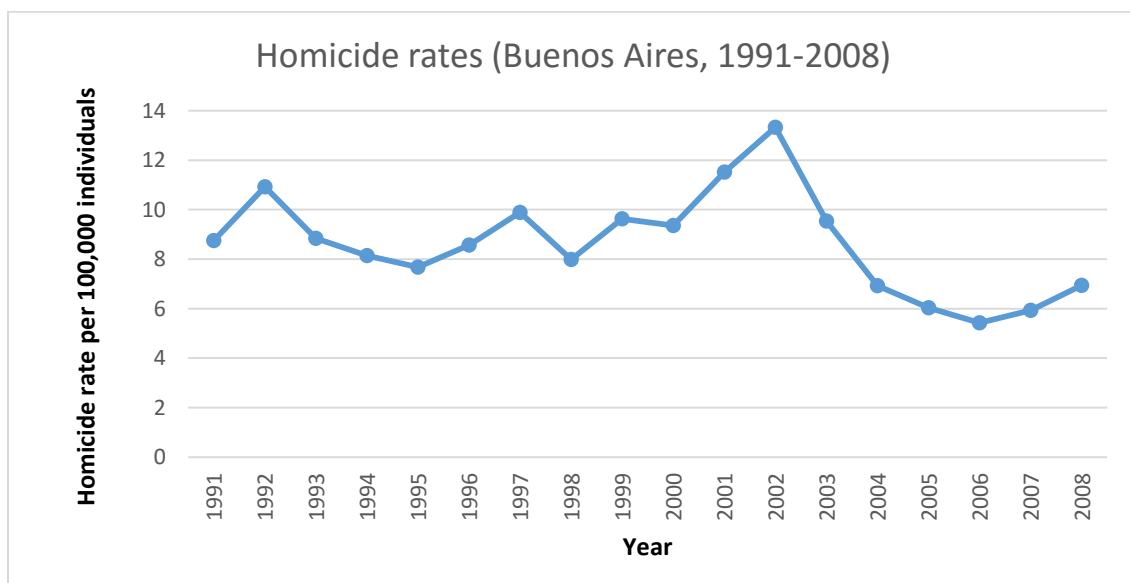
²⁹ "No cesa la crisis en la policia bonaerense", *La Nación*, Nov. 23, 1997.

many of these murders were instances of “trigger-happy” officers and summary executions. In accordance with the incentives provided by Ruckauf’s six-month bonus, the number of victims from police intervention jumped 80 percent – from 63 to 114 – between 1999 and 2001.³⁰ High police autonomy resulting from high fragmentation and turnover increased lethal violence by the force.

Police officers’ use of deadly force was also indicative of their incapacity to regulate crime. In various situations, the police applied lethal violence as an insurance mechanism to wipe out traces of its illicit activities, taking out its former criminal associates. Two patent examples of this modus operandi were the police massacres of the criminals who perpetuated the hijackings of the post office in 1996 and a local banking branch in 1998, jobs for which the perpetrators had had police clearance (Ragendorfer 2002; Córdoba 2007).

The police also proved incapable of regulating criminal violence in the province, which also grew substantially due to increasing socio-economic hardships. Homicides, which had decreased steadily between 1992 and 1995, increased by 56 percent -from 8.5 to 13.3 per 100 thousand individuals- between 1996 and 2002 (Figure 6.2).

Figure 6.2. Homicide rates in the province of Buenos Aires, 1991-2008



Source: National System of Crime Information (SNIC)

Police themselves often contributed to this increase in criminal violence to intimidate reforming politicians. As mentioned previously, various kidnappings, particularly of famous victims’ relatives, carried out with the authorization of certain police sectors, spiked during 2002 in response to the reform promoted during Solá’s first administration. As Figure 6.3 shows, there was a marked increase in kidnappings during the second half of 2002, right after Cafiero and Sain took office in late June. This monthly variation also casts doubt on the alternative explanation that the socio-economic crisis was the sole or primary determinant of increases in violent crimes, at least in the province of Buenos Aires. The high peaks in the data until the end of 2003 contrast with the consistently low number of monthly occurrences starting in 2004, when

³⁰ This represents a 26 percent increase in police casualty rates per 100 hundred thousand.

the government was in greater control of the police and able to curtail its engagement in extortive kidnappings.

Figure 6.3. Number of kidnappings in the province of Buenos Aires, by month (2002-2008)



Source: Sistema de Alerta Temprana (SAT, Early Warning System, National Security Ministry)

In short, intraparty disputes and growing turnover during the second half of the 1990s jeopardized the mutual accommodation between the provincial government and the police. Thus, while protection-extraction rackets were the predominant regulatory arrangement until at least 1996, this pattern gave way to particularistic negotiations between 1997 and 2003. As these conflicts between the state-level government and the police intensified and the force’s autonomy grew, the latter proved incapable (or unwilling) to regulate the drug trafficking market and criminal violence in the province. However, as turnover and fragmentation decreased in the ensuing decade (2004-2015), Buenos Aires governors managed to reduce police autonomy to manage the drug trafficking market and other criminal activities in their interest, restoring and consolidating protection-extraction rackets as the main regulatory arrangement on drug trafficking in the province.

4 Peronist consolidation, the restoration of the pact with the Bonaerense and the return of protection-extraction rackets, 2004-2015

From 2004 until their exit from the provincial government in 2015, Peronist governors in Buenos Aires consolidated their control over the police and effectively reduced the force’s autonomy. Two political factors contributed to this outcome. First, the party’s increasing entrenchment in power gave the police greater incentives to cooperate with the government, and even to accept reductions to the force’s autonomy, as it favored their career perspectives. Second, although factional tensions in the ruling party persisted, during this period there was greater intraparty unity, i.e. low fragmentation, within the Peronist party. Interparty fragmentation remained low, as no other party could credibly challenge the PJ. This political

dynamic provided state-level governments with greater capacity to reduce police autonomy, although for different purposes. While Solá's government (2004-2007) intended to reform and professionalize the police, Daniel Scioli's administrations (2007-2015) sought primarily to profit from the force's illegally acquired rents, including those from trafficking. Subsequently, the Scioli administration restored the double pact between the government and the police, on the one hand, and between police and criminal actors, on the other. In this section I will explain how decreased turnover and fragmentation since 2004 permitted the government to restore its accommodation with the police, reducing the force's financial autonomy while maintaining its high organizational autonomy, and reestablishing protection-extraction rackets as the main regulatory arrangement of drug trafficking in the province.

Reduced turnover and fragmentation in the Frente para la Victoria (FPV-PJ), 2004-2015

As Buenos Aires (and Argentina) reemerged from the devastating socio-economic and political crisis of 2001, political turnover and fragmentation decreased as well. In October 2003, Felipe Solá won reelection in the province by over 30 points. A few months earlier, Santa Cruz governor Néstor Kirchner had won the presidency, largely thanks to the support of Duhalde's political machine in the province of Buenos Aires. The national PJ split soon after, however, as Kirchner distanced himself from Duhalde. Governor Solá supported Kirchner in this dispute. In the mid-term election of 2005, the President's wife (and the future president), Cristina Kirchner, defeated Duhalde's wife in the Buenos Aires national senatorial race, which consolidated the Kirchners' control over the national PJ and effectively decreased intraparty fragmentation at the state level, with the governor and municipal mayors falling in line.

There was no partisan or factional turnover during the next electoral cycle. As Solá could not run for reelection in 2007, Kirchner selected his vice-president, Daniel Scioli, to run as the Peronist candidate for governor under the banner of the Frente Para la Victoria (FPV, Front for Victory). Kirchner had set up this electoral label in 2003, and eventually managed to subsume most of the Peronist party under it, as well as allied members of other parties. Although he had no political experience in the province, Scioli's poll numbers were higher than for any other potential candidate, in part because of his self-identification as a "political outsider."³¹ Scioli won both of his gubernatorial elections by decisive margins: he was elected in 2007 with 48 percent of the vote and a 32 percent margin, and reelected in 2011 with a 55 percent of the vote and 40 percent advantage over his closest competitor.

Political fragmentation in the province remained low until 2013, when Sergio Massa, the mayor of Tigre, a wealthy municipality in the North of Greater Buenos Aires, split from the FPV. His new electoral alliance, the Frente Renovador (FR, Renovation Front), included several Peronist mayors from Greater Buenos Aires, and defeated the incumbent faction – supporting Cristina Kirchner and Scioli- in the mid-term legislative elections. While the Peronist national and provincial governments had suffered another defeat in the previous mid-term (2009) due to a split in the party, municipal mayors had not abandoned the FPV.

³¹ Scioli, like Reutemann in Santa Fe, was a political outsider -a high-speed boat racer- brought into politics by then President Menem. Scioli's previous political positions included national deputy for the City of Buenos Aires (1997-01), and national Secretary of Tourism (2002-03). He always attached himself to the leading Peronist figure – Menem, Duhalde and then Kirchner.

Of course, this period was not devoid of tensions between the provincial and national government. Scioli had a difficult personal and political relationship with President Cristina Fernandez de Kirchner (2007-2015), particularly after Néstor Kirchner's death in October 2010 (Schmidt and Ibañez 2015). This tension materialized in concrete public security policies. For instance, in December 2010 Cristina Kirchner created the national security ministry. Its first major operation was to dispatch thousands of national military police (Gendarmería Nacional) to patrol various vulnerable neighborhoods in Greater Buenos Aires.³² As a former mid-level official in the ministry told me, this decision was intended to expose the governor's incompetence on security.³³

Although hostilities with President Cristina Kirchner persisted until the end of their respective terms, there were no factional splits. The national government did not support another candidate to run against Scioli in the province in 2011, although Cristina appointed Scioli's vice-governor and stacked the legislative ballot with state deputies who were loyal to her.³⁴ Scioli, meanwhile, received offers to break with the FPV and join the dissident Peronist faction in the congressional elections of 2009 and 2013, but passed on both opportunities. For the most part, the federal government did not obstruct the implementation of the provincial government's security decisions.

In 2015, Cristina Kirchner unilaterally resolved the issue of national succession by anointing Scioli as the presidential candidate for the FPV -unlike Menem, who waged a political war with Duhalde by refusing to recognize him as his successor and blocked his bid for the presidency in 1999.³⁵ However, the FPV staged a fierce provincial primary to elect the next governor of Buenos Aires, which included accusing one of the contenders –the national Chief of Staff- of heading a drug trafficking ring and being the intellectual author of a triple homicide. This internal struggle took its toll: The Peronists lost the province of Buenos Aires after 32 years in 2015 to the electoral alliance Cambiemos (Let's Change)³⁶, which also won the presidency.

Police autonomy during the Solá and Scioli administrations, 2004-2015: From stable reform to political appropriation of police rents

As the Peronists consolidated their control over the province, the provincial police force was no longer the political liability it had been in the past. This is partly reflected in the greater stability of political appointees in charge of security. While there had been 16 security

³² See the official website of the intervention at <http://www.minseg.gob.ar/operativo-centinela>.

³³ Interview with former mid-ranking official in Security Ministry. The national military police would also clash with the BA provincial force, as it encroached on its territory and potentially jeopardized their illicit entrepreneurial activities.

³⁴ This division manifested in the provincial legislature, split between legislators supporting the governor (*sciolistas*) and those primarily identified with the national government (*kirchneristas* or *cristinistas*).

³⁵ This occurred much to the displeasure of Cristina's left-leaning supporters, who had previously identified Scioli as a center-right candidate who was ideologically proximate to the national government's main rival, the City of Buenos Aires mayor and businessman Mauricio Macri; and of other FPV politicians who wanted their shot at the presidency.

³⁶ The major members of this alliance are the center-right party PRO, which had governed the city of Buenos Aires since 2007, and the UCR. In the province, PRO politician María Eugenia Vidal won the governorship.

ministers from 1994 to 2003 (see appendix), there were only four from 2004 to 2015, an important change toward stability in a province where, as former minister Piotti told me, “the security minister is always the first fuse, even more than the chief of police.”³⁷

During this period, both Solá and Scioli were able to reduce the police force’s organizational and financial autonomy. Solá faced a new security crisis in April 2004, after the kidnapping and murder of Axel Blumberg, and promised to clean up the corruption in the police. He brought in Arslanián for a second time, who relaunched several of his original proposals, which strongly challenged the police’s organizational autonomy. Arslanián restored civilian as heads of police divisions, further decentralized the force, created an Internal Affairs Division directly subordinated to the Ministry, and set up the Buenos Aires Police 2 to build a new force devoid of the corrupt practices of its predecessor (Arslanián 2008). The newly created Internal Affairs office was more active than ever. The government expelled over 2000 police officers between September 2004 and November 2007, compared with just 172 between February 1999 and June 2004 (Arslanián 2008, 252). The administration also relied more heavily on statistical data to evaluate police performance, including potential corruption cases, and revitalized the local security forums to hold police accountable to citizens.

As they had done with every reform attempt, the police resisted. However, unlike in the late 1990s, greater intraparty coordination in the form of cooperation between the national and provincial Peronist governments proved essential to sustaining the reform.³⁸ After the Blumberg rallies, which gathered hundreds of thousands of protestors in front of the National Congress demanding security and justice in the province, Nestor Kirchner advised Solá to appoint Arslanián as Security Minister. According to Arslanián, the combined sponsoring by both the Governor and the President was decisive for the reform initiative to persist until the end of Solá’s term in 2007.³⁹ As an example of this support, when Arslanián’s plan prompted a new wave of high-profile kidnappings -four cases in two days- with police participation,⁴⁰ Kirchner instructed the federal police and the National Intelligence Agency (SIDE) to resolve the abductions and diffused the growing tension between Arslanián and Solá. Kirchner’s intervention allowed the reform to continue.⁴¹

As a result of this decreased intraparty fragmentation, Peronist municipal mayors also became amenable to Arslanián’s proposal. Although Arslanián’s reform potentially endangered mayors’ capacity to profit from police rent extraction; in contrast to their behavior in the 1990s, the mayors did not resist its implementation. As former Governor Solá told me: “I would ask the mayors [when they objected to Arslanián]: what do you have to offer [as minister]? A thug, a friend of the precinct boss? We’ve already seen that.”⁴² This time Arslanián remained as minister for over three years, until December 2007 – the end of Solá’s administration. Although several of the police force’s entrenched vices persisted through Arslanián’s reform, the police abided by most of the reform initiatives and the force was now no longer the politically

³⁷ Interview with former security secretary Alberto Piotti. These numbers include those officials designed as secretaries of security, before it became a ministry in 1998.

³⁸ However, Kirchner would later support Arslanián when Blumberg demanded his resignation, accusing the security minister of protecting the rights of criminals. Interview with Arslanián.

³⁹ Author’s interview with Leon Arslanián.

⁴⁰ “Paños fríos entre Arslanián y Felipe Solá”, *Página12*, Oct. 2, 2004.

⁴¹ *Ibid.*

⁴² Interview with former governor Felipe Solá.

destabilizing force it had been during previous administrations. As it turned out, Arslanián and Solá's reform was the most stable and effective reform since the return of democracy.

During his eight years as governor (2008-2015), Scioli also maintained control over the police, albeit through different means. While overturning some of the formal curbs on police autonomy, he relied more heavily on informal mechanisms applied by his security ministers. Although restoring police organizational autonomy, the force's financial autonomy remained low. The resulting intermediate police autonomy cemented the restoration of protection-extraction rackets ran by the police, to the benefit of the Peronist political machine, as the main regulatory arrangement.

When Scioli took office, he quickly reversed several aspects of Arslanián's reforms, returning to the police its formerly high degree of organizational autonomy. He took power from political controllers and returned it to the Chief of Police, and gradually dissolved the parallel Buenos Aires Police 2 that Arslanián had created. While Arslanián had introduced several formal mechanisms to reduce police organizational autonomy, Scioli's ministers did not rely on the same initiatives. The administration lacked concrete objectives and policy stability, key features in reducing police autonomy in Rio de Janeiro and São Paulo. For example, Scioli first fused the ministries of security and justice in November 2010 and then split them again in September 2013, to keep the exiting security minister –one of his closest advisors and, according to several critics, the key enforcer of his arrangement with the police- in his cabinet. As a councilmember and former security official from Florencio Varela, a municipality in the South of Greater Buenos Aires, told me: “Scioli, since he took office until today, [has] never ever exhibited a plan or a program, either him or his ministers. How are we going to prepare the new police, organize the police's functioning, nothing. It's all spasmodic.”⁴³ While he was more cautious than Ruckauf in promoting an explicitly punitive approach to crime control, Scioli's first security minister, federal prosecutor Carlos Stornelli, declared that the police needed to “regain their firepower”, hinting that the previous administration had restrained or weakened the force, and signaling the police would now have fewer constraints regarding the use of force.⁴⁴

Scioli also refused to propose laws or sanction decrees to enact police reform or otherwise reduce police organizational autonomy, despite the overwhelming FPV majority in the provincial legislature. He also balked at enacting reformist measures demanded by the opposition. For example, while practically since taking office the administration claimed to be pursuing the creation of a Judicial Police to conduct criminal investigations, it never implemented this decision. Boards of police commanders remained in charge of determining promotions in the force. Finally, although the government formally maintained the neighborhood security forums, it de-activated them in practice (Y. González 2014).

Nonetheless, members of the administration highlighted the importance of *informal* mechanisms, particularly personal leadership and attention to everyday matters, in exercising political control over the police and reducing the force's autonomy in carrying out its daily operations. When I interviewed him, former minister Ricardo Casal told me: “police need

⁴³ Interview with Florencio Varela councilmember Dardo Ottonello.

⁴⁴ “Stornelli prometió ‘más poder de fuego’ para la Bonaerense” *Clarín*, Dec. 14, 2007.

political control. It's impossible to think otherwise. Not just because of its functioning, corruption and other stuff, but because security is not a reflex action; it's a policy that you apply."⁴⁵ With respect to informal control mechanisms, he said that they "constantly rotated police officers [especially high commanders] between local precincts: I didn't like it when policemen remained in the same place for a long time, so we annually rotated all personnel in strategic places."⁴⁶ He also highlighted certain formal control mechanisms, such as the fact that "all police cars have an ABL chip that monitors where they are. It's not good to follow them because they are 20 thousand [cars], but it helps to know if something bad happened, e.g. they committed a robbery here and the car was 20 blocks away and took 40 minutes to get there. That's suspicious: either there was a 'freed zone' or they were sleeping or eating somewhere."

Casal's second-in-command also commented on the government's informal control of the police as a way of reducing the force's autonomy:

You can't demand the police to do a serious job if the political leadership is not on top of things and does not know what they are talking about...As a middle-ranking official, I lived through an enormous demand by the governor and the minister that made us aware of all the important questions. The governor might call you at seven in the morning and ask [about] something that happened at 3am...I would leave here at 10pm and go around Greater Buenos Aires at midnight because if you fall asleep and answer the phone, it's not the same. Casal might ask you for such details that if you were not up to speed, you were screwed.⁴⁷

In accordance with this perspective, a provincial public defender from Santa Fe, who had also worked in the security minister in Buenos Aires during this period, stated that even though "the police govern themselves in both places... at least when Casal was there, he got the police to behave uniformly and answer to the political decisions he took. I think that, in spite of the police's self-government, he had certain power to govern the police."⁴⁸

Despite the lack of formal changes to reduce police organizational autonomy, the governor and his top security officials projected themselves as having subordinated the police. This subservience manifested itself in the absence of political conflict between the governor and the police leadership, especially when compared to the previous period, 1997-2003, when police commanders destabilized reforms by staging crimes and intimidating political officials. Casal and his second-in-command noted that they encountered little, if any, resistance from the police to the changes they introduced, which suggested that they had a cordial relationship with the force, while the government was still running the show.

Police interviewees shared this perception of police subordination to the government. For example, the former deputy police chief said that Casal "placed chiefs because of political requests, not because of their skills," and that these police appointees, subsequently, showed due allegiance to the minister. He pointed out, as an example, that "Casal told them [the chiefs] he wanted one police officer per vehicle because they didn't have enough [money] for two

⁴⁵ Interview with former security minister Ricardo Casal.

⁴⁶ Ibid.

⁴⁷ Interview with former secretary of security policy and penitentiary affairs, Cesar Albarracín.

⁴⁸ Interview with Provincial Public Defender of Santa Fe, Gabriel Ganón.

[officers] and the bosses said ‘yes.’ Why? Because they don’t know, they were never in the line of fire. *They don’t confront [the minister].*”⁴⁹

A former high-ranking police officer also commented that, in his view, “[the police] has not obstructed the change process. When there were demands, they were related to wages and the precarious labor conditions, which are legitimate for any organization. There were never institutional demands of the police that I know of not to be subjected to the political power or responding to a change in the bosses or in the management of the organization.”⁵⁰ Furthermore, unlike some of their predecessors, like De Lazzari or Juan Pablo Cafiero, security ministers during this period did not receive death threats or other forms of intimidation by the police.

The commanders’ support of, or at least lack of open opposition to, the government also revealed itself during the police protests of December 2013. Lower-level officers and police unions left their patrols and took to the streets to demand wage increases. However, the police commanders did not lead or support the protest, and the unions soon reached an agreement with the government, which rapidly diffused the conflict.⁵¹ In contrast, police rebellions in other Argentine provinces, like Santa Fe, generated widespread chaos and even forced the national government to send the national military police to contain the situation.⁵²

The provincial government’s centralization of control over the police took place at the expense of municipal mayors, who had previously wielded greater informal influence on police politics. Several mayors from Greater Buenos Aires demanded greater formal authority over the police after their constituencies repeatedly blamed them –instead of the governor - for violent crimes committed in their jurisdictions. As a former police officer who advises local governments on security told me: “The mayors are thinking: ‘we get the demands, when things unravel we pay the consequences, so we should be able to provide some response. Thus, gradually, some more than others started to get involved [in providing security].”⁵³

However, the provincial government did not accede to this request. While the Scioli administration continued to decentralize police units and create district (or municipal) precincts, it never implemented its promise to create municipal police forces. The Peronist mayors who split from the party in 2013 took up this claim, clashing with the state government over the passage of this law. Finally, in 2014, Scioli signed a decree creating a local-level police force, but left the force’s budgeting and appointment of officials in the hands of the state-level government.⁵⁴

Finally, according to some interpretations, mayors could not profit from police protection rackets as before. Marcelo Sain, the former security vice-minister who denounced the link between police corruption and Peronist political machines in 2002, told me that,

The *sciolismo* [Scioli’s faction] started to finance itself with [police corruption money]. The great leap in the magnitude of fundraising by the police occurs when the *sciolismo*

⁴⁹ Interview with former provincial deputy police chief, Salvador Baratta (emphasis added).

⁵⁰ Interview with former high-ranking police officer Julio Frutos.

⁵¹ “Scioli decretó un aumento para la policía y logró reducir la protesta en Buenos Aires”, *La Nación*, Dec. 10, 2013.

⁵² “La protesta policial con más alcance de la historia argentina”, *La Nación*, Dec. 9, 2013.

⁵³ Interview with Julio Frutos.

⁵⁴ “Finalmente, Scioli firmó el decreto y creó la policía local”, *La Nación*, Jul. 3, 2014.

orders greater levels of retribution by the police. This coincides with its calculus, at that time [2011], which leaned towards breaking with Cristina [Kirchner],⁵⁵ [a break that never materialized].

In other words, the state government was able to centralize police rent extraction from drug trafficking and other criminal rackets, sidelining the mayors. Sain added: “the precinct boss has to pay up to the department chief, not the mayor. What you hear from mayors is ‘while this son of a bitch makes money from this, I get the mess down here’.”⁵⁶ One possible implication of Casal’s decision to rotate police bosses regularly is that doing so would not allow mayors to establish long-term, and potentially complicit, relations with them.

Mayors’ dissatisfaction with the provincial government’s security policies contributed to the defection of several mayors from the FPV before the 2013 mid-term election, increased political fragmentation, and resulted in the subsequent loss by the ruling party in the province of Buenos Aires. Consequently, after the electoral defeat, governor Scioli appointed Mayor Alejandro Granados (of Ezeiza, a city in GBA) as Security Minister to smooth his relationship with the local bosses.⁵⁷ The former security secretary of Florencio Varela explained the contrast between the current minister and his predecessor in attending to the mayors’ requests:

Granados’ tenure has made a complete change, and I don’t speak ill of Casal, but that a mayor, who knows what a district needs and the rhythm a mayor needs to keep, is in this position [provincial security minister] is not a minor detail. Because the guy gives you an answer like that [snaps fingers], he doesn’t say: “bring me the note.” Man, fuck you, by the time I get you the note I’ve got five dead.⁵⁸

In terms of the police force’s overall autonomy, other interviewees argued that Scioli actually restored the police’s “self-governance,” which Arslanián’s last reform had curtailed. A state deputy from an opposing party told me:

Q: Is there an implicit pact for police self-governance?

A: Today it’s not implicit, it’s clear and concise. In the last seven years (since 2007), the high command has not changed... There were three ministers in these seven years: Stornelli, Casal, and Granados. The governor imposed this policy of self-governance on all of them. The minister takes care of structural or budgetary matters but security policy and personnel are prerogative of the chief of police. *I am absolutely convinced that there is a generalized illegal activity as far as allowing the installation and functioning of drug trafficking production and distribution, human trafficking, arms trafficking, with protection from the judicial power.*⁵⁹

However, as the final sentence in this interview conveys, opposition legislators recognize the police force’s collaboration with the government in running illegal rackets, cemented in an explicit compact between the two state actors. This testimony supports the

⁵⁵ Interview with Marcelo Sain.

⁵⁶ Ibid.

⁵⁷ The national government also sent an additional stock of national military police officers to municipalities in Greater Buenos Aires.

⁵⁸ Interview with Florencio Varela councilmember and former municipal security secretary, Andrés Watson.

⁵⁹ Interview with Jorge D’Onofrio, provincial deputy for the Renovation Front (FR) (emphasis added). D’Onofrio was a member of the Security Committee in the chamber and one of the key referents on security for the FR.

contention that, despite increasing police organizational autonomy through the reversal of some of Arslanián's reforms, the government was able to appropriate police rents and reduce the force's financial autonomy. Such control over police rent extraction is probably more centralized than it was during previous administrations, at the expense of municipal mayors who previously collected a larger portion of police rents. This centralized control of police rent extraction by governing politicians resulted in the predominance of protection-extraction rackets to regulate drug trafficking in the province.

Protection-extraction rackets: effective regulation of drug trafficking and criminal violence

Protection-extraction rackets were the dominant regulatory arrangement of drug trafficking in the province of Buenos Aires during the 2004-2015 period. Given the informal and illicit nature of this arrangement, it is extremely difficult to obtain concrete evidence of the involvement of high-level politicians in extracting rents from drug trafficking in the province. However, there are clear indications of this arrangement, especially in Greater Buenos Aires, as I will show through my interviews with provincial and municipal politicians and police, as well as through secondary sources like NGO reports, newspapers and scholarly literature.

First, as mentioned above, numerous, unconnected sources have reported widely extended police corruption in relation to drug trafficking, ranging from tolerance and omission to overt participation, in various neighborhoods of Greater Buenos Aires and beyond. Furthermore, these cases often include high-level officials of the provincial police from different districts across the metropolitan area, as I will illustrate through a closer examination of the municipalities of San Martín and Florencio Varela. In other words, although illegal trafficking most likely involves a minority of police, this is an institutional rather than an individual phenomenon.

Second, state-level internal and external control agencies rarely prosecute or even administratively punish this type of misconduct except through massive purges following police corruption scandals. Nor has the government improved the police force's selection or promotion process to prevent this malfeasance; in other words, control of corruption –where it exists- is much more reactive than preemptive. While massive purges of the police were common during the truncated reforms, during this period there were no such collective dismissals by the provincial administration, as former security minister Ricardo Casal admitted during our encounter.⁶⁰

Third, while there is no evidence of direct political involvement in managing these police rackets, it is doubtful that these can persist without political knowledge or protection, as several sources with close knowledge of this dynamic -e.g. police officers, opposition politicians and NGOs working on these topics- pointed out.

Buenos Aires' governors projected a confrontational stance toward drug trafficking. Like Duhalde before them, both Solá (2004-2007) and Scioli (2007-2015) singled out fighting drug trafficking as one of their main security policy objectives. Solá, for instance, passed new legislation in the province, adhering to a national reform by which the state police would be

⁶⁰ Interview with Ricardo Casal.

formally in charge of controlling retail drug trafficking.⁶¹ Scioli's stance against drug trafficking hardened after a series of high profile acts of violence in the province, including the 2008 executions of two Colombian cartel members and three businessmen involved in trafficking ephedrine to Mexico.⁶² Later, the governor declared drug trafficking "public enemy number one."⁶³

However, despite this combative rhetoric, there are various signs pointing to the prominence of police-administered protection-extraction rackets as the main regulatory arrangement of this organized criminal activity during this period, especially during the Scioli administration. This section draws heavily from my interviews with politicians of different parties and police officers of various ranks in Buenos Aires in 2013 and 2014, and focuses primarily on the Scioli administration (2007-2015), to which interviewees referred with the most frequency and in the greatest detail.

During this period, official statistics show a clear expansion of drug trafficking in the province.⁶⁴ Between 2006 and 2013, the number of judicial investigations involving drug trafficking in the province increased by 85 percent, from 14,000 to 26,000. The volume of cocaine seizures grew by 200 percent in this period, according to the state Attorney General's Report. While the government promoted its drug seizure record as one of its main achievements, several interviewees challenged this claim, suggesting that the police often prearranged drug seizures with traffickers or re-used drugs from previous heists to bolster their statistics.⁶⁵ Finally, while in 2002 there were only 52 persons detained for drug-related offenses in provincial prisons, in 2010 this number was 2,161.⁶⁶ Most of these detainees are poor and occupy the lowest ranks of drug trafficking organizations, which makes them easily replaceable. The provincial police's legal restriction to only repress retail drug trafficking does not inflict much harm on the more powerful actors involved in this criminal enterprise or suppress drug trafficking in the province but provides a fertile opportunity for police officers to extract protection funds from this activity.

A high-ranking official in Scioli's administration offered a contrary interpretation, stating there was a clear government strategy to confront high-level drug traffickers:

The directive from Scioli and the minister [Casal] was: every little [case] should help put together information to go after a bigger one and for long-term investigations. Where a drug trafficking division did not have federal cases, it was a demerit in their performance. We asked the police delegate, "what, there is not even one large criminal group to

⁶¹ The province adhered to the decentralization of drug trafficking investigations approved in national law 26.052 (approved on July 27, 2005) through provincial law 13.392 (approved on October 31, 2005). For an evaluation of the impact of the decentralization law, see the National Public Prosecutors' report in 2014.

⁶² On the Colombian murders, see Messi and Bordon (2014). On the triple murder case, see Delfino and Alegre (2011). Another major case in 2008 was the apprehension of six Mexican workers who had set up a cooking lab in the outskirts of Buenos Aires (C. González 2013).

⁶³ "Narcotráfico: el enemigo público número uno", *La Nación*, Apr. 20, 2014.

⁶⁴ There are several reasons to suspect the reliability of this data, although one could argue that its bias should be consistent through this period.

⁶⁵ For example, interviews with former provincial deputy police chief Baratta and Virginia Messi, a reporter covering in drug trafficking for a leading national newspaper.

⁶⁶ Source: Provincial Penitentiary System reports (2002-2010).

investigate?” Every drug traffic delegation had four or five open federal investigations at all times that came from state investigations. [Scioli] asked for accountability all the time, not just for results.⁶⁷

Almost all non-government interviewees hinted that the police and politicians most likely protected –and/or profited from the expansion of drug trafficking in the province. Even Scioli’s former security minister Ricardo Casal admitted the police’s involvement but doubted that it was extensive: “It’s not rare that every now and then there is a cop arrested. Evidently [drug trafficking] needs certain collaboration. I don’t think it’s an institutional decision of police to participate, but some sectors do get involved. We’ve arrested precinct bosses, handcuffed and everything. Local politics also matters... Maybe a councilmember has a connection and they finance his campaign.”⁶⁸ In other words, he denied the provincial government’s involvement with police in the protection of drug trafficking, and shifted suspicion to local-level politicians.⁶⁹ With respect to the level of police involvement, the Internal Affairs Auditing Office’s last report showed that nearly six percent (N=390) of complaints filed between January and August 2013 denounced police officers’ connivance with drug trafficking. To put this in perspective, comparable figures in Rio de Janeiro and São Paulo are one percent (2014), which suggests that the protection of drug trafficking by the Buenos Aires police is extensive, even if one takes into account this very rough indicator.

Other local-level government officials also downplayed the magnitude of police involvement with trafficking in their districts. Two officials from the Community Prevention Office in the municipality of San Martín called the allegations “urban stories that sometimes are true and sometimes not” and recalled that they have not had “concrete accusations” in their two years in office.⁷⁰ A local prosecutor also said they “did not register many cases of police participation [in drug trafficking].”⁷¹ Municipal officials from Florencio Varela agreed, although they admitted the existence of police collaboration with other crimes such as car robberies and contraband.⁷²

Interviewees from the political opposition at the provincial and local-level presented a widely different diagnosis, underscoring the coordinated corruption between police and the provincial government.⁷³ Former vice-minister of security Marcelo Sain –a provincial deputy at the time of the interview- told me: “The large drug market [in the municipality of San Martín] is handled by [the largest dealer] directly with the DDI (Police Department of Investigations) and the Departmental Boss: what’s where the big money is. Where there are better business opportunities, they [i.e. the provincial government] send better business managers. The police

⁶⁷ Interview with former provincial secretary of security, Cesar Albarracín.

⁶⁸ Interview with former security minister, Ricardo Casal.

⁶⁹ Casal’s predecessor, Carlos Stornelli, expressed a similar view with respect to police corruption, calling it an individual rather than institutional problem. “Stornelli: hay policías corruptos pero la institución no lo es”, *La Nación*, Mar. 12, 2009.

⁷⁰ Interview with Mirta Juarez and Roberto Santillán.

⁷¹ Interview with federal prosecutor from San Martín prosecution office charged with investigating drug trafficking.

⁷² Interview with Florencio Varela councilmembers Héctor D’Aquino and Andrés Watson.

⁷³ Comparatively, these accusations across party lines were much more prominent in Buenos Aires, and to a lesser extent in Rio de Janeiro, than in Santa Fe or São Paulo.

are a source of financing.”⁷⁴ Another provincial deputy from the opposition, referring to the discussion of the municipal police, said: “There’s a slight suspicion that, more than discussing the chain of command or worrying about people’s security, [the governor and the mayors] are discussing who handles police rackets. That’s my personal opinion. They are discussing if the paycheck goes to the security minister or the mayor. If you ask me, now it goes to both.”⁷⁵ Finally, three police union representatives pointed to the links between politicians and the organization’s high command:

A: Is there complicity between politicians and the police? Yes, because they look out for each other.

Q: At what level?

A: At the level of the high command, always. If the workers had access to the political level or to the levels of organized crime, this would be a mafia and the control would be at the bottom, and it’s not like that. The one at the bottom is always the scapegoat.⁷⁶

The municipality of San Martín, one of my chosen sites for local-level fieldwork, showed up repeatedly in interviews describing police arrangements with drug traffickers, with political protection. When I asked the former deputy police chief about specific cases of political interference, he told me:

When I [got back from my vacation] they had switched three precinct bosses from the biggest precincts in San Martín –Billinghurst, Jose León Suárez and Eufrasio Álvarez- because of a political request. Those are just the ones through which all the drug comes into the Northern Area [of Greater Buenos Aires]: it comes through routes 8 and 9, is fragmented in San Martín and from there it is distributed to the province... You can’t put a fox to take care of the chicken coop. When I returned from my break, they wanted me to sign the transfers and I refused because there were police bosses I was convinced would not pass a rhinoscopy,⁷⁷ [implying that most of these precinct bosses sniffed cocaine, and hence were likely involved in drug trafficking at the behest of state and local politicians].

Various separate episodes point to police structural complicity with drug trafficking, coupled with, at least, the provincial government’s tolerance. The most resounding case also took place in the municipality of San Martín in August 2011, in connection with the kidnapping and murder of Candela Rodríguez, a 9-year-old girl. A legislative commission convened by opposition legislators reported that the police had deliberately manipulated the investigation to cover up its own links with the local drug traffickers who had abducted the girl.⁷⁸ The commission recommended the dismissal of the provincial police chief, as well as of the police district bosses. While the government dismissed the district boss in December 2012, the top

⁷⁴ Sain was a state deputy for the party New Encounter, an electoral ally of the national FPV (Cristina Kirchner) while simultaneously a critic of the Scioli administration.

⁷⁵ Interview with Marcelo Díaz, Coalición Cívica state deputy.

⁷⁶ Interview with three police union representatives, La Plata.

⁷⁷ Interview with Salvador Baratta.

⁷⁸ See commission report in http://www.senado-ba.gob.ar/informe_candela.aspx Interviews with Sain, D’Onofrio, police union representatives, state deputy Meckievi and a current Peronist broker manifested a similar point. See also “Separaron de la policía bonaerense al comisario que investigó el caso Candela”, *Clarín*, Dec. 13, 2012.

commanders and political authorities remained in place, which shows the little leverage the opposition had in investigating the state's links with drug trafficking.

Various other instances of police protection of drug traffickers in San Martín surfaced in the interviews. A provincial legislator from the opposition told me of a similar incident displaying how the provincial chief of police protected one of the main drug traffickers from this municipality.

I had the testimony of a police officer who told me about a drug deal in a car shop. They get in; they arrest two armed guards, and see [the dealer] speaking on the phone in the back, unfazed. [The officer] starts walking and his phone rings. The voice on the other side says “pick up.” He says “I’ll call you back boss, I’m on a job.” “Pick up NOW.” He had to leave the scene. The voice on the other end was the current chief of police and he was the one speaking with [the dealer]. This is entirely corrupted from top to bottom, and it’s not so generalized at the bottom, but they follow orders.⁷⁹

The judicial investigation into another of the district's top traffickers revealed that he paid protection money to police officers from the local precinct, but the judiciary did not convict any high-ranking police officer. This dealer also claimed that politicians “cannot play dumb with respect to cocaine because they are knee-deep in it. How do you think they finance their campaigns?” (Federico 2008, 130, my translation).

Finally, in 2015 a Federal Police investigation discovered that two San Martín drug traffickers gave \$5000ARS (around US\$500) per week to a local precinct boss from the provincial police, in addition to \$30,000ARS (US\$3000) to his superiors in the Departmental office and the Drug Trafficking Division. The police, in turn, provided the dealers with drugs seized from other raids, and alerted them when they would be moving in on their rivals, thus regulating gangs' territorial expansion in the metropolitan area.⁸⁰ As in other examples, the corrupt officers operated collectively –the dealer had thirteen police contacts on his phone- with the involvement of high-level officers. Furthermore, it took an investigation by an external actor (the Federal Police) to shut down their racket and arrest them. There are also signs of the presence of protection-extraction rackets in the province.

Other officials in San Martín also questioned provincial government and police actions in confronting drug trafficking. The lead federal prosecutor in the district hinted that the state government complicated judicial investigations into drug trafficking because it continuously changed police commanders, whereas such inquiries required establishing long-term relationships and trust between prosecutors, judges, and the police.⁸¹ The current municipal security secretary also told me, “I ask to be informed of drug seizures only ten minutes before [they take place] so that everybody knows that we didn't leak anything. I often got angry calls from prosecutors saying that they had surveilled a place and recorded drug sales for 15 days, then they order the seizure and there's nobody there. Somebody talked.”⁸² Afterwards,

⁷⁹ Interview with Jorge D'Onofrio.

⁸⁰ See “Creen que policías daban a traficantes drogas para su venta”, *La Nación*, Jun. 26, 2015, and “Descubren que un narco tenía a trece policías en su agenda telefónica”, *Perfil*, Jun. 27, 2015.

⁸¹ Interview with federal prosecutor in San Martín, Jorge Sica.

⁸² Interview with municipal security secretary José María Fernández.

referring to the replacement of police division chiefs, he also complained that they had “established a trusting relationship between the police and the prosecutor’s office and carried out several seizures in 2012, but at the end of that year the head of drug trafficking was changed and now there is much less work.”⁸³ Evidently, these officials perceived that the police and the provincial government –which decides police appointments-, were obstructing the investigation and prosecution of drug trafficking in their district.

This pattern is not exclusive to San Martín. My other main research site, Florencio Varela –a municipality in the South of Greater Buenos Aires- reveals a similar picture. Four interviewed councilmembers, from different factions of the PJ, agreed that drug consumption in the municipality had grown considerably since the early 2000s. According to a social worker from the municipal rehabilitation center, consumers were getting younger –“we have cases of 13 year olds”, she told me- many of them had firearms provided by local drug dealers, and several families in poor neighborhoods sold drugs to support their habit.⁸⁴ Similarly, the municipal secretary of security told me the district did not have “cocaine kitchens”⁸⁵ yet but mainly “small kiosks,” which “first give young men drugs for free and then use them as soldiers.”⁸⁶ However, the local government’s latest homicide report did not register any cases of drug-related violence, at least during 2012.⁸⁷

Nonetheless, there are cases of presumed police and political involvement with drug trafficking in Florencio Varela. For example, in the Provincial Memory Commission’s Reports of 2012 and 2013, the leader of a local NGO alleged that a local trafficker, involved in two murders, was a Peronist broker who sold drugs right next to the headquarters of a powerful local politician, naturally with police protection as well (CPM 2012, 248; CPM 2013, 403-405).⁸⁸

These examples proliferate across neighborhoods and municipalities in Greater Buenos Aires. Auyero and Berti’s ethnographic work in Lomas de Zamora describes the police’s “intermittent, selective and contradictory presence” in poor neighborhoods. Their interviewees told them that “police came every weekend to collect...they knew we sold drugs but they did not bother us, they freed the area...they come by themselves to get their commission...If you give them ARS\$500-600 –[about 50-60 USD]- a night they leave you alone” (2013, 120–127).

While it is difficult to know the extent to which political machines and electoral campaigns receive funds from drug trafficking, this activity still pervades clientelistic relationships in Greater Buenos Aires. Zarazaga’s extensive fieldwork in the metropolitan area registered 85 out of 100 brokers who stated that paying party activists with drugs was a common practice, and twelve actually admitted to having paid people with drugs to go to rallies (Zarazaga 2014, 32). As in the 1990s, most of these brokers operate with protection from both police and the political bosses in their districts. Obviously, drug trafficking is not the police’s

⁸³ Ibid.

⁸⁴ Interview with social worker from CeVaReSO –Varela Center for Social Rehabilitation.

⁸⁵ ‘Kitchens’ are make-shift labs where dealers ‘cook’, i.e. prepare, cocaine hydrochloride (white powder cocaine) or cocaine residue (paco).

⁸⁶ Interview with Florencio Varela municipal secretary of security, Laura Vivas.

⁸⁷ ObserBA-Federación Argentina de Municipios (2013). “Estudio integral de homicidios dolosos: aportes para una mirada local en seguridad ciudadana. Florencio Varela 2011, 2012 y 2013”.

⁸⁸ See also “Un modelo agotado”, *Página12*, Feb. 5, 2012.

sole protection racket (Dewey 2011), although it is surely one of the most profitable ones.

State connections to drug trafficking in Buenos Aires are not exclusive to poor neighborhoods –or to the police. A federal prosecutor from San Isidro, one of the wealthiest municipalities in the province, is facing impeachment for covering up the murder of two Colombian traffickers in 2008.⁸⁹ Another federal judge faced a similar fate due to his “mishandling” of the investigation of an ephedrine ring in the province.⁹⁰ During and after the 2013 campaign, accusations indirectly targeted Tigre mayor and dissident Peronist leader Sergio Massa, since several renowned Colombian traffickers lived in private neighborhoods in his district.⁹¹ As a national deputy from another Peronist faction told me:

If I know that there are drugs circulating through the entire Northern corridor, because the national military police tell me, [the mayors] have to know as well. The point is how far their responsibility goes. It could be connivance or he might get a phone call saying “don’t mess with this.” I don’t talk about individuals. Now, that everyone says [that there’s no drug trafficking] here, it seems hard.⁹²

Unlike in the 1997-2003 period, which was characterized by greater political fragmentation and turnover, however, the proliferation of police corruption in relation to drug trafficking in the 2004-2015 period, and its apparent links with political machines, has not resulted in political crises or instability for the state government. Whereas internal disputes within the party and the police led to the exposure of several criminal rackets and consequent pressure for reform in the late 1990s, incidents of such magnitude have not occurred during since 2004. The expansion of drug trafficking in the province, and the persistence of links between police, drug trafficking and political brokers, casts doubts upon the government’s claim that it is attempting to reduce police corruption and confront drug trafficking head-on. On the contrary, it suggests that the government and the police are coordinating their rent extraction from this organized crime activity.

In consonance with the expectations regarding protection-extraction rackets, in which state actors’ effective pacting with criminals reduces the incentives for police to engage in lethal violence, police-driven homicides decreased during this period. This downward trend is evident in the last year of Solá’s tenure in office and the first three years of Scioli’s first administration (2007-2011), in which recorded incidents of lethal police interventions decreased by 60 percent. This contrast with the dramatic increase between 1998 and 2001, during the period of greater police autonomy (see figure 6.4).

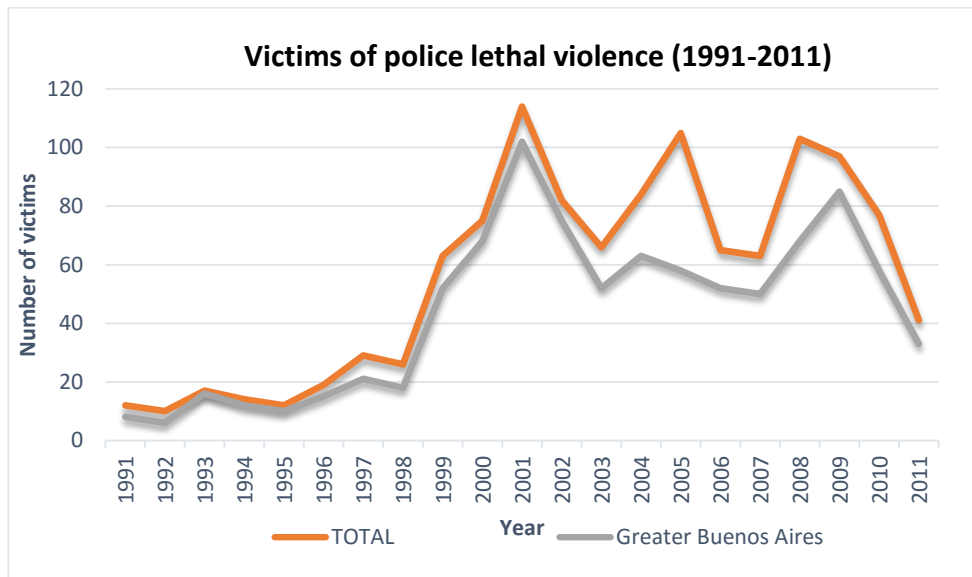
⁸⁹ “Julio Novo, fiscal general de San Isidro a juicio político por presunto encubrimiento”, *Perfil*, Sep. 28, 2015.

⁹⁰ “La Corte ratificó la destitución de Faggionato Márquez”, *La Nación*, Jun. 7, 2012.

⁹¹ See “Autos, viajes y negocios: cómo vivían los narcos colombianos”, *Perfil*, Nov. 2, 2013, and “Rossi: Los narcos están en Nordelta”, *Página12*, Oct. 5, 2015.

⁹² Interview with national deputy (Federal Peronism) Natalia Gambaro.

Figure 6.4. Victims of lethal police violence, province of Buenos Aires and Greater BA, 1991-2011



Source: Author's elaboration from CORREPI (Coordinator against Police and Institutional Repression).

However, cases of nonlethal police violence, such as torture, remain alarmingly high. The last report by the provincial public defender registered 304 cases of torture by police (173) and the provincial penitentiary service (128) between May 1 and August 31, 2015 alone, including 82 involving minors. To compare, in 2001, when Ruckauf's punitive policies were in place, the number of cases was 543 *for the entire year* (CELS 2002, 9-10). The office has registered 10,763 cases of torture or mistreatment since it began recording them in 2000, an average of over 700 per year.

Another extended practice of human rights abuse by the police is the use of impoverished minors and young men to commit crimes, threatening them with arrest, torture or even death.⁹³ There are also reports of police recruiting prisoners and allowing them to escape temporarily to steal cars or commit other crimes (CPM 2011, 202). Given this persistent abuse of human rights, it seems unlikely that corruption within the force would have decreased significantly during this period, but rather that the low detection or punishment of corrupt police relates to the protection they receive from their political patrons and the fragility of internal and external control mechanisms and institutions.

While drug trafficking consumption and criminal gangs with territorial control have grown in Buenos Aires from 2004 to 2015, *criminal violence* decreased or remained stable through most of this period, especially between 2009 and 2012. This downward trend contrasts with the continuous increase in violent crime during the late 1990s, and relates to the police's increasingly efficient regulation of criminal activity since 2004.

⁹³ The paradigmatic case in this regard was that of Luciano Arruga, a 17-year old whom a police unit tortured, killed and had his body disappeared in 2010 after he refused to rob for them. Investigators found his body almost five years later (CELS 2012, 153).

This relatively low criminal violence is puzzling given Buenos Aires' adverse socio-economic indicators and its highly fragmented drug market, since unlike the situation in São Paulo (chapter 5), there are no encompassing, monopolistic drug gangs in Buenos Aires with whom to broker centralized pacts. Furthermore, as we have seen, the police have not become more professionalized or improved their crime-solving efficiency.

Of course, several other factors influence changes in levels of criminal violence. While the economic crisis of the 1990s contributed to the worsened security situation, the economic recovery beginning in 2002 had the opposite effect. However, socio-economic conditions are not the entire story. Criminal violence remained stable or decreased after the best years of economic growth, between 2002 and 2008, had passed. Between 2009 and 2012 nine out of thirteen indicators of crimes against individuals –including homicides- had decreased in absolute number (see table 6.3). Homicides and other violent crimes increased, however, between 2013 and 2014. This increase also coincides with the greater fragmentation within the Peronist party and the anticipation of turnover given the term limits facing Scioli's administration.

Table 6.3. Evolution of crimes against individuals in the province of Buenos Aires, 2009-2012

Crimes related to citizen security	2009	2010	2011	2012	Change (2009- 2012, %)
Intentional homicides	1252	1172	1133	1126	-10
Homicides committed during robberies	108	74	80	82	-24
Attempted murders	952	1010	1052	1034	9
Rapes	1253	1072	1012	1216	-3
Other crimes against sexual integrity	7517	6989	7304	8170	9
Kidnappings	46	45	48	34	-26
Illegal coercion or torture	2161	2092	1945	2245	4
Robbery aggravated by use of weapons	46449	41733	41143	50250	8
Robberies	86038	80839	74514	81077	-6
Theft/larceny	87128	80186	75095	78025	-10
Cover-ups	9432	9080	9350	9698	3
Other crimes against individuals	7666	6629	6735	7425	-3
Other crimes against freedom	3774	3314	3584	3901	3
Total	253776	234235	222995	244283	-4

Source: Criminal Statistics 2012, Provincial Direction of Crime Prevention Policy, Security Ministry of the Province of Buenos Aires.

Police regulation of drug trafficking in Buenos Aires through protection-extraction rackets contributed to decreasing criminal violence in this urban area. This trend contrasts with the late 1990s and early 2000s, when the police frequently stirred waves of violent crimes or freed up zones for their criminal acquaintances to destabilize political authorities.

Police have likely become more effective at regulating the drug trafficking market, allowing retail traffickers to operate in return for protection taxes, while also sequestering drugs to pump up their seizure statistics. Additionally, they might prevent conflicts between rival

gangs within a given neighborhood or municipality, or intervene rapidly to diffuse them – by arresting one of the quarreling gangs, something which corrupt officers often notify to their accomplices. The fact that drug trafficking gangs in Buenos Aires rarely grow beyond their local territory (and do not typically engage in overt confrontations with each other) showcases the police’s efficiency in this matter. Traffickers’ lack of growth also inhibited them from confronting the police more heavily, as occurred in Brazilian cases, even if they would rather challenge the police’s extortion.

In the end, protection-extraction rackets, built on low political turnover, low fragmentation and medium police autonomy –given the absence of reform and the political appropriation of police rents from crime- have “succeeded” in regulating drug trafficking in Buenos Aires. Although this arrangement has produced rents and relative order for governing politicians in the short term, it is harder –and dangerous, even- to consider them a sustainable strategy for the long (or even medium) term.

5 Conclusion

Under one-party rule, factions are the locus of political fragmentation. The Peronist party governed the province of Buenos Aires for 28 consecutive years but had frequent –and sometimes furious- internecine disputes. While the party’s unchallenged control of the province stimulated the appropriation of rents from police protection rackets, these factional quarrels increased police autonomy from the administration, resulting in particularistic negotiation, especially in the late 1990s and early 2000s. The events depicted here illustrate that, unlike in other cases, the evolution of the state’s regulation of drug trafficking in Buenos Aires was not linear, but fluctuated based on the ruling party’s internal cohesion.

The case of Buenos Aires features two political actors that occupy a more prominent role than they do in the other cases under study in this dissertation: the national president and mayors of the state’s greater metropolitan area. First, the province of Buenos Aires holds close to 40 percent of the national electorate, which are more than enough people to motivate the interest of national-level officials. Being the top party leaders, governors and presidents have incentives to vie for the province’s political machine, especially in times of electoral succession. Second, more than in any other case, mayors wield great influence in the provincial government’s implementation at the local-level – e.g. by assigning police precinct bosses and collecting their rents – because of their control of territorial political machines, which mobilize activists and voters in presidential and gubernatorial campaigns. Mayors and presidents proved decisive in both undermining and sustaining police reforms and competing for proceeds from police rent extraction with the governor.

Given that the Peronist party has controlled the province –and the police- for so long, the question arises of how far the new *Cambiamos* (Let’s Change) administration, which took office on December 2015, will be willing (and able) to reform the police and disarm its protection rackets. On the one hand, reform could spark a major security crisis like the one suffered by the Socialists in Santa Fe since 2008. On the other hand, by tolerating protection rackets without centralizing distribution of rents, *Cambiamos* could suffer as police begin to broker dispersed deals for their own profit, rendering protection promises non-credible and likely increasing violence in the metropolitan area. Only six months into new governor María Eugenia Vidal’s term, the police force has suspiciously ransacked the offices and homes of the

governor and her ministers, and (once again) kidnappings are on the rise. Many trace this reaction to the police force's rejection of the administration's initiatives to control the police, such as the mandate that bosses should publicly present their income tax returns. As we have seen, the force does not easily give up its autonomy or privileges, especially when it benefits from drug trafficking.

Chapter 7 Conclusion

1 Overview

Drug trafficking is the most profitable illicit activity in the world and a major source of criminal violence. With little motivation and even less capacity to eliminate its presence in their territories, subnational politicians nonetheless have a great incentive to *regulate* drug trafficking to extract rents or obtain order in their districts. Their interaction with their police forces defines whether, and how, they will be able to do so. Despite its prohibition by national-level governments, there is considerable variation in how subnational state actors attempt to control drug trafficking and its associated violence. This study has analyzed how political turnover and fragmentation affect police autonomy -subnational politicians' capacity to control their police forces- and, in turn, the coordination (or lack thereof) between these state actors and whether they rely primarily on violence or rent extraction to regulate drug trafficking. Applying this approach to four subnational states in Argentina and Brazil –Buenos Aires, Santa Fe, Rio de Janeiro and São Paulo- I have found both differences within and commonalities across countries, suggesting that these are broader patterns that could potentially extend to other cases, subnational and national alike.

While political principals hold normative and budgetary control over the police, police forces have power because they provide order and rents to politicians seeking both to remain in office. As I have shown in this study, these actors' preferences do not always align, and in order for politicians to impose their preferences, they need to limit police organizational and/or financial autonomy. Whether politicians are able to do so depends on certain features of political competition, namely turnover and fragmentation, i.e. the degree to which the same party or faction remains in office over different electoral cycles and the dispersion of political power in the province during a given term.

High political turnover – the rotation of parties or factions in and out of power with each electoral cycle – prevents the consolidation of police reforms and causes breakdowns in informal understandings between political incumbents and police commanders struck by outgoing governors; thus, all else equal, it reduces police forces' incentives to cooperate with elected officials in regulating drug trafficking. The resulting high police autonomy produces *particularistic* arrangements of drug trafficking, which in turn are either *confrontational* – dispersed attacks resembling a war of 'all against all' between police and drug gangs- or *negotiational* –segmented pacts in which each police unit, division or commander tries to cut a deal for him or herself with traffickers. These arrangements characterize the patterns observed for most of the last thirty years in Rio de Janeiro (Chapter 3) and the last decade in Santa Fe (Chapter 4), respectively, both of which resulted in high criminal violence. We also find shorter stints of particularistic confrontation in São Paulo following the return of democracy, and of particularistic negotiation in Buenos Aires during the late 1990s and early 2000s.

By contrast, low turnover – in which the same party retains office across multiple consecutive electoral cycles – allows reforms to endure, reducing police organizational (and formal) autonomy, and convinces the police that the current party is the “only game in town” and that their career incentives are best enhanced by collaborating with the administration. This explains why entrenched parties are better equipped to control the police than parties in

competitive electoral systems, whether or not the parties carry out democratizing reforms. While cases of high political turnover rendered the value of fragmentation irrelevant, as even the transformative policies that were enacted did not outlive the governor who promoted them, low turnover's effect on police autonomy depends on the level of political fragmentation. With high fragmentation, even entrenched politicians face barriers when they attempt to appropriate rents extracted by the police because credible political rivals provide oversight, denouncing corruption when they suspect it, or compete for the same illicit funds. The combination of reform and restrained rent extraction allows for the police to maintain a *tacit coexistence* with organized criminal actors, as I showed to be the case in São Paulo (Chapter 5) beginning in the late 1990s. With low fragmentation, however, governors have a greater incentive and fewer obstacles to using the police to appropriate rents from illicit activities, setting up *protection-extraction rackets*, such as those in the province of Buenos Aires (Chapter 6) for most of the years following the return of democracy in 1983. Both of these arrangements present lower levels of police and criminal violence, as well as lower corruption (*tacit coexistence*) or high yet centralized corruption (*protection-extraction rackets*).

Most existing studies on the political determinants of criminal violence neglect the important relationship between the governing politicians who design the policies to deal with organized crime and the law enforcement agencies that implement them, particularly the police. By contrast, this dissertation's theoretical framework underscores this interaction as the basis of the state's different regulatory arrangements of drug trafficking. By differentiating and analyzing the incentives of politicians and police, this study emphasizes the principal-agent problems that politicians face when dealing with organized crime. This is especially true in contexts of police forces with historically high autonomy –which has commonly been augmented by authoritarian regimes that encouraged police forces to torture, murder or disappear people– characterized by high inefficiency, corruption and human rights violations, and whose cooperation with the government cannot be taken for granted. In such settings, police forces might pose as great a challenge to politicians as organized criminal actors –and even behave as such. At the same time, we cannot assume that all politicians want to reform and democratize their police, as a partially autonomous force that provides rents to incumbents may be politically convenient, at least in the short term. This study deals with this issue by incorporating rent extraction – and accompanying police violence to help traffickers to eliminate competitors – as one of the main regulatory strategies that governments and police forces choose with respect to drug trafficking.

The first section of this chapter revisits the regulatory arrangements presented in the empirical chapters, and explores the broader implications of these patterns for the regulation of organized crime and its associated violence. The next section discusses the scope conditions of the argument, and shows that the argument applies to the regulation of other similar types of organized crimes by various government agencies in functioning states with weak institutions. The final section concludes with the theoretical and practical implications of this study, discussing what the findings entail for the relationship between political competition, democracy and violence, and the state's role in regulating trafficking.

2 Regulatory arrangements: extending the argument

Drug trafficking is a complex transnational criminal activity that contains various phases between the production of illicit substances – e.g. marijuana, cocaine, psychedelic drugs – and their sale to consumers. In this study, I have concentrated on the regulation of one phase of the process: the retail storage and distribution in urban metropolitan areas, a task encouraged, suppressed, or otherwise regulated in Latin America by subnational, state-level police forces. While one might be tempted to predict that police regulation of drug trafficking would either diverge completely across countries, based on the numerous particularities of each context; or that strategies would converge toward the prohibitionist, “war on drugs” paradigm, the cases analyzed in this dissertation reveal a different story. There are four principal regulatory strategies – particularistic confrontation, particularistic negotiation, protection-extraction rackets and tacit coexistence – whose manifestation depends on political turnover and fragmentation, and the impact these variables have on police autonomy.

Broadly speaking, we can distinguish between uncoordinated and coordinated regulatory arrangements, according to the respective articulation between politicians and police forces, and a subnational jurisdiction’s levels of police violence, corruption, and criminal violence. The fact that these patterns differ within the same country supports the need to move from cross-national analyses of national policy to comparative subnational analysis: while the national state sets the *de jure* regulatory framework, prohibiting the trafficking of various substances, it is at the subnational level where we see the *de facto* implementation of drug enforcement, to a large extent by state police. These patterns also appear in similar forms in different countries, revealing the existence of overarching mechanisms influencing these processes, and the potential generalizability of this theory. Finally, the variation in these strategies over time counters the determinism assumed by skeptics of police intervention and critics of the prohibitionist regime – even when the international prohibition framework has not changed, strategies do change.

Uncoordinated regulatory arrangements

Uncoordinated regulatory arrangements are characterized by high police violence and/or corruption, as well as high criminal violence. I find that these arrangements predominate in districts with high values on turnover and fragmentation, which result in high police autonomy, both organizational and financial. In this study, I identify Rio de Janeiro and Santa Fe as cases of uncoordinated regulatory arrangements, namely particularistic confrontation and particularistic negotiation, respectively.

Rio de Janeiro, particularly before the arrival of the UPPs in 2008, and Santa Fe since the beginning of the Socialist administration in 2007, exhibit uncoordinated arrangements, defined by fragmented state interventions –either attacking or taking money from traffickers - and high criminal violence. Among other things, these cases illustrate the insufficiency of political agency alone to implement police reform, reduce police autonomy, and dictate regulatory arrangements. Both states had governors willing to advance reform. Some of them, like Brizola in Rio, made reform a core theme of their campaigns, riding the tide of optimism ushered in with the renewal of democracy and the promise of an expansion of rights to the poor. The governor of Rio even counted on a reformist ally at the head of the Military Police, Coronel Magno

Nazareth Cerqueira. None of this mattered: Political fragmentation obstructed the governor's initiatives, and political turnover –the election of PMDB candidate Moreira Franco in 1986– undid what little remained of Brizola's work. I make a similar diagnosis of the reform attempted during Obeid's first administration (1995-1999) in Santa Fe, even though he belonged to a party –the PJ– that typically provided the police sufficient autonomy to extract rents from illicit activities – which the police then contributed to party coffers.

Reformist, progressive or honest politicians are not only insufficient for effective reforms to materialize but, as the cases of Rio and Santa Fe show, they may contribute to uncoordinated regulation of trafficking in contexts of high turnover and fragmentation. In Santa Fe, between 2008 and 2015, the Socialists' refusal to benefit from the illicit rent extraction by the police did not reduce the police force's corruption or improve its capacity to regulate crime. Rather, given their internal fragmentation and incoherence in dealing with the police, their relatively cleaner handling of the force had the opposite effect: it increased police corruption, fueled criminal violence in the province and hurt the government's electoral performance. While they managed to retain the provincial executive office, the Progressive Front -the coalition the Socialist Party headed- lost its legislative majority and won by increasingly slim margins in 2011 and 2015. Thus, politicians with "good intentions" could lose elections and be replaced, before reforms were complete, by more opportunistic or rent-seeking administrators.

These cases also convey the persistence of perverse or suboptimal equilibria in public security (Flom and Post 2016). The ways in which state actors regulated drug trafficking during the years 1983-2007 in Rio de Janeiro and 2008-2015 in Santa Fe were, to some extent, detrimental to their basic interests. In Rio de Janeiro, police officers, especially from the Military Police (PM), are in constant risk of injury or death due to backlashes from the traffickers they –or their fellow officers- extort, intimidate or kill. In turn, during the period under study, police retaliated against criminal violence with invasions and summary executions, which only perpetuated cycles of violence. This dynamic of violence and retribution reduced citizens' willingness to cooperate with the police and the police force's ability to implement alternative security frameworks in marginalized neighborhoods. Santa Fe presents a similar dynamic: police complained of society's distrust in them yet recognized that the distrust was generated partly by the corruption of important sectors of the force, including various high-ranking officers. Nonetheless, relevant factions in both police forces resisted encroachments on their autonomy by different subnational administrations, even if reduced autonomy could have improved police officers' social legitimacy and reduced their occupational hazards.

I do not mean to imply, however, that police officers are irrational or myopic actors. Officers' responses to political reform efforts are often guided by reasonable distrust in politicians, which derives from several attempts by governors to "reform" the police merely to benefit from its services –e.g. providing rents, repressing of street protests or spying on political opponents- while the officers' poor working conditions and lack of meritocratic criteria dictating career advancement persist through multiple gubernatorial administrations. In sum, a perverse or suboptimal equilibrium is likely to persist in which both sides fail to coordinate their regulation of drug trafficking and other forms of crime, provide deficient public security responses to citizens, create further distrust in political and law enforcement institutions and wear down aspirations for new cycles of reform.

Rio de Janeiro and Santa Fe illustrate the fact that metropolitan areas can exhibit similar particularistic arrangements despite experiencing a surge in drug trafficking at very different moments in their history. Rio's most powerful criminal organization, the Comando Vermelho (CV), formed in prison in the mid-1970s and established itself as a dominant drug gang in favelas in the 1980s, although it later shared this attribute with other criminal factions and militias. By contrast, Santa Fe's drug boom took place in the first decade of 21st century, as indicated by a tenfold increase in cocaine seizures between 2001 and 2008. Despite these empirical differences between Rio and Santa Fe, they reveal similar patterns of uncoordinated repression or corruption by the police, and abrupt increases in violence stemming from high political turnover and fragmentation, which resulted in high police autonomy in both cases.

For most of the democratic era, Rio de Janeiro's regulation through particularistic confrontation resembled Colombia and Mexico's militaristic approach, known as the "war on drugs" (Bagley 1988; Lessing 2015). Like these cases, Rio's drug war displays the failure of the "kingpin" strategy – or targeting of criminal gang leaders for arrest or execution – in deterring drug-related violence (Astorga and Shirk 2010; Calderon et al. 2015). It also shows how the state's violent actions generate an equal (or stronger) reaction from criminal actors, with spillovers into conflicts between criminal gangs and against favela residents.

Santa Fe, meanwhile, shows how increased turnover and fragmentation can disintegrate protection-extraction rackets and have destabilizing consequences for public security. This trajectory, characterized by the end of the Peronist domination of the province after 24 years of consecutive rule, which resulted in turnover and higher political fragmentation, resembles the breakdown of pacts between state and criminal actors that partly triggered the spiral of violence in Mexico after the end of the PRI hegemony. Before the Socialists took power in Santa Fe, the police cooperated with Peronist governments, providing funds from clandestine gambling, prostitution, and incipient drug trafficking to support the party's electoral machine. It took one administration of a different partisan sign for the police force's increased autonomy to result in fragmented deals with drug traffickers, which translated into rising criminal violence in the province's metropolitan areas. This reveals the fragility of protection rackets as regulatory arrangements, and is a cautionary tale for provinces that embark on such patterns and for incoming administrations intent on detaching themselves from the police's rent extraction.

In short, Rio de Janeiro (1983-2007) and Santa Fe (2007-2015) are cases where high turnover and fragmentation led to increases in police autonomy and uncoordinated regulation of drug trafficking. The resulting arrangements, particularistic confrontation and particularistic negotiation, respectively, feature high, dispersed police violence in Rio and extensive, fragmented police corruption in Santa Fe, both of which increased criminal violence in these states.

Coordinated regulatory arrangements

With low political turnover across electoral cycles and varying levels of fragmentation, the cases of São Paulo (Chapter 5) and Buenos Aires (Chapter 6) exemplify coordinated regulatory arrangements, as these states' governments were able to subdue their police forces and force them to provide the governments with order and/or rents. In São Paulo and Buenos Aires, governing parties managed to reduce their police forces' autonomy as they progressively became the *only game in town*: the PSDB has been in power in São Paulo for 22 years, while the

Peronists ruled Buenos Aires for 28 consecutive years before being ousted. In weakly institutionalized democracies, the absence of partisan turnover appears to be the main reason why certain policies and implementation trends persist across various administrations. The extent and form in which they reduced such autonomy varied according to the level of political fragmentation. Low fragmentation in Buenos Aires enabled Peronist governments to appropriate rents from police corruption, while high fragmentation meant that PSDB administrations in São Paulo faced greater obstacles in doing so. The reduction of police autonomy resulted in organized extraction rackets in Buenos Aires and a sustained coexistence with criminal actors in Sao Paulo. Both of these scenarios showcased less violence from police or criminals, as well as coordinated (yet high) corruption in the case of Buenos Aires.

The key implications of coordinated regulatory arrangements become evident when contrasting them with their uncoordinated counterparts. Rio de Janeiro's circular pattern of police reforms and counter-reforms for more than two decades is one of the more tragic components of its uncoordinated regulatory arrangement. Because of high turnover and high fragmentation, center-left governments that intended to control the police, such as Brizola's, suffered police resistance, political opposition and societal skepticism that impeded or watered down their reformist efforts. They were replaced by conservative administrations that applied punitive approaches not once, but twice, with equal results: right-wing governors such as Moreira Franco and Alencar incited police violence through penal populism; in consequence, criminal violence spiked, and conservative incumbents lost at the polls in the next round. Similar reform cycles, resulting from changes in the ruling party or disputes between factions, also took place in Santa Fe (1997-2003), Sao Paulo (1983-1994) and Buenos Aires (1997- 2003), exemplifying what Levitsky and Murillo call "serial replacement," where "institutional change is both radical and recurrent" (Levitsky and Murillo 2014, 7). By contrast, low turnover in São Paulo (since 1994) and Buenos Aires (especially since 2004) allowed the persistence of formal and informal policies to control the police and motivated the force to comply with the administration's mandate and cooperate with it in its regulation of crime.

The "successes" in reducing the autonomy of such a complex and indomitable organization as the police – as seen in São Paulo after 1995, Buenos Aires since 2004, and Rio de Janeiro since 2008 – compel us to examine the sources of institutional change and the shape of such transformations. In some cases, external prompts might be necessary to motivate politicians to adopt a different approach, as the prospect of various international events in Rio de Janeiro starting in 2007, including the World Cup and the Olympics, proved a key driver to formulating the UPP program and implementing an alternative arrangement of tacit coexistence with drug trafficking. However, in the other cases in which we observe transitions from uncoordinated to coordinated regulatory arrangements, the story is different. In Sao Paulo, key turning points that accelerated reform and tacit coexistence with drug traffickers were the Carandiru prison massacre, the Favela Naval killings in 1997, and the May 2006 attacks by the PCC – all of which were products of the state's regulation of crime through particularistic confrontation. In Buenos Aires, the need to restore the partnership between politicians and police in running protection-extraction rackets goes back to the memory of the politically costly and socially destabilizing effects of the Maldita Policía during the late 1990s, which cost PJ Governor Duhalde the mid-term election of 1997 – and possibly his 1999 bid for the presidency.

Political agency partly explains the initial *prompts* for police reforms, and contributes to shaping these coordinated regulatory arrangements of drug trafficking. Politicians are capable of

learning and breaking from the (perverse) equilibrium path, defecting from uncoordinated regulatory arrangements like particularistic confrontation or negotiation. The transformation of São Paulo's police force in the late 1990s was partly enabled by Governor Mario Covas' capacity to forge a consensus between political parties and with the police force on an alternative approach to public security, as well as the lessons of various massacres conducted by the police. For a while at least, federal and state Peronist leaders in Buenos Aires learned that it was necessary to cooperate to control the provincial police, because competing for its rents – or refusing to control it altogether – had unleashed various police corruption and violence scandals with adverse consequences for them and their party. Despite its clear shortcomings, the implementation of the UPPs in 2008 in Rio de Janeiro signaled a major change in the government's realization of the political and social costs of particularistic confrontation and formulation of an alternative strategy –i.e. tacit coexistence- to regulate drug trafficking.

Nonetheless, even if these prompts (or other factors) triggered changes in regulatory arrangements, political turnover (or lack thereof) and fragmentation played a key role in the arrangements' persistence. The entrenchment of the PSDB since 1994 allowed for the continuity and acceptance of crime control policies dictated by the government to the police; the Peronists' dominance in Buenos Aires made police realize they needed to fall in line with government objectives in order to advance their careers. In São Paulo, PSDB entrenchment enabled the professionalization of the force, contributing to the sizable reduction in crime rates observed since the 2000s. In Buenos Aires, the police did not improve their service to the population but did become accountable, if not subservient, to the government. The Peronists' lack of electoral competition in the province enabled the party's leadership to profit from police-generated extraction rents, while the PSDB's fragmented political landscape in Sao Paulo hindered such appropriation. The resulting regulatory arrangements were tacit police coexistence with the PCC in Sao Paulo and the combination of protection and extraction from criminal actors by the police in Greater Buenos Aires.

A related discussion points to the scope and speed of institutional and policy change, in this case, the reduction of police autonomy and the implementation of coordinated regulation of drug trafficking. In all four subnational cases, encompassing reform efforts have failed, leading to particularistic regulatory arrangements, while gradual and incremental measures to reduce police autonomy have been more successful in fostering coordination in the regulation of drug trafficking. The PSDB in São Paulo introduced various separate pieces of legislation to control police violence through monitoring institutions, like the laws creating the Ouvidoria and banning torture, or the program to temporarily remove and retrain police officers who had been involved in civilian deaths, as well as providing new resources and technologies for the police to control crime. The Scioli administration in Buenos Aires (2007-2015) renounced reforms intending to professionalize the police or make it more accountable to the rule of law, while nonetheless strengthening political control of the police through informal mechanisms – including for the purpose of appropriating police rents. Finally, the PMDB in Rio de Janeiro since 2008 began installing UPPs in favelas where implementation would more likely succeed – that is, where police units would not be driven out by drug traffickers – to generate societal and political support for the program. The administration then gradually spread it into more areas of the city and introduced new changes to the police force's organization in key aspects such as training and control of its lethal violence, like the system of performance control. The fact that these changes are necessarily incremental is partly the reason why political turnover is such an important factor

in consolidating different levels of police autonomy and types of regulatory arrangements. It takes time for politicians and police to internalize these changes and see them as generating increasing returns, such that deviating from them becomes more costly (Pierson 2004).

The common evolution of coordinated regulatory arrangements in Buenos Aires and São Paulo points to the role of low partisan turnover, that is, the persistence of the same party in power in reducing police autonomy. Varying levels of political fragmentation -high in São Paulo and low in Buenos Aires- influenced *how* (and for what purpose) the government tightened its control of the police and the subsequent *type* of regulatory arrangement it implemented. In one case, it professionalized the force to stymie criminal violence and install tacit coexistence (São Paulo) while in the other (Buenos Aires) it politicized the police institution to run protection-extraction rackets.

Finally, the types of regulatory arrangements presented in this dissertation cast a new light on the relevance of the hierarchical organization of drug trafficking gangs and the centralization of drug markets for explaining outcomes such as criminal violence. On the one hand, the state is often a key determinant of criminal actors' organization. While certain crackdowns against the CV in Rio de Janeiro splintered it into different factions and fostered conflicts between gangs and with the police, the state contributed to the establishment and subsistence of the Primeiro Comando da Capital's (PCC) monopoly in São Paulo, especially after the truce in 2006. The police also participated in fragmenting the drug market in Santa Fe, as corruption by the organization expanded, while centralizing corruption and relatively stabilizing the market in Buenos Aires. Furthermore, drug markets' centralization does not exclusively result in coordinated regulatory arrangements, particularly in terms of criminal violence. Rio de Janeiro's tacit coexistence with drug trafficking during the period of the UPP coincided with a greater fragmentation of the drug market resulting from the displacement and arrest of various gang leaders, while a relatively centralized drug market was regulated through particularistic confrontation for over two decades (1983-2007). By contrast, although Santa Fe has a relatively more concentrated market than Greater Buenos Aires -if only because of its smaller demographic size- the expansion of drug trafficking brought along more criminal violence in the former than the latter. Finally, while São Paulo's government has been able to broker a tacit coexistence truce with a monopolistic gang, the PCC, in Buenos Aires, a coordinated regulation was possible with a much more fragmented drug market.

It might be the case that stronger drug trafficking organizations, like those in the Brazilian cases, have greater capacity to threaten the state with retaliation, and thus lead state actors to seek a tacit coexistence with them. However, this is not always the case. Drug trafficking organizations in Rio de Janeiro were stronger in the early 1990s than they are today, and the state's response was anything but one seeking coexistence. Furthermore, these governments, which have relatively high state capacity for developing countries, retain a resource advantage over criminal actors that makes it easier for the former to sustain confrontation over a long time. While politicians are limited by their electoral mandates, criminal actors must also curry societal favor in the territories they control; otherwise, they risk being denounced, imprisoned or even killed.

In short, examining the cases of Rio de Janeiro, Santa Fe, São Paulo and Buenos Aires, I have shown how coordinated regulatory arrangements stem from low political turnover, while high alternation in power produces uncoordinated regulation, since governments need to become

entrenched to persistently reduce police autonomy and align the police's actions to regulate drug trafficking with politicians' goals. Analyzing these four cases I have also illustrated how political fragmentation obstructs the design or implementation of policies to control the police when different parties rotate in office, while influencing whether politicians restrict or appropriate police rents in entrenched governments. Below, I describe scope conditions for my theory, and find that it is generally applicable to the state's regulation of territorially-grounded organized crimes in countries with medium to high state capacity and weak institutions.

3 Scope conditions

This dissertation has focused on how the interaction between politicians and police affects subnational states' regulation of drug trafficking in some of the largest Latin American metropolitan areas. As discussed in Chapter 1, there are various avenues to test the scope conditions of this theoretical framework, which centers on the influence of political turnover and fragmentation on police autonomy and regulatory strategies. These scope conditions relate, first, to other *actors* that could be incorporated in the analysis, such as criminals engaged in other phases of drug trafficking or other types of organized crime, as well as other state agencies who could regulate these activities. Second, scope conditions refer to the *setting* in which the regulation of organized crime takes place: that is, how does this framework apply when we shift the type of political system, the socio-economic and political development of the national polity, or the level of urbanization of the territory where crime unfolds?

Here, I argue that my theory applies to the regulation of retail and wholesale storage of drugs and other organized crimes that have territorial roots, within urban areas of middle-income federal or decentralized countries with functioning governments and weak institutions. On the other hand, the argument is not immediately extensive to the regulation of other types of organized crime or other phases in the drug trafficking production and distribution chain -e.g. cultivation or smuggling-, as well as to industrial democracies or failed countries, unitary and centralized states, or predominantly rural areas.

The first issue whether this framework applies to the state's regulation of other phases of drug trafficking besides retail distribution and other types of organized crime besides drug trafficking. As stated in Chapter 2, there are various state agencies involved in the regulation of drug trafficking. I have focused on the state-level police not only because of their size, but also because they are the ones most frequently in direct contact with street-level drug traffickers, becoming the primary regulators of the retail sale of drugs. Shifting the analytic focus to other aspects of the production and distribution chain involves looking at the smuggling of drugs across international borders, the exportation of drugs through air and sea ports, and the laundering of proceeds from drug trafficking. This requires incorporating other government agencies besides the state police, such as the national border patrol and customs agencies, as well as specialized units in charge of prosecuting money laundering. While also capable of providing rents for political authorities, most of these other agencies are less capable of directly applying violence against drug traffickers, and hence, unable to credibly promise or deliver order to political incumbents, unless they are involved in a grander scheme of organized crime. Therefore, the other main state agencies to which this theoretical framework could also apply are: (1) the national police, (2) the national armed forces, and (3) the federal and subnational judiciary.

The national or federal police respond to similar incentives and norms and fulfill functions analogous to their subnational counterparts. However, national police are formally responsive to the president, whom citizens are less likely to hold accountable than local-level politicians for increases or decreases in indicators of public security (Kronick 2014) – especially when her influence in controlling crime is shared with other tiers of government. Nonetheless, political turnover and fragmentation are also likely to matter in terms of reducing the autonomy of national police forces and the way in which they regulate the retail and, more importantly, *wholesale* distribution of drugs, a task not shared by their provincial analogues.

The military often also directly regulate different phases of drug trafficking -primarily production, international smuggling, retail and wholesale distribution- but also directly deal with the violence this activity generates. They may, hence, either confront traffickers or take bribes from them, as in the Colombian and Mexican conflicts, or even run the racket themselves, as exemplified by the Cartel de Soles in Venezuela or the Zetas cartel in Mexico. Furthermore, like the police, the armed forces also possess a legacy of autonomy from civilian governments, many of which have tried to reduce their size, power and influence since the restoration of democracy (Stepan 1988). While scholars have analyzed how the dynamics of political competition affect the military's subordination to political authorities (e.g. Hunter 1997), they have yet to link these new patterns of civil-military relations to the regulation of drug trafficking in Latin America. The theoretical framework developed in this dissertation could potentially serve to establish such connection.

Finally, the judiciary has a different role in law enforcement, as it is responsible for establishing the punishment for the violation of laws in specific cases rather than preventing crime or maintaining order. Nonetheless, the judiciary also possesses significant discretion in the exercise of said functions, from determining how to conduct a given criminal investigation –a role judges share with prosecutors- to the kind of sentence to impose on a certain drug trafficking crime. At the same time, they are also subject to political control; in Latin America, politicians' willingness to intervene in this sphere has grown in the last two decades as the judiciary retained anachronistic, corporate and elitist features and did not fulfill its expected social role (Riego and Duce 2008). Politicians have also twisted these formal instruments to nominate or depose judges, who might, in some cases, cover protection rackets ran by politicians and police given that their career advancement ultimately depends on political decisions. Various scholars find that political competition is likely to affect judicial independence and public accountability in ways similar to that shown in this dissertation (Melo and Pereira 2013; Leiras et al. 2015). This suggests that the framework is potentially applicable to members of the judiciary as well, which, like the police, can also be bound to governing politicians, criminal actors or themselves.

A related aspect refers to whether this framework applies to the regulation of other types of organized crime. There are countless varieties of organized criminal activities, most of which generate high revenues and could, therefore, be considered appealing targets for rent-seeking politicians and police. However, most of them are unlikely to generate the same potential for violence –or its containment- as drug trafficking, given the exceptionally high revenues drug sales generate, the amount of people drug trafficking employs and the relatively large territorial base of operation it requires. Additionally, while the original framework refers to territorial crimes in urban areas, many organized criminal activities are endemic to non-urban zones, such as illegal mining or foresting, and the smuggling of plants and animals, and others are inherently non-territorial, such as money laundering or cybercrimes, including the online sales of drugs and

other illicit goods or services. These criminal activities might present fewer incentives for politicians seeking to maintain order in their districts or profit from illicit rents. Subsequently, only some types of organized crimes are subject to regulation by territorially grounded state agencies that are themselves formally responsive to the political authority governing the district in which at least part of the criminal activity takes place. Consequently, a limited number of activities are potentially includable in this framework: among them, but not exclusively, extortion, trafficking of weapons, humans, organs or contraband, illegal gambling and prostitution.¹

After assessing whether the framework would apply to different types of organized crime, we can discuss how changing the setting where the action takes place would modify the script. I argue that it can potentially extend to federal or unitary countries with shared or decentralized responsibilities in terms of security, and to cases of functioning states with weak institutions.

First, do political turnover, fragmentation and police autonomy matter for the regulation of drug trafficking in unitary systems? The division between unitary and federal systems is not always clear-cut when it comes to policing. Some federal states concentrate authority over the police and law enforcement agencies in the national government while some unitary systems decentralize such responsibility to local administrations (Bayley 1985). Like in federal states, seeking office is also the main motivation for politicians in unitary regimes, and the acquisition of order or rents is potentially relevant for them as well. Police forces' motivations of career advancement and personal safety are also analogous to those in federal systems, even if they respond to national instead of subnational governments. This framework is mainly applicable in decentralized unitary systems inasmuch as subnational politicians in charge of the police are directly elected and not appointed by superior political authorities.

Meanwhile, centralized unitary systems, with a single police force, are perhaps more likely to exhibit variation in political competition and police autonomy over time rather than across administrative units, since the main political authorities and police commanders remain constant throughout the territory during a given term; this might, in turn, reflect in the variation of regulatory arrangements. Nonetheless, the framework is partially compatible with centralized unitary systems since, despite having a single legal framework for the national police for the entire territory, the central government might still exercise formal or informal control of the police differently in diverse jurisdictions. Additionally, if national governments have centralized control over the police and citizens are aware of such responsibility, they might have higher electoral pressures to regulate drug trafficking and organized crime through different mechanisms, especially in more relevant or contested electoral districts.

In this dissertation, I have analyzed two middle-income countries with weak institutions: Argentina and Brazil. A third and related question regarding scope conditions is what happens in advanced industrial democracies, which include some of the largest drug consuming countries of

¹ Organized criminal actors typically diversify their activities, especially when the state hurts their profitability in one of their rackets. Drug trafficking organizations, for instance, also engage in extortion, human trafficking, arms trafficking, car theft and smuggling, and money laundering, often to supplement their main endeavor. Therefore, political incumbents could delegate autonomy to the police to capture rents, repress or negotiate order with the criminal actors running these activities, and political turnover and fragmentation are likely to influence their capacity to do so.

the world but have stronger institutions, as well as in countries with failed states, where the line between state and criminal actors is even more blurry. Both of these sets of cases fall outside the scope of this dissertation's theoretical framework.

Given the high social concern and electoral repercussions caused by drugs and its associated crimes, politicians in developed countries have strong incentives to control how the police regulate this organized criminal activity. These are countries in which the primary expression of drug trafficking is retail, as these countries are the end points of the drug distribution chain. However, such regulation is likely to differ from that of institutionally weaker polities for various reasons. First, unlike most developing countries, their democratic transitions generally occurred several generations ago. Therefore, their governments have not had to deal with the entrenched authoritarian practices of police forces but have already gone through various stages of reform and professionalization of their police. Developed democracies also lack other contextual features of developing democracies that favor police autonomy, and press for reform in the latter (Hinton and Newburn 2009, 6–21).² Unlike in the cases analyzed in this dissertation, and in developing countries in general, objective and meritocratic criteria have a greater role in determining police officers' career advancement (although it is obviously not the sole factor).³ Hence, industrial democracies exhibit less variation in police autonomy from governing politicians. Finally, while politicians in developed democracies also need funds to run increasingly costly campaigns, there are usually more controlling agencies to monitor the sources of such funds. This does not preclude the possibility that criminal actors may influence political campaigns or policy decisions through their formal intermediaries or find other obscure means through which to channel these funds but, in general, politicians' incentives to regulate drug trafficking for their electoral advancement are restrained by greater institutional controls.

In the same way as this theoretical framework does not apply directly to industrial democracies, it does not immediately extend to countries with failed or non-functioning states. In said countries, criminal organizations control police forces or political authorities, especially at the local level, and the line between criminal and state actors blurs (Martínez 2016). In principle, these cases fall outside the purview of this study, since I initially assume that politicians represent citizens' actual preferences and voters' choices are respected. Failure to comply with these requisites brings forth the question on the overall democratic nature of the regime and demands a potentially different theoretical framework. In such cases, many other factors besides political turnover and fragmentation are likely to be relevant, and police autonomy is less thought of in relation to the government than to organized crime. In short, this theoretical framework requires states with the capacity to regulate drug trafficking with relative effectiveness—even if this means transgressions of the rule of law.

The final issue is whether this framework is exclusive to metropolitan areas, or whether rural or less densely populated urban areas might also exhibit this same logic. Given their lower population density and smaller market base, these areas are more likely to be transshipment points rather than centers for drug retail selling or consumption. However, this constraint does

² The first major wave of police reforms in the United States, for example, took place at the end of the 19th century (Fogelson 1977).

³ Even in developed democracies the police still retain high street-level discretion (Wilson 1968; Lipsky 2010) and can cause political problems for incumbents, especially when resorting to excessive use of lethal force – as the recent wave of police homicides that triggered the Black Lives Matter movement in the U.S. demonstrates.

not rule out systemic criminal violence in relation to drug trafficking (Reuter 2009). On the contrary, in various Latin American countries, the places with the most violence are not the main metropolitan areas but peripheral provinces, especially in towns close to international borders (Juarez in Mexico being the paradigmatic case) and along the main routes used for transporting drugs (Dell 2015). Subsequently, governing politicians in peripheral regions might have a greater incentive –indeed, a necessity- to control drug-related violence and establish order, but they are likely to have fewer resources to do so than metropolitan or central provinces, at least without the assistance of the national government. Similarly, they might be unable to ensure credible protection for drug trafficking organizations from the central government’s intervention, which weakens subnational politicians’ ability to maintain stable regulatory arrangements in their district, and makes *national*-level political dynamics more relevant. In summary, political authorities in peripheral subnational entities might choose to avoid conflict with criminal actors (tacit coexistence), get a cut in the process (protection-extraction rackets) or engage in an uncoordinated or particularistic arrangements through their provincial or local police, but national-level actors are likely to have a greater influence over such outcomes. Finally, as the power asymmetry between state and criminal actors is greater than in central provinces, political turnover and fragmentation might be less relevant in determining police autonomy, since the force might be more accountable to drug trafficking organizations rather than political authorities (Prado et al. 2012).

Overall, this theoretical framework, in which political turnover and fragmentation affect police autonomy and, subsequently, shape the regulation of drug trafficking, is applicable to middle-income democracies with weak institutions, in either federal or unitary countries with decentralized police forces, and to the regulation of other organized crimes conducted in fixed locations in metropolitan areas. On the other hand, it is less directly applicable to the regulation of rural or non-territorially grounded types of organized crime in both industrial democracies and failed states, as well as in unitary states with centralized police forces and in non-metropolitan areas.

4 Theoretical and practical implications

This dissertation has found that increases in political fragmentation and, especially, turnover often hinder politicians’ attempts to reduce police autonomy and regulate drug trafficking in a coordinated manner. This central finding has various theoretical and practical implications, and here I will focus on the role of political competition and democracy, the police force’s responsibility for regulating drug trafficking and crime, and the different emergent types of regulatory arrangements themselves.

The first part of this dissertation’s argument claims that higher turnover prevents politicians from reducing police autonomy. By contrast, when parties are entrenched in power, the police have greater incentives to cooperate with the administration in providing order or rents for incumbents. This finding is somewhat problematic in that it reveals that parties’ alternation in power – something that is desirable, if not necessary, for regimes to remain democratic – can have important negative consequences in terms of the regulation of drug trafficking. Based on the experience of Santa Fe, a single instance of turnover might be sufficient to unravel the police force’s regulatory scheme of organized crime, and generate grave security problems. Would the citizens of this province have preferred to remain under the previous party dominant regime, in

which, despite widespread corruption, “things were calmer”? Electoral results in the province since 2007 suggests the answer is no, as the Socialists won the two subsequent elections (even if they did so by smaller margins each time).

The role of political fragmentation shows that the relationship between competition and the regulation of crime is not linear, as it can work in different ways depending on the rate/level of turnover. While lower fragmentation does not enable policy continuity or coordinated regulatory arrangements when parties or factions are constantly replacing each other in power, high fragmentation prevents entrenched governments from exclusively appropriating the police’s rents from crime. Additionally, while high fragmentation usually obstructs policy change, when incumbents are able to overcome these hurdles, the new policy is more likely to subsist over time, as in the case of São Paulo’s reformist initiatives in the late 1990s or of Rio de Janeiro’s UPP program since 2008, both turned into laws when governments did not have legislative majorities. This study thus questions both the idea of a straightforward tradeoff between political competition and criminal conflict in developing democracies, which is an argument that is commonly made in the political violence literature, and the notion that greater dispersal of political power is inherently healthier in institutional terms.

Another theoretical and practical implication has to do with citizens’ electoral choices regarding crime, policing and security. Several candidates in the analyzed cases have won elections with an explicitly punitive (or *mano dura*) approach, including Ruckauf in Buenos Aires (1999), Fleury in São Paulo (1990) and Moreira Franco in Rio de Janeiro (1986) (see also Holland 2013). To reach office, they obtained the support of lower income constituencies, which, ironically, are the ones most likely to suffer the negative consequences of this approach – including mass incarceration and police violence. In consequence, none of these same politicians (or their parties) managed to retain office in the following election. One could argue that electoral competition eventually provides its own remedy, but this fact does not compensate for the losses in terms of failed policies, squandered budgets, and, most importantly, massive increases in incarcerated populations, police killings, and even police casualties. This finding also speaks to the intricate relationship between security (or insecurity) and democracy. As Arias and Goldstein suggest, we need to consider state-driven and criminal violence as not necessarily a sign of partial, illiberal, incomplete or disjunctive democratization, but rather as a feature of democratic competition itself (Arias and Goldstein 2010, 4).

A further theoretical and empirical implication has to do with police roles in reducing or controlling crime and violence. Academic experts and policy analysts agree that the police are not capable of reducing crime or violence by themselves, and that it is unwise to rely solely on the police when conceiving or implementing security policies (Weisburd and Eck 2004) . On the other hand, there are various empirical analyses that prove that certain police actions or interventions are more effective than others in reducing criminality (Di Tella et al. 2010).⁴ In a similar vein, this dissertation’s findings suggest that the police forces’ informal strategies to regulate crime – i.e. whether and how they extract rents or apply violence against drug traffickers – affect criminal violence, although it is difficult to establish the exact impact of each of these tactics. Nonetheless, it is clear that higher police autonomy tends to be associated with greater violence, on behalf of both the state and criminal actors, than lower autonomy is. This positive

⁴ For instance, Di Tella and Schargrofsky (2004) used a natural experiment –a terrorist attack- to show that police saturation reduced car thefts in the City of Buenos Aires.

association between police autonomy and violence poses the question of how much governments should rely on the police to confront the most important and profitable organized criminal activity in the world. This dissertation does not advocate for an exclusively police-centered approach to regulate drug trafficking. However, it does argue that, because drug trafficking remains illegal, police forces should be qualified to deal with it, and therefore that governments should exercise greater political control over the police while providing officers with sufficient resources and training to promote public safety effectively.

The final set of practical implications emerging from this dissertation relates to the question of how the state should regulate drug trafficking. The broad debate on the legalization of drug consumption, or even the entire chain of production and distribution of drugs, is beyond the scope of this dissertation and I do not intend to engage with it here. However, the cases analyzed –and many others in Latin America and other regions- suggest the need to reevaluate the national state’s approach to this transnational criminal activity. The need for a broader national policy debate is evident given that even coordinated regulatory arrangements –tacit coexistence and protection-extraction rackets- present various political and normative problems.

In political terms, coordinated drug trafficking regulatory arrangements are rare and potentially fragile. To the degree that they rely on low turnover, they might collapse at the first instance of a shift in power between parties, factions, or even sometimes the change of security ministers – as the temporary breakdown of the truce in São Paulo during Ferreira Pinto’s tenure in 2012 illustrates. Tacit coexistence, which exhibits perhaps the greatest advance in terms of police reform and control of violence, is possible because of the combination of party entrenchment and dispersal of power, a combination that is hard to obtain or preserve. At the same time, both tacit coexistence and protection-extraction rackets present a dilemma because it is necessary to forsake political turnover –a clear component of democratic strength- to ensure minimally coordinated policies in regulating crime.

These arrangements also present normative issues. One of them –protection-extraction rackets- relies on governing politicians' participation in –or at least tolerance of- police collection of rents from drug trafficking, which would hardly seem to fit what citizens should expect from their governing elites or state bureaucracies. Both arrangements depend on the state abjuring the repression of certain types of illicit activity and delegating order in marginalized neighborhoods to non-state, criminal actors. In some cases, like the PCC in Sao Paulo, these organized criminal actors make and enforce rules in the territories they control, sharing (or disputing) sovereignty with the state (Denyer Willis 2015). Therefore, even in coordinated regulatory arrangements, state actors acknowledge that they do not hold the monopoly of legal violence, even in the most densely populated metropolitan areas in their territory.

In his landmark essay on the state after re-democratization in developing countries, Guillermo O’Donnell wrote that the “increase in crime, the unlawful interventions of the police in poor neighborhoods, the widespread practice of torture and even summary execution of criminal suspects, [and] the impunity of the drug trade [...] express [the] increasing inability of the state to make its own regulations effective” (O’Donnell 1993, 1358–9). While this is certainly true, this dissertation has shown that state actors, specifically subnational politicians and police, regulate drug trafficking in different ways, many of which *are* often effective in controlling violence, even if at the same time the police violate the rule of law and threaten democratic legitimacy, often at the behest of their political superiors.

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Sources

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Interviews¹

RJ01- Coronel Paulo Ricardo Paúl, Former Military Police (PM) Coronel, Internal Reviewer, August 25, 2014.

RJ02- Andréa Pachá, Civil Judge, State of Rio de Janeiro, August 28, 2014.

RJ03-4 –Two social movement activists from NGO#1 working with favela youth, August 28, 2014.

RJ05 – Flavio Bolsonaro, State Deputy, Legislative Assembly of Rio de Janeiro (ALERJ), August 29, 2014.

RJ06 – Current PM Coronel, PMERJ Headquarters, September 1, 2014.

RJ07 – Ignácio Cano, Professor & researcher, State University of Rio de Janeiro (UERJ), September 1, 2014.

RJ08 – Former BOPE Officer (rank of Captain), September 1, 2014.

RJ09 – Current Municipal Guard official, September 3, 2014.

RJ10 – Michel Misse, Professor & research, Urban Violence Study Nucleus-Federal University of Rio de Janeiro, September 3, 2014. NECVU/UFRJ

RJ11/12 – Capitão (Captain) Sandro Costa and Coronel Ubiratan D’Angelo – Former military police high officials, current members of Viva Rio NGO. September 4, 2014.

RJ13 – Reimont, City councilman, Partido Trabalhista (PT, Workers Party). September 4, 2014.

RJ14 – Member of Comissão Estadual da Verdade (State Truth Commission), September 4, 2014.

RJ15 – Director of NGO#2 (favela youth), municipality located in the periphery of Rio de Janeiro. September 5, 2014. (Name of location also preserved for confidentiality purposes)

RJ16 – Marcus Ianoni, Professor of Federal Fluminense University. September 7, 2014.

RJ17 – Rodrigo Pimentel, Former BOPE Captain and current reporter for Globo TV. September 8, 2014.

RJ18 – Former Delegate Civil Police. September 8, 2014.

RJ19 – Luciane Boiteux, Penitentiary Council of Rio de Janeiro. September 9, 2014.

RJ20 – Rubens Casara, Criminal Court Judge, State Judicial System, September 9, 2014.

¹ All interviews conducted in the city of Rio de Janeiro, unless noted otherwise.

RJ21 – Joao Trajano Sento Sé, Professor and Researcher, Universidade Estadual do Rio de Janeiro, September 9, 2014.

RJ22 – Journalist from *Jornal do Brasil* – September 10, 2014.

RJ23 – Jorge Manaia, City Councilman, Partido Verde (PV, Green Party), September 11, 2014.

RJ24 – State Penitentiary Administration Secretary, high official, September 12, 2014.

RJ25 – Former PM Coronel, September 16, 2014.

RJ26/27 – NGO #3 activists (one former drug trafficker – Former Trafficker I), September 16, 2014.

RJ28 – NGO #4 director (Favelas), September 17, 2014.

RJ29 – Former high ranking Civil Police delegate, September 17, 2014.

RJ30-RJ32 – 3 Former drug traffickers II, III and IV, working with NGO#3. September 18, 2014.

RJ33 – Former militia member working with NGO #3, September 18, 2014.

RJ34 – Leila do Flamengo, City councilwoman (PMDB), September 18, 2014.

RJ35 – Secretary of Security mid-level official, September 19, 2014.

RJ36 – Jorge da Silva, former Military Police Coronel, Niteroi, September 19, 2014.

RJ37-42 – Rocinha local representatives, December 1-2, 2014.

RJ43 – UPP Commander, Rocinha, December 2, 2014.

RJ44 – Civil Police delegate, Rocinha, December 4, 2014.

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Santa Fe

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- SF01 Fernando "Chino" Rosúa, November 7, 2013, former high-ranking political officer, Obeid administration. Rosario.
- SF02 Alberto Martínez, November 7, 2013, former police officer and president of APROPOL police union. Rosario.
- SF03 Pablo Venturi, Pitu Salinas, November 7, 2013, activists in Movimiento 26 de junio (Social movement based in Villa Moreno). Rosario.
- SF04 Maximiliano Pullaro, November 8, 2014, State deputy (FPCS). Rosario.
- SF05 Oscar Urruty, November 8, 2013, state deputy (FPV-PJ). Rosario.
- SF06 Alberto Cortés, November 8, 2013, Councilmember Rosario (Socialist). Rosario.
- SF07 José Luis Giacometti, November 8, 2013, former high-ranking police officer. Rosario.
- SF08 Gonzalo Del Cerro, November 11, 2013, Rosario councilmember (UCR). Rosario.
- SF09 Mariano Savia, November 11, 2013. Former provincial police chief. Rosario.
- SF10 Lisandro Enrico, November 11, 2013. State senator (UCR-FPCS). Rosario.
- SF11 Alicia Gutiérrez, November 12, 2013. State deputy (FPCS). Rosario.
- SF12 Eduardo Toniolli, November 12, 2013. State deputy (FPV). Rosario.
- SF13 Former high-ranking police officer, Rosario unit, November 12, 2013. Rosario.
- SF14 Juan Murray, November 12, 2013. Federal prosecutor. Rosario.
- SF15 Roberto Bruera, November 13, 2013. Councilmember of Rosario (PDP-FPCS). Rosario.
- SF16 Gabriel Ganon, November 13, 2013. General public defender of the province of Santa Fe. City of Santa Fe.
- SF17 Diego Poretti, November 14, 2013. Undersecretary of security. City of Santa Fe.
- SF18 Leandro Corti, November 14, 2013. Former security minister. City of Santa Fe.
- SF19 Matías Drivet, November 15, 2013. Secretary of public security. City of Santa Fe.

- SF20 Ana Viglione, November 15, 2013. Undersecretary of Complex Crimes. City of Santa Fe.
- SF21 Héctor Aguiar, November 15, 2013. Current police officer and delegate of ULTRAPOL (police union). City of Santa Fe.
- SF22 Luis Acuña, November 18, 2013. State deputy (FPV-PJ). Provincial legislature. City of Santa Fe.
- SF23 Máximo Sozzo, November 18, 2013. University professor, specializing in police reform. City of Santa Fe.
- SF24 Pablo Cococcioni, November 18, 2013. Undersecretary of penitentiary affairs. City of Santa Fe.
- SF25 Raúl Lamberto, November 19, 2013. Security Minister.
- SF26 Paula Ballesteros, November 19, 2013. Center for Municipal and Provincial Studies (CEMUPRO). Rosario.
- SF27 Luis Caterina, November 19, 2013. Provincial judge. Rosario.
- SF28 Jorge Barraguirre, November 19, 2013. Provincial prosecutor before the State Supreme Court. Rosario.
- SF29 Jorge Pérez de Urrechu, November 20, 2013. Provincial judge. Rosario.
- SF30 Daniel Cuenca, November 20, 2013. Former Security Minister. Rosario.
- SF31 Francisco Broglia, November 20, 2013. Former member of Secretary of Community Prevention. Rosario.
- SF32 Guillermo Camporini, June 24, 2014. Prosecutor. Rosario.
- SF33 Héctor Vera Barros, June 24, 2014. Federal Judge. Rosario.
- SF34 Hernán Lascano, June 24. Journalist for La Capital newspaper. Rosario.
- SF35 Three members of Red Antimafia (AntiMafia network), June 24, 2014. Rosario.
- SF36 Juan Carlos Vienna, June 25, 2014. Provincial judge. Rosario.
- SF37 Fernando Asegurado, June 25, 2014. Secretary of Government, Municipal Government of Rosario.

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Tribunales provinciales de Santa Fe

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Non-governmental organizations

Red Antimafia

Universidad Nacional del Rosario – proyecto Calles

São Paulo

Interviews²

SP-01 former Military Police Soldier, October 22, 2014

SP-02 current Military Police Corporal, October 23, 2014

SP-03 Conte Lopes, former ROTA coronel, current city council member, October 23, 2014

SP-04 Mario Covas Neto, current city council member (PSDB), October 23, 2014

SP-05 Orlando Bolçone, current state deputy (PSDB), October 29, 2014

SP-06 Reis, former Civil and Military Police officer, current city councilman, October 29, 2014

SP-07 Current Military Police Lieutenant, Santana, SP, October 30, 2014

SP-08 Coronel Camilo, former head of the Military Police, current city council member, October 30, 2014

SP-09 Guaracy Mingardi, Professor and security expert, University of São Paulo, November 3, 2014

SP-10 Arnaldo Hossepian Jr, Former deputy secretary of security, November 3, 2014

SP-11 Antonio Assuncao “Delegado” de Olim, civil police investigator, November 4, 2014

² All interviews conducted in the city of São Paulo, unless otherwise noted. Interviews listed in chronological order.

SP-12 Current Military Police Captain Transit division, November 5, 2014

SP-13 Marco Antonio Desgualdo, Former Chief of Civil Police, current head of Administrative Crimes Division, November 5, 2014

SP-14 Current Military Police Captain, Eastern Zone precinct, November 6, 2014

SP-15-17 Current Military Police soldiers (three), Eastern Zone precinct, November 6, 2014

SP-18 Coronel Telhada, Former head of ROTA (Military Police), current council member, November 6, 2014

SP-19 Current Lieutenant, Military Police, Western Zone precinct, November 7, 2014

SP-20 José Américo, council member (PT), November 10, 2014

SP-21 Donato, council member (PT), November 11, 2014

SP-22 Jair Tatto, council member (PT), November 11, 2014

SP-23 Hamilton Pereira, state deputy (PT), November 11, 2014

SP-24 Marco Petreluzzi, former state security secretary, November 12, 2014

SP-25 Domingos Paulo Neto, former Chief of Civil Police, current head of Capital Department of PC, November 12, 2014

SP-26 Ronaldo Marzagão, former state secretary of security, November 13, 2014

SP-27 Current Military Police soldier, Guarulhos, November 14, 2014

SP-28 Current Civil Police station delegate, Southern zone precinct, November 18, 2014

SP-29 Adriano Diogo, state deputy (PT), November 18, 2014

SP-30 Mayor in ROTA (Military Police), November 21, 2014

SP-31 Coronel in Military Police, Capital Department, November 24, 2014

SP-32 Fernando Capez, State deputy (PSDB), November 24, 2014

SP-33-35 community-based human rights NGO activists (three), November 25, 2014

SP-36 Wagner Fontes, current director of Division of Organized Crime, Civil Police, November 26, 2014

SP-37 Current investigator in Drug Trafficking Division, Civil Police, November 26, 2014

SP-38 Rodrigo Moraes, state deputy, November 27, 2014

SP-39 Coronel Levi, director of Military Police internal affairs division, November 28, 2014

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Human Rights Watch (HRW)
Local neighborhood association in Eastern Zone of São Paulo

Buenos Aires

Interviews

All interviews took place in Buenos Aires province unless otherwise indicated (municipality specified).

- BA01 Felipe Solá, former Governor, July 3, 2011, City of Buenos Aires.
- BA02 León Carlos Arslanián, former security minister, July 4, 2011 City of Buenos Aires,
- BA03 Alberto Piotti, former security secretary, July 4, 2011, City of Buenos Aires.
- BA04 Eduardo de Lazzari, former security secretary, June 2012, La Plata.
- BA05 Marcelo Saín, provincial deputy and former deputy security minister, July 20, 2013.
- BA06 Federico Suñer, Security Secretary of San Isidro municipality, September 27, 2013
- BA07 Raúl Maza, National Military Police officer, September 27, 2013
- BA08 Gustavo Sibila, Former Director of Planning, National Security Ministry, October 1, 2013, City of Buenos Aires.
- BA09 Claudio Izaguirre, President of Argentine Antidrug Association, October 2, 2013, Malvinas Argentinas.
- BA10 Laura Piana y Norberto Tirendi, deputy directors of External Auditing Office, October 3, 2013, La Plata.
- BA11 Alberto Giordano, Advisor for Frente Renovador Senator, October 3, 2013, La Plata.

- BA12 Carlos del Frade, Journalist, October 5, 2013, La Plata.
- BA13 Marcelo "Oso" Díaz, State deputy, October 8, 2013, La Plata.
- BA14 Julio César Frutos, Former high-ranking officer, State police, October 8, 2013, La Plata.
- BA15 Rodrigo Pomares y Angela Oyhandy, State Memory Commission (NGO) directors, October 8, 2013, La Plata.
- BA16 Mirta Juárez y Mario Santillán, Municipal directors of community security (San Martin) October 11, 2013, San Martin.
- BA17 José María Fernández, Secretary of Security, Municipality of San Martin, October 11, 2013, San Martin.
- BA18 Norberto Emmerich, expert on drug trafficking, October 15, 2013, City of Buenos Aires.
- BA19 Local neighborhood NGO director, Greater BA municipality, October 2013.
- BA20 Alfredo Meckievi, Provincial Senator, October 15, 2013, La Plata.
- BA21 Eduardo Amadeo, National Deputy, October 16, 2013, City of Buenos Aires.
- BA22 Prosecutor, Anti-drug prosecution office of San Martin, October 18, 2013, San Martin.
- BA23 Roberto Siminián, San Martin municipal councilmember, October 18, 2013, San Martin
- BA24 Natalia Gambaro, National deputy, October 24, 2013, City of Buenos Aires.
- BA25 Iván Budassi, Provincial deputy, October 30, 2013, La Plata.
- BA26 Ana Museri, Researcher with Center for Legal and Social Studies (CELS) November 21, City of Buenos Aires.
- BA27 Virginia Messi, Journalist, November 30, 2013, City of Buenos Aires.
- BA28 Judicial official, Federal Judiciary Office of San Isidro, December 16, 2013, San Isidro.
- BA29 High-ranking officer in Drug Trafficking Division, Federal Police, December 16, 2013, City of Buenos Aires.
- BA30 Héctor D'Aquino, Florencio Varela municipal council member, December 11, 2013, Florencio Varela.
- BA31 Laura Vivas, Municipal under-secretary of security (Florencio Varela), December 11, 2013, Florencio Varela.
- BA32 Dardo Ottonello, Florencio Varela municipal councilmember, December 11, 2013, Florencio Varela.
- BA33 Sergio Torres, Federal Judge, December 12, 2013, City of Buenos Aires.
- BA34 Silvio Álvarez, Florencio Varela municipal councilmember, December 13, 2013, Florencio Varela.
- BA35 Andrés Watson, Florencio Varela councilmember and former secretary of government, December 13, 2013, Florencio Varela.
- BA36 Director of Varela Center for Social Rehabilitation (CEVARESO), December 13, 2013, Florencio Varela.

- BA37 Jorge Sica, Federal Prosecutor, San Martin, December 16, 2013, San Martin.
- BA38 Police union representatives (3), December 17, 2013, La Plata.
- BA39 Parish priest in poor neighborhood of City of Buenos Aires, December 18, 2013, City of Buenos Aires.
- BA40 Daniel Ivoskus, San Martin municipal councilmember and former secretary of government, December 20, 2013, San Martin.
- BA41 Police district Chief, San Martin municipality, December 23, 2013, San Martin.
- BA42 Ricardo Casal, Former State Security Minister, January 16, 2014, La Plata
- BA43 Eugenio Burzaco, Former Chief of Metropolitan Police of the City of Buenos Aires, June 12, 2014, City of Buenos Aires.
- BA44 Salvador Baratta, former deputy chief of the State Police, June 16, 2014, Lanus.
- BA45 César Albarracín, State secretary of Crime Policy, June 17, 2014, La Plata.
- BA46 Eduardo Duhalde, Former Governor, July 3, 2014, City of Buenos Aires.
- BA47 Jesús Celis, Florencio Varela Municipal Security Secretary, August 6, 2014, Florencio Varela.
- BA48 Neighborhood political and social worker, Municipality of Greater Buenos Aires, August 11, 2014.
- BA49 Ricardo Ivoskus, Former San Martin municipal mayor, August 12, 2014, San Martin.
- BA50 Jorge D'Onofrio, State Senator (Frente Renovador), August 13, 2014, La Plata.
- BA51 Pablo Wuhsagk, State Prosecutor's Office, August 13, 2014.

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Procuración General de la Provincia de Buenos Aires (Buenos Aires General Attorney's Office)

Auditoría de Asuntos Internos de la Provincia de Buenos Aires (Internal Affairs Office)

Sistema Nacional de Información Criminal (SNIC, National Criminal Information System)

Non-governmental organizations

Centro de Estudios Legales y Sociales (CELS, Center of Legal and Social Studies)

Comisión Provincial por la Memoria (Provincial Memory Commission)

Coordinadora contra la Represión Policial e Institucional (CORREPI, Association Against Police and Institutional Repression)

Appendix

Tables and figures

Table 0.1. Rio de Janeiro security secretaries (1995-2014)

Governor	Security Secretary	Former position	Period	Months in office
Marcello Alencar (1995-1998)	Dulcimer Lima da Silva	Federal Army General	January -May 1995	4
	Nilton de Albuquerque Cerqueira	Federal Army General	May 1995- April 1998	35
	Noaldo Alves Silva	Federal Army Coronel	April 1998 – December 1998	9
Anthony Garotinho (1999-2002)	José Siqueira Silva	Federal Army General	January – April 1999	4
	Josias Quintal de Oliveira	Former Military Police	April 1999 – April 2002	36
Benedita da Silva (2002-2003)	Roberto Armando Ramos de Aguiar	Lawyer and university professor	April – December 2002	8
Rosinha Garotinho (2003-2006)	Josias Quintal de Oliveira	Federal senator	January – April 2003	4
	Anthony William Garotinho Matheus de Oliveira	State governor	April 2003 – September 2004	17
	Marcelo Zaturansky Nogueira Itagiba	Federal police delegate	December 2004 – March 2006	18
	Roberto Precioso Júnior	Federal police delegate	March – December 2006	9
Sérgio Cabral (2006-2013) Pezão (2013-current)	José Mariano Beltrame	Federal police delegate	January 2007 – December 2014 January 2015 - current	4

Source: Author's elaboration from

https://pt.wikipedia.org/wiki/Lista_de_secret%C3%A1rios_de_seguran%C3%A7a_p%C3%BAblica_do_Rio_de_Janeiro

Table 0.2. Police pacifications units by date of establishment (2008-2013) – move to appendix

Date UPP established	Unit (Unidade)	UPP name	Zone within Rio
28-Nov-08	1 ^a UPP	Santa Marta	South Zone
16-Feb-09	2 ^a UPP	Cidade de Deus	West Zone
18-Feb-09	3 ^a UPP	Batan	West Zone
10-Jun-09	4 ^a UPP	Babilônia and Chapéu-Mangueira	South Zone
23-Dec-09	5 ^a UPP	Pavão-Pavãozinho	South Zone
14-Jan-10	6 ^a UPP	Tabajaras/Cabritos	South Zone
25-Apr-10	7 ^a UPP	Providência	Centro
7-Jun-10	8 ^a UPP	Borel	North Zone
1-Jul-10	9 ^a UPP	Formiga	North Zone
28-Jul-10	10 ^a UPP	Andaraí	North Zone
17-Sep-10	11 ^a UPP	Salgueiro	North Zone
30-Sep-10	12 ^a UPP	Morro do Turano	North Zone
30-Nov-10	13 ^a UPP	Macacos	North Zone
28-Jan-11	14 ^a UPP	São João, Matriz and Quietto	North Zone
25-Feb-11	15 ^a UPP	Coroa, Fallet and Fogueteiro	Centro
25-Feb-11	16 ^a UPP	Escondidinho/Prazeres	Centro
17-May-11	17 ^a UPP	São Carlos	Centro
3-Nov-11	18 ^a UPP	Mangueira	North Zone
18-Jan-12	19 ^a UPP	Vidigal	South Zone
18-Apr-12	20 ^a UPP	Fazendinha	North Zone
18-Apr-12	21 ^a UPP	Nova Brasília	North Zone
11-May-12	22 ^a UPP	Adeus/Baiana	North Zone
30-May-12	23 ^a UPP	Alemão	North Zone
Jun-12	25 ^a UPP	Chatuba	North Zone
27-Jun-12	24 ^a UPP	Fé/Sereno	North Zone
Aug-12	26 ^a UPP	Parque Proletário	North Zone
28-Aug-12	27 ^a UPP	Vila Cruzeiro	North Zone
20-Sep-12	28 ^a UPP	Rocinha	South Zone
16-Jan-13	29 ^a UPP	Manguinhos	North Zone
16-Jan-13	30 ^a UPP	Jacarezinho	North Zone
12-Apr-13	31 ^a UPP	Caju	North Zone
12-Apr-13	32 ^a UPP	Barreira and Tuiuti	Centro
May-13	33 ^a UPP	Cerro-Corá	South Zone
Sep-13	34 ^a UPP	Parque Arará/Mandela	North Zone
2-Dec-13	35 ^a UPP	Lins	North Zone
2-Dec-13	36 ^a UPP	Camarista Méier	North Zone

Source: Author's elaboration from <http://www.upprj.com/index.php/historico>

Table 0.3. List of provincial security ministers (2007-2015), since the official creation of the Ministry (Santa Fe, Argentina).

Governor (period)	Security minister	Previous position	Period in office	Months in office
Hermes Binner (Socialist party, 2007-11)	Daniel Cuenca	University professor and private lawyer	December 2007- December 2009	24
	Álvaro Gaviola	Director of the Provincial Civil registry	December 2009 – December 2011	24
Antonio Bonfatti (Socialist party, 2011-2015)	Leandro Corti	Undersecretary of Penitentiary Affairs	December 2011- June 2012	6
	Raúl Lamberto	Provincial deputy (Socialists)	June 2012 - December 2015	18

Source: Author's elaboration from La Capital.

Table 0.4. List and tenure of state security secretaries in São Paulo (1983-2014)

Governor (party, period)	Security Secretary	Period	Months in office
André Franco Montoro (PMDB, 1983-1986)	Manoel Pedro Pimentel	March – September 1983	6
	Miguel Reale Jr.	September 1983 – January 1984	5
	Michel Temer	February 1984 – February 1986	24
	Eduardo Muylaert	February 1986 – March 1987	13
Orestes Quéricia (PMDB, 1987-1990)	Luiz Fleury	March 1987 – March 1990	37
	Antonio Mariz de Oliveira	March 1990 – March 1991	12
Luiz Fleury (PMDB, 1991-1994)	Pedro Franco de Campos	March 1991 – August 1992	19
	Michel Temer	August 1992 - - November 1993	14
	Odyr Pinto Porto	January – September 1994	9
	Antonio de Souza Correa	September – December 1994	3
Mario Covas/Geraldo Alckmin (PSDB, 1994-2002)	Jose Afonso Silva	January 1995 – February 1999	50
	Marco Petreluzzi	February 1999 – January 2002	36
Geraldo Alckmin (PSDB, 2003-2006)	Saulo de Castro Abreu	January 2002 – December 2006	60
José Serra (PSDB, 2007-2010)	Ronaldo Marzagão	January 2007 – March 2009	27
	Antonio Ferreira Pinto	March 2009 – December 2010	22
Geraldo Alckmin (PSDB, 2011-2014)	Antonio Ferreira Pinto	January 2011 – November 2012	23
	Fernando Grella Vieira	November 2012 – December 2014	25

Source: Author's elaboration from

<http://www.ssp.sp.gov.br/institucional/historico/secretarios.aspx>

Table 0.5. List and tenure of provincial security ministers per governor in the province of Buenos Aires, 1992-2015

Governor (party, period)	Security secretary/minister	Period	Months in office
Eduardo Duhalde (PJ, 1991-1999)	Eduardo Pettigiani	January 1992 – December 1993	23
	Alberto Piotti	January 1994 – September 1996	32
	Eduardo de Lázari	October 1996 – March 1997	5
	Carlos Brown	March – December 1997	9
	Luis Lugones	December 1997 – April 1998	4
	León Arslanián	April 1998 – August 1999	18
	Osvaldo Lorenzo	August – October 1999	2
	Carlos Soria	October – December 1999	2
Carlos Ruckauf (PJ, 1999-2001)	Aldo Rico	December 1999 – February 2000	3
	Ramón Verón	February 2000 – September 2001	19
	Juan José Alvarez	October – December 2001	3
	Alberto Descalzo	January 2002	0
Felipe Solá (PJ, 2002 2007)	Luis Genoud	January – July 2002	6
	Juan Pablo Cafiero	July 2002 – September 2003	14
	Juan José Alvarez	September – November 2003	2
	Raúl Rivara	November 2003 – April 2004	4
	León Arslanián	April 2004 – December 2007	44
Daniel Scioli (FPV-PJ, 2007-2015)	Carlos Stornelli	December 2007 – May 2010	29
	Ricardo Casal	May 2010 – September 2013	40
	Alejandro Granados	September 2013 – December 2015	27

Source: Author's elaboration from various sources.

Abbreviations

Brazil

- ADA: Amigos dos Amigos (Friends of Friends, Rio de Janeiro)
- BOPE: Batalhão de Operações Especiais (Special Operations Battalion, Rio de Janeiro)
- BPM: Batalhão da Polícia Militar (Military Police Battalion)
- CIED: Centro Integrado de Educação (Integrated Education Center, Rio de Janeiro)
- CPI: Comissão Parlamentar de Inquérito (Parliamentary Inquiry Commission)
- CV: Comando Vermelho (Red Command, Rio de Janeiro)
- DEIC: Departamento Estadual de Investigações Criminais (State Department of Criminal Investigations)
- DENARC: Departamento Estadual de Prevenção e Repressão ao Narcotráfico (State Department of Prevention and Repression of Narcotics, São Paulo)
- DHPP: Delegacia Estadual de Homicídios e Proteção a Pessoas (State Division of Homicides and Personal Protection, São Paulo)
- GPAE: Grupos de Policiamento de Áreas Especiais (Police Groups for Special Areas, Rio de Janeiro)
- ISP: Instituto de Segurança Pública (Institute of Public Security)
- PCC: Primeiro Comando da Capital (First Command of the Capital, São Paulo)
- PCERJ: Polícia Civil do Estado do Rio de Janeiro (Civil Police of the State of Rio de Janeiro)
- PDS: Partido Democrático Social (Social Democratic Party)
- PDT: Partido Democrático Trabalhista, Democratic Workers' Party
- PMDB: Partido do Movimento Democrático do Brasil, Brazilian Democratic Movement Party
- PMERJ: Polícia Militar do Estado do Rio de Janeiro, Military Police of the State of Rio de Janeiro
- PSB: Partido Socialista Brasileiro (Brazilian Socialist Party)
- PSDB: Partido da Social Democracia Brasileira (Brazilian Social Democratic Party)
- PT: Partido Trabalhista (Workers' Party)
- ROTA: Rondas Ostensivas Tobias de Aguiar (Tobias de Aguiar Ostensive Rounds, São Paulo)
- SESEG Secretaria de Segurança (Security Secretary, State of Rio de Janeiro)
- SSP-SP: Secretaria de Segurança Pública (Secretary of Public Security, São Paulo)
- TC: Terceiro Comando (Third Command, Rio de Janeiro)
- UPP: Unidade de Polícia Pacificadora (Police Pacification Unit, Rio de Janeiro)

Argentina

ALIANZA: Alianza para el Trabajo, la Justicia y la Educación (Alliance for Work, Justice and Education)

AMIA: Asociación Mutual Israelita Argentina (Argentine-Jewish Mutual Aid Society, Buenos Aires)

CEVARESO: Centro Varelenso de Rehabilitación Social (Varela Center for Social Rehabilitation, Florencio Varela, Buenos Aires)

DSV: Double Simultaneous Vote (also Ley de Lemas, Santa Fe)

FPCS: Frente Progresista Cívico y Social (Progressive Civic and Social Front, Santa Fe)

FPV: Frente Para la Victoria (Front for Victory), also PJ

FR: Frente Renovador (Renovation Front, Buenos Aires)

FREPASO: Frente País Solidario (Front for a Country in Solidarity)

GBA: Greater Buenos Aires

PJ: Partido Justicialista, also Peronist Party, Peronism

PS: Partido Socialista (Socialist Party, Santa Fe)

UCR: Unión Cívica Radical (Radical Civic Union)