LOSING THE “MONOPOLY OF VIOLENCE”:
Max Weber, the Mexican State, and the Paramilitarization of Organized Crime in
Mexico during Drug War Times

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ABSTRACT

This paper examines the phenomenon of drug-related violence in Mexico and the possible causal factors that have enabled the upsurge in the numbers of homicides in the country during drug war times (end of 2006 to present). To achieve this aim we make use of Max Weber’s “monopoly of violence” framework (1919), and explain how the Mexican state has been losing this monopoly in the most recent years—particularly after President Felipe Calderon declared the so-called “war on drugs.” We also analyze this phenomenon by exploring regional statistics derived from both anecdotal as well as empirical research on the subject, and assess the impact of different factors, such as: deteriorated economic conditions; institutional limitations (including “endemic corruption”); the Mexican government’s strategy to fight drug trafficking organizations; internal divisions within criminal organizations; and particularly, the effects of what we define as the “paramilitarization” of organized crime in Mexico.

Keywords: drug-related homicides, war on drugs, organized crime, Mexican state, Max Weber, paramilitarization
INTRODUCTION

Violence in Mexico has reached unprecedented levels, particularly since the launch of military operations against drug trafficking organizations (DTOs) in late 2006 by the administration of President Felipe Calderón (2006-2012). As of December 2011, Calderón’s so-called “war on drugs” has claimed over fifty thousand lives, according to government and media estimates.¹

This paper discusses the influence that two groups of factors have had on the seemingly irrational escalation of drug-related violence in Mexico in the most recent years: 1) socioeconomic factors (economic growth, unemployment, inequality, poverty, etc.), and 2) more institutionalized dynamics endemic to this phenomenon, such as the paramilitarization process that drug “cartels” have undergone in the last decade, and internal divisions within criminal organizations—like the one experienced in the state of Tamaulipas in early 2010 between the Gulf Cartel and the Zetas.

A factor of particular interest in this research is the hypothesis of the “paramilitarization” of criminal organizations in Mexico. Although such groups do not fit the bill of a true paramilitary unit, the term as it is utilized in this writing alludes to the change in operational and institutional practices by criminal organizations in a bid to attain regional or national supremacy over other market competitors (criminal organizations), as well as state forces. By exploring Max Weber’s “monopoly of violence” framework, this research project handles the theory that organized crime, through its paramilitarization process, has become the de facto legitimized purveyor of violence at regional level, effectively supplanting the rule of the state, and placing socio-political control in the hands of private individuals.

¹ Some say it has claimed over sixty thousand lives. For example, according to Semanario Zeta, during the first five years of President Calderón’s administration, the number drug-related murders was of 60,420 (Mendoza 2011a, b).
MEXICO’S DRUG WAR, DEMOCRACY AND VIOLENCE

The Mexican ‘drug war’ and the escalation of drug-related violence

Felipe Calderon assumed the Mexican presidency on December 1st, 2006. The political panorama in Mexico has changed substantially since that time, particularly as a result of the so-called “war on drugs” declared by the Mexican government and the escalation of the drug trafficking problem in the country. Among the symptoms that stem from the ongoing conflict between Mexican DTOs and governmental forces are: the momentous increase in violent, drug-related deaths in the last few years (with particular emphasis from 2006 onwards); the practice of savage, terror-inflicting methodologies such as dismemberment, decapitation, or the complete dissolution of human remains; corruption of government officials at all levels; the failure of the Mexican state to subdue criminal organizations and its subsequent loss of the “monopoly of violence”; extortion practices committed against businesses, entrepreneurs, and society in general; the emergence of a new drug market in Mexico that provides affordable doses of any type of drug(s) to domestic consumers; as well as the use of unconventional terror tactics such as car bombs, mass kidnappings, grenade attacks, blockades, executions of public officials, etc. (Nava 2011).

Table 1. Drug-related murders (2006-2010)

<table>
<thead>
<tr>
<th></th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mexico (total)</td>
<td>62</td>
<td>2,826</td>
<td>6,837</td>
<td>9,614</td>
<td>15,273</td>
<td>34,612</td>
</tr>
</tbody>
</table>

The figures for 2006 are for the month of December only.
Drug violence has spread all across the country, and has predominantly affected the northern/border states of the Mexican Republic. According to official statistics, a total of 34,612 people were killed since December 1st, 2006 till January 12, 2011 (see Table 1).\(^{2}\) The number of drug-related murders has increased significantly every year since the Mexican war on drugs began. Official reports show a total of 2,826 assassinations in 2007, and 15,273 in 2010. Violence had tended to be concentrated on Mexico’s northwestern border regions, especially Chihuahua, as well as in Pacific states like Sinaloa, Michoacán, and Guerrero. Ciudad Juárez is the place that registered the highest number of homicides during the first four years of Calderón’s administration—in 2010, approximately 3,100 people were killed in this border city. Now violence has spread to other regions of Mexico, and has particularly increased in the states of Coahuila, Nuevo León, and Tamaulipas. In 2010 half of the drug-related murders took place in Chihuahua, Sinaloa, and Tamaulipas.

The continual state of violence in Mexico can be attributed to a number of factors, such as an increased tempo in U.S. federal law enforcement activities, an increased military presence, internal dissention in major DTOs, and many more. What has been established beyond any doubt is that along with this escalation of violence, the brutality of tactics employed has increased as well. “Gone are the days of traditional gangland executions, and present today are recorded beheadings, public displays of human bodies—at times completely dismembered, others hanging from overpasses, full-blown commando units disappearing persons involved in the trade or against it, and until more recently, car bombs aimed at the general public” (Nava 2011, 6).

\(^{2}\) Of this amount of murders presumed to be linked to organized crime, the Mexican government reports 30,913 execution-style killings, 3,153 killings in what are termed “confrontations” or shootouts, and 546 deaths classified as “aggression” and other clashes. These statistics were released by the Office of the Presidency (Oficina de la Presidencia de la República). Accessed on February 18, 2011. Available online at http://www.presidencia.gob.mx/?DNA=119. It is worthwhile mentioning that throughout most part of 2011, this information was not updated.
Losing the Monopoly of Violence in Mexico’s “New Democratic” Times

The ongoing bloody drug feud in Mexico has projected unprecedented levels of violence that are reflective of a distinct nature of Mexico’s drug trade industry. Long gone are the days where the power of the State subjugated criminal organizations and decided who could remain in the industry and who would be disposed of. Democratization, or rather the perception of it, brought on with the 2000 presidential elections, changed the power relation structure that had been institutionalized by the PRI.

The ensuing political dissonance brought on by the triumph of the PAN presidential candidate, Vicente Fox, allowed for criminal organizations to evolve as well, replanting their relationship with the state, exploiting the inexperience of the new ruling system. The subsequent liberalization of criminal enterprises ignited a spiral of violence that has overwhelmed the State’s capacity to effectively respond to them aided by the endemic corruption that such organizations have exerted over local and regional institutions, further undermining the State’s capacity for an effective strategy to, if not deter, regain a semblance of control over its competing informal actors.

The violence levels that are currently afflicting the Mexican territory are indicative of the degree of control and coercion that drug trafficking organizations exert over localities and entire regions, at times even substituting the State as the legitimate purveyor of control [agents]. As stated before, the shift in the power structure represented by the 2000 presidential election can be interpreted in many ways, one of which is the loss of control over non-state actors due to the restructuring that power relations between the State and such entities went under.

According to Edmons-Poli, the functioning of Mexico’s pre-2000 political regime was:
“…one of the most hierarchical and centralized in the world, with administrative, political and financial power firmly concentrated in the hands of the president and central (federal) government. In fact, the country was so highly centralized that it more closely resembled an autocratic unitary polity than a constitutional federal republic: the legislature and judiciary were empty symbols of the separation of powers and states and municipalities had virtually no independent authority.” (2006, p.388)

The post-revolutionary system mentioned above was characterized by it being “an authoritarian regime, capable of subordinating every existing social actor to the dispositions emanating from the cuspid of political authority: fundamentally, the president as well as the political party that backed him up, in this case, the PRI” (Flores Perez, 2009, p.137).

The subsequent disintegration of the control apparatus that had been forged under the PRI’s decade’s long hold on power following the 2000 presidential election where the opposition candidate, Vicente Fox came out triumphant, allowed for the unrestricted exponential growth of the national drug organizations, bringing with it a change in the way they operated, advocating for a much more violent and sophisticated methodology.

The genesis of the conundrum posed by the democratic transition into effective control measures to deal with organized crime was fueled by “[F]actionalism” and by the “patrimonial conception of political power” that, according to Flores Perez (2009), kept the sectarian divides and interests which in turn challenged the creation of cooperative agreements between political parties that could have been translated into cooperation and professionalization of the country’s security services, a vital process to prevent the empowerment of organized crime groups (p.325).
The disintegration of the traditional ties that bound drug trafficking organizations to the domineering political party in Mexico allowed for an unprecedented expansion in their operations that brought with it a host of unforeseen changes that altered the drug industry. In this writing we argue that one of the most critical factors that influenced the current wave of violence that is afflicting Mexico is the paramilitarization that drug trafficking organizations underwent as a response to the expansionist demands of such enterprises, and an indicator of such a phenomena is the increasing number of drug related homicides that have been reported by governmental agencies. A brief explanation of this concept is needed to further understand this particular phenomenon.

THE CAUSES OF DRUG-RELATED VIOLENCE IN TODAY’S MEXICO

The “Paramilitarization” of Organized Crime in Mexico

While we can adjudicate a degree of blame to the political instability brought by an abrupt change in the highest spheres of national political power, one of the venues this writing will explore as to the origin behind the unprecedented violence that has characterized the ongoing drug-related conflict in Mexico will be the paramilitarization process that such organizations underwent in relatively recent years.

It is important to note that the use of the term paramilitarization in this writing does not adhere to the strictest sense of the word; according to Friesendorf (2011), paramilitarization is defined as:

“…forces that have both military characteristics and, de facto or de jure, policing powers…Their tasks range from maintaining public order to operations against
terrorists and organized crime groups…This definition leaves room for the paramilitarization of other actors, such as regular police forces, military and intelligence agencies increasingly encroaching on policing terrain, and non-state or para-state paramilitary forces, such as citizen militias.” (p.81)

The most usual image that comes to mind when one hears the term paramilitary is the image of the Colombian armed civilian forces that were supported by the military, financed by drug traffickers, and opposed to the insurgency. The negative political undertones that usually accompany the image of paramilitaries is best stated by Chernick in “The Paramilitarization of the War in Colombia”:

“The paramilitaries do not confront the guerrilla directly- their principal target is the civilian population. Towns are “cleansed” of anyone suspected of supporting the guerrillas- or any leftist party, union, social movement or progressive church organization- to demonstrate to the population at large what awaits them if they become involved in such activities.”(1998, p.29)

While paramilitaries can be considered repressive tools with links to the State, in this particular instance, paramilitarization refers to the practice developed by drug trafficking organizations to change its enforcement methodologies ranging from equipment to execution styles, that denote military influences.

While money, and not counterinsurgency, is their primary motivation, DTO’s enforcement groups have elevated their influence position to a parallel state, rivaling and in some regions even supplanting, the State as the sole purveyor of legal violence. The economic power and professionalization level that such groups exhibit allows them to break the mold of the paramilitarization concept and revamp in order to make it a competing non-state actor within the
state that not only engages in harsh and violent control and cleansing practices but also overtake State functions.

Critics argue that, as opposed to countries such as Colombia, Mexico does not face the paramilitaries issue due to two factors, the lack of a political base by armed groups and the country’s very own geographic landscape that allows its State security apparatuses to effectively control its entire territory (Aguilar & Castaneda, 2009, p.104). While Mexican enforcer groups may lack a political base, their progressive specialization has allowed them to use violence not only as a “tool of the trade” but as a form of social control as well. The argument of the country’s geographical disposition can be contested by the rampant corruption that has not only permeated local and state officials and agencies, but the very same federal forces sent to specific regions to address the problem of drug trafficking and violence.

The paramilitarization process that drug trafficking organizations have gone through in the last decade and half has been measured in the number of drug-related homicides exhibited nationwide. In this writing, we attempt to discern external causes to such a phenomena by analyzing other potential influences to the levels of violence as characterized by murder rates such as foreign direct investment, gross domestic product, unemployment, corruption, the presence of a conflict between or within a drug trafficking organization in each state, and the presence of federal operations in individual states.

*The Causes of Violence*

[Insert part]
EXPLAINING THE CAUSES: A RESEARCH MODEL

The Model

This paper’s hypothesis resides in the belief that one of the factors behind the increasing levels of violence as reflected by the reported number of drug-related homicides in the years 2006 through 2010 is the paramilitarization process that such organizations have underwent in the latter years. While such a hypothesis is hard to quantify due to the empirical nature of such an observation, other potential causal factors will be utilized to establish any additional causality to the drug related violence phenomenon.

There will be two hypothesis handled in this research section:

H1- There is a direct relationship between decreasing levels of economic stability and high levels of drug related homicides.

H2- Areas (states) where either or both “drug cartel” division or conflict and/or federal operations are present higher levels of homicide rates.

Model Hypothesis: the overall model does have an effect on the number of drug related homicides.

Data and Methods

Sample

Dependent Variable

The dependent variable in this case is represented by the yearly total of drug-related homicide rates per state in a yearly basis from 2007 to 2010. The state counts on drug-related homicides was compiled by the Mexican dependency CENAPI (Centro Nacional de Planeacion, Analisis e Informacion para el Combate a la Delincuencia- National Center for the Planning, Analysis, and
Information for Combating Delinquency), with information provided by Mexico’s Defense Secretariat, Naval Secretariat, Public Federal Safety, and its State department equivalent, “Secretaría der Gobernación”.

In order to include a particular instance in the database, cases have to fulfill at least three of the requirements mentioned before in this writing. The numbers are then consolidated after noting observations such as duplication, corrections, case dismissals, or insufficient information. The procedure is repeated to cover all categories and is then released to each respective dependency (www.presidencia.gob.mx/base-de-datos-de-fallecimientos/).

The presence of federal operations was compiled by employing data analysis of several journalistic publications, as well as official statements as to the presence of federal operations in certain Mexican regions, primarily the ones posted on Mexico’s governmental website, http://www.presidencia.gob.mx/el-blog/los-operativos-conjuntos/

**Independent Variables**

Socioeconomic variables per state such as GDP, FDI, unemployment, and corruption levels are utilized and operationalized. GDP is measured in growth index numbers across the years 2007 to 2010; the information provided for this independent variable was obtained through personal electronic communications with INEGI.

Foreign direct investment was obtained from the economy secretariat in Mexico (personal communication), and is presented in millions of dollars invested in each state. Since the data was originally presented in a quarterly fashion, the numbers were added in order to obtain the total investment in each state and was taken from Mexico’s economy secretariat (Secretaria de Economía). Unemployment statistics were provided by INEGI.
Corruption levels were retrieved from *Transparencia Mexicana*, a chapter of the NGO *Transparency International*, a global organization dedicated to combat corruption by raising awareness and diminishing apathy and corruption tolerance (Transparency International, 2011, Online source). Corruption levels were presented in index numbers, with the calculations being obtained by the following general index formula:

\[
\text{Corruption index} = \frac{\text{number of times a bribe was given for services}}{\text{number of times services were used}} \times 100
\]


The sample for this measurement consisted in 14,836 households, divided in 32 polls, one for each state in Mexico, for 2007, and 15,326 households divided in the same number of polls as the previous one, for 2010 (Executive report, “National Corruption and Good Government Index”, p.3; [www.transparenciamexicana.org.mx](http://www.transparenciamexicana.org.mx)). This measuring instrument is conducted every two years therefore, 2007, 2008, and 2009 will share the same numbers for both statistical and clarifying purposes.

**Results**

As stated by the regression ran within this research project, the only statistical significant variable that presented any relationship with the dependent variable was the presence of federal operations in states that exhibited increased numbers of drug related homicides.

Despite the assumption that institutional variables such as GDP (0.996), FDI (0.768), corruption (0.615), unemployment (0.230), and even intestine struggles between organized crime
groups (0.291, the emergence of federal operations as a possible causal link with the number of drug related homicides (.039), are indicative of a continual struggle between the State and criminal non-state actors to surpass each other in response to their continual attempts to retain legitimate or illegitimate control of certain regions.

Based on the results provided by the regression analysis of the aforementioned variables, the significance behind the relationship between the independent variable – drug related murders-, and the dependent variable of federal operations point towards the theorization that, as a response to the paramilitarization process that criminal organizations have underwent, Mexico’s federal government has responded by deploying its military and federal forces to
regions deemed in conflict, in turn exacerbating or at the very least making public previously unpublished violence levels, forcing criminal organizations to augment their professionalization levels therefore bringing with it a host of repressive and violent measures that compounded with the direct participation of federal forces in the conflict, increase the levels of violence to previously unseen levels.

While violence in drug trafficking regions is not a completely new issue, the recent virulent spread of increasingly hostile tactics by drug trafficking groups has captured the attention of governmental forces, uncovering the struggles for the control of certain key areas in the illicit trade to the public eye, and every time such operations move to a different area, the violence seems to follow them.

Such a response has been constructed as an effective measure by the government to ensure the safety and well-being of its citizens, but as stated early on in this writing, such attempts seem to be more indicative of a quest to regain the control on the monopoly of violence, having it lost to increasingly violent, paramilitarized criminal groups.

**CONCLUSIONS**

**Paramilitarization and the Transference of the Monopoly of Power.**

Based on the previous statement, with regard the case with Mexico, the state has effectively lost the monopoly it possessed on the legal instruments of violence. Non-state actors such as drug trafficking organizations, through a constant bombardment of monetary corruption and terror practices, have muscled their way into the institutional as well as social fabrics of entire regions, and have created fiefdoms where the power of the State, if not supplanted, is shared in a duopoly,
effectively weakening the stance of the government not only in the eyes of the criminal groups, but also in the eyes of the population, reducing the State to merely a political façade while the real power is exerted by private individuals.

In his 1919 lecture, *Politics as a Vocation*, Max Weber says concerning the state that it “Claims the monopoly of the legitimate use of physical force within a given territory...Specifically...the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it. The state is considered the sole source of the ‘right’ to use violence...”

Applying the aforementioned power relation structure to the regions and state where the violence phenomenon is palpable, as reflected by the number of homicides related to illicit drug enterprises, the relationship between possessors of the “legitimate” means of physical force and the population, has transformed itself to the point that non-state actors exert the monopoly of the legitimate use of force or rather the monopoly of violence, that is has effectively supplanted governmental structures and has imposed its idiosyncratic as well as operative rationale upon the population, effectively transforming otherwise criminal elements into social control mechanisms.

Once again, it has to be mentioned that while Weber referred to the possession of the legitimate use of physical force he referred to legitimate recognized entities. The way the model is employed in this writing is due to the gradual empowerment and participation of private individuals as the purveyors of the physical means of force, which in turn legitimizes them in the eyes of the population as the wielders of violence in the regions/states where they operate therefore supplanting or splitting the functions of the State as the sole possessors of the monopoly of violence.
State sovereignty within Mexico has been defied and parallel governments have been established by criminal organizations; as stated by Manwaring when referring to the effects the “Zeta” organizations has had on Mexico’s governmental control…

“Even though commercial enrichment remains the primary motive for TCO and Zeta challenges to state security and sovereignty in Mexico, the strategic architecture of the Zetas (organization, motive, practices, and policies), resembles that of a political or ideological insurgency. The primary objective of the political insurgents, drug cartels, and private armies such as the Zetas is to attain the level of freedom of movement and action that allows the achievement of the desired enrichment. This defines insurgency: coercing radical change of a given political, economic, and social system to neutralize it, control it, or depose it. Rephrased slightly, this also defines war: compelling an adversary to accede to an aggressor’s policy objectives” (2010, p.145)
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