

Lecture 2 A State Estranged With Itself

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'The State Did It!' (And it still does). 'Fue el Estado!' ('The State Did It!'). That was the cry of protest that burst out after the forced disappearance of the 43 Ayotzinapa student teacher-trainees. The accusation is spot on, because there is no doubt that 'the state' was responsible both for the disappearances that were executed that night in the city of Iguala and for the procedural nightmare that was-- and continues to be-- the forensic investigation that followed. The city of Iguala's municipal police-- which was directly involved in the kidnapping of the students-- was controlled by the Guerreros Unidos crime organization, and José Luis Abarca, Iguala's municipal president, was the son-in-law and brother-in-law of three drug-lords who were on the Attorney General's list of Mexico's most dangerous criminals. In other words, "the state" was directly responsible for the disappearances and assassinations that took place on that day.

There were, moreover, other governmental institutions that were also implicated in the crime. So, for instance, the national leadership of the Partido de la Revolución Democrática (PRD) had looked askance at their candidate's known ties to Iguala's drug economy when they chose José Luis Abarca as their candidate for the municipal presidency. It is fair to say that the crime that the municipal government perpetrated in Iguala was made possible thanks either to the negligence or the connivance of a national political party. The army, for its part, which has a military base in Iguala, allegedly with a mission to control opium production in the region, also cultivated a cordial relationship with the municipal government, despite its known ties to the Beltrán Leyva drug organization, and to a chain of disappearances and assassinations. And to all this we must add the incompetence displayed by the Attorney General's office around the criminal investigation that followed the disappearances.

In other words, yes, the state did it. However, although the slogan is true to the letter, it also eludes the political implications of that signal event. Do we really understand the relationship between a municipal government that has been "captured" by a criminal organization, with a state government that has to make room for multiple, competing, crime organizations, and then with the federal government, and with national political parties? Although it is true that 'the state did it,' the slogan that purportedly calls out the truth serves instead to veil or conceal a wish-- which is expressed as an assertion-- that the Mexican state is governed smoothly from top to bottom, from the Federal government down to local governments, with an effective administrative division of labor and a clear chain of command that has the President at the apex. The case of the Iguala killings/disappearances is disturbing because it suggests the opposite: it was a crime that was perpetrated by a municipal government that was under the control of a private crime

syndicate, and the federal government-- represented both by the army and by the justice apparatus-- was to show itself to be incapable either of preventing the crime or of doing justice afterwards. The criminal state seems to be then, an invertebrate state-- to recall an expression put forth by José Ortega y Gasset in 1921, in relation to his native Spain-- whose parts are not accountable to a single chain of command.

My lesson today explores the origin of this new invertebrate state by way of an analysis of the way in which the police functioned before the current era: I will focus on the workings of the police before the recurring attempts of reform that initiated in the mid-1990s, and also before the government finally gave up on its attempts at reform and decided to place public safety in the hands of the country's Armed Forces. Today I shall detail when and how the Mexican state began to become estranged from the mechanisms of police and justice that it had relied on to regulate the social order during the most of the 20th century.

The State Estranged from Itself. The state is not an individual and it doesn't have the sentiments of a person, so that in principle it should not be capable of being estranged, either from itself or from anything else. Moreover, from an institutional perspective, the state has never been a vertically integrated structure. What do I mean, then, when I say that we are facing a state that no longer knows itself?

In a paper that is today recognized as a classic, Phillip Abrams sought to reconcile Ralph Milliband, who saw the state not as a collective subject, but rather as a bundle of institutions and functions that weren't necessarily coordinated or integrated into a single scheme, with the position of Nicos Poulantzas, who viewed the state as a kind of mask, a sort of spectral subject-- a false 'person' in Marcel Mauss's sense-- or, better, as a meta-person, in Graeber and Sahlins' terms, that plays the part of the sovereign figure, and thus seems to enjoy the autonomy that we associate with the figure of the individual.¹ The state as mask assumes the figure of indivisibility that is implicit in the notion of sovereignty, and so acquires the attributes of a person, with a will, senses, intelligence, etc.

In the Mexican case, the state as mask is embodied in the figure of the President of the Republic, whose role as state fetish is well-known. Thus, in his essay on precisely this subject, Juan Espíndola explained how the myth of the president's reputedly omni-modal power was mobilized even by the academics and journalists whose job was, in principle, to question it:

"Only the presidency was subjected to academic and journalistic scrutiny because its imprint was believed to be present everywhere in Mexico's political processes, because its decisions-- it was thought-- determined the direction that Mexican public life would subsequently follow."²

¹ Phillip Abrams, Notes on the Difficulty of Studying the State (1977). *Journal of Historical Sociology* 1(1): 58-89.

² Juan Espíndola Mata, *El hombre que podía todo, todo, todo: ensayo sobre el mito presidencial en México*. México: El Colegio de México, 2004, p. 15.

This myth's power of persuasion was rooted in the ritualized subservience of politicians and civil servants, who routinely justified their policies and decisions by aligning them with the president's words and sentiments, as well as in the material accouterments of government: photos of the President of the Republic hanging in a place of honor in every government office-- a monarchical practice that, in Mexico, spilled into the Republican era without comment-- suggests that the authority of each institution emanates from the President. In other words, the state is at once a jumble of institutions and an idea that suggests that the sovereignty of the people has been deposited in the person of the President, and so the state assumes the sensitive qualities of a subject, capable of planning, acting, and reacting.

When I speak, then, of the state being estranged from itself, I am referring to two different sorts of cases: one in which the state-as-mask, in other words the sovereign state, which is always personified, seems to be bewildered and takes its distance from governmental operations that had, up until that point, been normal, and the other in which coordination between state institutions becomes impossible. In today's lecture I will focus particularly on cases in which the sovereign state has become estranged from one of its institutions-- the police-- as well as on cases in which the various institutions that together compose the government's public security apparatus can no longer be reconciled and have lost the capacity to engage reliably in coordinated action.

I will use the term 'estrangement' in three senses, two of which are summarized in the French term *méconnaissance*, that has the virtue of blending two ideas in a single term: ignorance and incomprehension. The third meaning of 'estrangement' comes from the Freudian concept of the uncanny (*unheimlich*), that refers to moments in which the ordinary appears as strange or sinister. For Lacán, this sensation emerges in contexts in which we can no longer distinguish between the good and the bad, or between pleasure and vexation.³

Today I shall focus on the state's estrangement with regard to its institutions of police and justice, concentrating particularly on the police corps known as the *Policía Preventiva* (Preventive Police), that constitute the vast majority of Mexico's police forces, and especially on municipal police forces, which are the most visible police organizations, and that have historically been the most frequent subject of accusations of corruption, indolence and incompetence. The district attorneys, with their inspectors and the plain-clothes Judicial Police corps that are under their command, are much less visible-- except to the poor people who end up in their clutches-- while they are also more widely feared, and because they are less visible on the day-to-day, state estrangement with regard to the Judicial Police tends to crop up sporadically, usually precipitated by scandals that make their incompetence or bad faith more public.

³ Sigmund Freud, *The Uncanny*, in *Freud Book 14: Art and Literature*, London, Penguin Books, 1988 (1919), pps. 339-376; Jacques Lacan, *Book X: Anxiety*, trans. A.R. Price, Cambridge, Polity Press, pps. 41-49; 74-76.

My premise is that Mexico's neoliberal transition (1980s-90s) involuntarily gave way to the formation of a new kind of state, whose operating principles we have not wished to recognize or name, and are marked by neglect of the administration of justice and policing, together with the strengthening of state sovereignty, manifested in militarization and the concentration of power in the presidency. If under the modernizing dictatorship of Porfirio Díaz, the operating motto was "Plenty of administration, not a lot of politicking" (*Poca política, mucha administración*), today's state might be tempted to proclaim its governing philosophy as "Plenty of sovereignty, not a lot of justice."

Estrangement's beginnings. When did the Mexican state start to become distanced from its own police apparatus? The literature confirms that the topic was hot in the 1990s, when a number of important initiatives were set forth to reform the police.⁴ Indeed, by that decade the rush to reform the country's municipal police forces was a theme that all political parties adopted in their electoral campaigns, and that was especially prominent in moderate right-wing Partido de Acción Nacional (PAN), that held sway in much of the country's north. Police reform became a recurring theme in local and state elections, and since no political party stepped up to defend the police, the country as a whole set itself on the course of reform.

Thus, after his election to the Presidency (1995), Ernesto Zedillo commissioned a diagnostic study of the police, that found that public investment in police was ridiculously low (0.008% of GNP), and the 56% of the preventive police-- that is a majority, nationwide-- had a 6th-grade education or lower.⁵ For starters, and to address this level of apparent 'negligence'-- the police reforms that initiated in the mid-1990s began by pumping a (porportionally) enormous amount of money into security, so that by 2009, budgets for police accounted for 1.7% of GDP, that is, an almost 200-fold increase over what they had been in the pre-reform era.

Those moneys were channeled into improving the policemen's working conditions-- salary increases, new benefits, housing programs, retirement funds--, as well as to training, armament, equipment, uniforms, and the creation of an institutional framework that might be used to build a professional, capable, police. Both the improvement of working conditions and investments in training and equipment had as their objective to eliminate the policemen's economic dependence on corruption, to make the police more competent and effective, to train it to respect human rights, and to "dignify" policemen-- in other words, to elevate their social status-- in order thereby to foster a collaborative, supportive, relationship between citizens and the police.

It is clear that such an expensive, sweeping, process of reform would not have been undertaken had there not been widespread repudiation of the police, far beyond the sort of mild-to-moderate dissatisfaction that we might find today with regard, say, to Mexico's

⁴ Daniel Sabet, *Police Reform in Mexico: Informal Politics and the Challenge of Institutional Change*. Stanford: Stanford University Press, 2012.

⁵ Sabet, p. 8.

mediocre and under-performing educational system, for instance. No one stepped up to defend the police.

Even so, reforms of this scale are often sparked by specific events, and indeed there were two developments that got the ball of reform rolling. The first was a public scandal around the doings of Arturo a.k.a. '*El Negro*' Durazo, who served as Mexico City's chief of police during the López Portillo government (1976-1982), and whose doings were detailed in an exposé, published in 1983, just months after the collapse of the Mexican peso that led to the country's first steps toward neo-liberal reform. The second factor was a series of crime waves that stormed Mexico City and some other important towns, and that had their peaks in the years 1984-85, 1987, 1993, and 1995.

These two instigating factors suggest distinct and contrasting dynamics leading up to the estrangement of the Mexican state with regard to the *modus operandi* of its police. The first factor, provoked by the publication of *Lo negro del Negro Durazo* ("The Dark Side of 'El Negro' Durazo"), a book that so enthralled the public that it then gave way to the production of comic books, films and an endless stream of comments, suggests the role of a dynamic that was tied to regime change. The Miguel de la Madrid government began in January 1983, under the cloud of the worst economic crisis that Mexico had faced in generations, that led to a change in the country's guiding economic orientation, from Import Substitution Industrialization to neoliberalism. In such a deep crisis, the image of a cynical and inefficient police that was corrupt top to bottom became emblematic of the wasteful, iniquitous disorder of the previous regime, that had gotten Mexico into such a deep rut, that had now to be paid for by the entire citizenry, with severe penuries. The corruption of the police in the prior regime was thus mobilized to help legitimate the new president, whose campaign motto had been 'The Moral Renovation of Society,' and who had to slash budgets in a contracting economy that was prey to hyperinflation.

El infierno del negro Durazo, n.2

"La renovación moral de MMH"



Captions in the cartoon: Man in glasses in first image: "We should not remain silent, we need to demand justice, now that there is a moralizing breeze being brought by President Miguel de la Madrid". Figure speaking into the mic (President Miguel de la Madrid): "We shall not repeat the ignominies of the past: so much sadism, such haughtiness, so much ambition. All of Mexico demands this. "All abuses of authority should be prohibited: torture as a method of investigation, and the collusion between policemen and delinquents..." Text in second image (that shows president De la Madrid and the people with a banner that reads "Death to Corruption"): "For Mexico to be able to eradicate all forms of immorality, it must fight alongside its President."

The Preventive Police-- those police corps that we see daily in uniform, and whose incompetence and corruption is also in plain sight-- was revealed as an institution that undermined society's most precious values: it raped and prostituted women, it had insinuated itself in the hidden world of elite homosexuals, it blackmailed, extorted, murdered and robbed so much, that even criminals began to complain about it. So, for instance, José González González, author of the book that gave rise to the public's morbid fascination with the dirty deeds of police chief Durazo, introduced himself in the first pages

of his book as a professional hit-man, who had killed more than 50 people, following the orders of ex-presidents, members of the cabinet, and other first-tier political figures, but who had, nonetheless, taken "the decision to risk my well-being for an ideal, which is to come clean with the public opinion of my country in these times when Mexico has been subjected to ruthless and antipatriotic looting by haughty, abusive, and pilfering politicians. We hit-men also love Mexico in our way."⁶

The government that now distanced itself from that infamous police force wished to highlight a distinction between the wastefulness and corruption of the López Portillo presidency and the austere morality of president De la Madrid and, at a deeper level, between a corporatist, protectionist petro-state and an austere, fiscally responsible, neoliberal state. The state's estrangement from the police was, in this regard, part of a political movement.

The second motive that led to state estrangement vis-à-vis its police was a set of shocking crime waves that hit Mexico City in the 1980s and 90s, and that marked the beginnings of something like an 'industrial revolution' of crime in that country.

Unfortunately, we do not yet have a detailed study of these crime waves, but there is information that can help us at least to sketch some general features. First, these waves of ordinary crime (muggings, break-ins, kidnappings) signalled the end of an era during which crime had remained pretty stable. Legal scholar Ana Laura Magaloni shows that reported crimes in Mexico City had diminished considerably between 1940 and 1960, and that they had remained stable between 1960 and 1980. Then, starting in 1983, and after forty years of comparative security, crime began to mount until it reached its peaked in a terrible crime wave in the mid-1990s.⁷ In a matter of just a few years, Mexico City went from being a relatively safe city to being very unsafe.⁸

⁶ José González G., *Lo negro del negro Durazo*. México: Editorial Posada, 1983, p. 17.

⁷ Ana Laura Magaloni, "Arbitrariness and Inefficiency in the Mexican Criminal Justice System", *en Mexico's Security Failure: Collapse into Criminal Violence*, compilado por Paul Kenny, Mónica Serrano y Arturo C Sotomayor. New York: Routledge, 2011, p. 91.

⁸ A similar process occurred in Guadalajara as well. See María Eugenia Suárez de Garay, *Policías: Una averiguación antropológica*. Guadalajara: ITESO, 2006, p. 9.

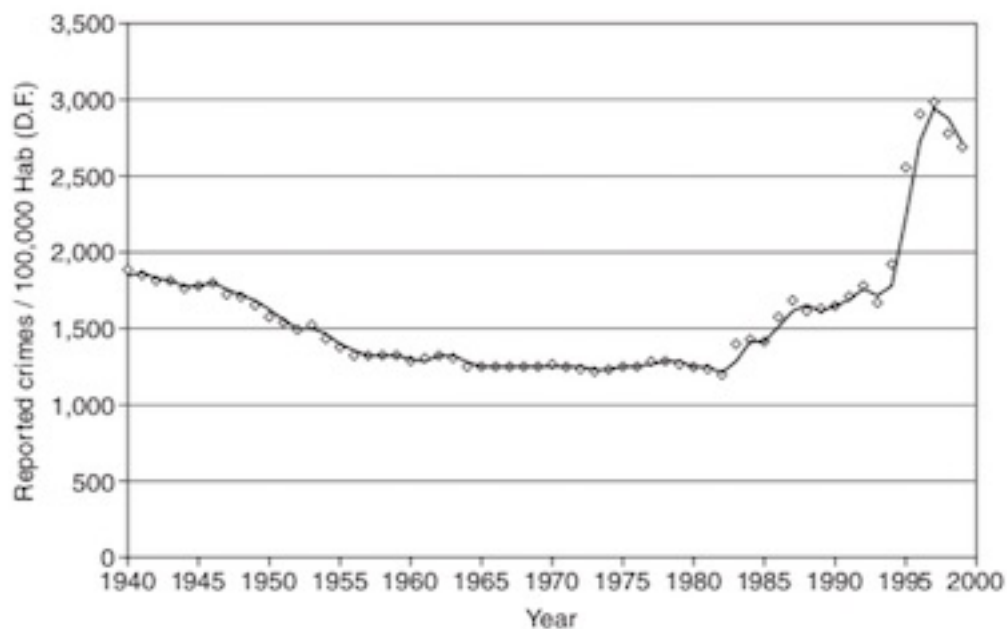


FIGURE 3.1 The number of reported crimes in the Federal District has accelerated since 1980 (source: Rafael Ruiz Harrell).

Graph is reproduced from Magaloni 2011, p. 91.

Moreover, the crimes of the 1980s and 90s involved unusual displays of violence. Victims were beaten and terrorized, insulted, verbally assaulted, and threatened with guns. Occasionally, muggers killed their victims. This sort of violence had been exceptional until that time. So, for example, film director Everardo González produced a documentary titled *Los ladrones viejos* (Old Thieves), 2007, where he interviewed pickpockets and burglars being held in Mexico City's Santa Martha Acatitla prison. Those thieves had operated in Mexico City during the 1950s, 60s, and 70s, and listening to them produces genuine nostalgia for yester-year's hold-ups, carried out by true tradesmen who knew how to do their thieving without hurting or threatening their victims, and whose art consisted of acting without being noticed. The crime of the 1980s and 90s was something else entirely.

We still don't know the reasons for this change, or whether there is a technological backdrop to it-- the proliferation of guns, automobiles and motorbikes, for instance, or the invention of cellular phones-- nor do we know whether the depth of the economic crisis of the 1980s and 90s was a factor, nor even whether the measures that the government took after the Durazo scandal frayed the police's tacit agreements with the criminal world, and disincentivized police interventions that had regulated criminal violence in the past.

We do know, however, that Mexican society began to resent insecurity, and that the ineffective policy responses to this new insecurity only deepened the state's estrangement

with regard to the police, to such an extent that, little by little, the government shifted from a politics of distancing itself from the old system of policing to the expression of frustration and impotence in the face of its sustained failure to bring security back. The reforms of the 1990s demonstrated that the state-- represented in its executive and legislative branches-- didn't have a firm grasp on how its own police forces functioned, and over time their consistent lack-luster results provoked further estrangement between the state as sovereign and the state as institutions for administering police.

The Work of the Police. One of the main problems of the reformist movement was its proclivity to ignore the order that was produced by everyday policework. Unsatisfaction and repugnance with the police was amply justified and widely felt, but it led reformists to focus on police abuse and inefficacy without looking closely at their role in the construction of a social order. The proliferation of criminals within the various police corps, their lack of professional training and low educational level, the corruption that was endemic to the police as an institution, its minimal capabilities in forensics, the general paucity of inspired leadership, and the police's routine human rights abuses dominated the reformers' attention, and they then tried to mitigate or extirpate these and other horrors. A great deal of effort went into improving the police's working conditions-- especially salaries and benefits-- with the theory that corruption was a result of low wages. New police academies opened, as well as specialized police units, and higher educational standards were now required for entry. Human rights were introduced as an indispensable dimension of police work. There were also substantial investments in armament and other policing equipment. The image of the humble policeman, on foot with his bobby stick and perhaps a pistol gave way to police bearing automatic weapons and body armor, atop shiny new motorcycles, patrol cars, and four-by-fours. Some of these measures were laudable, but little attention was placed on the relationship between police abuse and the role of the police as an instrument of social and economic regulation.

I offer some examples of this, in order to explain what I mean.

When a policeman caught a thief, it was common practice to beat the culprit, take his belongings (sometimes even his shoes), and for the policeman who caught him to keep not only the thief's personal effects, but also his loot. In the eyes of the reformer, there were two big problems with this mode of operation: first, the fact that the policeman took it upon themselves to punish suspects directly by beating them and taking their property implied that the police, that was supposed to be 'preventive,' in fact usurped the roles of the judge and of the penal institutions, and second, that the police kept the loot, instead of returning it to its rightful owner. Both of these problems occupied reformers, while they paid less attention to the nature of the system of crime regulation. Thus, Mexican police were practically useless when it came to doing justice to victims of robbery (except in cases where the victim had a lot of political pull), and as a result they also did not reduce the amounts taken in any given robbery. Since the police kept the loot, they tended to prefer it if the thief had stolen a lot. But, abusive as they were, those police practices did inhibit stealing to some degree: given their role as the thief's thief, policemen had some material incentives to catch thieves.

Reformers were bent on reducing police corruption by way of improving salaries and benefits and introducing higher standards of professionalism, but in taking their regular operating procedures from them, they turned their back on the meager but real regulating effects of the police's rudimentary procedure. Reformers thus saw the 'rot' in police practices with some clarity, but ignored the 'positive' effects that they had in reproducing an unjust but nonetheless well-established and operational social order.

A second sort of situation had bigger consequences. Police reformers worried about a subculture of secrecy and complicity in the police. One of the first lessons that academy cadets were taught was not to rat either on their fellow officers, nor should they convey information regarding the names or identifiable markers of officers involved in any particular operation ("*no se chivatea sobre lo que se habla y se escucha; no hay nombres ni características de compañeros ni comandantes*").⁹ In order to reform the police and modernize their practices, honest policemen would need to be able to come forward with accusations against their corrupted colleagues, and it would also be necessary to fire corrupt or inept policemen, correct selection criteria, reform police training in the academies and introduce new, honest and professional, police captains. The silence and complicity amongst policemen, their identity as a kind of mafia, so to speak, was always one of the principle hurdles for reform. However, again, the reformers did not give proper attention to the full effects of this practice, because the fact that the various police corps operated as mafias also gave them strength with regard to other, competing, mafias, and they began to be weakened as they started to be divided between 'corrupt' and 'honest' members. In order to understand this aspect of the problem, we offer a few considerations about the police's role in the regulation of the informal economy.

Police and the Regulation of Informality. The relatively few ethnographic studies that we have on Mexico's police suggest that, at least until the time of the reforms, the police were capable of functioning like a criminal organization. Police corps often included a certain number of officers who had prior connections to the criminal world-- they were assets that came in handy when the police were negotiating deals with criminals--, a high percentage of recruits did not have enough formal education to get placed above the poorest in the labor market, and there were significant numbers of violent recruits, often with serious psychological problems.

In a field study of a municipal police corps published in 1998, the sociologists Nelson Arteaga and Adrián López describe the entry process to a police academy. They begin by noting that candidates do not register as lone individuals, but rather they always came in small groups of acquaintances from the same neighborhood. Even before enrolling to the police academy, the majority of the aspiring candidates 'integrate in groups where conversation flows with natural familiarity, they smoke from the same cigarette and share soft-drinks from the same bottle.'¹⁰

⁹ Nelson Arteaga y Adrián López, "El aprendizaje de un policía", Nexos 1 de agosto 1998.

¹⁰ Arteaga Botellos, Nelson y Adrián López Rivera, "Viaje al Interior de la policía: El caso de un municipio de México". Nexos, 1 de abril 1998. <https://www.nexos.com.mx/?p=8844>

Corporations are in fact made up of small groups family members or neighbors. Moreover, the decision to try out for the police academy tended to happen only after an informal process of recruiting, so our authors explain that "Entry to the Municipal police depends on previously existing relationships with people who are already in the service." In other words, a prior personal connection between recruits and servicemen is at times a precondition for admission. On the other hand, the ubiquity of bribery in the process of selection and training also produced cohesion, because candidates new beforehand-- precisely thanks to the lore that was passed onto them by friends who were in the service-- that the selection process involved making a (substantial) investment, that would be recouped once the candidate was a policeman. In other words, the constant bribes that recruits pay in their training in the police academy are, in part, a rite of passage to their entry to an economy that relies crucially on bribes. In this sense, bribery is a practice that leads to police cohesion. Candidates knowingly seek entry into a corrupt order; this order has its hierarchies, established hierarchies and precepts, and the aspiring policemen need to be introduced to those.

The case described by Arteaga and López-- whose possible representativeness I shall discuss later-- offers a few other revealing details as well. The three main exams that trainees need to pass-- the psychological examination, the academic test, and the general fitness test-- all can be passed with bribes, and all candidates know this before enrolling. But those examinations also have a pedagogical side that is quite relevant, which is their arbitrariness and-- in many cases-- their apparent lack of relevance. The psychological tests seem to be incomprehensible even for those who administer them, and who, by the way, often are not qualified to interpret them. Thus, in her study of a police academy in Guadalajara in the 1990s-- which was an institution that was a bit less rotten than the one described by Arteaga and López--, anthropologist María Eugenia Suárez de Garay cites the opinion of the psychologist in charge of administering the test:

"I think that these medical-psychological exams were designed for Martians. They don't seem to fit the classical Mexican. We Mexicans are totally different from any other race... I would strongly question the validity of the psycho-biological exam, the test of the head."¹¹

The psychological test did not get better ratings from those who took it, either:

"They give us a psychological test when we enter, but it is so poor! I'm not a psychologist, but it's an exam where you say to yourself: 'This test can't tell you whether a policeman will bear up to the pressure of the job, or whether he has some sort of trauma or perversion (*desviación*).'"¹²

Even the fitness exams, that are obviously pertinent for the job, are frequently applied in such an arbitrary manner that their actual bearing on candidates' suitability is

¹¹ María Eugenia Suárez de Garay, 2006 *Policías: Una averiguación antropológica*. Guadalajara: ITESO, p. 152-3.

¹² *Ibid.*, p. 151.

doubtful. The candidates studied by Arteaga and López had to pass a test consisting of a very long run with no prior training, the majority of them ended up hitching rides or taking public transportation to reach the finish line. Neither did the academy offer a serious program to build fitness, so that although the academy touted the pertinence of physical training, it was not sufficiently interested in the matter to invest in the necessary training facilities.

But the academic exams were perhaps the most revealing of all, because they reflect the relationship between the police and the laws that they are meant to uphold. Before the reforms-- and this is probably still valid today, although I do not have empirical evidence to be sure--, Mexican police lived off of legal transgressions. Their mission was not to uphold the spirit of the law, but rather to seek their livelihood from any and all infractions. For this reason, Mexican police have always been fond of useless rules, the more abstruse, the better. The more a rule is illogical or counter-intuitive, the more it will be violated, and the more money it will bring into the policeman's pocket. Policemen are thus instruments of the law not as 'servants of the public'-- in other words, not as employees whose salaries are paid for by the citizenry-- but rather as vigilantes who have permission to gain their livelihood from anyone who breaks the law. From the viewpoint of the police, the law is not there to be logical or fair, it is simply there. The law is an arbitrary fact. And, seen from this angle, the academic exams that cadets are presented with do offer some sort of lesson.

Arteaga and López enumerate the questions in that exam. Some of them communicated a structure of authority (e.g., what day of the year is the President's State of the Union address? What is the meaning of the acronym PRI? Which are the three symbols of the nation?), others were so ambiguous that they served only to under-strike the fact that only the teacher knows the right answer (e.g., What is a policeman? What is a regulation?), and, finally, there were yet others-- meant to scan for general educational knowledge-- that were absolutely arbitrary (In which voyage did Columbus discover America? What is the capital of Singapore? When was the first printing press installed in Mexico? What did the process for extracting silver that the Spaniards implemented after the Conquest consist of?). The academic exams thus transmitted a structure of authority, and exemplified authority's arbitrariness and the ultimate irrelevance of the contents of the law.

A third revealing detail from Arteaga and López's ethnography is that, after they had concluded their training and exams, while they were waiting for the admissions results to be posted, the aspiring trainees took a minute to gather in a secluded spot behind the police academy to smoke a joint together. Arteaga and López remark that "the consumption and distribution of weed throughout the entire training program allowed the small groups that had existed at the beginning to fuse into a large group that now arranged itself in a circle, with the joint circulating from right to left..."

There is nothing remarkable about these cadets developing a ritual to mark the end of the training, but it is interesting that, instead of alcohol, they preferred to use marijuana as the medium for bonding, because the 'host' that they chose for their communion is an illegal substance the use of which, at the time of the study, was a punishable offense that

could land users in prison for several years. Their choice of substance is thus not trivial. The marihuana that united these cadets was symbolically powerful, because the police have the prerogative of smoking it without taking a risk, and because it is an example of the sort of substance that will later bring them their sustenance, precisely because it is illegal. Since the police in Mexico accomplished its regulatory functions by extracting bribes from those who broke the law, the police lived, in a strict sense, from illegal acts. It can rigorously be said that the police lived off of illegal acts as much as the criminal did. Legal infractions are, then, the policeman's luxury: a 'good corner' is a corner where there are lots of traffic violations, not a sleepy one where there are none; a lucrative neighborhood is one where there are plenty of bars without liquor licenses, where there is street prostitution, and plenty of street vendors and informal stalls. The very object of illegal activity ends up being part of a policeman's wealth, for they will keep a portion of the thief's loot, receive free sex from illegal prostitutes, consume and resell drugs that they take from addicts, and take free meals from informal vendors. The fact that pot was smoked at the communion ritual that the cadets themselves invented as a kind of informal graduation ceremony recognized the place of illegal activities and substances in their livelihood.

It is worth asking whether these conclusions-- garnered from a few ethnographies-- are generalizable. The question is not trivial. One of the characteristics of Mexican state and municipal police corps-- which was a real headache for reformers, too-- was their great number and diversity. In the 1990s, there were more than 1,600 police forces in Mexico.¹³ The work that each of them did had to adjust itself to divergent circumstances, so that no one characterization suits all cases. A police corps of a rural municipality, with three officers on its payroll, and who have perhaps been hand-picked for the job by the local cacique, cannot be the same as the corps that operates in a city, with 200, 500, or even thousands of officers. A municipal force with three officers cannot constitute itself as the kind of quasi-criminal organization described by Arteaga and López, because in the rural setting the policeman will have to negotiate any legal infraction in conditions of numerical inferiority, and in a situation of dependency with and deep social ties to the villagers that he lives amongst.

In general terms, it seems useful to distinguish between police corps that are embedded in their communities, and that are, inevitably, small in size, and the medium and large police organizations, capable of routine engagement in an extractive set of practices. On the other hand, within urban contexts, a precinct that operates in a neighborhood that has plenty of conflict, and plenty of formal and informal businesses will not operate in the same way as a precinct that sits in the middle of a middle-class residential neighborhood.

This diversity might also explain some of the differences-- or at least different shades of a similar reality-- that can be gleaned from various case studies. So, for instance, Suárez de Garay found that in Guadalajara:

¹³ Ernesto López Portillo, *Accounting for the Unaccountable: The Police in Mexico*. In *Mexico's Security Failure: Collapse into Criminal Violence*, edited by Paul Kenny, Mónica Serrano and Arturo C Sotomayor. New York: Routledge, 2011, p. 107.

"The policemen and women appreciate what they learned in the academy, which was perhaps the most real training that most of them ever got in any educational institution-- , and many express noble sentiments regarding what the police is and what they aspire to, even though they are conscious about matters of corruption, etc."¹⁴

This finding contrasts with the hardened cynism described by Arteaga and López, true, but the sentiments don't really say what those noble cadets would actually be doing once they were out on the streets, since they themselves also recognize that the training that they got in the academy-- which was better than what they got in grade school (their average educational level)-- is not only insufficient, and frequently outright inadequate, but that it is also "theoretical." The consensus amongst Suárez's interviewees was that "the street is the best teacher." Teacher of what? Teacher of which are the infringements and violations that they will be living off of, and that they shall, therefore, be involved in regulating.

On the other hand, despite significant differences in police practices-- all of which are in fact learned 'on the streets'-- and are related to the size of each police corps and to the specific form of imbrication that each has in its community of operation-- when the state felt that it was time to reform, what it sought was streamlining, rationalizing, and centralization as governing strategies, so that Mexico's hundreds of police forces might be consolidated as either state or federal police, and so that the police as a whole might pass from being identified as being adjacent to crime to being perceived as a firm ally of the citizen. This policy meant concentrating power-- wrenching autonomy from municipal police forces and condensing it, by placing all meaningful authority in the hands of state and federal police. Frequently this drive to centralize police authority also involved militarizing the chain of command, a policy that increased the sensation of greater federal control over policing.

One immediate effect of these policies was that small police corps were further debilitated, and policing was increasingly commandeered either from the governor's office or from the presidency. This policy may well have backfired with regard to its ultimate effects on security.

Chain of Command and Money. We have said that the preventive police-- state or municipal-- can be thought of as something akin to criminal organizations with a license-- a bit like pirates in the Elizabethan era-- , whose licensed targets were breakers of the law, that were then shaken down for money and other resources. It was this license that differentiated the police from other bands of extortionists, because belonging to the police required a formal appointment, and it involved receiving a salary, a uniform (usually-- sometimes the policemen were expected to buy their own), a gun (ditto), and other equipment (also, ditto), as required to make it clear that these were employees and representatives of the Mexican state. Although the salaries, arms, uniforms, and equipment were insufficient for the police to do its job, and although they needed to be supplemented

¹⁴ *Op.Cit.*, p. 176.

with income acquired through bribery and extortion, the fact that these were public employees, who could also be fired, demoted, re-located, or even prosecuted for dereliction of duty, allowed for the existence of an impersonal chain of command. Indeed, one of the lessons that a new policeman was taught by his training officer was "Don't argue with the chiefs, officers in charge, or any officer or senior fellow officer, because the higher-ups are always right."¹⁵ In other words, the police is different from other criminal organizations because it is a bureaucratic structure.

However, Mexican police was not, either, a modern bureaucracy, but rather a hybrid between that and an *ancién régime* mode of administration, where government posts are bought and sold, and the purchase of a post is a license for its usufruct for personal gain. This hybrid form has implications that, again, distinguish the police from the criminals who operate extortion or protection rackets.

Perhaps the most revealing difference between these two social organizational forms is revealed in the use of money inside police corporations. So, for instance, the trainee studied by Arteaga and López heard the following dictum amongst his primary lessons from his training officer: "Everything in the corporation involves money. No favor to fellow police, or to commanders or higher-ups is done out of good will. Everything needs to be paid for." Money operates in the police as a universal equivalent that is used to streamline and organize the flow of income, since the police deal systematically with two revenue sources, one that comes from official budgets, and the other that emanates from the entrepreneurial activities of individual or groups of officers.

Monetary exchanges between policemen are used to assign a value for each task that is done on the job. Because, as the patrolman explained to his trainee: "We don't work here just for work's sake: you will help only those who pay for the service."¹⁶ This maxim suggests that, in theory at least, any task performed by a policeman should be paid for, otherwise it would be a "favor" ("work for work's sake"). Monetary transactions inside the police seek to reduce favors to zero, or as close to zero as possible, by assigning a quantified value to each task. This monetizing effort is, in fact, indispensable, and it is not a reflection of the morality of the individual policeman-- it is not 'corruption' in this sense. Here's why:

The police has two sources of income: the one that comes to it from municipal, state or federal budgets, and the one that comes from the business of protection, and from the use of legal infractions as opportunities for extortion. The police does not control the moneys that are assigned to it in government budgets, which are decided by legislative branches of government, with salaries that are bureaucratically determined. On the other hand, the moneys that come from protection, bribery and extortion are highly variable, and they are reaped in different kinds of contexts. Often these moneys are extracted by officers

¹⁵ Nelson Arteaga y Adrián López, "El aprendizaje de un policía", Nexos 1 agosto 1998. "No discutas con los comandantes, jefes de turno, oficiales ni con compañeros con antigüedad, ya que el mando siempre tiene la razón."

¹⁶ Arteaga y López, "Aprendizaje de un policía"

on the street (this also explains why the police is so devoted to the mystique of "the street as its teacher").

The variability of moneys that can be gleaned on the streets allows for enormous income disparities between officers of the same rank, and it opens the possibility of having street cops earning more than their bosses. A cop that catches a jewelry thief will keep the lot, while his colleague, of identical rank, passed his day directing traffic with a whistle in his mouth, and while his boss will keep cashing in the same salary that he always gets, month after month. Given these disparities, it is important to have a system of resource redistribution, imperfect though it may be. And the monetization of tasks is key to this.

The system that Mexico's police forces created relied on two different customs. The first is the recollection of moneys that must flow daily from beat cops to their commanders. This rent is known as *el entre* (a term that suggests that it is money that needs to be put on the table in order to continue to play, a bit like the '*ante*' in a game of poker), and it must be paid religiously. Thus, the first thing that a beat cop did in his/her patrol was to gather rents from the businesses that purchased police protection-- it was from those rents that the policeman paid his rent-- his *entre*-- to his superiors. The last act in the day of all street cops was to turn the *entre* over to their superior officer.

The second distributive mechanism devised by this policing method were payments that had to be made in exchange for any 'favor' received. So, for instance, being assigned a profitable street corner was a favor, and it required payment. Receiving support from another officer in order to catch a jewelry thief was another favor, and so the loot from that sting needed to be divided with him. Passing entrance exams is a favor that needs to be paid for. Changing partners, changing work-schedules, getting access to a motorcycle or a patrol-car... all of these have a price tag.

It is worth dwelling a bit on some of the effects of these practices. We've already said that monetization of all 'favors' allows for streamlining flows of income within the police, it also generates a system of exchange between the faculties that have been granted to officers as a result of their position in a bureaucratic chain of command, and earnings gleaned from the everyday milking of legal violations by street cops. Indeed, monetization of all police tasks is what allows this hybrid structure that combines a rational-bureaucratic social organizational form and an entrepreneurial protection racket to exist.

Monetization of tasks and the institution of rents also reinforces the chain of command, because just as the beat cop must up his '*ante*' at the end of each working day, so too must he acknowledge that "officers are always right." In this way, police place limits on the sort of charismatic, highly performative, authority that characterizes criminal organizations, and favors instead an impersonal chain of command and, through it, a degree of political control from outside the corporation. In principle, policemen are free to exploit for their own benefit any infraction of the law that occurs within their territorial purview, provided that they pay their rents and any and all 'favors' garnered from other officers, but if they receive orders mandating anything that is contrary to their immediate interests, those orders must be followed.

Given all of this, it is interesting to note that the term 'favor' still prevails inside the police, despite the monetization of every administrative task. The persistence of the language of the gift is used to underline the fact that the police's bureaucratic structure is not enough to compel any specific employee to act. It may be true that a captain has the obligation to assign patrol cars to some of his officers, but he is not compelled to assign them to any officer in particular, which is why every patrol assignment can be construed as a favor, even though that favor must be paid for, in cash.

If I'm a policeman and I organize a sting to rope in a jewelry thief and you're a patrol officer that supported the sting, you did me a favor, because you could have chosen not to come to the aid of my specific operation, and might have chosen instead to tend to any other 'obligation.' So, in exchange for that 'favor,' I then have to decide how much of the loot you've earned. The persistence of this rhetoric of exchanges of favors in a system that is, at the same time, so punctiliously monetized is a reflection, again, of the hybrid social organizational form that was the Mexican police, a hybrid that, as I said, melded a public bureaucracy with a privatized, entrepreneurial, organization.

Two kinds of policemen, and the matter of the 'honest cop.' This organizational logic produces as its consequences two poles toward which any one policeman gravitates, one of them is conservative and the other is predatory. These gravitational poles reduce the margins of operation of any fresh and idealistic recruit of the sort that our reformists had pinned their hopes on, as if the characteristics of our police were a subjective matter.

The golden rule of the policeman that gravitates toward what I'm calling the "conservative" pole is summarized in a popular police maxim: "If you want to get to be an old cop, play dumb and look askance" (*Si quieres llegar a ser policía viejo, hazte pendejo*). One of the Guadalajara policemen interviewed by Suárez de Garay portrayed this sort of cop in the following terms: "Those are the sort of short, fat, lazy cops (*chaparros, panzones y huevones*) that if anything (bad) is happening, they won't come out and support you."¹⁷ The policemen who gravitate to this "conservative" pole are less aggressive, less exploitative and less violent than the ones who tend to the opposite pole, that I'm calling 'predatory,' but on the other hand they are also more passive-- often to the point of indolence. Arteaga and López describe the daily patrol of a team that was led by an officer of this school, whom they call Mario:

"They then came upon two individuals fighting outside a bar, but the policeman ignored them. On the main avenue of that zone they saw two soldiers drinking beer in the street and having a loud argument. The policemen passed them by. While driving on a secondary artery they received a report that two guys were holding up a hair salon. The policeman did not respond to the call. Around eight at night a woman approached them in torn clothes reporting that her husband had beaten her. The policeman ignored her too. Around nine at night, a taxi driver reported that he'd been robbed. The policeman said to

¹⁷ *Policías, una averiguación antropológica*, p.195.

his partner: if they mugged him it's because he's an idiot (*por pendejo*). At eleven at night the patrolman took a snooze."¹⁸

The opposite sort of cop is interested in making as much money and in getting as many daily benefits as possible, and for this reason he's a lot less passive than the conservative type. In a day of patrolling like the one we just described for Mario, the predatory cop would have stopped the fight outside the bar-- taking some personal risks, perhaps-- and he would have gotten money from the brawling parties in exchange for not taking them into the station; he would have tried to catch the guys who were robbing the hair salon and would have kept all or most of what they'd stolen; he would have taken the beaten woman to give her husband a scare, and extort him (and, perhaps, her as well); he would not have intervened in the soldiers' argument, because they belong to another corporation, nor would he have responded to the taxi-driver's call for help, because he'd already been robbed and the thief had already left.

Many reformists seem to imagine that between these two poles lives the unicorn that they are looking for: the honest cop. And, in fact, there are honest people who opt for a policing career. However, once they enter the corporation, their ability to perform that honesty is restricted since, first, they must guarantee daily delivery of the rent (*entre*) to their superiors, which means charging informal and some formal businesses for protection; if they want to be promoted, they shall have to pay money for the 'favor'; if they need any assistance from other police, they'll have to offer some remuneration. And, finally, if our unicorn decides to report the misdeeds of any companion or officer, he shall be violating the precept of 'not ratting out' that is a cardinal principle for the corporation, and will then need to face those consequences.

Suárez de Garay's study-- which was undertaken during years of intense reform in the 1990s, when human rights were being introduced to police practice-- reports the feeling of isolation and loneliness that was common amongst newly recruited police officers, who "Fear taking risks, not only in routine policing activities, but also in interpersonal relationships that might end up leaving them unprotected, especially because of the combination between the logic of (dis)loyalty and labor insecurity."¹⁹ The consequences of this feeling of isolation, compounded by the complicity that comes together with silence and with the need to collaborate and follow certain rules, leads the newly recruited officers toward either the conservative or the predatory pole.

What the Police Does. These considerations allow us, finally, to consider what it is the police did before the reforms, and before the crime waves of the 1990s. The 'passive' policeman was a figure who tended mainly to the rents or to bribes that were very easy to secure. "Mario" thus explained the daily routine to his newly assigned trainee. The first thing in the day was to "collect the rents":

¹⁸ "El aprendizaje de un policía," *op cit.*

¹⁹ *Op.cit.*, p. 187.

"The rents are the way in which the police charges people who sell beer, pulque or wine without a permit. It is the way that the police gets money in exchange for offering security to the stores, liquor vendors, bars, pulquerías, butchers, hair salons, etc. It is an agreement between the store-owners and the police."

He then explained that these rents went along with a responsibility: "We don't do work for work's sake: you will help the businesses that pay for the service, let those that don't cooperate go to hell."²⁰

The minimum of work that a policeman does, then, is to offer protection to the stores and street stalls that pay rent, and to establish the presence of the police in the territory by way of making daily rounds. These daily rounds serve to establish a visible presence, which is also one of the primary functions of the police, since police presence offers a possible route to pull the state in as a possible ally, when a person faces a violation of the law. Police presence in public space thus opens a possible line of state intermediation in social conflict.

On the other hand, the existence of a group of policemen of the predatory type enforces the police's role as inhibitor of rule breaking, because disorder is the space that the predatory policeman relies on for his extortions. Thus, the officer explained to his trainee: "Never doubt anything that seems suspicious to you, because it is suspicious for sure; forge ahead to uncover it: it means money."²¹

Interventions of all suspicious activity can sometimes be quite violent, in order to dissuade objections or to punish, or sometimes for the pleasure of producing fear. There is evidence of that the routine use of violence was a factor of self-selection for some policemen. Thus, security expert Ernesto López Portillo cites an evaluation of 15,708 policemen carried out by CENEVAL in 2004 and 2005, that found that only 33% of police officers had psychological traits that were compatible with a serene and responsible performance of their duties; 22% were recommended for preventive therapy, and 35% for a deep psychological evaluation and/or continuous therapy.²²

The new recruit who Arteaga and López followed in his daily rounds ended up gravitating toward the rapacious pole, so he paid his bosses money to be reassigned, left our passive and conservative Mario, and became the trainee of "Ricardo", who after collecting the daily rents (which had been Mario's main activity), patrolled the neighborhood "in search of drunks and drug addicts, who were then detained with shouts and blows to their legs-- he robbed them of all of their belongings." He also extorted prostitutes and homosexuals, took drugs from users and some dealers and then sold them on the side... all of this with frequent displays of violence."²³

²⁰ "El aprendizaje de un policía"

²¹ Arteaga y López, "El aprendizaje de un policía".

²² Ernesto López Portillo, *Accounting for the Unaccountable: The Police in Mexico*. In *Mexico's Security Failure: Collapse into Criminal Violence*, edited by Paul Kenny, Mónica Serrano and Arturo C Sotomayor. New York: Routledge, 2011, p. 110

²³ "El aprendizaje de un policía"

Indeed, even our passive Mario was not above using violence when it suited him. Thus, he explained to his trainee what needed to be done if a bar-owner stopped paying rent:

"... if they do that they can be disturbed in their businesses, and in the case of bars that resist payments, the police can go in and rape their prostitutes. As you will see, everything in this trade involves reciprocity."²⁴

In sum, the order produced by the police can be characterized as follows: First, it creates a distinction between protected and unprotected businesses, and allows the second to be more vulnerable to certain sorts of problems-- at times created by the police itself; second, it inhibits public displays that are contrary to the law, since any suspicious act attracts police attention and extortion; third, it establishes the presence of the state in public space, and positions it as a mediating instrument in relations of conflict. For example, had the woman who complained about her violent husband to "Mario" had the (good or bad) fortune of having taken the accusation to "Ricardo," her husband would have paid heavily for his abuse. The presence of the police in public space is thus a resource that social actors can try to harness in order to defeat others: a storeowner who pays rent can sick the police on a street vendor who places his stall nearby, for instance. The public presence of the police does not place the state in a position of impartial judge, but rather of a possible ally, who is interested in the production of an order that shall benefit some, to the detriment of others.

One of the most common mistakes in popular and media images of the police is that it doesn't do anything-- or that it only gets in the way of things. It is certainly true that many of their methods are identical both in form and in their effects to those of the common thief, but the combination of some bureaucratic/political regulation, manifested in the payment of *entres* (rents) that move from the bottom toward the top, as well as in the maxim that the brass is always right, and the fact that extortion consistently uses transgressions of the law as their pretext and point of reference, alongside the fact that the police is used by society as an instrument with which to resolve conflicts means that the old police did produce an order-- albeit a very unjust one-- and that it could not be robbed of its mode of operation without other violent actors filling the void.

Conclusion. In the first lesson in this cycle on the tear in the social fabric I proposed the idea that Mexico is witnessing the birth of a new kind of state, characterized by a lot of sovereignty and a diminished ability to administer justice. And, more precisely, by a lot of investment in sovereignty paired with the neglect of the state's ability to regulate violence as an everyday factor in the production of order and disorder. This process involved the intensification of the processes that I characterized today as the state's estrangement from itself, and in particular from its police apparatus. Today I located the origin of this process of estrangement in the regime change that began in the early 1980s, and in the loss of

²⁴ *Ibid.*

control over common crime-- the crime waves-- that also began in the 1980s, but that scaled up dramatically in the 1990s, and whose causes we still ignore.

From there, we moved toward an analysis of the way that the police worked in the era immediately prior to the one that is now developing. I showed that the police that the reformers of the 1990s and 2000s were trying to change was a hybrid social organizational form, that combined principles of modern bureaucracy with a system of private entrepreneurship wherein each policeman could operate as an independent agent, though with limits that were set by what I characterized as a kind of license to rob, akin to the sort of licensing that was once offered to pirates. Each officer's labor conditions was determined within the parameters dictated by a chain of command, that routinely weighed monetary considerations against political instructions or considerations. For this reason, the old Mexican police worked in an economy in which every task was *at once a favor and a monetary transaction*, in other words, a political act (a 'favor') and a commodity.

This system had the important characteristic of coming very cheap to the Mexican state, since the majority of the police's operating costs were paid for by society, by way of bribes and extortions, thanks to the entrepreneurial actions of all policemen. For this reason, too, the police as a corporation was run with a very high degree of authoritarianism, with rampant abuse of the lower rungs by their superiors. Since governmental budgets for the police represented only the smaller part of the corporations earnings, authorities had relatively few material incentives that they could use to regulate the work of their subordinates, which made abusive authoritarianism into an important and routinely used resource for the chain of command.

When Mexican governments decided that they wanted to reform this system, they thought that the key problem was the police's poor salaries, their poor professional training and, more generally, insufficient public investment in security. Reformists also had the idea that they could purge the forces of their most violent and corrupt officers, and substitute them with honest and better trained officers. This strategy had some virtues, certainly, but it soon butted against a reality that it found incomprehensible: insecurity and violence kept increasing, despite an enormous jump in public spending.

We still do not have a detailed study that explains the rise in criminality and especially in criminal violence that began in the 1990s, and there were undoubtedly many factors that contributed to it. We shall inspect some of those in my next lesson, but my comments today identified at least one of them, which was the lack of attention that reformers paid to the-- unjust, violent and corrupt, certainly, but also real-- role that police played in regulating the social order.

In the face of the political pressure that insecurity generated, and without finding a key that allowed them to transform Mexico's hundreds of police departments into a modern and professional apparatus, the Mexican state moved from its initial distancing to deep estrangement from its police, and from there to the almost total neglect of municipal and preventive policing, in favor of military deployment.