Hybrid governance in Latin America

A case study of the response of Mexican criminal syndicates to the COVID-19 pandemic

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I / Intro

I / A / Context of the study

Political science research in the Western academia has long been dominated by the state-centric approach that emerged with the Westphalian order. Although initially relevant to understand legal and political realities at least in a Global North context, this view has been challenged in the last decades. (Zumbansen, 2018). In the late nineties, the idea of hybrid governance arrangements appeared in the literature. It still treated the sovereign state as the central actor, but it let emerge the idea that alternative sources of power could exist, and that different authorities could coexist. (Borys and Jemison, 1989)

As such, it set the premises for the current literature on hybrid governance. This literature has then been developing in particular in the study of African countries, where the Western conceptualization of the distinction between legitimate and illegitimate actors happens to be less relevant. (William and Brooks, 2009) This opened the way to the research on hybridity as the coexistence of different orders of social domination without mutual recognition and consent. This research area is very recent and still developing but the literature on the topic has proven very relevant in the study of Global South countries. The fields of application of this concept in the academic literature are diverse but still too limited. Therefore, this dissertation arises from the consideration that it would be interesting to further investigate the applicability of this under-exploited notion. In particular, it will be looking at criminal organizations in Latin America.

I / B / Research question

This study responds to the following research question: *Can hybrid governance be a relevant analytical tool to understand the nature and functioning of criminal syndicates in a Global South context?*
This dissertation answers this question through an inductive reasoning built on the case study of Mexico during the COVID-19 pandemic. More specifically, it investigates the policies implemented by the Mexican state or the lack thereof, and the response of local criminal syndicates. Indeed, this case study provides a particularly valuable example for Latin America due to the contested management of the pandemic by state authorities and the blatant provision by the criminal groups of state-like services and the building of their authority among the population.

I / C / Purpose of the dissertation

I / C / 1. Aims and objectives

The central aim of this thesis is to study whether the notion of hybrid governance can be a relevant analytical tool to understand criminal syndicates in the Global South and analyze their actions in the society. In particular, this study draws on the case of Mexican cartels amid the COVID-19 pandemic. It researches their response to the crisis and investment in the local population. It looks at the services they provided during the pandemic, the favors they did, as well as the gratitude, legitimacy, and authority they gained in exchange.
For this purpose, the dissertation is built around the following objectives:

1. Provide a comprehensive literature review on hybrid governance in order to define the notion, identify its chore characteristics and determine its traditional field of application.
2. Provide a comprehensive literature review on the variety of schemes found in the academic literature in regard to the

relationship and power balance between state actors and organized crime groups.

3. Research the policies implemented by the Mexican state during the COVID-19 pandemic and the practical response of Mexican cartels.
4. Analyze the actions undertaken and research the perception of the criminal syndicates among the population, to explore their authority in front of state actors, in order to test the relevance of the notion of hybrid governance in this case study.
5. Produce an overall evaluation of the applicability of the concept of hybrid governance to the criminal syndicates in Latin America, and more broadly in the Global South context.

I / C / 2. Contribution

This thesis ambitions to have a double added value. Indeed, it brings both an empirical and a theoretical contribution by exploring the notion of hybrid governance through the case study of Mexican criminal syndicates.

I / C / 2.1. Empirical contribution

On one hand, this thesis fits within the organized crime literature. In particular, it contributes to the study of criminal adaptability and resilience in times of crisis. It explores the case study of Mexican criminal syndicates amid the COVID-19 pandemic. In this regard, it enhances knowledge through an empirical contribution. It investigates the response of Mexican cartels to the COVID-19 pandemic. Through combining the scattered data available in institutional reports, and local and international newspapers, this dissertation provides a structured

analysis of the actions undertaken by the criminal syndicates, and the services they provided the local population with.

I / C / 2.2. Theoretical contribution

On the other hand, the major added value of this works resides in its theoretical contribution. Indeed, this thesis aims not only at expanding the academic literature on hybrid governance, but at contributing towards a new understanding of the notion of hybrid governance, by expanding the applicability of the concept itself. As detailed earlier, this notion is traditionally used for other sub-state actors, such as ethnic groups, religious institutions or even terrorist organizations, while the action of criminal groups is almost never read through those lenses. This dissertation aims at generalizing the relevance of the use of hybrid governance in the analysis of criminal syndicates. As such, it will also bring a theoretical contribution to the organized crime literature by suggesting a new axis of analysis to approach organized crime groups.

I / D / Structure overview

This dissertation is structured around seven chapters. Each chapter builds on the preceding ones in order to further deepen the analysis and delineate the key findings. This section concludes the first introductory chapter, which aims at setting the framework for this study and explaining the approach chosen for the research question.

The second chapter corresponds to the literature review. It starts by setting the theoretical framework for the research. It therefore defines the notion of hybrid governance, identifies the key characteristics that will be used in the analysis, and presents its usual field of application. The second part of the literature review is dedicated to the study of the

existing academic literature on Organized Crime. It explores the existing theories on the relationship between criminal groups and state authorities. Finally, it looks at the relevant works on Organized Crime in Latin America in order to explain how Mexican criminal groups are approached in the literature.

The third chapter introduces the methodology chosen for this qualitative study. It presents the motivations behind the research design. It expands on the selected method and its purpose. It then explains the data gathering process and justifies the use of the selected sources. Finally, it also discusses briefly the reflections occurring in terms of limitations and ethical considerations.

The fourth chapter is the heart of this work. On one hand, it introduces the case study. It first looks at the existing publications on the stakes of the pandemic in terms of authority and governance. It then presents the particular policies implemented by the Mexican state and the response of the criminal syndicates through an analytical approach by also explaining the motivations and criticisms behind those actions. On the other hand, it analyzes those events and actions in the light of the concept of hybrid governance. In particular, it assesses the core characteristics of this notion against the case study, in order to test its applicability to Mexican criminal syndicates amid the pandemic.

The fifth chapter draws the conclusions of the previous analysis. It first presents the findings deriving from the case study, confirming the relevance of the prism of hybrid governance to analyze the response of Mexican criminal syndicates to the pandemic. It then suggests that this reasoning could be extended to criminal groups in a broader Global South context in order to further test the academic relevance of hybridity as an analytical tool to approach organized crime.

The sixth chapter consists of the conclusion of the dissertation, while the seventh chapter captures the resources exploited for this study.

II / Literature review

This section presents the literature review in order to situate this study in the academic literature as well as to introduce the background information necessary for the understanding of the analysis. As such, it first covers the theoretical framework of the dissertation by introducing the concept of hybrid governance, defining its core characteristics, and identifying its scope. It then looks at the notion of organized crime and presents the challenge found in the academic literature on its relationship to the state. Finally, it provides an overview of the trends related to organized crime specifically in Latin America and in Mexico.

II / A / Hybrid governance, object of study and theoretical framework of the dissertation

Traditionally, the relationship between state and non-state norms is either explained by the notion of legal pluralism or read through the lens of hybrid governance. (Reyntjens, 2015) This research is conducted within the theoretical framework provided by the literature on hybrid governance. This literature has emerged from the observation of the appearance of new forms of order in front of states considered as “failed” or “weak”. (Meagher et al, 2014)

II / A / 1. Overview of the existing definitions for hybrid governance in the academic literature

The academic literature on hybrid governance reveals a plurality of schemes in the relationship between state administration and non- or sub-state actors. The concept of hybrid governance itself remains contested and in constant evolution. (Albrecht and Moe, 2014) Primarily

though, it refers to organizational situations in which local institutions and non-state actors fill gaps in state capacity (Meagher et al, 2014) by ensuring a role classically attributed to the state. (Colona and Jaffe, 2016).

Hybrid governance reflects therefore a situation in which seemingly contradictory sources of authority coexist, especially in regard to order-making. State and non-state actors become co-rulers, sharing control over territories and populations. (Colona and Jaffe, 2016) Hence, the authority of the state is challenged, by a non-state actor. The latter, which does not aim at replacing the state institutions, still highlights the gaps in their capacities and develops a state-like authority. (Albrecht and Moe, 2014)

Hybridity is the result of a hybridization process. This refers to the "mixing and reconverting of sources of authority and power, and the reconfiguration of political orders". (Albrecht and Moe, 2014) This process, resulting in the simultaneity of different orders of social domination, often reflects the interaction between legal and extra-legal actors. (Dewey et al, 2016) Such scheme is of particular relevance when studying criminal organizations.

In the ideal case of formal negotiations between the actors involved, this process can result in the peaceful emergence of a new social contract. The mutual recognition of the actors allows for the building of an optimal system of competence sharing permitting a good governance and to respond to the population's needs. However, the trajectories implemented by those actors do not always converge in such a synergistic fashion. Most often indeed, this coexistence causes the fragmentation of the already fragile formal authority and contributes to the empowerment of illegitimate social forces. As such, the outcomes of such schemes can go from a coherent and stabilizing collusion to open contestation. (Meagher et al, 2014)

Such notions have largely been applied to African governance systems. All over the continent, non-state institutions of governance exist, despite the claimed authority of internationally recognized states. Diverse “intermediaries”, going from local communities to kinship or religious faith groups, compensate for the lack of authority of the central state by effectively functioning as a “second state”. (Bagayokoa et al., 2016) However, this concept remains under-exploited in the analysis of governance realities in Latin America, despite its particular relevance, which this research aims at illustrating.

II / A / 2. The core characteristics of hybridity

To recognize schemes of hybrid governance, different characteristics have been identified across the literature. The situation reflects the interaction between official and unofficial norms. (Reyntjens, 2015) Most often, those norms correspond respectively to legal and extra-legal actors. (Dewey et al, 2016) The fragile state actor showcases a gap in its capacity, which is filled by the non-state actor. (Meagher et al, 2014) This phenomenon does not necessarily occur equally in the entirety of a country, but usually affects the “unsecured borderlands”, which refer to the areas considered as ungoverned or insecure in the absence of a monopoly of violence by the state. (Luckham and Kirk, 2012)

The non-state actor creates jobs, supplies basic services, and provides socio-economic support. This allows the non-state actors to build its own authority among the population. Such factors are largely facilitated in times of economic crisis, or contexts of social marginalization and persistent inequalities, which impact social expectations. (Dewey et al, 2016)

The assistance provided can also relate to diverse security needs. As the target of those services are the citizens, security here is to be

apprehended in its human security understanding, as defined by the United Nations Commission on Human Security in 2005. “Human security means […] creating political, social, environmental, economic, military and cultural systems that together give people the building blocks of survival, livelihood and dignity.” (United Nations Trust Fund for Human Security Human Security, n.d.)

As such, hybridity can be observed in policing and security provision, hence incorporating a security component. (Colona and Jaffe, 2016) Indeed “‘Hybrid’ security arrangements are characterized by complex interactions among a variety of actors following different animating logics and drawing on varying sources of authority within fragile and conflict-affected spaces.” Security is hence delivered by a combination of state entities and a variety of alternative primary providers. (Luckham and Kirk, 2012) The security component of ‘hybridity’ is particularly interesting when looking at criminal gangs, given the coercive power they often benefit from. (Colona and Jaffe, 2016)

Those activities empower the non-state actor, which expands its presence and visibility and develops a state-like authority based on consent and order (Meagher et al, 2014) making it responsible for the enforcement of norms (Dewey et al, 2016). A state-like authority derives from the recognition by the governed population of the legitimacy of the entity or of its particular knowledge and competence to rule. It implies the submission of the population to this entity, at least temporarily. (Gaziaux, 2006) Such authority can rely on territorial control, a feeling of belonging among the local population, and the spreading of a symbolic language. (Albrecht and Moe, 2014)

II / A / 3. Traditional fields of application of hybrid governance in the academic literature

As explained, hybrid governance schemes can result from the interaction between state authorities and a diverse range of actors. Even though the literature does not expand much on this, the latter could include international entities, such as aid agencies, multinational corporations, and foreign governments (Meagher et al, 2014) or terrorist groups. (Rosato, 2016) However, the traditional fields of application primarily focus on informal institutions and diverse local organizations. (Bagayokoa et al., 2016) A limited number of research articles also give hints on the expansion of hybrid governance to criminal groups.

II / A / 3.1. Informal and local institutions

The notion of informal institutions recurrently appears in the hybrid governance literature examining African countries. Those institutions can broadly be understood as “socially shared rules […] that are created, communicated, and enforced outside of officially sanctioned channels”. (Helmke and Levitsky, 2004) They are “structured around implicit practices, social understandings, networks of interaction, and socially sanctioned norms of behavior […] commonly and widely accepted as legitimate”. (Bagayokoa et al., 2016)

Traditionally, it is institutions such as local communities, traditional courts and justice institutions, kinship groups, religious faith groups or associations for the protection of individuals, that are categorized as informal. (Meagher et al., 2014; Bagayokoa et al., 2016) They generally correspond to local, small-scale, and more intimate and compelling moral communities. They are deemed to apprehend the needs and concerns of the daily lives of most Africans better than official state authorities. Perceived as less abusive, they can benefit from a considerable legitimacy among the population. As such, they are often held in higher esteem than the official institutions. Indeed, a citizen who

would never steal from a neighbor or his local mosque or church, could feel fewer qualms in defrauding the state. (Bagayokoa et al., 2016)
These considerations reinforce the governing capacities of such institutions in front of the state. Their coexistence results in hybrid governance schemes. Overall, the latter appear to provide more grounded and sustainable systems of organizations. (Meagher et al, 2014)

II / A / 3.2. Organized crime groups

In the organized crime literature, the notion of hybrid governance almost never appears. No comprehensive research has yet been published on how organized crime groups could fully fit within a hybrid governance scheme. However, two authors stand out. One explores in depth the notion of hybrid arrangements with Jamaican gangs in regard to security governance. (Jaffe, 2012; Jaffe, 2013; Meikle and Jaffe, 2015; Colona and Jaffe, 2016) Another very briefly touches upon the relevance of the hybrid governance prism to understand the role of drug cartels in the Mexican society, though without expanding on the nature of their activities. (Rosato, 2016)

II / A / 3.2.1. Security governance by Jamaican dons

In Jamaica, criminal ‘dons’ often play an unofficial governance role, ensuring crime prevention and dispute resolution. The repression they implement against criminals ranges from simple warnings and fines to beatings or execution. Such violence deters potential perpetrators both within and outside their neighborhood. (Jaffe, 2013) Jamaica has limited law-enforcement capacities and high crime rates. The formal justice system is considered as biased and inaccessible (Jaffe, 2012). The state

is perceived as corrupt and the police as unreliable. In such a context, the extra-legal form of ‘self-help’ law and order offered by the dons often represents the only form of protection for the citizens. (Colona and Jaffe, 2016)

However, the dons are also deeply entangled with the state apparatus, which acknowledges their power and role. The Jamaica Constabulary Force actually encourage their informal function in dispute resolution and refers victims and perpetrators to this system. This cooperation reflects a conscious decision to engage in a hybrid security scheme with extra-legal, private security providers. (Meikle and Jaffe, 2015). Overall, legal and extra-legal actors, involved in providing security and ensuring dispute resolution, share information and practices within the framework of interactions that are less competitive than complementary. (Colona and Jaffe, 2016)

II / A / 3.2.2. Hybrid governance with Mexican drug cartels

Only once in the academic literature is hybrid governance mentioned as a useful tool to analyze Mexican drug cartels. These groups challenge the legitimacy of the state, especially where democracy is already severely undermined by established political corruption. The cartels have the capacity to create and enforce their own local taxation system, provide security services to the selected citizens, and regulate the informal economy by dominating it with their illicit business. By fulfilling “certain functions typical of the state”, they take on characteristics of an alternative government, infiltrate the social fabric and gain consent among the population. (Rosato, 2016; Sullivan and Elkus, 2009)

II / B / Organized crime and the relationship between criminal groups and the state

II / B / 1. Conceptualizing organized crime

II / B / 1.1. Overview of the existing definitions of organized crime in the academic literature

Used to refer to criminal phenomena regarded as serious social problems, organized crime appears to be an umbrella concept. (Paoli, 2014) No definitional consensus is to be found in the academic literature on organized crime. Indeed, from a country to another, criminal groups can differ greatly in nature, structure, and purpose. In particular, there is a substantial discrepancy between Global North and Global South realities, the latter being too often overlook in a Western-centric literature. The following sections will expand further on this divergence of realities and research angles, but this consideration has to be kept in mind in the initial approach of organized crime literature.

As a consequence, the definition of organized crime can differ greatly, but certain understandings are recurrent. (Von Lampe, 2017) In the literature, it is widely considered as referring to the organization of crime, associated with the provision of illicit goods and services. In the collective imaginary, it is depicted as the organization of criminals, who combine their skills and resources in an association or employment scheme. Most often, those two rivaling notions are comprehended as going hand in hand. (Paoli, 2014) Finally, for some authors, organize crime can also designate the exercise of power by criminals in the form of a hierarchical underworld government. (Von Lampe, 2016)

To this overview of the academic literature on the topic, it would be relevant to exceptionally add a non-academic entry by considering the

approach of the United Nations Office on Drugs and Crime, widely recognized for its expertise in this area. Organized crime groups, mostly treated as synonymous with organized crime in the academia, (Von Lampe, 2017) are defined by the United Nations Convention on Transnational Organized Crime as “structured group[s] of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit”. (UNODC, 2004) To this generic presentation needs to be added a specific knowledge based on the geographical and criminal contexts, which will be the subject of later sections of the literature review.

II / B / 1.2. Context and key characteristics of organized crime

This diversity is also reflected in the components identified by the authors as the core characteristics of organized crime. However, certain components appear recurrently in the literature, namely:

- A hierarchical governance structure maintained by the use of force or the threat thereof
- A system of production and distribution of illicit goods or services, often in a monopolistic scheme
- A certain degree of sustainability and capacity to self-perpetuate in time (Grennan and Britz, 2006; Kelland, 1987)
- A common sense of belonging reinforced by a specific sub-culture (Ayling and Broadhurst, 2011; Lupsha, 1981; Lupsha, 1983 ; Papachristos and Zhao, 2015)

In the literature, the emergence of organized crime is considered to be associated with a certain degree of social-cultural disorganization, referring to the inability of a community to achieve the common goals of

its members to maintain effective social controls. (Arlacchi 1986; Levi and Maguire, 2004; Steffensmeier and Martens, 2001; Sampson, 2012). Often, this disorganization is complemented by a weak government, perceived as corrupt, unstable, or inadequate to rule and leaving therefore a governance vacuum exploited by criminal groups who ensure the self-protection and provide quasi-governmental services. (Steffensmeier and Martens, 2001; Papachristos and Zhao, 2015) Finally, according to functional theories, organized crime groups aim at providing societies with the services they lack, including employment opportunities and supportive welfare systems, or prohibited activities involving illicit goods and services. (Steffensmeier and Martens, 2001; Papachristos and Zhao, 2015)

Finally, another recurrent characteristic emerges in the academic literature: the use of corruption. Organized crime is considered to use its ability to corrupt public agents to neutralize governments and the state. This allows it to avoid or limit the risks of investigation, arrest, and persecution. (Casar 2015; Sabet 2013; Chêne, 2008)

II / B / 1.3. Purpose and activities of organized crime groups

Organized crime groups are considered to be principally motivated by economic gain. Those monetary gains can be pursued through an array of legal and illegal high profit-generating schemes. Those schemes most often combine a broad range of counterfeiting, trafficking and smuggling activities, diverse forms of extortion and kidnapping, fraud and thefts, and also gambling. The first source of income for those criminal groups is considered to be the supply of goods and services, which are illegal, but still highly demanded. (Van Dijk, 2007) All those income-generating activities are followed by financial crime and notably money laundering. The growing use of technology led organized crime groups to also

incorporate cyber techniques into their schemes, either committing cybercrimes themselves or using cyber tools to facilitate their other illicit activities. (Viano, 2017)

Criminal organizations are set to respond to the basic needs of their members: access to resources has to be guaranteed, in order to facilitate the commission of crimes. According to some authors, shared ideology is needed to justify criminal behaviors. Often, the search for a social status is also a driving factor. Finally, criminals need to ensure their security, both from prosecution and from other criminals. (Best & Luckenbill)

To further facilitate the conduct of their illegal activities, preserve their members, expand their markets, and increase their profits, organize crime groups might need to supplement these economic objectives with power, both at a local and global level. On one side, they can use corruption to ensure a protection from interference by the police and the courts. (Casar 2015; Sabet 2013; Chêne, 2008) On the other, the obstacles to their business are often eliminated through violence, in the form of coercion, intimidation and murder. Finally, criminal groups increasingly invest in the legal economy, engaging in legitimate businesses, often implying illegal acts though, notably to eliminate competitors. (Sabet 2013)

II / B / 1.4. Typology of criminal organizations

There is no single structure under which all criminal groups would operate. Their organization can vary from hierarchies to clans, and from networks to cells. However, according to the literature, most groups could fall under three basic formations: entrepreneurial, associational, and quasi-governmental structures. (Von Lampe, 2016)

Entrepreneurial criminal structures are the least relevant for this research, as they mostly respond to economic purposes. They aim at producing financial gains and material benefits. Under such organizations, criminals act as lone offenders, connected purely for convenience. They coordinate their resources, skills, finances, and equipment, in order to facilitate the commission of market-based crimes, reduce the risks, and augment the profits. (Von Lampe, 2016) Associational criminal structures are particularly interesting as they add a social component. They delineate a group with a clear distinction between “us” and “them”. Internally, they develop a specific sub-culture, establish bonds between their members, and create a sense of belonging. This is particularly the case for mafia-type organizations. (Von Lampe, 2016) Finally, quasi-governmental criminal structures also serve governance functions. In particular, they define and ensure property rights, enforce contractual agreements, and can even promote the common good through collective action. (Paoli, 2014; Skarbek, 2014, Von Lampe, 2016).

II / B / 2. Diverse approaches to organize crime in the academic literature

II / B / 2.1. A multidisciplinary object of study

The lack of consensus on what constitutes organized crime is also to be understood in the light of the multidisciplinary character of this research subject. Indeed, sociology, political science, economics, and law all look at very different aspects of organized crime. For instance, political science mainly covers topics related to governance, power, legitimacy, and corruption. However, the study of organized crime in political science remains limited as these criminal groups and their violence are

usually not perceived as political. (Barnes, 2017) International relations and security studies too often overlook the threat of organized crime, as many Western states tend to not treat it as a threat to their national security, and therefore fail to incorporate it adequately in their grand strategies. (Williams, 2012) Sociology traditionally looks more at the root causes behind organized crime. It analyzes the context in which it emerges to define the factors contributing to a fertile ground for the development of criminal activities. It also explains how its relationship to society reinforces its perpetuation, through mechanisms of power and legitimacy. Finally, economics tend to view the criminal group as an economic actor, in line with the 'homo economicus' principle. After all, the United Nations Office on Drugs and Crime identifies organized crime as "a continuing criminal enterprise that rationally works to profit from illicit activities that are often in great public demand." (UNODC, 2021) Economics, therefore, principally studies the incredibly profitable business model of those illegal enterprises. (Kleemens, 2012; Monnet, 2021)

II / A / 2.2. Main research angles to analyze organized crime structures

Those different approaches have led to different theories to research organized crime. (Paoli, 2014) Four conceptual paradigms emerge from the academic literature. Criminal groups are approached as ethnic subcultures, as bureaucracies, as patron–client structures, or as networks. (Papachristos and Zhao, 2015)

The ethnic sub-culture paradigm emerges from the need of an ethnic group to survive in a foreign environment. This ethnic group usually has a repertoire of already settled traditions, values, practices, and common understandings, which will be manipulated to promote the activities of

the criminal group. A representative example would be the development of the Sicilian mafia in the United States during the prohibition.

Criminal groups and especially associational criminal structures tend to have well defined hierarchies. They can be analyzed as bureaucratic systems, if not institutions, with strictly top-down decision-making processes. They are then perceived as rational and coherent actors, just like other legal entities or enterprises.

The patron-client paradigm highlights that the relationships around the group operate in a centralized manner. Power and resources remain in the hands of a central figure, who is approached for services and access to those resources. This “boss” interacts with the clients on the sole basis of a negotiation, often involving indebtments or promises of loyalty and allegiance (Steffensmeier and Martens, 2001). Personal relationships are therefore invaluable in the conduct of the criminal activities.

Finally, organized crime is increasingly understood as a network. As such, it is the interdependency between the different types of actors involved that is studied. This approach emphasizes the interconnection between the criminal and non-criminal sphere. As such, this approach is particularly interesting when considering the interaction between crime and state.

II / B / 3. The complexity of the state-crime relationship

II / B / 3.1. A literature largely dominated by limited western-centric approaches

As mentioned before reviewing the existing definitions of organized crime, the academic literature on this topic is largely dominated by western-centric approaches. The latter offer interesting insights on the functioning of criminal groups. However, this reading relies on a

particular assumption: the clear line drawn between criminal groups on one side and state institutions on the other. Indeed, most research articles portray them as two strictly distinct actors. This major weakness also reflects in their analysis, not allowing for much nuance regarding the "gray zone" between them, if not in the form of corruption. In this regard, corruption is too often treated as an anomaly of the system. Such perspective could be relevant in the study of crime in a Global North context but cannot be generalized to the Global South. In some Global South states, "there is not the clear distinction between political figures and criminal figures that is most familiar in the west" (William and Brooks, 2009). Those western-centric lenses do not allow to fully grasp the complexity of the relationship between state and crime, which can fit within a variety of schemes.

II / A / 3.2. Understanding the plurality of relationship schemes worldwide

Organize crime tends to develop in response to a combination of opportunities and incentives. In the Global South, the vulnerability of weak states and the lack of legitimacy of the state administration, as well as the propensity for corruption among political elites, represent considerable opportunities. (Armao, 2014) On the other hand, the lack of enforcement of the legislation against organized crime and money laundering, the borders' porousness, and the heavy reliance on informal economies, explain the very few constraints in front of organized crime. This explains how, too often, states in the Global South are uncapable of facing organized crime, and sometimes get involved with criminal groups. (Williams and Brooks, 2009)

Very often, the interactions between state institutions and those groups go far beyond simple acts of corruption. (Gounev and Bezlov, 2010)

Indeed, organized crime groups are opportunistic and flexible actors, who have always adapted their strategy depending on the geopolitical context, the economic situation, as well as their resources, influence, and intentions. In times of crisis, they know how to exploit the state fragilities at their profit. (Kleemans and Van de Bunt, 2008; Paoli, 2014) A fascinating illustration for this capacity is the establishment of charity refectories by Al Capone's men during the Great Depression. When the state was unable to provide, criminals started killing with one hand while feeding with the other. Another interesting case is the election as alternate member in 1982 of Pablo Escobar at the Colombian Chamber of Representatives as part of the Liberal Alternative movement.

That being said, most criminal organizations do not aim at replacing the state like this. However, engaging in state politics still remains a valuable investment ensuring the assets needed to perform their criminal activities. Therefore, criminal groups have constantly been increasing this engagement, through both collaborative and competitive relationships with the state. Sometimes, those relationships would be built around under-the-table negotiations, use of economic resources and corruption. Some others, it would be the heightened levels of violence that would let criminals gather significant political authority. (Barnes, 2017) As such, in times of peace and prosperity as well, their interaction with the state cannot be depicted with a simple black and white distinction. Widespread phenomena of collusion have finally blurred those lines. (Kupatadze, 2015) The relationship between state authorities and organized crime groups can therefore be structured around a plurality of schemes, which will be discussed in the next sections of the literature review.

II / A / 3.3. Relationships varying from competition to collaboration

The relationship between state officials and criminals can be placed on a broad spectrum of structures. When crime and state are clearly distinct, the most extreme confrontations can result in assassinations of the organized crime group members on one side and of politicians, judges, and law enforcement officers on the other. However, as explained, this distinction is not always this clear and criminals can negotiate with state institutions or infiltrate them. This variety has been summarized in the literature through a typology going from a competitive approach to a collaborative one.

On the competitive side, the relationship between crime and state can have two different expressions. The most competitive criminal groups can be involved in open confrontations with state authorities and engage in violent actions targeting them, with the intention to destroy or subdue them. Much more commonly though, the competitive relationship is more moderate, simply consisting in the absence of confrontation and collaboration. The state is not corrupt and aims at countering crime, while criminals try to evade the state security regulations. (Barnes, 2017)

Regarding the collaborative interactions, they can consist in an alliance. This refers to scenarios of either formal negotiations or tacit agreements between the state and the criminal group, on the basis of which the state reduces its enforcement efforts against the group. A mutual benefit comes from this cooperation, in political, economic, social and security terms. Finally, the highest level in the collaborative spectrum consists in integration. The criminal group is directly incorporated into the state apparatus, allowing it to conduct its illegal business undisturbed and engage in violent activities with impunity. Such scenario can be the result of the merge of forces of the initially distinct state and crime. Though, it can also arise from a situation in which state officials are at the origin of the criminal organization. (Barnes, 2017)

This generic typology covers a wide spectrum of complex schemes in the relationship between crime and state. A specific terminology has been developed to better explain the potential scenarios arising from this categorization. The following sections will expand upon the most relevant notions for this dissertation that can be found in the academic literature.

II / A / 3.4. The notion of captured states

The notion of captured states refers to a scenario in which the state and criminal organizations represent two distinct parties. However, the criminal groups involved benefit from considerable resources and power, making them particularly influential. In the case of a weak state, the administration is uncapable of facing those groups. Criminal groups use corruption to neutralize law enforcement and criminal justice institutions. This method, particularly frequent in Latin America, allows them to conduct their business undisturbed, and even benefit from state protection and favors. A representative example can be found in the Colombian case, displaying particularly powerful cartels. At the mercy of those criminal groups, the state is considered as “captured”. (William and Brooks, 1999)

II / A / 3.5. The notion of mafia states

At this stage, the notion of mafia state is particularly interesting to explore. It refers to a state system in which the government is so intimately tied with criminal groups, that it can be said to have been taken over by organized crime. The global economic crisis played a key role in enhancing this phenomenon. In a context of weak economy, fiscal austerity, and growing unemployment, cash-rich criminal organizations

benefitted from a considerable advantage. In particular, their ability to invest in legitimate businesses and to provide jobs to unemployed experts in finance, information technology and law, has represented an undeniable asset. (Kleemans and Van de Bunt, 2008; Naím, 2012) This allowed them to grow their power even within state institutions. In a mafia state, government officials, the police, and sometimes even the military, might join the criminal organization as full-fledged members. The national interest becomes inextricably intertwined with the interests of the criminal enterprise. Those dangerous groups can no longer be considered merely a law enforcement concern, but they become a serious threat to national security. Bulgaria, Guinea-Bissau, Myanmar, Ukraine, and Venezuela would be considered as mafia states. (Andreas and Naím, 2012)

II / A / 3.6. The notion of narco-states

The notion of narco-state goes one step further by referring to states, all legitimate institutions of which have been fully penetrated either by force, bribe, or blackmail, by the power and wealth of the illicit narcotics trade. They exist where the state institutions “direct drug trafficking activities or actively collude with drug traffickers, creating conditions where the elicit narcotics trade eclipses portions of the country's legitimate economy and where segments of society begin to accrue benefits from drug trafficking.” (Kan, 2016; Bunker and Sullivan, 2018) The narco-state is characterized by high rates of corruption, violence, and murder. However, it does not necessarily fall within the category of failed states. (Grayson, 2011) A narco-state can actually thrive by exploiting the state administration’s connections with the legitimate global economy. Finally, narco-states can operate in very diverse manners, according to their status, categorized as incipient, developing, serious, critical, or

advanced depending on the entrenchment of the drug trade. The most telling example is the coup by Luis Garcia Meza in Bolivia in 1980, financed by drugs traffickers. (Kan, 2016)

II / A / 3.5. The notion of criminal states

The “criminal state” scenario depicts a potentially similar reality, with the highest level of state-crime collusion. Here, it is not a powerful cartel that corrupts or takes over the vulnerable government. It is actually the government officials who are at the origin of the criminal network. The latter is “run by the government and closely related to the exercise of power”. State officials are “not only corrupted but actively criminal”. They initiate and organize the criminal activities for their own benefit. They use the official seal to protect their illegal business while looting their own country. This formation is frequent in the post-colonial Africa, in particular in countries such as Nigeria or Equatorial Guinea, where the establishment of democracy is particularly laborious. (Williams and Brooks, 2009; Wood, 2004)

II / C / Organized crime in Latin America

II / C / 1. Overview of organized crime in Latin America

II / C / 1.1. Latin American particularities

Since the fall of most authoritarian regimes in the region, criminal violence has been one of the main threats to human security in Latin America. (Hauck and Peterke, 2010) Often, this violence has been attributed to drug trafficking, which has undeniably catalyzed violence. However, this security problem is much deeper and find its roots in weak

governance and the presence of powerful non-state actors and in particular drug cartels. (Nagle, 2003; UNODC, 2012) Indeed, if drug cartels are widely developed and deeply entrenched in Latin America, it is not only because of the optimal weather conditions to grow plants used in the production of drugs and geographical situation to traffic them, but mostly because of the ideal legal and political context. (Bagley, 2013) Indeed, the institutional weakness of several governments, public administrations, and the crippling of the institutional capacity of law enforcement agencies, impedes a proper application of the law and created the adequate factors for the development of trafficking networks. (Aguirre and Herrera, 2013; Bergman, 2010; Brinks, 2020; Gonzalez, 2018; Zurbriggen, 2014)

Those transnational networks combine production capacities and transports roots across different Latin American countries. (UNODC, 2016) In particular, Colombia, Peru and Bolivia are known for their production of cocaine while Mexico is the main foreign supplier of cannabis in the region. Mexico appears among the major road trafficking roots alongside Guatemala, Honduras, and Costa Rica. Maritime transit relies on Venezuelan and Brazilian ports and often includes the Caribbean islands. (Bagley and Rozen, 2015) This traffic is operated by a variety of national and transnational actors, operating in the private and public sphere, going from Mexican drug cartels to Colombian FARCs and from corrupted public agents to Brazilian gangs and militias. (Barnes, 2017) All those groups, despite being different in nature and pursuing different purposes, have one commonality as they are characterized by high levels of violence. (Bagley and Rozen, 2015; Bagley, 2013)

II / C / 1.2 The Mexican criminal landscape

II / C / 1.2.1. Overview of the general structures

Alike its neighbors, Mexico is also characterized by its institutional weakness, with certain regions more affected than others by this phenomenon, such as the Michoacan. (Aguirre and Herrera, 2013) The lack of consolidation of democratic rules in those areas generates an institutional environment that undermines the power of the government and the rule it imposes, while favoring corruption, impunity, and delinquency. Mexico is caught in a security trap where all democratic efforts have been overridden by the dynamics of crime. (Bailey, 2014) The result in the last decades has been that Mexico has experienced high levels of violence, with up to 10'000 murders per year perpetrated by organized crime. (Correa-Cabrera, et al., 2015; Molzhan et al., 2018) Organized crime has been rising further in front of a weak state, which overall lost the monopoly of violence and of the use of force over its territory. (Correa-Cabrera et al., 2015, Manrique, 2019)

In front of the Mexican state, a number of criminal groups have been rising since the end of the Mexican Revolution in 1921, reinforced by the Prohibition. In the sixties, the sudden increase in the use of drugs caused an escalation in the levels of wealth, transnational connections, and corruption. The continuous strengthening of the ties with public agents that offered information and protection to the cartels, allowed for a considerable evolution in quality and sophistication of the criminal activities. Finally, in the nineties, they diversified to control the markets of heroin, marijuana, methamphetamines, and cocaine. (Beittel, 2015; Bunker and Sullivan, 2010; Carey, 2014; Molzahn et al., 2012)

At the time, three main groups operated across the country: the Guadalajara Cartel, the Cartel del Golfo and the Oaxaca Cartel. Since then, scisms and fusions have led to the coexistence of a dozen of criminal groups. (Saldaña and Payan, 2015) As they developed, those

groups have been fighting over unsecured borderlands and transit platforms. Of particular interests were the northern border and the eastern coast of the country. (Kelley, 2014) They have been the object of brutal territorial disputes between the cartels. (del Pilar Fuerte Celis, 2019)

II / C /1.2.2. Perception by the population of the criminal syndicates in front of the state

The daily criminal activities of the cartels, their rivalry with the state and the disputes among them have made the cartels particularly visible in the public sphere, allowing for the development of an informed public opinion. The perception of criminal groups by the society is particularly important in their study and to address them. (Allum and Longo, 2010)
A survey conducted in 2017, hence before the outbreak of the pandemic used as case study of this dissertation, revealed that organized crime was perceived by the Mexican citizens as the most powerful institution in the country, before the companies or the armed forces. The drug cartels gathered almost 40% of the responses, while only a quarter of the participants considered the President of the Federal Union as the most powerful actor in Mexico. (Parametria, 2017)
Indeed, the consideration of the Mexican citizens toward the capacities of their public authorities has suffered a serious decline since the launch of the war on drugs in 2006. Indeed, the poor results of this initiative revealed the weakness of the state and the strength and resilience of the cartels. (Sabet, 2018; Vilalta, 2013) Trust in public institutions has been damaged by increasing levels of violence, the succession of scandals revealing high levels of corruption in the public administration, the persistence of poor social conditions and the lack of economic support by the state. Presidential unpopularity reached a peak together with the

absence of legitimacy of the government at all levels. (Cantu and Hoyo, 2016) This trend might be reversed after the presidency of Andrés Manuel López Obrador, whose presidential campaign focused on his commitment to address criminality. As he was elected in 2018, the results of his efforts cannot be apprehended yet.

Alongside the perception of the power of the cartels, the survey revealed that half of the population considered that drugs should be legalized to avoid violence, while only 32% thought the society should fight against the illegal activities of the criminal syndicates. (Parametria, 2017) This result was particularly worrying as it revealed the lack of faith of the population in the state's capacity to respond to the threat posed by organized crime. (Barney Montalvo, 2018; Sabet, 2018) Also, the majority believed that it was better to tolerate delinquency to avoid further investments and costs.

However, this does not translate to as high levels of legitimacy for the criminal groups. Their legitimacy among the civil society is particularly interesting though in talks of governance beyond the state. (Meagher et al., 2014) Most Mexican citizens expressed a negative opinion on the benefits that could arise from the trafficking of drugs, with almost 85% positioning against it. Nevertheless, over a third of the participants expressed the opinion that the drug trafficking activities conducted by the cartels would be beneficial if they did not generate violence and almost half of the population considered that those activities generate progress. In particular, they were perceived as beneficial for the local communities of the criminals, in which they were considered to conduct more public work for the common good than the state itself. (Parametria, 2017)

This section presented the perception by the Mexican citizens of criminal syndicates in front of the Mexican state authorities before the occurrence of the case study selected for this dissertation. As such, it will be

particularly interesting to confront those considerations with the findings of the analysis in the following chapter.

II / C / 2. Relationship between criminal organizations and the state

II / C / 2.1. Common schemes in Latin America

Across Latin America, the relationship between crime and state takes a variety of complex forms which have been the object of a wide literature. The presence, activities and power of gangs, drug cartels, and other illicit national and transnational criminal organizations can severely threaten state sovereignty. The Latin American landscape combines first-, second- and third-generation gangs. (Manwaring, 2007) First-generation gangs have unsophisticated leadership, conduct small-scale, pettier, localized, and isolated crimes, and only pledge allegiance within their immediate surroundings. Second-generation criminal groups are more structured, with a centralized leadership focused on business. As such, they need to expand their scale and geographical presence, and develop complementary criminal activities to defend their market and members, including the use of violence to prevent the interference of state authorities and law enforcement agencies. (Sullivan and Bunker, 2003) Finally, third-generation gangs are more deeply anchored. They have built broader transnational markets with the help of several allies, criminal and non, and through the diversification of their business and crimes. This rise in their economic power went hand in hand with an increase in their socio-political power. As such, they have gained influence both over the populations through lucrative societal destabilization activities deepening the vulnerabilities of the communities and allowing for the control of ungoverned territory, and over the political institutions of the country by challenging their monopoly on the detention

and exercise of their political power and the use of force, allowing hence to secure their criminal activities and movements. (Manwaring, 2007; Sullivan and Bunker, 2003, Sullivan, 2020)

Such third-generation gangs are particular common in Latin America and often challenge the sovereignty of the state. (Sullivan, 2020) A relevant example would be the Primeiro Comando Da Capital, a Brazilian gang operating mainly in the *favelas* and jails of the country. (Barnes, 2017) This armed militia has been enforcing public security to become the "heroes" of the poorest suburbs while shedding light on and worsening the irrelevance of state authorities in front of security threats. (Cirino, 2006) Another illustration of this phenomenon is provided by the violent Jamaican *posses,* that have disrupted the internal affairs of most insular states in the region and placed themselves beyond the capacities of those states by investing part of their considerable ill-gotten gains into social and welfare services to compensate for the high levels of poverty and lack of upward social mobility. (Manwaring, 2005)

II / C / 2.2. The Mexican case

As suggested by the precedent sections, the relationship between state authorities and criminal groups is particularly complex in Mexico. According to the literature, it combines a wide range of interactions such as power struggles, implicit rivalry, open fights over territorial control, indifference, and corruption. (Vilalta, 2014) Of particular interest are the two opposite schemes of fight and corruption.

Since the launch of the war on drugs in 2006, the Mexican state has been forced to publicly recognize the urge of the fight against criminal syndicates on its territory and to take concrete steps to fight drug cartels. The Mexican president Felipe Calderón initiated this movement by conducting initiatives to address this issue, without much success to say

the least. (Del Pilar Fuerte Celis, 2019) Actually, the cartels have only reinforced since then. The implemented strategies, which generally aimed at reducing crime rates, reducing the production, and trafficking of drugs and recovering the lost territory, required the mobilization of the armed forces and the law enforcement agencies to confront the criminal organizations. (Vilalta, 2014) This led to recurrent open and bloody confrontations on the streets between the police forces and the criminals, which caused thousands of deaths without contributing to solving the issue.

On the other hand, as the ability to bribe authorities is a key asset of organized crime groups, Mexican drug cartels have used corruption widely as a mean to develop their activities in Mexico. Arrangements by bribery refer to the traditional buy-off of political and police protection that allows criminal organizations to conduct their activities mostly undisturbed. (Del Pilar Fuerte Celis, 2019) Indeed, several Mexican cartels are very influential within Mexican politics through the support of candidates and of their electoral campaigns. (Agren, 2017) After the efforts of Felipe Calderón, Enrique Peña Nieto was re-elected President of the Mexican federation in 2012, re-initiating the trend of widespread corruption among public officials. Enrique Peña Nieto himself was accused of having accepted $100 million bribe from El Chapo.

II / D / Positioning of this research in the existing literature

It is at the intersection of those literatures that this dissertation is situated. The research on hybrid governance is recent and still developing. The traditional fields of application of hybridity are quite limited and usually focus on legitimate institutions. Only some hints are to be found in the academic literature on the possible role of organized crime groups in

schemes of hybrid governance. As such, this study aims at further suggesting the potential expansion of hybridity to organized crime.

Secondly, the literature on organized crime is already very diverse and incorporates a broad range of research angles. A majority of this literature is western-centric and applies to a Global North context better than to Global South realities, in which the distinction between criminals and public officials is not always as sharp as the theory suggests. Given this discrepancy, the relationship between state and crime has been approached through a multitude of lenses in the academia. However, hybridity has almost never been used as analytic tool to better research organized crime groups, which is what this study aims at doing. As such, it also seeks to contribute to the organized crime literature by suggesting this new axis of research to further enhance the theoretical understanding of criminal groups in the Global South and apprehend them in the most comprehensive manner.

Thirdly, this study also contributes to the specific literature on organized crime in Latin America. As explained earlier, organized crime is an umbrella concept that encompasses a variety of structures. Across the continents, organized crime groups have different natures, structures, purposes, and *modus operandi*. As such, this dissertation will specifically bring an empirical contribution to the literature on Mexican drug cartels.

Finally, this dissertation can also be considered as an addition to the literature on crisis and crisis management. While a multitude of reports and policy papers have been published on the COVID-19 pandemic in particular, this socio-economic crisis it caused is so recent and unfortunately still ongoing, that the academic literature on this topic is still burgeoning. While it is not the primary purpose of this study, it will also contribute to better apprehend the social and political risks of sanitary and economic crises in the future.

III / Methodology

III / A / Research design of the dissertation

This research is designed as a qualitative case study building on the theoretical framework of hybrid governance and using document analysis as the sole method. As outlined earlier, the central aim of this research is to contribute to a broader theoretical understanding of hybrid governance in the Global South, which encompasses organized crime groups. It will do so through the provision of empirical evidence derived from the analysis of Mexican drug cartels during the pandemic.

Selecting Mexico as a case study was based on four research considerations and analysis steps. Firstly, the study aimed at analyzing a country in the Global South that presented characteristics of weak governance. In particular the object of this analysis would be a state, the authority of which has been questioned by its population in part due to a contestable management of the pandemic. Secondly, this scope had to be narrowed down with one further criterion: the presence of powerful organized crime groups that had been particularly active and visible throughout the pandemic. While such research offered a small variety of options, Brazil and Mexico stood out due to the role played by criminal groups during the pandemic. Then, Mexico appeared to be a more relevant example due to the impressive extent and the structured and systematic character of the actions undertaken by the cartels to support the local population, in comparison with more scattered and less comprehensive responses by Brazilian gangs. (Global Initiative Against Transnational Organized Crime, 2020; Nugent, 2020) Finally, the Mexican case offered a comfortable amount of publicly available and exploitable information because of the interest it has been raising worldwide.

Once the theoretical framework and the case study selected, the research method followed logically. A broad academic literature is available on hybrid governance, and open-source research reveals a considerable number of articles providing valuable insights on the situation in Mexico. Finally, given the disruptions and vulnerabilities caused locally by the pandemic, analysis of secondary data has been preferred to primary data collection. The latter would not only impose significant practical constrains but would also raise considerable ethical concerns. Given those considerations and the nature of the available content, the primary method chosen for the analysis is document analysis.

Hence, the fourth chapter of this dissertation draws mainly on document analysis. After all, “there is no more important single source of information” (Rodney Lowe, 1997) to conduct qualitative research. It allows for the most comprehensive study, by permitting a large-scale, cost-free, and flexible investigation. Besides, it leaves considerable room for longitudinal analysis, allowing to incorporate any evolution that could occur, which is particularly important with such a current topic.

The analysis will aim at confronting the concept of hybrid governance with the realities in Mexico amid the pandemic. More specifically, it will try to apply the axes of analysis identified in the theoretical framework onto the case study. To do so, it will test core characteristics of hybridity against the actions undertaken by the Mexican state authorities and by the drug cartels.

III / B / Data collection

The very basis being hybrid governance, academic literature had to be gathered in order to ensure a clear grasp of this notion. The theoretical framework section already expanded in detail on the chosen articles and

book chapters, in order to define hybrid governance and identify its chore characteristics. The primary selected method being document analysis and the dissertation making use of a case study, the first step of this work consisted in gathering the necessary data to build the case study.

The case study being very recent and contemporary, not much information could be found in the academic literature to explore it. However, what has been happening in Mexico raised a serious level of interest worldwide, which result in a considerable production of non-academic information. In particular, the study will draw on institutional policy papers, think tanks reports, and journalistic resources. The study will make use such a broad range of documents that the motivations behind the selection and use of each of them could not be covered in this section.

However, the institutional reports used mostly encompass research published by national authorities and institutional organizations. It will draw on official publications by the Mexican government, that, despite its recurrent lack of transparency, should still be in the best position to report the events on its territory. It will also look at American resources, and in particular documents published by the US Department of Homeland Security, the US Congressional Research Service, and the Drug Enforcement Administration, given their particularly interested in the evolutions of the drug cartels. The analysis will also base on research briefs by international organizations, the legitimacy of which is recognized in this field. Of particular relevance here will be the resources of the United Nations Office on Drugs and Crime and Interpol.

Reports published by non-governmental organizations will be analyzed as well. In particular, the analysis will make use of policy briefs by the Global Initiative against Transnational Organized Crime. This think tank is not only recognized internationally for its expertise on organized crime, but it has also been particularly active amid the pandemic. It regularly

published reports on the evolutions of the activities and the threat of organized crime groups worldwide and even conducted a broad range of masterclasses on this topic.
Finally, the analysis will make use of journalistic content. It will look at both local and international newspapers, paying attention to the authority of the selected resources and the quality of the information. For instance, it will use the Mexican newspaper El Universal, or The Guardian.

III / C / A few methodological considerations

III / C / 1. Scope and limitations of the dissertation

The major limitation of this research resides in the resources it uses, not as much for the theoretical framework built on a consistent academic literature, but particularly for the presentation of the case study. Indeed, it will partly rely on journalistic resources. Such sources do not provide as comprehensive and structured data as academic pieces. The information might be incomplete, biased, or interpreted. This exposes the research to a risk of partiality or subjectivity. Another key resource for the case study consists in policy reports by national authorities, international institutions as well as think tanks. From a factual perspective, such reports are expected to provide accurate and structure data. However, they consist in snapshots, briefly produced for policy purposes at a specific point in time. As such, they do not allow for the long-term vision and accuracy of a deeper analysis. Finally, this case being recent, if not ongoing, the research lacks some more insights of the inside experience of local citizens, as no survey or interview of such kind are publicly available, and such primary data collection cannot be realistically undertaken, even – or especially – through social media, due to the current context.

III / A / 3.2. Ethical considerations for the conduct of this study

The ethical considerations around the resources exploited for this research are very narrow. Indeed, this study relies exclusively on publicly available data. No information used requires privileged access. Further ethical considerations come though into play in the analysis of the open-source data. In particular when looking at journalistic sources, fact checking is necessary, in order to distinguish factual data from interpreted information. This contributes to avoiding risks of subjectivity. Finally, particular caution is expected when analyzing existing surveys, with a particular attention paid to the methods used for data collection.

IV / Analysis

IV / A / Understanding the case study: The pandemic in Mexico

IV / A / 1. Introduction to the pandemic

IV / A / 1.1. Some background information

The COVID-19 pandemic is an ongoing global pandemic caused by the coronavirus SARS-CoV-2. The virus was first identified in December 2019 in China. As the virus was spreading dangerously, the World Health Organization declared a Public Health Emergency of International Concern on 30 January 2020. On 26 February 2020, the first COVID-19 case was registered in Latin America. On 11 March 2020, the emergency escalated to a global pandemic. It infected at least 118 million people worldwide in the first year, causing over 2,6 million deaths. (WHO, 2021)

This humanitarian scourge has been doubled by an as devastating socio-economic one. Due to the disease itself and because of the measures implemented to avoid its spreading, most economic activities have been hindered. Indeed, national as well as international responses have involved broad and severe movement restrictions, quarantines and curfews, if not also the closing of non-essential activities. This has caused a multitude of households to lose their income and put in danger those relying on informal economy. In economic terms, it represented the largest global recession since the Great Depression. (Casola, 2020; UN, 2020; WHO, 2021)

In social terms, the pandemic has caused a similar distress. It has drastically exacerbated global and local inequalities. Access to health care has been particularly heterogenous depending on the global areas and personal resources, putting at risk health security. Economic and food security have been impacted by widespread supply shortages. Access to information and education has not been guaranteed for everyone, and the closing of educational institutions and public areas has marginalized the most vulnerable populations, with strong implications for personal and community security. Finally, disinformation quickly circulating through social media contributed to the polarization of public opinion and inflamed confrontational partisanship, causing further discriminations. (Casola, 2020; UN, 2020)

IV / A / 1.2. Effects of the pandemic on state sovereignty

While the causes for such distress are diverse, those troubles have all put states on trial, accused of having exacerbated the impact of the pandemic with their policies. Indeed, this crisis has shed light on state incapacities, particularly in the context of the Global South, in handling both the pandemic and its consequences. (Europol, 2020; Global

Initiative Against Transnational Organized Crime, 2020) Too often, states have not been able to compensate for the restrictions they imposed. They have deprived their citizens of their own resources but have not provided enough financial support and social help to mitigate the consequences. State authorities have left a power vacuum, often in already marginalized areas, by failing to provide the most basic services. (Kennedy and Southern, 2020; Ramdeen, 2020; Rexton Kan, 2021)

The United Nations Office on Drugs and Crime warned in front of the risk of those deficiencies being exploited by criminal syndicates. Indeed, past crises have shown how organized crime groups have exploited the moments of weakness of the public institutions to carry out extortion, misappropriation and diversion of financial aid, and the vulnerabilities of the communities to reinforce the distance with the state authorities especially in contexts marked by high levels of corruption. (Erthal Abdenur and Sampó 2020) This expected pattern has indeed been a common phenomenon observed globally during the pandemic, with examples such as the Italian camorra financially supporting local businesses, or the Brazilian gangs enforcing security measures. (Iazzetta, 2020; Global Initiative against Transnational Organized Crime, 2020; Nugent, 2020; UNODC, 2020) A very telling and comprehensive example, which constitutes the case study for this research, has been seen in the pictures circulating worldwide showing Mexican cartels distributing food packages to the citizens.

IV / A / 2. The pandemic in Mexico

IV / A / 2.1. Impact of the pandemic

IV / A / 2.1.1. The humanitarian impact

The coronavirus has severely affected Mexico since the outbreak in January 2020. Currently, it is the 15th country worldwide in terms of registered cases, with 2,754,518 cases on July 27th, 2020. (World Health Organization, 2021) Of course, this calculation does not take into consideration the lack of testing capacities during the first wave of the pandemic. (Horton, 2020) Mexico is the 4th-ranking country per number of deaths, after the United States of America, Brazil, and India. With apparently 238,595 citizens deceased from the COVID-19, Mexico registers dramatic figures compared to the size of the Mexican population, with 127,6 million inhabitants. (Worldometers, 2021; Reuters, 2021) The Mexican cemeteries have been totally overwhelmed by the first wave that exceeded their capacities and resources. In particular, Mexico City and its surroundings have registered the highest figures in terms of contagion and also in proportion to the population. (New York Times, 2021; BBC, 2021) This can be explained in part by the high density of population in this economically active area. However, a determining factor in this disaster, which reinforced popular dissatisfaction, has been the delay in the implementation of security measures and lockdowns and the too early lift of those restrictions by the Federal state and the state governments. (Deutsche Welle, 2020)

IV / A / 2.1.2. The socio-economic impact

On top of this sanitary crisis and humanitarian scourge, the COVID-19 pandemic provoked an economic crisis and a social scourge in Mexico. (Evan Ellis, 2020; Ventura, 2020) Mexico's economic performance deteriorated gravely in 2020 with a historic drop in the national gross domestic product, especially right after the outbreak of the pandemic. (Hidalgo, 2021; Worldometers, 2021) Indeed, due to the sudden interruption of numerous economic activities, the steep decline in

consumption and the decrease of investments in the second quarter of 2020, Mexico experienced the worst GDP retraction in its history, with a drop of 17.3%. (Instituto Nacional de Estadística y Geografía, 2021) Over the year 2020, the national GDP contracted by 8.5%. (Frankena, 2021)

Among the symbolic images of the economic troubles resulting from the pandemic that will be remembered, there is the phenomenon of panic buying worldwide. The interruption of global supply chains has caused shortages and a considerable inflation in Mexico. (O'Neill, 2021) In March 2020, as the threat represented by the virus was starting to be apprehended by state governments worldwide, American citizens have started to cross the border to buy provisions. This movement caused shortages in goods of primary need such as water and toilet papers in Tijuana. Similar panic buying has been observed throughout the country forcing to impose enforce solidarity by imposing limits on the buying of certain necessary articles such as rice or oil. (BorderReport, 2020)

With the economic crisis, the rate of unemployment experienced a sudden increase. After a catastrophic second quarter, it reached a peak of 5.5% in June 2020. (Romero, 2021) However, this figure has to be apprehended with caution, as it only encompasses open unemployment and therefore only the legitimate economy. 60% of Mexico’s workforce operates in the informal sector. (Felbab Brown, 2020) Although not captured in the official statistics, this underground economy also experienced severe damages due to the restrictions imposed. (Whelan, 2020)

On the other hand, certain industries, especially those having the United States of America as essential market outlet, initially continued to conduct their economic activities under the diplomatic pressure after the outbreak of the pandemic. This has forced the workers to go to work in factories in which the protective measures needed to avoid the

spreading of the virus were not respected. Those businesses were putting at risk the health and security of those workers in need and of their families. Therefore, in April 2020, protests were occurring against those factories and their poor and dangerous working conditions. (Deutsche Welle, 2020)

The social fabric was further weakened by those conditions, further pulling apart the realities and needs of different segments of the society. This polarization translated into an increase of discriminations throughout the country. In particular, a sudden rise in the attacks against the health workers was noted. Indeed, in less than two months after the outbreak, the authorities had registered over 40 attacks against nurses and doctors, perceived by the perpetrators as potential carriers of the virus, forcing hospitals to install security systems in a moment of emergency.(Peteranderl, 2020) Finally, while a decrease in certain criminal activities was noted during the first wave, mostly due to the strict restriction of movements, (The Dialogue, 2020) gender-based discrimination and domestic violence reached a peak, with 337 women killed in just a month. (Merkur, 2020) In front of this security crisis, the Mexican government seemed to have failed women. (Equality Now, 2020)

IV / A / 2.2. State reaction

Mexico's state response to the emergency of the pandemic has been highly questionable, to say the least. First, the Mexican state has been accused of being too slow in taking the threat seriously and apprehending it. (Human Rights Watch, 2020, Sheridan, 2020) Indeed, in April 2020, as the virus had already caused thousands of deaths worldwide, the Mexican President kept holding rallies and gatherings in the capital, being in direct contact with the crowd and minimizing the risks

of the coronavirus for health and for the economy. (Krause, 2020) He even encouraged Mexicans to go out. (Guerrero and Villa y Cana, 2020) On top of this, state officials themselves contributed to spreading disinformation. For instance, Miguel Barbosa Huerta, the governor of Puebla, publicly stated that the poor were immune to the coronavirus and that COVID-19 could only affect the wealthiest citizens. (Agren, 2020; Rivers and Gallon, 2020)

When the government finally took steps and implemented measures to counter the pandemic, those have been considered insufficient and inefficient. (Human Rights Watch, 2020; Sheridan, 2020) Its testing plan has been the primary blatant weakness of the government. Due to its limited resources, it only offered tests to the citizens that presented symptoms. On April 1st, 2020 Mexico had only performed 10'000 tests throughout the country. This did now allow for an adequate detection of the virus and failed to keep the virus' spread under control. (Ahmed, 2020)

It also prevented a proper registration of the cases, hence distorting the figures of the cases and the covid-related deaths, explaining why the state had to publish re-evaluated numbers in April 2021, which revealed 60% higher than the initial counting. Besides, the transparency on this matter was questionable from the beginning, when the authorities decide to issue certificates by name and not by number, eliminating the possibility of any independent statistics on the mortality rates. (Cattan and Silver, 2021)

The death rates only increased throughout the first wave of the pandemic, as people were not encouraged to stay at home. "While other countries essentially paid workers to stay home, Mexico's policies had the effect of keeping people in circulation to earn a living." (Cattan and Silver, 2021) Indeed, with the declaration of "Sanitary emergency due to Act of God", labor obligations have been suspended temporarily for both

employers and employees. Although an indemnity is granted to the employee, it would not exceed one month of salary, hence forcing employees to work to grant an income for their families. (KPMG, 2020) Indeed, Mexico has spent very little for economic compensations, social aid, and fiscal stimulus. The government refused to raise the public debt for social spending. The investment for covid relief measures amounted to less than 1% of the national gross domestic product. (Cattan and Silver, 2021) This sum was mostly dedicated to microloans despite the broad measures announced in the relief plan of April 2020. (Carranza Jimenez and Mendoza Valero, 2020). To compare, the average for the other developing countries in the G20 was three times higher. (De Halvendang, 2021)

Overall, the response of the Mexican government to the pandemic has been very inefficient in limiting the sanitary threat, as well as in mitigating the social and economic repercussions of the pandemic throughout the country. (Sheridan, 2020) This crisis shed light both on the state lack of resources and on its incapacity to ensure public governance and security. (Erthal Abdenur and Sampó, 2020) The citizens have been disappointed with their government by which they felt abandoned and widely accepted the help of the only institution that acted quickly to provide a structured response: the drug cartels. (Shifrin, 2020)

IV / A / 2.3. Response of the criminal groups

IV / A / 2.3.1. Actions towards the population

In front of the inefficiency of the state, the criminal groups mobilized immediately. To expose and exploit the deficiencies and lack of resources of the Mexican state, the cartels gathered their own resources

and reconverted them for the benefit of the most vulnerable segments of the populations that felt left out by the state. (Felbab-Brown, 2020; Infobae, 2020) Because of the interruption of global supply chains and the shortages this caused, as well as the suspension by the state of non-essential economic activities which blocked the incomes of many Mexican households, the people were lacking food, medical supplies, and financial resources. The cartels decided to respond to these needs and developed wide, regular, and structured actions towards the population to bring them food, face masks, medicines, and money to compensate for the losses caused by the crisis. On top of this, they have been playing a key role in informing the populations of the sanitary situation and in enforcing the safety measures to limit the spreading of the virus. (El Financiero, 2020)

IV / A / 2.3.2. Motivations and purposes of the actions of the cartels

Of course, the cartels have not provided this aid out of pure generosity but as part of a strategic investment with diverse purposes. Firstly, the cartels themselves recognize the need they have for the local population to survive, in order to be able to keep conducting their criminal activities. For instance, if they coerce pharmacies into selling their counterfeited products, they need to be there some citizens to buy them. (Interpol, 2020, GCSP, 2020) This applies to most areas of activities of the criminal groups.

Also, as they had invaluable reserves of cash, this was a unique opportunity for them to invest some of it. As “loan sharks”, the cartels have offered loans to the citizens in urgent need for liquidities, which will be paid back with huge interest rates. As such, the return on investment

of those loans is incomparably higher than any investment that requires this little strategic planning. (Grillo, 2020; GCSP, 2020)

However, the most valuable investment is not to be found in those financial debts but is more abstract. Indeed, by providing for the population, the cartels have been able to build a feeling of gratitude among the citizens. This is the most valuable and long-term asset the cartels could hope for, as it will allow them to collect their debt indefinitely. Unlike a defined sum of money which can be paid back in a limited amount of time, the help received by the citizens is priceless. The latter literally owe the cartels their survival and the one of their families and children. One can hardly imagine they will ever be done paying back for it. This not only consolidates their loyalty but will make them potential financial and human resources for the criminal syndicates on the long term. (GCSP, 2020)

Finally, this feeling of gratitude and perhaps belonging has to be put in perspective with the missing actor of this situation: the state. Indeed, creating this connection with the citizens allows the criminals to gain some allies in their rivalry with the state and hence, to further weaken it. Symmetrically, by contributing to a more convenient environment to conduct their illegal activities undisturbed, this will reinforce the criminal groups. (GCSP, 2020)

IV / A / 2.3.3. The response of the state in front of those actions

The response of the state to this phenomenon has been disappointing overall to the Mexican population. Aware of the risks arising from the acceptance of the help offered by the cartels, the Mexican President, Andres Manuel Lopez Obrador, delivered a speech in which he recommended to refuse this support. He highlighted the purposes of this

help and the selfish motivations of the cartels and warned the citizens of the threats posed by the criminal groups. However, he and his government have failed to propose a proper and viable alternative in a moment in which many households were left without income or food.
On the other hand, the response of the Mexican public authorities is also to be analyzed in the light of the actions undertaken on smaller scales by local officials. Indeed, while the response throughout the country has been very poor, some mayors have tried to compensate for those deficiencies. The scattered actions included the delivery of goods of primary needs by the mayors themselves. Pictures have been circulating showing the individual good will of certain public agents who took their own cars, offered their own financial resources, and used their own time to drive around their communities and bring rice and tomatoes to the populations in need. However, although very commendable, those actions have remained too isolated to actually weigh in the balance of the socio-economic crisis nationwide.

IV / A / 2.3.4. The subsequent risks for public governance and the civil society

The initial display of the blatant state incapacities, the rapid and effective reaction of the cartels and the lack of response of the Mexican state afterwards presents several long-term risks. Firstly, it will obviously increment the loss of legitimacy of the already weak state administration. Then, it will most probably increase the economic, political, and social power of the cartels. It might also create an actual feeling of cohesion between the criminals and the citizens, who would have no other institution to rely on. This would be particularly detrimental to the future of the state capabilities of the state in front of reinforced criminal syndicates. Criminal activities will be likely to escalate, leading to a

vicious circle in the exacerbation of the levels of crime, violence, and corruption. Eventually, this could fragilize the civil society and make the citizens more vulnerable to organized crime and prey to criminal enterprises. Realistically, this would not occur in a unified manner throughout the national territory but would affect certain areas more than others, depending on the state control over them and its capacity to interfere against the criminal groups.

IV / B / The relevance of hybrid governance in regard to the situation in Mexico

The theoretical framework presented earlier allows to distinguish three main criteria to identify hybrid governance schemes. The first pre-condition is a clear situation of inappropriate governance by the state authorities and the presence of extra-legal institutions. The second component is the provision by those institutions of services which would normally be delivered by the state. The last factor is the development by those institutions of a state-like authority amongst the population.

IV / B / 1. The coexistence of different orders of social domination in Mexico

IV / B / 1.1. General lack of public governance by the state

The first element to analyze is the state of governance by public authorities in order to find the potential gaps in their capacity. In Mexico, a democratic republic federation of 31 states, public governance occurs at three levels. The federal Union has the exclusive power to declare war, levy taxes, decide the national budget and approve international treaties. The state governments benefit from a high level of sovereignty

in their affairs, in which the federal government cannot intervene except in the extreme case of a recognized full cessation of governance by the state authority. Finally, local affairs are treated by the municipal governments. Without reaching a full cessation of governance, considerable weaknesses are displayed at all levels. (DonQuijote.org, 2019)

A strong democratic state can be identified by the quality of its democracy and the reliability of its legal order. In Mexico though, widespread corruption threatens the democratic order and endangers the legal system (Aguirre and Herrera, 2013). This is reflected in an endless series of scandals such as the still unsolved Ayotzinapa mass kidnapping or massacre from 2014. (Behravesh, 2015)

Such scandals confirm the level of insecurity in a country that is rated among the least peaceful countries in Latin America by the Global Peace Index. (Vision of Humanity, 2021) Mexico has the ninth highest homicide rate worldwide with about 35’000 people murdered in 2020, which is 20 times higher than the global average. (Felbab-Brown, 2021; Vision of Humanity, 2021) The Mexican criminal landscape combines complex networks of serious crime revolving around drug trafficking, violence, and corruption, with smaller and isolated crimes, such as thefts and frauds. As a consequence, the perceived level of insecurity in Mexico is at least as high, with almost 80% of the adult population stating they do not feel safe. (Statista, 2021; Elcri Men, 2020; Morris, 2012)

This violence is the result of the disposition of means of physical violence by other actors than the state and in particular criminal gangs and drug cartels. Indeed, the state does not have the monopoly of the use of force and is also unable to control the integrality of its territory. (Aguirre and Herrera, 2013) Indeed, recluse areas such as Sierra de Sinaloa or the Michoacan region are widely controlled by criminal groups and the police does not even patrol there. Only the military sometimes contributes to

enforcing order. (Aguirre and Herrera, 2013; Monnet, 2021; Washington Post, 2020)

Finally, a controlled demography is among the characteristics of a strong state that Mexico lacks. (Slack and Martínez, 2020; Malek, 2006) Indeed, its emigration fluxes, especially in direction of the United States of America, have been totally out of control for years, even though COVID has limited this trend. Mexicans still represent the majority of the unauthorized population living in the United States of America. In 2018, they accounted for 51% of the 11 million unauthorized immigrants. (Batalova, 2020)

The Mexican state authority displays a lack of monopoly on the use of force and on the disposition of means of violence. It does not exercise a full control of its territory and borders and seems unable to control its emigration fluxes and demography. Levels of crime and corruption, and real and perceived insecurity are particularly high and endanger the quality of democracy and the reliability of the justice system. Those weaknesses and missing components of the public authority reveal gaps in the governance capacity of the Mexican state. (Meagher et al, 2014; Cojanu and Popescu, 2007).

IV / B / 1.2. Reinforced by a crisis context especially in unsecured borderlands

Those lacks in public governance, which can generally be observed throughout the country, are largely enhanced in times of crisis and in particular in certain remote areas. Indeed, the COVID-19 pandemic has cantilevered the Mexican state out of the way by highlighting its incapacity to manage the pandemic and its consequences. The virus has spread throughout the country both because of the insufficiency of the restrictions (Gonzalez Diaz, 2020) and because could not be respected

properly due to the lack of adequate measures to mitigate the socio-economic consequences of those restrictions. (BBC, 2020) This caused a socio-economic crisis on top of the human disaster.

Despite the high human development index assigned to Mexico as a whole, inequalities divide the country. (UNDP, 2013) As such, this challenge has been occurring throughout the country, but is definitely exacerbated in the “unsecured borderlands”. This refers to the most remote areas, that tend to be abandoned or disregarded by the public authority, despite the power given to state governments, because of the strong presence of violent non-state actors. (Luckham and Kirk, 2012) In particular the states of Michoacan and Sinaloa are epicenter of Mexico's violence. They are largely controlled by drug cartels to the point that public authorities barely intervene in their affairs. During the pandemic, the state has not been sufficiently assisting the populations of those areas. (Al Jazeera, 2020; BBC, 2020; Monnet, 2021)

IV / B / 1.3. The visibility of powerful extra-legal actors

The last component to be observed here is the presence, in front of the state, the legal actor, of powerful non-state actors. (Reyntjens, 2015) In Mexico, those extra-legal actors are in particular criminal groups. 9 drug cartels are particularly active: the Sinaloa Cartel, previously ruled by El Chapo, the Beltrán Levya Cartel, the Juarez Cartel, the Tijuana Cartel, the Cartel del Golfo, Los Zetas, Los Caballeros Templarios, the Cartel Jalisco Nueva Generacion and The Familia Michoacana Cartel, replaced today by the Tierra Caliente of Michoácan. (Congressional Research Service, 2020) Today, the Sinaloa cartel and the The Jalisco Nueva Generacion Cartel, operating respectively in the states of Sinaloa and Michoacan and their surroundings, can be considered as the prominent

cartels in Mexico. They are the largest, most powerful and most visible ones. (Council on Foreign Relations, 2021)

The Sinaloa Cartel is biggest drug supplier on the American market, dealing with cocaine, heroin and marijuana. After the capture of Joachim Guzman, violence increased in the region as rival groups sought to take advantage of his jailing. However, thanks to its resources and its access to a huge arsenal of weapons, the Sinaloa Cartel remained hugely powerful. It actually multiplied its displays of military might by fighting street battles with the army in broad daylight. (Congressional Research Service, 2020, Tucker, 2018)

The Jalisco Nuevo Generacion Cartel is considered as their strongest rival. It is one of the main distributors of synthetic drugs and in particular amphetamine on the American market. With its constant and violent efforts to expand its area of control in Tijuana, Juarez, Guanajuato and Mexico City, the cartel has gained a serious visibility in the country. In particular, it has reinforced its notoriety with a series of attacks on security forces and public officials. (Congressional Research Service, 2020, Tucker, 2018)

Those groups have been very visible in the country for years. (Alvarez, 2017) However, media have put them particularly in the spotlight since the beginning of the pandemic. Indeed, they have played a key role in providing services that the state was failing to provide. As such, they have strongly reinforced their visibility and notoriety.

IV / B / 2. The insurance of the citizens' needs by the cartels through the provision of services

IV / B / 2.1. Distribution of food and medical supplies

With wide supply chains being interrupted worldwide, the pandemic caused shortages that troubled the access to food and medical supplies for everyone in a moment of serious need. However, this particularly affected the poorest segments of the society. Those marginalized homes, often dependent on one family member and highly reliant on the underground economy, could not get any financial compensation by the state. As such, if the income-bringing person suspended their business, they could not receive the money needed to respond to their essential needs such as food and health security. In need of support not for extra comfort but simply for survival, those households became increasingly vulnerable in front of criminal groups who could provide them with those basic services.

Mexican drug cartels immediately exploited this weakness. They converted their cash into food, their drug storage rooms into food packing spaces and dedicated their working hours to distributing those packages to the population. Images have been circulating worldwide showing how the cartel Jalisco Nueva Generacion set distribution points in their vans, around which citizens gathered in long queues, to receive bags containing rice, tomatoes and a few more commodities on a weekly basis. (Infobae, 2020)

On the other hand, the Sinaloa cartel has been transforming this distribution in a public relations campaign. Firstly, it has been promoting its label by putting a particular financial and time effort in the confection of the packages. Those boxes, packed in a very professional manner, were full of diverse products. They responded to the most primary needs with products such as rice, beans, oil, or sugar. They also included some extra gifts for the pleasure of the citizens and even toys for the children. Most importantly, the boxes and some of the gifts had the effigy of El Chapo stamped on them, as well as the website of the clothing business owned by the Alejandrina Guzman, the daughter of El Chapo. (Deutsche

Welle, 2020) Finally, the distribution was not only happening in distribution points. Special distribution rounds were organized for the citizens over 60, who were brought the packages in person. This extra care of the cartel for the most vulnerable citizens and the seniors was reinforced in the letters attached to the box, stating “in the name of El Chapo, we want to help our elderly who taught to respect traditions.” (Deutsche Welle, 2020, Nexon, 2020)

Finally, it is also medical supplies that were subject to shortages and in high demand especially at the beginning of the pandemic. As such, the afore-mentioned cartels started producing their own face masks, stamped with their labels, as well as medicines and respirators, suspected of being counterfeited products. (IMSS, 2020; UNODC, 2020, WHO, 2021)

IV / B / 2.2. Provision of economic support in the middle of the crisis

In a country divided by structural inequalities and experiencing an economic crisis that strengthens social marginalization, it is in the cartels’ interest to give the population the building blocks of survival, livelihood, and dignity. (United Nations Trust Fund for Human Security Human Security, n.d.) On top of distributing primary products to ensure the survival of the local population, they also ensured the economic security of the citizens in need. Indeed, in such context, the incredibly cash-rich groups are in a favorable position to give economic support. (Fisher and Semple, 2021) The main targets of this help were those who had lost their job or were incurring a risk of bankruptcy in their business. Those would receive either financial help or would be provided with jobs to ensure an income. (Tamayo Gomez, 2020)

Financial help meant either gifts in cash for daily needs, or loans to support almost failing businesses. Gifts create a feeling of recognition and gratitude, which means that the receiver will feel indebted towards the cartel and owe it at least a favor, if not more. Loans by such groups, on the other hand, are known to involve extremely high interest rates, have strict terms of collection upon failure, and to operate outside the law. Of course, the citizen that accepts such credit is aware of the potential consequences, however, they often do not have any other option if they want to keep their business and do not receive help from the public authority. (Felbab Brown, 2020) Hence, some accept those loans to survive the crisis, but then have to pay back much more than the sum they received. Trying to escape a debt towards a criminal group would represent a threat to the receivers' security and their families. Most of the time, they will have to work for years afterwards to repay their debt, or sometimes they could accept to work directly for the cartel. (Libera, 2020)

On the other hand, some will actually start working for the cartel during the crisis itself. Indeed, cartels remain the ultimate employer in times of needs when most economic activities are diminished or interrupted. They will always need workforce for the maintenance of their plantations, the work in their labs, the distribution of their products as well as all their criminal activities, often starting with the most illicit ones. Even for the citizens that would be opposed to the cartels' activities, those remain the only ones able to provide them with the income they need to feed their families, hence their acceptance.

IV / B / 2.3. Provision of information to the remote populations

Another component of the authority is the recognition by the governed population of a particular knowledge. Of particular interest here is not the

technical competence of the cartels in the conduct of their usual activities, but rather the role of primary information-providers they played during the pandemic. Indeed, the communications of the government, the restrictions they imposed and the reasons for their decisions, could not always reach the “unsecured borderlands”.

As such, it is often the cartels that would inform the population of those remote areas about the sanitary situation. Most of them would otherwise not be aware of the concrete health risks or the extent of the virus spread. The cartels would not only inform them about the restrictions imposed by the state, but also take the time to explain them which protective measures were needed and why. (Felbab Brown, 2020) They would make sure to keep the community updated as the global knowledge on the topic was evolving, knowledge that most citizens could hardly find on their own otherwise due to the inefficiency of the government communication and the lack of financial means to access private media. (Libera, 2020)

IV / B / 2.4. Security governance and enforcement of norms

Finally, among the services provided by the non-state actor, there is also a security component. (Dewey et al, 2016) Indeed, the cartels not only informed the population of the risks incurred and measures needed during the pandemic, but they also ensured the enforcement of those norms. As criminal groups, they benefitted from a considerable coercive power (Colona and Jaffe, 2016) which allowed them to create an environment of respect and order. (Meagher et al, 2014) Security was hence delivered by a combination of state and non-state providers. (Luckham and Kirk, 2012)

In particular the Cartel del Golfo has been enforcing security in the Tamaulipas region. It imposed a complete curfew and a strict lockdown,

allowing exceptions only for essential reasons such as groceries. Its members have been patrolling the streets of Matamaros, going around with trucks and guns to control the movements of the citizens. No disregard to the rules was tolerated as the community's security was at stake and given the coercive power of the cartels, respect to the criminal groups was the norm. Finally, they requested the isolation of the citizens suspected of being affected with the coronavirus. (Grillo, 2020; Libera, 2002; Nugent, 2020) All those measures illustrate how a non-state actor, not habilitated by the state for security services and considered as illegitimate, can actively participate to the security governance of a community. (Luckham and Kirk, 2012)

IV / B / 3. Development of a level of authority by the cartels among the population

The provision of such diversity of activities contributes to strengthening a non-state actor. As such, using their resources for the citizens actually empowered the Mexican criminal groups, contributed to reinforcing their presence and increased their visibility in their local communities. (Meagher et al, 2014) Proving able to provide information, deliver security services, offer jobs, incomes, and financial help, and to supply goods of primary need, the cartels have developed a state-like authority, leading to the emergence of a hybrid order. This scheme, without being a hybrid arrangement between the state and the non-state actor, represents a form of political management which tends to arise in countries in which preexisting state structures are weak or lost their legitimacy. When the state loses its legitimacy, it is inevitable that the citizens will look for an alternative form of authority. Despite their violent profiles, illegal armed actors can hence be imbued with a certain authority by the population that ended under their control. (Rosato, 2016)

Authority is to be understood as the construct of several components and in particular, territorial control, a feeling of belonging of the population, the widespread use of a common symbolic language (Albrecht and Moe, 2014) and finally, an idea of legitimacy. (Gaziaux, 2006)

IV / B / 3.1. Territorial control by the cartels

Territorial sovereignty is an essential component of public authority. The entity that benefits from a certain authority does so over a population and a territory, which mostly overlap. (Albrecht and Moe, 2014) In public international law, territorial control is to be understood as the exercise of power over a territory, as a combination of *dominium* and *imperium.* (Fleury Graff, 2015; Loubat, 2016)

Dominium refers to the notion of property. As such, the entity that exercises its *dominium* over a territory exploits its resources as if it owned it. (Fleury Graff, 2015) This includes the natural resources such as the huge plantations maintained by the cartels to produce drugs. An illustration for this would be the fields of poppies in the Sierra de Sinaloa exploited for free by the Sinaloa Cartel in the production of morphine and opium, without any legally registered ownership. Territorial resources can also refer to public infrastructure. An example could be the Manzanillo port, the control of which has often been revendicated and causing frictions between the Sinaloa Cartel, the Caballeros Templarios and the Jalisco Nueva Generación cartel due to its strategic location for trafficking purposes. (Mexico News Daily, 2015) Finally, the idea of *dominium* also implies a power of expropriation. Of course, such power is not legally recognized to the cartels. However, in practice, they effectively have such capacity, in particular thanks to their coercive

power relying on large human and financial resources as well as a substantial arsenal of firearms. (Camhaji, 2020)

The second component of territorial sovereignty and control is the *imperium*. This term refers to the power to rule, the capacity to impose certain conducts over a territory as well as acts of coercion. (Fleury Graff, 2015) It can be said that the most powerful Mexican drug cartels always have the capacity to impose certain conducts through acts of corruption or coercion. Indeed, in the “unsecured borderlands” overlooked by the state, the citizens can hardly oppose the will of the cartels. However, this capacity was strongly reinforced during the pandemic. (The Crime Report, 2020) As explained earlier, several cartels have contributed to the security governance of the community. As such, they have started setting and enforcing the norms needed for the protection of the individuals and to avoid the spreading of the virus. Through a combination of coercion and acceptance, they have actually proven able to impose certain conducts over their territories. (Gonzalez, 2021)

One important component of the *imperium* though is the establishment of a principle of non-interference. It is true that certain areas are abandoned by the public authority, should it be the federal union, the state government, or the municipal administration. In certain cases, the law of the strongest reigns, making it too dangerous for law enforcement agencies to rule and police forces cannot patrol anymore. However, despite its inability to act and impose its sovereignty, one cannot say that the Mexican state authorities actually recognize a principle of non-intervention towards the areas controlled by the cartels.

Nevertheless, those elements represent the traditional components of a comprehensive territorial sovereignty as understood in international public law. They cannot be observed fully at all times, and often, territorial sovereignty is deducted from the observation of an effective sovereignty and not simply by the fulfillment of those theoretical aspects.

The effectivity of territorial sovereignty can be deducted from a diversity of actions undertaken by the entity revendicating its sovereignty. This can include, for instance, the establishment of a structured administration, the construction of or control over certain infrastructure or the carrying out of missions. (Loubat, 2016)

In this case, one can say that the services delivered by the cartels are the manifestation of an effective territorial sovereignty. Indeed, the criminal groups have taken charge of a diversity of functions, going from public security governance to the provision of essential goods and economic services. With a few exceptions in some municipalities, most of the time those functions were undisputed, reflecting the effectivity of the territorial power of the cartels. (Congressional Research Service, 2021; Felbab Brown, 2020)

IV / B / 3.2. Development of a feeling of belonging

Another key element of the authority is the feeling of belonging of the governed people. In the case of Mexican drug cartels, one cannot say that everybody identifies with them, their activities, and their morals. However, a mutual feeling of belonging has been created as the cartels have been ensuring the needs, the security, and the protection of the local citizens. Indeed, as mafias and organized crime groups have the financial and human resources as well as skills to offer a credible protection to the citizens, they often use it in places where the state is absent to build their legitimacy. (Bagayoko et al)

On one hand, in the delivery of their activities, the cartels have revealed the importance they give to the populations around them. They consider them as their administered population and see it as their own duty to provide for them. After all, the cartels know their own existence relies on the one of those citizens as well. As shown by the example of the Sinaloa

cartel taking care of the elderly, the cartel members have a feeling of belonging with and gratitude towards the populations they grew up with and truly intend to provide for them. (De Córdoba, 2020)

On the other hand, what is of particular importance to understand the developed authority of the cartels is the reverse phenomenon. Indeed, by showing their care for all citizens – no matter how calculated it was – the cartels have let emerge a feeling of community. They have shown a feeling of belonging with the most vulnerable ones, the jobless and the elderly that felt abandoned by the state. Those people, even if they do not approve of the criminal activities of the cartels, know that they owe them their protection and survival, which inevitably created a reciprocated feeling of belonging. (Tamayo Gomez, 2020, Van de Bunt et al., 2014)

IV / B / 3.3. The establishment and spreading of a symbol-based system

Another interesting element in the emergence of a recognized authority, is the construct and dissemination of a symbol-based system. This can be reflected in the establishment, spreading and use of symbolic gestures, rites, outfits, or languages. Here, one could mention the face masks or football balls distributed by El Chapo 701, Alejandrina Guzman's business. With them, the face of El Chapo started occupying and invading the public space, gaining a considerable visibility. However, one could say that children playing with football balls at the effigy of El Chapo do not carry a political value. Or adults wearing El Chapo 701 respirators do not signify an approval of the criminal group nor of the symbol-based system it tries to establish. However, with or without this consent, the symbols started to spread in the areas in which the cartels were providing support. (Perez, 2021)

This is even more blatant in the case of the symbolic language. Indeed, videos have been circulating worldwide showing Mexican citizens thanking El Chapo and his group for the help they had received. Of course, once again, the political message and commitment behind such sentence can be subject to debate, especially due to the situation of need in which the receivers are and the coercive power the cartels benefit from, letting the citizens little choice in the recording of such videos. However, the number of videos circulating have made it a local habit, becoming hence a widespread symbol. Here beyond the pre-existing consent of the population, what matters is the result. In this case, the Sinaloa cartel has managed to actively establish symbols that have been used widely by all generations of local inhabitants they were helping and providing for.

IV / B / 3.4. The building of the cartel's legitimacy

Finally, the last component of public authority relies in the idea of legitimacy. While there is no unique authoritative and widely accepted definition of legitimacy, there is a general consensus on two main conceptualizations. Those are the normative legitimacy and the sociological legitimacy. (Behn and Langford, 2017)

Normative legitimacy can be defined as "the right to rule, understood to mean both that institutional agents are morally justified in making rules and attempting to secure compliance with them and that people subject to those rules have moral, content-independent reasons to follow them and/or to not interfere with others' compliances with them." (Buchanan and Keohane, 2008). Normative legitimacy can be linked to legal legitimacy, which finds its roots in the institution's compliance with its legal mandate. (Abi-Saab's, n.d.)

On the other hand, it is the second conceptualization of legitimacy that interests us particularly in the analysis of organized crime groups. The notion of sociological legitimacy does not look at the normative foundations of legitimacy but analyzes the perception of the institution by the governed population. More specifically, it analyzes whether the population recognizes the institution, believes that it actually has the right and power to govern them, accepts its authority and grants it its obedience. (Weber, 1964)

When applying this concept to the study of Mexican drug cartels during the pandemic, several reflections emerge on their perception by the local populations. First of all, when looking at the cartels, the citizens were able to identify the existence of an organized structure, visible and recognizable by everyone from the outside. They would not consider that the cartels had the legal right per se to govern them, but would pledge them the power to do so, in the absence of a viable alternative in times of need especially in the unsecured borderlands. As such, they would accept, respect, and obey to their authority in the enforcement of public security governance in particular. And beyond recognition, consent, obedience and submission, the cartels benefitted from an additional component through the feeling of belonging and sympathy they created by helping the population. Despite the lack of approval for their criminal activities – which had generated the resources needed to provide such help –, those feelings contributed to reinforcing the popularity and legitimacy of the criminal groups. (De Córdoba, 2020)

V / Findings

The case study of the response of Mexican drug cartels to the COVID-19 pandemic allows to draw interesting conclusions on the applicability of the concept of hybrid governance in regard to organized crime groups.

Indeed, the main characteristics identified as the core components of hybridity could be applied in this example. More specifically, the situation revealed the co-existence of a weak state authority with strong and visible non-state actors, which took charge of providing the local population with a diversity of services traditionally ensured by the state, which allowed the groups to develop a certain authority among the population.

The first component has been recognized in the incapacities of the Mexican state to ensure public governance. Indeed, the quality of democracy and the reliability of the legal order are severely diminished and constantly threatened by high levels of crime, corruption, and insecurity, reinforced by the absence of monopoly on the use of force and the disposition of means of violence. This competence is shared with non-state actors and in particular organized crime groups, referred to as drug cartels in Mexico, due to their activity in the business of drug production and trafficking. This results in a lack of full territorial control by the state. Indeed, while some regions are effectively under the control of the public administration, the most remote ones can be considered as unsecured borderlands. They are practically abandoned by the administration and the police, and only the army tries to reestablish order in areas in which the cartels operate undisturbed for the most part. A relevant example for this could be the Sierra de Sinaloa around Culiacan, practically controlled by the Sinaloa Cartel. This lack of governance by the Mexican state has been truly worsened during the pandemic, which, due to the situation of crisis and emergency, highlighted the lack of resources and the incapacities of the Mexican government. In the meantime, the drug cartels have been gaining visibility in the public space and notoriety amongst the abandoned citizens.

This visibility is closely connected with the second component of hybridity: the provision of services. During the pandemic, drug cartels

have started to deliver services, which would normally be delivered by state, in the case of a fully functional one. In particular, in a period of economic crisis and shortages, the cartels have converted their considerable amounts of cash into goods to respond to the primary needs of the citizens. They have packed food and medical supplies that they have been distributing around to the people in need of all generations. The Sinaloa Cartel is a good example of how such distribution can be turned into a public relations campaign by reinforcing the display of their care for the citizens in front of an absent state. On top of basic products, they have also given away gifts especially for the children, such as football balls with the picture of El Chapo printed on them, which would suddenly start invading the public space. Adding to the distribution of goods, the cartels have also been giving money gifts or loans – with extremely high interest rates –, which, for some people who could not receive financial help for the state, represented their only possibility of income. This economic support allowed businesses at risk of bankruptcy to avoid failure and maintain their economic activities. Finally, as the communications of the governments could hardly reach the most remote areas, the cartels would also play a role of information provider, by informing the citizens of the sanitary situation, the spreading of the virus, the health risks as well as the needed protective measures. On top of informing the populations, the cartels would also use their coercive power to effectively enforce those rules, as seen with the example of the Jalisco Nueva Generacion Cartel, and, hence, ensure security governance.

Finally, providing such services allowed the criminal groups to raise a certain level of authority among the population, which is the third component studied for hybridity. In particular, their authority relies on their ability to establish a certain level of territorial control. Of course, one cannot talk about a proper territorial sovereignty as no principle of non-

intervention is accepted by the Mexican state in regard to the areas controlled by the cartels. However, it is necessary to admit that the interference of the state as well as its capacity to actually interfere in those areas are fairly limited. The delivery of services to the local populations has also been used by the cartels to show their care for and belonging with the population and especially the most vulnerable ones. This, despite the criminal nature of those groups, inevitable contributed to sparking the reciprocated feeling among citizens that had no other institution they could rely on. This reliance on the cartels for their protection and survival generated a form of gratitude towards the criminals. Criminals, which gained visibility in the public sphere and notoriety among the citizens by the establishment and spreading of symbols during the pandemic, such as labelled face masks or thank videos published online. Finally, all those elements gathered contributed to the development of the legitimacy of those groups, understood in its sociological conceptualization, integrant part of their authority.

Those three components, identified in the theoretical framework as the principal axes of analysis to study hybridity, can hence apply, to some extent, in the study of the response of Mexican drug cartels to the COVID-19 pandemic. What can be deducted here is that, without a mutual consent, the Mexican state and the drug cartels have been operating in a hybrid scheme. The authority, traditionally recognized in the state administration, has been shared between the state and the non-state actor. The non-state actor has actively been putting on competences which are traditionally the state's own.

The practical application seen through this case study can now lead to a broader reflection on the notion of hybridity. As explained in the presentation of the theoretical framework, hybrid governance schemes are considered as resulting from the interaction between state authorities and a broad range of actors. Literature on hybridity usually focuses on

actors that, despite not being legally entitled to produce norms, conduct licit activities, and are therefore perceived as more legitimate, such as local communities or aid agencies. Some research has been conducted on illicit actors, such as terrorist groups, but very little focus has been given to organized crime groups. As such, the result of this study suggests the possible expansion of the field of application of the concept of hybridity to organized crime groups.

Of course, this is not to signify that all organized crime groups over the world and at all times could be understood through this lens. As presented in the literature review, all criminal groups are different in nature. They can take a variety of structures, serve diverse purposes, and conduct a broad range of activities, which can also be subject to evolutions over time. Besides, there is a considerable discrepancy between the Global North literature and the Global South realities, in which the lines between the different entities are more blurred than in the Western-centric conceptualization of organized crime.

However, the conclusion that can be drawn from this dissertation is that, as hybridity can be a relevant analytical tool in the study of the response of Mexican drug cartels during the pandemic, it might also be a pertinent lens in the understanding of other criminal groups in other contexts. As such, it would be interesting to further explore the possibility of the applicability of the concept of hybrid governance to organized crime groups, in particular in the Global South.

VI / Conclusion

Overall, this dissertation has been investigating the concept of hybrid governance. Firstly, the theoretical framework explored the existing literature on the topic. This literature has developed with the emergence of alternative forms of order and public governance in front of weak

states, in particular in Africa, but generally Global South contexts. While there is no definitional consensus on hybridity, it is considered generally as the result of a mixing of sources of authority and power and refers to organizational situations in which state and non-state actors coexist in regard to order-making, with the non-state actor filling gaps in the state capacity.

Then, the key characteristics of hybridity have been identified. In particular, hybrid schemes imply the simultaneity of different orders of social domination, and specifically of a state that does not present all the characteristics and competences of a strong state, and of visible and powerful non-state actors. The non-state actors fill gaps in the state capacity by demonstrating competences and providing services which are usually the state's own. This allows the non-state actor to develop a certain authority among the administered population.

The literature reveals that such schemes can occur in a variety of forms and with a broad range of actors. Hybridity is widely used in the analysis of informal institutions, most often local, small-scale, and more intimate and compelling moral communities. This can include local communities, traditional courts, or religious groups, that are considered to better respond to the daily needs of the citizens than the distant state authorities. While those are the traditional fields of application of hybrid governance, a few research articles gave hints on its potential applicability to organized crime groups in a Global South context.

However, this possibility has not been explored in depth, and this is where this dissertation is situated. As such, it aimed at bringing both a theoretical contribution on the possibility of using hybridity to understand organized crime, and an empirical one, through the analysis of the case study. The selected case study is the response of Mexican drug cartels to the COVID-19 pandemic, as the socio-economic crisis occurring in Mexico shed light on the state incapacities.

The existing literature on organized crime, explored in the literature review, offers a variety of analytical tools to understand the relationship between state and crime. While diverse schemes are presented to describe it, they are too often developed from a Western-centric perspective, which can apply to a Global North context. However, they are much less relevant in a Global South context, where the lines between state and crime can be more blurred. This is where the interest of the concept of hybrid governance is to be found.

The literature review finally explored organized crime in Latin America and in Mexico. It presented the existing literature on the relationship between Latin American states and criminal groups. As such, it set the background for the case study on Mexican drug cartels. The latter has been selected due to its contemporaneity and its relevance in regard to hybrid governance, and also because it has been found to be an under-explored in the academic literature.

This dissertation consisted then in a qualitative analysis. The selected method for this study was document analysis. The academic literature on hybrid governance allowed to define three axes of analysis to identify hybrid situations, as detailed above. Those axes of analysis have then been confronted with the case study of Mexican drug cartels. The latter has been explored through institutional reports as well as journalistic content.

In regard to the simultaneity of different orders of social domination, it has been found that the Mexican landscape actually combines a weak state and powerful non-state actors. The Mexican state has displayed blatant lacks in its governance capacity during the pandemic, especially in certain remote areas such as the Sierra de Sinaloa or the state of Michoacan. The non-state actors refer here to several drug cartels, and especially the Sinaloa Cartel, the Jalisco Nueva Generacion cartel and the Cartel del Golfo, which have been particularly active and visible in

the public sphere during the pandemic, displaying their considerable resources and their ability to fill vacuums left by the public authority.

They have filled those gaps especially through the provision of services that the state was unable to deliver across the country. They have mobilized their resources to organize the delivery of food, medical supplies and some non-essential goods to the local citizens in need. They have provided economic support by giving financial aid and loans to the citizens that could not receive an income or a compensation by the state, or the business of which was at risk. Besides, the dramatic condition of the job market during the pandemic, the shutting down of numerous activities and the loss of jobs for many Mexican households, made it a very convenient moment for recruitment. Finally, they have contributed to the security governance of their communities by informing the citizens of the sanitary situation, implementing restrictions, and enforcing them with their coercive capacity.

As they compensated for the state's partial absence, the cartels have developed a certain authority among the administered population. Without being comparable to a fully functional state, they presented several characteristics of public authority. In particular, they had a degree of territorial control in areas practically abandoned by the state. By providing for the citizens, they have been able to create a feeling of protection and sometimes of belonging with them. The cartels have also been able to introduce and spread a system of symbols among the population, and in particular a symbolic language. Combining all those components to a certain degree, the cartels, despite their criminal activities, have built their legitimacy among the citizens.

As it presents the key characteristics of the three axes identified earlier, the situation in Mexico during the pandemic can be said to represent a situation of hybridity, making hence hybrid governance a relevant tool to analyze it. The finding of the possibility of the applicability of hybrid

governance as an analytical tool to understand Mexican drug cartels during the pandemic suggests the possibility to expand the field of application of this concept. It leads to a broader reflection on hybrid governance schemes with organized crime groups in a Global South context. As such, it would be particularly interesting for future research to further test the relevance of hybrid governance against a variety of organized crime groups and at various times.

VII / References

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