Cities are complex regulatory environments. Attempts to regulate urban behavior create opportunities for politicians to manipulate enforcement to win votes and reward supporters. While some politicians choose not to enforce regulations, or *forbearance*, others undercut their intent, or *dilution*. Empirical research on enforcement has lagged behind due to the identification challenges in distinguishing weak state capacity from political manipulations. We develop a structured approach to process tracing that follows enforcement decisions sequentially across bureaucracies and specifies statistical distributions as counterfactuals to identify the causes of limited enforcement. We illustrate these strategies through original data on enforcement against squatters in urban Colombia and the provision of building permits in urban Turkey. Enforcement process tracing helps to document a form of distributive politics that is common to cities in the developing world.
Enforcement Process Tracing:
Forbearance and Dilution in Urban Colombia and Turkey

Urban life depends on state regulation. The proximity and density of residents mean that city authorities attempt to control the use of land, commerce, sanitation, transportation, and so on. Even the least planned cities often are awash in laws and regulations that attempt to give order to urban chaos. While many state regulations are passed and justified as ways to promote public welfare, their enforcement—often involving fines, demolitions, permits, and business closures—typically are unpopular with those affected.

Regulation creates opportunities for political manipulation. As classic work on urban political machines recognizes, control over regulatory enforcement often has cemented political power in cities. The Italian Christian Democrats won support in Palermo through “the non-exercise of the surveillance and enforcement powers of the city police” (Chubb 1981: 119). Tammany Hall controlled New York City by “providing jobs, protection from the law, and various welfare activities” (Buenker 1969: 309). Cities in the global South are little different: a rich, although often neglected, distributive politics underlies the enforcement of urban regulations. Regulatory manipulation may be even more common in the developing world, given that forgoing enforcement often requires less state capacity than the provision of benefits. As one Indian official captures the lure of inaction: “If you want me to move the file faster, I am not sure I can help you; but if you want me to stop a file I can do it immediately” (qtd. in Sinha 2003: 459).
In this paper, we identify two ways in which politicians can manipulate regulations for political gain. First, politicians can choose not to enforce laws and regulations, or *forbearance*. Politicians direct bureaucrats to forgo sanctions against particular individuals or entire classes of violations. Second, politicians can interpret laws and regulations in such a lax fashion that they undermine the law’s intent, or what we call *dilution*. Bureaucrats issue permits or licenses in circumstances that written rules prohibit. Both tactics help politicians to build electoral support directly among those affected by regulations and indirectly among those sympathetic to informal activities.

Although forbearance and regulatory dilution are intuitive concepts, they are difficult to document empirically. Researchers cannot simply examine the text of the law, as in studies of regulatory reform. Politicians can engage in “cheap talk,” masking the real reasons why laws and regulations lay fallow. Furthermore, enforcement processes can involve a dizzying array of overlapping agencies and procedures before a sanction can be issued. Understaffed, competing, and predatory bureaucracies make the political manipulation of enforcement hard to differentiate from weak state capacity.

We propose a method of *enforcement process tracing* to identify regulatory manipulations. As will be familiar from more general work on process tracing, the goal is to identify the intervening causal process that leads to an outcome by following each step in a decision sequence. Our application to enforcement differs in two ways. First, we encourage researchers to trace enforcement across defined stages, from offenses to detection to legal cases and sanctions. Although the precise sequence will depend on the law or regulation under study, the key point is to consider the flow of decisions across a series of bureaucracies, rather than quantifying a single proxy measure or conducting
interviews about a single decision point. Second, our approach differs from conventional process tracing in that we use statistical distributions to specify counterfactuals of what enforcement looks like in the absence of political intervention and to aggregate individual decisions into broader behavioral regularities. Systematic deviations from a specified baseline, such as political bottlenecks, electoral cycles, and selective enforcement, then serve as causal process observations (CPOs) to understand the causes of regulatory manipulations. Combining qualitative knowledge about enforcement sequences and political pressures with quantitative data on aggregate cases provides substantial leverage to distinguish forbearance and dilution from state weakness.

Substantively, we illustrate these concepts and methods through case studies of building regulations in urban Colombia and Turkey. Construction is among the most common tasks in urban environments and thus a substantively important sector to study. Colombia and Turkey are both middle-income countries with substantial institutional resources to enforce construction regulations, but city elections are tightly contested and create pressures to alter enforcement. We consider different types of housing issues—squatting and construction permits—to underscore the general applicability of enforcement process tracing across behaviors.

The paper proceeds in four parts. We first describe enforcement process tracing and the types of CPOs that can be used to distinguish forbearance and dilution from state weakness. Second, we walk through a case of forbearance against squatting in Bogotá, Colombia, illustrating how data were collected across bureaucracies and showing how political bottlenecks emerge compared to a null hypothesis of weak state capacity. Third, we illustrate the concept of dilution through a study of electoral cycles in construction.
permits in urban Turkey. We use construction permit patterns in non-election years as a baseline distribution to isolate political motivations for permitting decisions in election years. Finally, the conclusion considers how enforcement process tracing can be applied to a broader set of research questions about enforcement and urban politics.

**Enforcement Process Tracing**

A vibrant debate exists on the meaning and uses of process tracing in political science.¹ Most scholars agree that process-tracing methods are defined by an attempt to trace causal mechanisms within a case. The goal is not to estimate the magnitude of a causal effect, but rather to assess whether a given factor is an important contributor to an outcome. As Beach and Pedersen (2013: ch. 2) outline, the uses of process tracing vary from attempts to test theory, build theory, or explain a singular case. Given well-defined theories about the causes of limited enforcement—rooted broadly in weak state capacity and electoral motivations—we focus on how enforcement process tracing can be used to test competing theories about the role of state weakness and political motivations.

One might wonder, why not just ask the actors involved why enforcement lags? A rich case study tradition has looked at the societal mobilization, political incentives, and bureaucratic challenges surrounding particular forms of regulatory enforcement.² While interviews can provide important evidence of the mechanisms at work, a major challenge is how to judge evidence provided by agents with motives to convince others of a specific interpretation. In the case of enforcement, politicians and bureaucrats may have instrumental motives to blame others for their shortcomings. Dimitrov (2009), for

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¹ For instance, see Beach and Pedersen 2013; Bennett and Checkel 2014; Collier and Brady 2010; Hall 2008.
² A few examples include Björkman 2015; Chubb 1982; Cross 1998; Fischer 2008; Onoma 2010.
instance, shows how different agencies in China shift blame for the failure to enforce intellectual property protections. In other cases, politicians readily admit that they choose not to enforce the law. Zambia’s president, Michael Sata, for instance, has said in interviews that he does not believe in enforcing regulations against squatters and street vendors (Resnick 2013: 78). But both cases raise the question of whether actors engage in “cheap talk.” Politicians may claim not to enforce the law for political reasons to mask their inability to control legal violations, or they may blame institutional constraints to shield their own political interests. Furthermore, while politicians may remember important cases that make it into the news, state behavior can look quite different for ordinary citizens and less mobilized societal actors.

To the extent that scholars use quantitative data to measure the enforcement process, they tend to be interested in a summary statistic known as the clearance rate, or the ratio of sanctioned cases to the number of underlying offenses. In criminology, clearance rates are used to measure the effectiveness of the criminal justice system (e.g. Borg and Parker 2001). The problem with clearance rates is that they only measure the beginning and end points of an enforcement process; they do not reveal why a government manages or fails to translate infractions into sanctions. They also miss cases that never even enter the legal system.

We therefore make two specific suggestions about the application of process tracing to enforcement. First, we propose that scholars think of enforcement decisions as a sequence of behaviors. Each step in the enforcement process determines the number and type of cases that feed up to the next step of the process until ultimately resulting in a sanction. Just as with historical processes often studied through process tracing (e.g.
Mahoney and Thelen 2015), past actions influence the subsequent choices of other actors in consequential ways. This sequential approach differs from many enforcement studies that concentrate on a single moment in the enforcement process, or use a summary statistical measure to judge the enforcement process. Careful attention to each enforcement stage allows scholars to identify several types of CPOs—political bottlenecks, electoral cycles, and selective attrition—based on when and where state action breaks down.

Second, our application of process tracing to enforcement diverges from dominant approaches in its reliance on statistical distributions to understand the causes of limited enforcement. Although quantitative data are compatible with process tracing, they tend to be deployed as “nuggets” of information (or additional CPOs) (Collier 2011: 825). We instead suggest that quantitative techniques—primarily the use of statistical distributions to specify counterfactuals—can be an important way to distinguish the mechanisms driving enforcement outcomes. Rather than study a single legal violation as a “case,” we use the aggregate pattern of offenses and sanctions in a given place as a case. In addition to the leverage gained through a clear null hypothesis, this structured approach to process tracing has the advantage that it can identify systematic biases in enforcement, such as differential treatment by class, partisanship, or time period. It also can be replicated and generalized across places, types of laws, and time periods. This section begins with a description of common enforcement stages and then turns to how they can generate distinct CPOs with well-specified counterfactuals.

*Enforcement Stages*
Most bans on behavior involve state enforcement. By enforcement, we mean actions intended to promote compliance, such as a warning, fine, or arrest. We focus here on the common stages in enforcement of laws and regulations intended to prevent certain behaviors by individuals or firms. This sequence can apply to a large variety of regulations, from the enforcement of environmental regulations to abortion restrictions. This framework applies less well to behavioral proscriptions that are reached through mutual agreement (i.e. contracts), or rules have no clear enforcement procedures (i.e. some types of social rights and policy implementation). We also focus on how states respond to legal violations, rather than the ways in which individuals encourage compliance through social norms or interest organizations supplement state efforts.

The precise enforcement sequence varies by the type of law or regulation. In general, we see four stages common to most enforcement—(1) offense, (2) state detection, (3) prosecution, and (4) sanction. Table 1 summarizes each stage of the enforcement process, as well as common indicators and data sources used in the literature.

**Table 1. Stages in Enforcement Process Tracing**

| Enforcement Stage | Common Measures and Data Sources |
|-------------------|----------------------------------|
| Offenses          | Surveys for sensitive questions, shortfalls between reported and actual behavior |
| Detection         | Offenses registered on satellite images, citizen complaints, inspections and counts conducted by state agencies |
| Prosecution       | Open cases as reported by civil society groups, attorneys, audit reports, newspapers |
| Sanctions         | Fines, removals, closures, usually from administrative data |

The first enforcement stage involves the definition of offenses. What is the universe of cases against which a government could act? The number of offenses, or
compliance, is often referred to as the “denominator problem” or “black number” because it is difficult to establish. Yet it is crucial to comparisons of enforcement across time and space. If governments face criminal or regulatory problems of different magnitudes, then the same number of bureaucrats or sanctions will have different deterrent effects.

Measures of offenses traditionally rely on surveys or government records. The easiest approach is to ask individuals to assess the frequency of a given prohibited behavior. But, as work on corruption shows, measures of perceived offenses often are uncorrelated with actual violations (Treisman 2007). Therefore, new survey techniques now try to ask people directly if they violate the law as a way to approximate the frequency of violations. List experiments and randomized-response questions can improve measurement for sensitive questions in which respondents are likely to underreport engaging in a sanctioned behavior (Rosenfeld, Imai, and Shapiro 2016). For instance, Gingerich (2013: 120-38) estimates the frequency of political corruption through randomized-response surveys of public employees.

Another common technique to measures offenses comes from the shortfall between expected and observed behaviors. Min and Golden (2014) measure electricity theft through line loss (how much electricity beyond the standard friction is “missing” from the power company). Post (2014: 45) calculates the percentage of water fees levied that actually are collected. Work on informal construction similarly calculates the difference between the number of dwellings registered in the household census and those recorded in the building census (Caldeira 2000: 267).

Some studies use compliance as their dependent variable (e.g. Bergman 2009; Burgess, Olken, and Sieber 2012; Tsai 2015). The question of why citizens follow the
law is important in its own right. However, comparative scholars must be careful to draw inferences about state enforcement from observations about compliance. Widespread legal violations can be accompanied by vigorous enforcement efforts against a hard problem, or by government passivity. Understanding the causes of limited enforcement requires attention to how legal offenses are handled by state agencies.

The second enforcement stage involves detection. In other words, the question is what portion of regulatory violations the state “sees” through its own monitoring activities or societal complaints that bring violations to state attention. Some legal violations are highly visible: if a president dismisses Supreme Court justices, citizens (and prosecutors) immediately know that judicial tenure has been breached. Other legal violations produce physical evidence that is easy to count: for instance, many countries begin automatic investigations of police misconduct any time that an officer fires a shot. In other areas, however, infractions require monitoring effort to detect. In other areas, however, infractions require monitoring effort to detect. Societal support often is critical to bring legal violations to the state’s attention and supplement official efforts (e.g. Amengual 2015).

States may have reasons not to detect offenses. Slater and Kim (2015) show that state authorities can be “standoffish” and deliberately ignore illegal activities in their midst. Illegal mining, for instance, surged in Latin America as prices soared during the commodities boom in the late 2000s. But state agencies took years to acknowledge or collect data on informal and illegal mining activities (Dargent and Urteaga 2016).

The government’s role in licensing and permitting also can make it difficult to define the detected offenses. For instance, legal rules may prohibit certain behaviors, but
politicians and bureaucrats can redefine the bar for what constitutes a violation. This behavior results in a gray zone in which a prohibited behavior cannot be subject to sanction and therefore is not reported as an offense. Take some examples from the construction sector, which we discuss below. Zoning laws prohibit building above a certain height, yet bureaucrats assign permits to build additional floors that exceed the maximum height. Powerful actors, such as real estate “mafias” in Mumbai, bribe authorities to prevent them from registering land use violations (Weinstein 2008). Additional information is needed on whether these violations occurred with authorization, suggesting what we call dilution, or without it.

Third, depending on the type of legal violation, detected offenses move through the bureaucracy and even the court system before they result in a sanction. Criminal actions, in particular, require a stream of actors to intervene to guarantee due process, review the evidence, and issue the final verdict. Much in the spirit of enforcement process tracing, Gallagher (2017) develops a classification rubric to code how far cases of lethal violence progress through the judicial system in Colombia. The breakdown shows that more than 70 percent of cases of lethal violence never result in investigative actions, while many others stop before reaching trial. Administrative procedures likewise can require investigations, court orders, or agency reviews before issuing a sanction. This stage thus can be broken down into multiple steps depending on the complexity of the administrative or legal process.

Documenting administrative and judicial proceedings often runs into the greatest data constraints in developing countries. Courts rarely have the researcher in mind as they dole out sentences across jurisdictions and classify their casework. But civil society
groups, state comptrollers, freedom of information requests, or newspaper reports may help researchers locate and aggregate types of cases. Brinks (2007), for instance, combines civil society and newspaper records to trace suspected police homicides through the court system and uncover the differential treatment of victims of different social classes.

The final step in the enforcement process involves the sanction itself. In most law and economics approaches, sanctions are the core of state enforcement actions (e.g. Becker 1968; Becker and Stigler 1974). Ideally, scholars can collect administrative data on the number of fines, business closures, criminal sentences, and so on that the state imposes and executes. The challenge is that state enforcement data often is missing or not comparable across political units. Substitutes for state data on sanctions are difficult to find. One appealing alternative, given that it can be scaled across offenses and countries, is to ask citizens to estimate how likely it is that a given offense will end with a sanction. But individuals struggle to judge probabilities, especially for sanctions with which they have no personal experience and that occur infrequently across the population.\(^3\) Holland (2015) circumvents the issue in her study of operations against unlicensed street vendors by combining administrative records with surveys of enforcement agents, who directly impose sanctions, to develop comparable measures. We now turn to how gathering data across these four stages, and comparing it to baseline distributions, can help to test theories about the causes of weak enforcement.

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\(^3\) For instance, the 2014 Latin American Public Opinion Project (LAPOP) attempted to have citizens estimate enforcement probabilities. The survey asks, “If someone in your neighborhood occupied an uninhabited piece of land, how probable is it that s/he would be sanctioned by the authorities?” The results bear little relationship at the country or individual level with factors known to affect the objective enforcement probability.
Baseline Distributions and Causal Process Observations

In many developing countries, the null hypothesis is one of state weakness or incompetence, while the rival is one of political intervention. But to match these theories to empirical observations requires an additional step. What does enforcement look like in the absence of political intervention? In no country do we expect perfect enforcement and zero offenses. In this section, we suggest that scholars can use statistical distributions to specify an ideal type for what enforcement looks like in the absence of political intervention. Deviations—and specifically, political bottlenecks, electoral cycles, and selective attrition—then constitute observations in favor of an electoral theory of enforcement.\(^4\)

Economists often use statistical distributions to make predictions about the behavior of markets and social phenomena. Perhaps the most common hypothesis is that the city system of a country can be summarized by a power law distribution. Known as Zipf’s law, the idea is that the largest city of a country is twice as large as the country’s second largest city, three-times the third largest, and so on (for a review of applications, see Gabaix 2009). Deviations from this distribution can suggest intervening variables, such as policy interventions that distort the “expected” city growth pattern. We suggest a similar approach when judging state enforcement efforts.

In the context of enforcement, the tough part is how to decide which statistical distribution to use as a null hypothesis. We suggest that a reasonable counterfactual assumes constant attrition. At each stage in the enforcement process, some fraction of cases will fail to pass through to the next stage. In statistical terms, this can be

\(^4\) For additional methods to identify forbearance, see Holland (2016).
approximated by a log-linear loss function in which the same fraction of cases drops out at each stage. As with any assumption, this functional form likely is imperfect. Additional information about how difficult each stage of the enforcement process is could suggest the use of a different distribution. But absent such information, constant attrition is a reasonable approximation of what people mean when they suggest that state weakness drives limited enforcement. Differences in state strength then are captured by the loss rate (i.e. the fraction of cases that do not move on to the next stage in the enforcement process), much as assumed in studies of clearance rates.

The actual distribution of cases for less politicized offenses or time periods also can serve as a null hypothesis. As we show in the case of construction permits in Turkey, enforcement behavior in non-election years can be a baseline comparison to understand how politicians change their actions as elections approach. In a similar spirit, Holland (2015) uses enforcement patterns against violent crime, which the public and politicians presumably condemn, to specify what enforcement against street vending might look like in the absence of electoral manipulations.

Relative to a null hypothesis of constant attrition, a theory of political intervention makes several distinct predictions. First, enforcement should break down at political decision points, or political bottlenecks. Traditionally, interview evidence or public statements that politicians intervene to change the outcome of a particular case are used to suggest forbearance. For instance, Goodfellow (2015) shows how the Ugandan government passed regulations against informal moto-taxis and began to implement them. President Yoweri Museveni then intervened directly in support of informal drivers’ organizations, undercutting his own party’s initiative to impose sanctions. Tendler
(2002) similarly points to campaign events to suggest that politicians make a “devil’s deal” and promise not to enforce tax regulations on small businesses in Brazilian elections. But given that politicians may misrepresent their motivations or act otherwise once in office, and sometimes direct enforcement orders are not made public or ignored by bureaucrats, political bottlenecks seen in enforcement data can provide important evidence of electoral interventions.

The left panel of Figure 1 suggests what political bottlenecks might look like. The dotted line represents a theory of state weakness, captured in a constant log-loss function. The solid line suggests a sharp drop-off in the number of cases detected. Political bottlenecks also can occur at other enforcement stages, such as decisions about sanctions or court cases. If this were the case, then the main drop-off would simply occur at a different enforcement stage. Knowledge of when politicians have formal or informal veto power in a given enforcement process can help to predict and identify a political bottleneck.

Figure 1. Political Bottlenecks and Electoral Cycles Across Enforcement Stages
A political bottleneck is an example of a “hoop” test, which is necessary but not sufficient for the validity of a given hypothesis. If there are no political bottlenecks, it is unlikely that enforcement is manipulated for electoral purposes, although the researcher should verify that the main political responsibility is not in the allocation of resources to enforcement itself. Even with this check, a political bottleneck can have multiple causes, such as the relative difficulty of a given step in the enforcement process. Interviews with bureaucrats to determine if a politician actually interferes with their work at a given stage or whether resource constraints instead limit particular actions can confirm the aggregate observation of a bottleneck.

Second, in addition to stoppages at political decision points, observations that these blockages appear or grow in election years are consistent with a theory of forbearance. If motivated by political considerations, then enforcement should follow an electoral cycle like other distributive goods. The null hypothesis, in other words, is that enforcement occurs evenly across the year, and looks similar in election and non-election years. Dilution, as we show below, involves an increase in permits (and thus a decrease in detected offenses) during election periods. Forbearance implies that sanctions drop off during election periods. The right panel of Figure 1 visualizes this idea. The dotted line shows a standard enforcement pattern in a non-election year. The solid lines show how sanctions may decrease in election years if politicians favor forbearance.

Electoral cycles are most likely when sanctions impose a cost on electorally important voters. In contexts in which the wealthy or less sympathetic actors violate the law, it is possible to see the opposite type of electoral enforcement cycle. Enforcement

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5 On hoop tests, see Van Evera (1997: 31).
may pick up prior to an election. As Culpepper (2010) argues, many regulatory issues fall into a realm of “quiet politics” in which business interests dominate because the public is inattentive or unable to observe the resources at stake. If elections make enforcement salient, then public attention can prod politicians to move enforcement back toward the majority’s interests. Indeed, Casaburi and Troiano (2015) find that Italian voters rewarded politicians who enforced against property tax violators, in the context of a highly publicized program to pressure the wealthy to pay more tax.

Third, observations that political bottlenecks emerge only for certain types of cases can provide evidence of the political determinants of enforcement. A process of selective attrition can be another marker of forbearance, especially when the type of cases that are weeded out in the system correlates with political traits of the case, rather than the legal complexity or costs of prosecution. For instance, China has established an agency to supervise the use of state lands, which uses satellite technology and inspections to monitor compliance with zoning and construction regulations. Yet Sun (2015) demonstrates that the largest land violations—precisely those that are the easiest to observe from satellite imagery, such as golf courses—persist. He attributes these violations to the political connections of developers with the central government.

Conversely, observations that governments are unable to control even types of cases that are consistent with their political aims, and where enforcement would be politically beneficial, suggest capacity constraints. Markus (2015: 202), for example, notes that President Viktor Yushchenko promised to amp up property rights enforcement in Ukraine as part of the Orange Revolution, and that private business groups that
supported the government wanted greater enforcement. A corrupt and intransigent bureaucracy thwarted Yushchenko’s plans to reform property rights protections.

Selective attrition also can reflect differential pressure by organized interests or control of bureaucratic agents. Civil society associations may push for or against enforcement in certain types of cases. Amengual and Dargent (2018), for example, show how environmental groups pushed for selective enforcement against factories that made the news in the aftermath of a scandal. Civil society mobilization raised the pressure on politicians to act against polluters, without any change in state capacity or the electoral environment. The extent of control over the local bureaucracy also may mean that only some types of electoral districts can rely on forbearance or dilution, creating selective attrition by district type. For instance, electoral cycles may be more notable in districts with incumbents or low levels of political competition where politicians have greater bureaucratic control. Brollo, Kaufmann, and La Ferrara (2015) study the enforcement of requirements that families keep their children in school to receive cash transfers in Brazil. They find that the enforcement of conditionalities is weaker around elections, but only in municipalities with school principals appointed by the mayor and thus willing to alter sanctions on a mayor’s whim.

In sum, this section has outlined a common series of enforcement stages and CPOs that help to identify forbearance and dilution. Compared to scholarship that relies on a single summary statistic, such as a clearance rate, this approach is better able to pinpoint causal relationships. By identifying whether enforcement breaks down at political decision points, whether politician behavior varies with the electoral cycle, and how enforcement varies by case or district type, researchers can distinguish weak state
capacity from electorally motivated interventions. Statistical distributions provide a clear null hypothesis for what enforcement looks like in the absence of political chicanery. By aggregating data on a large number of cases across enforcement steps, the approach suggested here also provides greater representativeness than interview-based alternatives that ask politicians to describe the motivations for limited enforcement. Politicians may engage in cheap talk, refuse to talk at all, or only remember salient cases. Attention to how patterns of enforcement deviate from expected distributions thus can reveal electoral manipulations that are easy to miss in interviews or dismiss as state weakness under conventional approaches.

**Forbearance in Urban Colombia**

In this section, we turn from discussing how enforcement process tracing can help understand enforcement politics to substantive applications based on original field research and collection of government administrative records. In the context of Colombia, we specifically focus on the need to specify preexisting statistical distributions to give meaning to the idea of “weak institutions” and to gather data across bureaucracies. Statistical data collection was supplemented with extensive interviews with bureaucrats and politicians at each stage in the enforcement process (for additional details, see Holland 2017: 133-148).

Urban land occupations have a long history in Colombia. Since the 1950s, informal settlement growth has accounted for about half of all urban housing development, and about a third in Bogotá (DNP 2007: iv, 8). By the 1990s, much of the available peripheral land had been occupied. Housing demand continued to increase with population growth, as well as the displacement of millions from Colombia’s civil war.
Landless families looked to some of the remaining open land in the conservation park in the eastern hillsides (cerros orientales) of Bogotá, as well as the far tips of the city. In contrast to the land invaded or sold informally in the twentieth century, the government cannot assign property title or “regularize” construction on land intended for environmental conservation. Yet, by some estimates, almost a million people have built their homes on conservation land.

A central question is why illegal land occupations continue: do politicians want to enforce the law and fail, or do they use land occupations to win votes or provide housing to the poor? To separate the role played by political calculations compared to capacity constraints, we apply process tracing to follow each step in the enforcement process. The first challenge is to determine the underlying universe of offenses against which the government could act. A plausible measure of the wider universe of illegal land occupations in Bogotá comes from the number of new “provisional” water connections registered in the city. Informal settlements almost immediately apply to receive water. Colombia’s Constitutional Court requires governments to provide water to households regardless of their legal status. There were roughly 23,000 provisional connections to individual households between 2003 and 2011 (Camargo and Hurtado 2011: 13).

The next question concerns what the government “sees” in terms of illegal land occupations. To comply with a court ruling, the government created an agency to monitor illegal land occupations. Figure 2 provides an example of the monitoring process that Bogotá undertakes to prevent illegal land occupations. Using high-resolution satellite images, the city agency pinpoints the location of illegal land occupations, generating maps like those in the left panel. Given the inaccuracies in this process, the
agency then sends a team of engineers to the illegal occupation to verify the construction. Engineers take photos, describe the construction and building materials, and update the geographic coordinates for each illegal land occupation. The end product is a report that links a description of the construction to the geographic coordinates, as seen in the right panel. Through this procedure, city authorities spotted about 60 percent of the possible informal land occupations counted through provisional water connections between 2006 and 2011.

Figure 2. Detection of Illegal Land Occupations by Satellite Imagery (Left) and Inspection Reports (Right), 2011.

Interviews with city officials reinforce that satellite images have increased knowledge of land issues substantially. In Ciudad Bolívar, one of the poorest districts in Bogotá that continues to experience regular illegal land occupations, there can be several hundred new land occupations detected by the city through satellite imagery in a single month. In comparison, authorities receive an average of two citizen complaints per
Societal collaboration with enforcement is minimal in poor neighborhoods due to doubts about whether enforcement should occur, and also limited organization among squatters. Informal neighborhoods also tend to be unorganized in Bogotá due to the piecemeal arrival of individuals displaced from the civil war.7

After the detection phase, bureaucrats need to open an administrative case against an illegal land occupation. We found that roughly 20 percent of illegal land occupations have resulted in administrative actions by district governments. This calculation is similar to the reports received by the Comptroller, as part of its monitoring of government compliance with the court ruling. For a slightly earlier period, the Comptroller found that only 19 percent of illegal occupations reported by the city government resulted in administrative action, and called the statistics “worrying, given that the number of illegal occupations is larger in reality than the points of monitoring and control detected” (Comptroller 2004: 70).

Interviews and participatory observation with bureaucrats shed light on why the government opened so few cases. Bureaucrats face a number of obstacles on top of limited staff and resources that reflect challenges unique to enforcement in low-income settings. For one, informal settlements lack addresses. City officials identify illegal land occupations using geographic coordinates. Local officials often do not have access to GPS units, or choose not to carry them due to high crime rates in peripheral districts. Relying on photographs and approximate locations, local officials struggle to identify land occupations because physical appearances change rapidly. Between visits by city

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6 Author interview with judicial coordinator, Ciudad Bolívar, Bogotá, Colombia October 14, 2011.
7 This contrasts with the organized land invasions and resulting popular movements in other time periods and Latin American cities, such as Lima (Dosh 2010).
officials, an isolated, tin shack can be enclosed by hundreds of similar ones. All legal correspondence must be hand-delivered, which means that the identification process needs to be repeated multiple times. As one bureaucrat joked, “You try to find the same exact GPS point five times without access to a GPS device!”8 In addition, given the high stakes of land claims, residents in illegal settlements are savvy about property laws. Squatters claim to be renters (administrative sanctions must be filed against the owner of the construction) or to have occupied the land for three years (past the statute of limitations). These tactics reduce the ability of bureaucrats to open legal cases.

After district governments open a case, administrative courts must approve the demolition order. The legal environment surrounding illegal land occupations is complex, given that Colombia’s 1991 Constitution recognizes a right to housing and international law also protects against forced evictions. Squatters threatened with eviction have made extensive use of court proceeding. Only about 39 percent of administrative actions end in a demolition order.

The final part of the enforcement process is the execution of the sanction. In Bogotá, mayors must sign and schedule the removal of an illegal land occupation. But mayors largely refuse to do so. Only 4 percent of court orders result in a sanction being imposed, which is the lowest rate of efficacy in the entire enforcement process. Through deliberate foot dragging, mayors postpone demolitions until the orders must be archived. As one bureaucrat captured a common pattern, “I have opened 150 judicial cases and I pass the information to the local mayor and request a date for the demolition. But they don’t sign the demolition orders, not one [of my cases] has ended in a demolition.”

8 Author interview with judicial advisor, District of Bosa, July 30, 2010.
As asked to explain the stoppage, the bureaucrat places blame squarely on local politicians, “It’s not in the interests of politicians to actually control these issues…anyone who dares to do [a demolition] dies politically.” Another top city official reinforced these accusations: “Actual sanctions generate a political clash. No political campaign could be run on a slogan of vote for me and in a few months I’m going to tear down your house so the city mayors does what he can through monitoring, but he won’t impose any real sanctions.” In other words, a political bottleneck emerges at the enforcement stage.

Alternative methods may not be able to reveal the complex politics of forbearance. A simple observation that only 40 of 23,000 cases end in sanctions easily could be taken as evidence of a weak state bureaucracy in Bogotá. Likewise, simple statements by mayors that they do not want to sign demolition orders could mask substantial legal and bureaucratic constraints that limited their action. In contrast, enforcement process tracing shows that, while many cases are lost in the administrative process of detection and legal orders, an even greater proportion stops when mayors need to sign demolition orders. Interview evidence is consistent with the observed behavior of mayors in refusing to sign demolition orders. Theories rooted in weak state capacity cannot explain why enforcement stops after a complex bureaucracy has done its job.

**Dilution in Urban Turkey**

Enforcement process tracing also can be used to understand electoral cycles of enforcement behavior. Many standard statistical methods, such as difference-in-difference approaches, explicitly specify a counterfactual against which to judge electoral

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9 Author interview with housing bureaucrat, District of Rafael Uribe Uribe, July 7, 2010.

10 Author interview with coordinator of inspectors, Subsecretary of Control, District Housing Secretary, Bogotá, Colombia, July 27, 2011.
deviations. In this section, we show how electoral manipulations can occur in how offenses are defined, or what we call dilution. Authorities permit more construction activity in the run-up to elections. Consistent with an observation of selective enforcement, these effects are larger in less competitive districts where politicians have greater control over bureaucrats’ behavior, and districts governed by opposition parties, which have less access to central government resources.

In Turkey, municipal governments grant construction permits prior to the initiation of a building project. Officials, often under instructions by local mayors, can use their discretion to provide a lax or stringent interpretation of building regulations. To illustrate the idea of dilution, we look for electoral cycles that occur in the assignment of residential building permits. We expect that the months preceding local elections will result in a boom in construction permits to make it easier for constituents to build. Officials will overlook possible violations of local zoning and construction regulations. Empirically, we focus on the difference in behavior in election and non-election years in the months right before and after local elections.

Turkey is an ideal case to examine the over-time variation in enforcement due to the strict division of responsibilities between the central and local government. Municipalities provide basic infrastructure and services, such as water, sewage, and trash collection, and enforce regulations pertaining to construction activities. The central government is responsible for major social services, particularly health, education, and cash assistance programs. Local governments, then, are clearly responsible for construction permits. They have less ability to manipulate major social programs for electoral ends.
Construction regulations in Turkey are important to voters who want to build or expand their houses or businesses. In deciding whether to provide a permit, bureaucrats analyze compliance with zoning, height, environmental, and aesthetic regulations. As in Colombia, much of urban Turkey developed through informal construction on the outskirts of cities. After taking land, many families then looked to add additional floors to their houses.

Turkey directly elects local mayors by plurality rules every five years. Our data cover the period from 2002 to 2016, including three local election cycles in 2004, 2009, and 2014. General elections usually occur in the middle of the five-year local government term. There are 971 district (ilce) municipalities, with an average population of around 80,000 residents. Given our sense that dilution is a more important strategy in urban environments, we only focus on district municipalities, excluding small municipalities known as township (belde) municipalities from the analysis.11 We focus exclusively on residential building permits (rather than business and public works permits) because they affect the largest number of voters and thus have the clearest electoral logic.

The conservative Justice and Development Party (AKP) has been in power since 2002. Turkey became a competitive authoritarian regime during this period in which the AKP used its control of state resources and the media to cement its electoral dominance (Esen and Gumuscu 2016). Nonetheless, local elections are fiercely contested. In major cities like Istanbul and Ankara, the AKP only won around 42 to 45 percent of the votes in

11 Prior to a recent administrative reform that decreased the total number of municipalities to 1397, there were around 2000 township (belde) municipalities, the smallest political units in rural areas. The results are unchanged when small and rural municipalities are included (see Appendix Table 3).
local district elections in 2014. But due to the concentration of AKP voters in less populated suburban and rural areas, the AKP governed roughly two-thirds of district governments in Istanbul and Ankara, and 800 of 1351 rural districts across Turkey.

We present descriptive results here and include a more formal difference-in-difference (DiD) analysis in the Appendix. Local elections occur on the last Sunday in March so we define March as an election period. We analyze how permitting behavior changes in between February (a non-election period) and March (the election period), and compare this change to the same period in non-election years.12

Our theory of dilution predicts that permits should increase in the pre-election period and then drop off again right after the election. However, certain seasons of the year are likely to have different construction demand. It is possible that an increasing trend in the election month, March, reflects a spring construction boom, rather than changes in politicians’ behavior around local elections. Specifying non-election years as a counterfactual makes it more plausible that politicians manipulate permitting behavior to win elections, rather than in response to changes in construction demand. Additionally, because we compare the differences across election and non-election years in the same municipality and control for time invariant municipal-level effects, structural characteristics of the municipality, such as levels of poverty, religiosity, or local state capacity, are unlikely to drive the results.

To give a sense of the electoral cycle and the baseline distribution of permits, Figure 3 provides descriptive statistics on the average number of construction permits

12 In a DiD framework, municipalities in election years (in months) correspond to the treatment group, and the same municipalities in non-election years (for the same months) correspond to the control group. The “treatment” corresponds to the month when elections occur (March in election years).
granted by month at the municipal level. It shows a consistent spike in the number of construction permits in March in election years (black) compared to non-election years (gray). Municipalities increase the number of construction permits in February to March from 1.5 to 4.5 in 2004, from 5 to 8.5 in 2009, and from 6 to 16.5 in 2014. Equally important, the number of permits returns to “regular” levels, matching non-election year trends, once the election has passed. The only major difference between election and non-election years occurs in permitting activity during the month when local elections take place.\(^{13}\)

\(^{13}\) The increase in August 2014 may be due to the presidential election, held in 2015 for the first time after a constitutional change. The other unexpected increase in the number of construction permits occurs in December, and particularly in December 2003. It is possible that this reflects greater citizen demand to improve homes in the new year, given that smaller upticks can be seen across all years. In addition, a major earthquake struck Turkey in 2003, so it is possible that people were rebuilding from the destruction at the end of the year. Even if we drop this election cycle from our analysis, the findings hold.
Another way to isolate differences in government behavior is to look at whether any difference exists across core versus swing districts. On the one hand, dilution depends on control over the bureaucracy, which may only occur in core districts with entrenched mayors. On the other hand, competitiveness may shape the extent to which mayors need to manipulate enforcement power for electoral purposes. This would suggest stronger electoral cycles in swing districts. In either case, differential patterns across core and swing districts would distinguish dilution from demand-driven explanations. If citizen demand drives permitting behavior, we would expect similar patterns across core and swing districts. We classify districts as core or swing based on whether the incumbent changed or not across elections. In a similar spirit, we examine
differences between districts governed by the AKP, which is a machine party with substantial organizational capacity and control over central resources, and non-AKP parties.

Figures 4 plots the estimates and confidence intervals for all districts, and then divides the sample into core and swing, and AKP and non-AKP, districts. The results plot the estimated difference in construction permits in the month before elections compared to non-election years from a DiD regression model (see Appendix for the model specification and coefficient tables). Across all districts, an additional four construction permits are issued in the month prior to an election compared to the same month in non-election years. Given that the average number of permits issued in the same month in non-election years is around four, this result suggests that permitting activity doubles in the month leading up to an election.

Core districts, regardless of which party is in power, have stronger electoral cycles than swing districts. The increase in the number of construction permits in election years is 5.2 in AKP core districts, and 7.6 in non-AKP core districts, translating into an almost two-fold increase in permitting around elections in opposition-dominated areas. Electoral cycles are weaker in swing districts. A plausible interpretation of these results is that secure mayors are better able to manipulate permitting. Opposition parties also seem to increase permitting more than the AKP. This may reflect the fact that opposition parties have less access to central government resources, making dilution a more valuable electoral tool.

\[\text{14} \text{ This difference is also statistically significant, as shown in the Appendix at Table 4.}\]
In sum, construction permits follow clear electoral cycles in urban Turkey. Using a non-election year to establish a baseline comparison, we show that politicians expand permits as elections draw near. Although electoral cycles around enforcement have been documented in other studies (e.g. Min and Golden 2014; Skouras and Christodoulakis 2014), qualitative knowledge about the enforcement stages helped us focus on permitting choices as the key political decision in urban Turkey. Different enforcement patterns across core and swing, as well as AKP and opposition districts, reinforce that politicians’ behavior, rather than citizens’ demands, drives the trends. Electoral cycles are particularly notable in core districts, where politicians have stronger control over local bureaucrats who assign construction permits, and opposition areas, where local politicians may be more resource constrained.

**Conclusion**
This paper sheds light on the complex regulatory politics in urban environments. Many cities in the developing world have substantial bureaucratic shortcomings, which make it difficult to distinguish forbearance and dilution from standard problems of weak state capacity. Conventional methods tend to obscure the politics behind enforcement decisions, or rely on political actors to faithfully report the motivations of their enforcement behavior. Enforcement process tracing—and more specifically, attention to the distinct stages of the enforcement process and the expected distribution of offenses, sanctions, and permits—provides a way to document the electoral motivations for limited enforcement, while recognizing that substantial bureaucratic deficiencies can coexist with political interventions.

Enforcement process tracing may prove valuable in a variety of regulatory environments. Informal economic activity, such as unlicensed businesses and street vending, is commonplace in cities in the developing world. While many studies examine the politics of enforcement through interviews with those in violation of law, or local politicians (e.g. Cross 1998; Hummel 2017; Resnick 2013), attention to administrative data on cycles of sanctions and permitting can provide additional evidence on whether electoral incentives or state capacity drive enforcement outcomes. Illegal service theft provides another fruitful application of enforcement process tracing. Similar to the methods proposed here, Björkman (2015) follows the movement of water through piped infrastructure to understand the capacity constraints and political interventions in urban India, ultimately rejecting an interpretation that politicians can fully control water access for their own ends. Attention to the sequence of enforcement decisions, and where and
when they break down, thus may help shed light on distributive politics in cities and regulatory contexts beyond those addressed here.

The main contribution of this paper is to give greater structure to the use of process tracing in the context of enforcement politics. As Levitsky and Murillo (2009) theorize, strong institutions have two components, their stability and enforcement. But what it means to enforce institutions often is not clear, and sometimes is measured through proxies for state capacity like the number of bureaucrats or financial resources dedicated to enforcement. Breaking enforcement down into stages, as proposed in this article, can shed light on the causes of weak institutions. We encouraged scholars to trace enforcement from noncompliance by societal actors through the bureaucratic procedures and political decision points that result in a final sanction. The precise enforcement stages may vary with the institutional setting, but the basic approach developed can provide a template to explain procedural differences.

Second, we suggested a series of causal process observations to strengthen arguments that politicians, rather than weak states, contribute to limited enforcement. Although process tracing is a qualitative method, we encouraged scholars to draw on quantitative approaches that specify statistical distributions as null hypotheses and then measure deviations through descriptive statistics. Giving concrete meaning to concepts like “state weakness” is essential to pinpoint political interventions. We showed how this can be done by considering what bureaucratic loss functions look like in the absence of political interventions, and using data from non-election years to understand less politicized enforcement patterns. Political bottlenecks, electoral cycles, and selective case patterns provided evidence in favor of forbearance and regulatory dilution, while
recognizing that financial and bureaucratic constraints also can be substantial obstacles in developing countries.

A disadvantage of our version of enforcement process tracing is that it is difficult to apply in data-scarce environments. In encouraging the use of statistical distributions and similar statistics across enforcement stages, we sacrifice some of the flexibility offered by traditional process-tracing research designs.¹⁵ Many governments in the developing world do not systematically document the inspections, fines, permits, and police operations that they conduct. Extensive fieldwork to gather what government records do exist may help to piece together how states respond to legal violations. Other contributions to this special issue address some innovative methods of data collection, like crowdsourcing and informal archives, which may alleviate some of these challenges. We echoed these pieces in showing the ways in which information on legal violations has improved with new technologies like satellite imagery. As the capacity to “see” illegal behavior improves, the question of what governments want to see and control becomes even more relevant for cities in the developing world.

¹⁵ Process-tracing research designs do not require the same pieces of evidence across cases or even different parts of the mechanism, giving them greater flexibility compared to data-set observations that require unit homogeneity (Beach and Pedersen 2013: 79-81).
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