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The Necessary Conditions for Retaliation: Toward a Theory of Non-Violent and Violent Forms in Drug Markets

Scott Jacques

Research provides strong support for the theory that drug market participants are often involved in violent retaliation because they lack access to formal mediation. Yet retaliation is not always violent. The existing drug market literature offers few counts, estimates, or stories of non-violent retaliation, and no single theory specifies the variable conditions that determine which form of retaliation occurs. This paper contributes to criminology by drawing on the necessary conditions perspective and qualitative data obtained from drug dealers to provide the conceptual and theoretical foundation for future criminological work, including the development of theories that explain variability in retaliatory forms, research that demonstrates whether any given theory is supported by data, and criminal justice policies that draw on theoretical and empirical knowledge to reduce all forms of drug market retaliation—violent and non-violent.

Keywords drug market; retaliation; violence; fraud; stealth

Introduction

Illicit drug markets constitute a “virtually stateless society”—a context almost entirely devoid of mediatory law despite being under the jurisdiction of the state (Black, 1983; Cooney, 1998; Horwitz, 1990; Phillips, 2003). Although drug market participants can be punished by the law, they encounter barriers in trying to mobilize the law for help (see, e.g., Copes, Forsyth, & Brunson, 2007, p. 894; Jacobs, 2000; Topalli, Wright, & Fornango, 2002). The fact that law is

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largely unavailable to drug market participants makes *retaliation* a more likely outcome of their conflicts (Jacobs & Wright, 2006). As Machiavelli put it, “[t]here are two ways of fighting: by law or by force. The first way is natural to men, and the second to beasts. But as the first way often proves inadequate one must needs have recourse to the second” (2003, p. 56). In short, the illicit drug world is virtually anarchic and therefore often rife with retaliation.

Prior research clearly demonstrates an intimate connection between *violent* retaliation and illicit drug markets (see, e.g., Goldstein, Brownstein, Ryan, & Bellucci, 1997; Jacobs & Wright, 2006; Jensen, 2000; Kubrin & Weitzer, 2003; Levitt & Venkatesh, 2000; Ousey & Lee, 2004). Despite the merits of that research, what largely has been unaddressed is that *not all retaliation is violent* (Jacques & Wright, 2008a). The existing drug market literature offers few counts, estimates, or stories of non-violent retaliation (but see, Adler, 1993, pp. 106-107; Jacobs & Wright, 2006, pp. 58-59; Wright & Decker, 1994, p. 59), and no single theory specifies the conditions that determine whether violent or non-violent forms of retaliation occur. Important theoretical questions have yet to be answered: What determines whether retaliation is accomplished via non-violent or violent means? Why, for instance, does one drug market conflict lead to a retaliatory murder, another to a retaliatory rip-off, and another to a retaliatory burglary?

The goal of this paper is to move criminology toward a more nuanced, variegated, and complete understanding of violent *and* non-violent retaliation in drug markets by providing the conceptual and theoretical foundation for future criminological work. To be clear, the purpose of this paper is *not to end* but rather *to begin* an academic debate that might result in the development of strategies to reduce retaliation. To accomplish this goal, the paper takes the following path: (1) it first briefly describes a theory and typology of drug market retaliation; (2) it then reviews the method and purpose of the data employed in the paper; (3) it then draws on the logic of the necessary conditions perspective to specify what conditions are necessary for various forms of drug market retaliation—both violent and non-violent—to occur; and (4) it concludes by providing an agenda for future criminological work, including the development of theories that explain variability in retaliatory forms, research that demonstrates whether any given theory is supported by data, and criminal justice policies that draw on theoretical and empirical knowledge to reduce all forms of drug market retaliation—violent *and* non-violent.

The Foundation for a Theory of Retaliatory Forms in Drug Markets

Retaliation is “the handling of a grievance by unilateral aggression” (Black, 1998, p. 75).¹ Although retaliation is often criminal, it is also “moralistic and

1. In addition to retaliation, other forms of social control include settlement, negotiation, avoidance, and toleration (Black, 1998; Horwitz, 1990; for examples in the drug market, see Jacques & Wright, 2008a; Reuter, 1983; Taylor, 2007).

involves the pursuit of justice" (Black, 1983, p. 34). The distinguishing characteristic of retaliation is it "is an assault by one grievant on the other without the invocation ... of settlement agents" (Horwitz, 1990, p. 127). In other words, retaliation is a tool for obtaining justice without police, courts, or prisons.

All cases of retaliation involve two parties: a *wrongdoer* and a *retaliator*. Wrongdoer is defined as an *actor* (person or group) that is involved in a deviant action (i.e., an action that is socially controlled). Retaliator is defined as an actor who unilaterally punishes a deviant action (see Black, 1983, 1998). Thus, a wrongdoer could be a single person or group of persons who do something deviant. Likewise, a retaliator could be an individual or group of individuals that punishes deviance on their own (i.e., without the help of a government).

A Theory of Drug Market Retaliation

What circumstances are most likely to result in retaliation? Black's (1983) theory of retaliation, or what he calls "self-help," argues, in part, that (1) access to formal mediation decreases as the social status of a victim decreases; and (2) retaliation becomes more common as access to formal mediation decreases (p. 42; also see Black, 1976, p. 107; Horwitz, 1990, pp. 128-131). In other words, as people or groups gain status, their access to law increases and, in turn, their involvement in retaliation decreases. There are many kinds of social status (see Black, 1976, 1998), and all have been shown to be inversely related with retaliation (Cooney, 1998).

Normative status, or respectability, is the form of social status most relevant to understanding the interplay between *illicit* drug markets and retaliation. "Respectability is a quantitative variable, known by the social control to which a group or person has been subject: The more social control, the less respectable he is" (Black, 1976, p. 111). By definition, the more law is applied to a drug market participant, the less respectable is that actor. For example, a cocaine seller or user has lower respectability than a wine seller or user because the former group has more law applied to their drug-related behavior.

According to Black's (1983) theory of retaliation, as more law is applied to drug market participants (i.e., as they become less respectable), their conflicts involve less formal mediation and, therefore, involve more retaliation. In other words, Black's theory suggests that because illicit drug market participants are involved in an illegal behavior their respectability (i.e., status) is relatively low and so their conflicts are relatively unlikely to be settled by police or courts, which, in turn, makes retaliation a relatively likely outcome of their conflicts.

Not all acts of retaliation are conceptually the same, however. Black's theory of retaliation does not attempt to explain why different forms of retaliation occur. For instance, Black's theory does not specify the conditions that determine whether retaliation is achieved with violence, theft, or fraud. Greater levels of explanatory power often come at the cost of generalizability and simplicity (Clarke & Cornish, 1985), and *if criminology's understanding of*

drug market retaliation is to advance, it will be necessary to explain why various forms of retaliation occur.

A Typology of Drug Market Retaliation

What are the forms of drug market retaliation? Building on the typologies of Black (1998, pp. 74-94) and Cooney and Phillips (2002), Jacques and Wright (2008a) suggest there are two broad types of retaliation: *violent* and *non-violent* (or *peaceful*). Violent retaliation involves the use of threats or physical force in punishing a wrongdoer (Black, 2004); examples include retaliatory robberies, kidnappings, and murders (see, e.g., Jacobs, 2000; Jacobs & Wright, 2006). Non-violent retaliation is revenge absent of threats or physical force; examples include retaliatory burglaries and frauds (see, e.g., Adler, 1993, pp. 106-107; Wright & Decker, 1994, p. 59). Within each type of retaliation (violent and non-violent), there are two conceptually distinct forms of retaliation (see Table 1).²

The two forms of violent retaliation are *violent confiscation* and *pure fight* (Jacques & Wright, 2008a, pp. 238-239).³ Violent confiscation is defined as a retaliatory act that involves both violence and the confiscation of a wrongdoer's wealth. In contrast, pure fight is defined as retaliation that involves violence but does not involve resource confiscation. An example of violent confiscation is a retaliatory robbery, which involves the use of threats or physical force to

Table 1 Types and forms of drug market retaliation

Types	Forms	Resource			
		Violence	confiscation	Contact	Deception
Violent Retaliation	Violent confiscation	+	+	+	+/-
	Pure fight	+	-	+	+/-
Non-Violent Retaliation	Stealth retaliation	-	+	-	-
	Fraudulent retaliation	-	+	+	+

Abbreviations: '+' denotes presence of characteristic; '-' denotes absence of characteristic; '+/-' denotes characteristic can be present or absent.

2. The four forms of retaliation identified by Jacques and Wright (2008) are of relevance to criminology not only because they emerge from illicit drug market conflicts, but also because in many cases those actions are defined and treated as criminal actions by the government. Even when a person is a criminal, it is illegal to retaliate against that person with stealth, fraud, or violence. "To be sure, not all rights are given up simply because individuals are transacting off the books. Homicides [, for example,] are still investigated and prosecuted, even if they occur in the context of an illegal exchange" (Venkatesh, 2006, p. 175). "Although informal agreements about the specifics (e.g., weight, quality, price) of a drug exchange cannot be enforced by civil or criminal law, robberies, burglaries, and assaults are illegal regardless of whether the victim is a drug [market participant] or a law-abiding citizen" (Jacques & Wright, 2008, p. 236).

3. Jacques and Wright (2008a, pp. 238-239) label violent retaliation involving resource confiscation "retaliatory robbery," but this paper labels such acts "violent confiscation" because kidnappings also involve violence and resource transfer (e.g., Pearson & Hobbs, 2001). Thus, "retaliatory robbery" is not a sufficiently broad term to adequately describe this form of retaliation.

confiscate the wealth of a deviant (see, e.g., Jacobs & Wright, 2006). An example of a pure fight is a drive-by shooting, which involves violence but not confiscation.

The two forms of non-violent retaliation are *stealth retaliation* and *fraudulent retaliation* (Jacques & Wright, 2008a, pp. 240-241). Stealth retaliation refers to cases of vengeance where a retaliator confiscates the wealth of a wrongdoer when no one is around to see the theft occur. An example of stealth retaliation is a burglary in which a victim steals from a wrongdoer's home when the inhabitants are gone. Fraudulent retaliation is defined as retribution where a person uses deception (and not violence) to unfairly obtain the resources of a wrongdoer. An example of fraudulent retaliation is a scam, con, or hustle (see Jacobs, 1999) in which a wrongdoer is given less wealth (e.g., drugs or money) than promised as punishment for wrongdoing.

Toward a Theory of Retaliatory Forms in Drug Markets

When combined, Black's (1983) theory of retaliation and Jacques and Wright's (2008a) typology of retaliation suggest that *illicit* drug market conflicts should be more likely than *licit* drug market conflicts to be resolved with violent *and* non-violent forms of retaliation. But what we do not know is what determines whether any given drug market conflict is resolved with a pure fight, violent confiscation, fraudulent retaliation, or stealth retaliation.

How might we *begin* to theorize why one form of retaliation or another takes place? What considerations should *initially* guide the construction of a theory of retaliatory forms in drug markets? This paper suggests that the logical *first* step in laying the foundation for such a theory is to specify the *necessary conditions* for any given form of retaliation to occur. This is an important step because without first knowing what conditions are necessary for each form of retaliation to occur, it will be more difficult—perhaps impossible—to determine what theoretical factors have a causal impact on variability in retaliatory forms.

After reviewing the method and data used in this paper, the following sections describe and draw on the "necessary conditions perspective" (Gottfredson & Hirschi, 1990; Sparks, 1982, pp. 29-30) and definitions of retaliatory forms (Jacques & Wright, 2008a) to specify what conditions are necessary for each form of drug market retaliation to occur. Once the necessary conditions for each form of retaliation have been outlined, the paper suggests future directions for criminological work centered around theory development, empirical research, and the production of practical strategies for reducing retaliation in communities.

Method and Data

Qualitative data are particularly well-suited for developing and refining concepts and theories because they allow for the visualization, or illustration,

of the behaviors and influences of interest to social scientists. Visualization is an important *first* step toward a greater understanding of violent and non-violent retaliation in drug markets because unless criminologists are empirically clear about what it is they are studying, research will be, at best, misguided or, at worst, misleading.

This paper is based on qualitative data from a study of 25 young, middle-class drug dealers from the suburbs of Atlanta, Georgia. The interviews lasted between 30 minutes and two hours, were semi-structured, and conducted in an informal manner. At the time of the interviews, all participants were currently selling drugs or had done so within the past two years. All of the participants were white and between 18 and 23 years of age. Each seller in this sample had graduated from high school, and a substantial majority of them were in college at the time of the interview. Drugs sold by the sellers included marijuana, ecstasy, cocaine, pharmaceuticals, LSD, and hallucinogenic mushrooms (for further details of the study, see Jacques & Wright, 2008b).

Since the purpose of this paper is to specify the necessary conditions for each form of drug market retaliation to occur, the use of interviewee quotes was determined by their ability to aid in the visualization of the definitions that together comprise each conception of drug market retaliation and determine the necessary conditions for each of them to occur.

The Necessary Conditions for Retaliation: Non-Violent and Violent Forms

The necessary conditions perspective is concerned with “specify[ing] the minimal elements necessary (and collectively sufficient) for” any given behavior to occur (Gottfredson & Hirschi, 1990; also see Gottfredson & Hirschi, 2003; Sparks, 1982, pp. 29-30). For example, Cohen and Felson (1979) propose that the necessary conditions for a criminal event are a motivated offender, a target, and the absence of a guardian; without a motivated offender or target, crime cannot occur because the necessary conditions for crime are absent. Similarly, Cohen, Kluegel, and Land (1981, pp. 508-509) argue that the definitional properties of crimes affect their rate of occurrence; burglary, for example, cannot occur without buildings to burglarize, and auto theft is constrained by the absence of automobiles (also see Gottfredson & Hirschi, 1990).

It is only logical that how forms of retaliation have been defined, or conceptualized, has consequences for developing a theory of them. Definitions are relevant to the development of a theory of retaliatory forms because *the way forms of retaliation have been defined determines the necessary conditions for them to occur*. Recall that there are four forms of drug market retaliation: violent confiscation; pure fight; stealth retaliation; and, fraudulent retaliation (Jacques & Wright, 2008a). Each form of retaliation is empirically distinguishable from the others according to whether it involves violence, resource confiscation, contact between disputants, and deception. By focusing on the definitional elements of

the four forms of retaliation, it becomes possible to determine what conditions are necessary for each to occur.

It stands to reason that determining the minimal elements for each form of retaliation to occur is an important *first step* toward a theory of retaliatory forms in drug markets because *without the necessary conditions, each form of retaliation is impossible*. The following sections of the paper use the definitions of stealth retaliation, fraudulent retaliation, pure fight, and violent confiscation provided by Jacques and Wright (2008a) to determine and then specify—in the form of propositions—what conditions are necessary for each form of retaliation to occur. *Outlining these necessary conditions contributes to criminology by providing the foundation for future criminological work that attempts to explain or document variability in the rate or magnitude of retaliatory forms across drug market conflicts.*

Stealth Retaliation

Stealth retaliation is defined as non-violent revenge gained through resource confiscation without interaction between the retaliator and wrongdoer during the transfer. Stealth retaliation is a quantitative variable measurable by the amount of resources taken from the wrongdoer by a retaliator (Jacques & Wright, 2008a, p. 240). In principle, stealth retaliation can involve any kind of resource, such as drugs, money, or jewelry, and the amount confiscated can vary widely, from one gram to a kilo of drugs, or tens to thousands of dollars.

Why does any given drug market conflict result in stealth retaliation rather than a pure fight, violent confiscation, or retaliatory fraud? The first step in answering that question is determining what conditions are necessary for an act of stealth retaliation to occur. The key concepts that define “stealth retaliation” are *wrongdoer*, *retaliator*, *resource confiscation*, and *the absence of contact*. The retaliator confiscates the resources of the wrongdoer while the two are not in contact. What this suggests is that without a wrongdoer, retaliator, resource, or the absence of interaction, stealth retaliation cannot occur because the necessary elements for that behavior are deficient. This suggests four propositions that are true by definition and thus should be considered during the development of a theory of retaliatory forms in drug markets:

- Stealth retaliation is only possible when a wrongdoer owns wealth.
- Stealth retaliation is only possible when a wrongdoer physically separates from their wealth.
- Stealth retaliation is only possible when a wrongdoer physically separates from a retaliator.
- Stealth retaliation is only possible when a retaliator comes into contact with a wrongdoer’s wealth.

Together, these propositions suggest that stealth retaliation is possible only when wrongdoers own wealth, physically separate from their wealth and retaliators, and retaliators come into contact with wrongdoers' wealth.

The story of Dave, a drug dealer who was victimized in an act of fraudulent predation, illustrates the concept of stealth retaliation and propositions outlined above. Rather than respond to his victimization with violence or fraud, what ultimately occurred was stealth retaliation:

- Dave: There was one time when somebody didn't pay me back, it was just about \$300, and I had trusted the kid for a long time. He wasn't paying upfront, I was just giving him the bud [i.e., marijuana] and he would sell it and give me the money later, and then it took about three weeks once, he still hadn't given it to me, and I was trying to call him and get it from him ... [A]nd another week or two passed and I started talking to a lot of people and I was putting some time into it trying to figure out what was going on, and they all said he wasn't going to pay me, and the way he was talking about it was just really disrespectful. I just went over to his place with a couple of other kids that I know to do shit like this, but I don't do shit like this unless someone has my money.
- Interviewer: Do shit like what?
- Dave: What I'm about to tell you. Well, basically, we just went up to his house and knocked on it for a little bit, but the music was so loud they couldn't hear us, I guess his mom was out of town, and I saw that his car was right there, and I opened up his car door and stole his TV that he had actually stolen from somebody else. I needed something that was worth that money.

Dave's story illustrates the propositions outlined above. If the wrongdoer had been in physical possession of his television (a form of wealth), then that item could not have been confiscated with stealth because, by definition, stealth retaliation requires that a retaliator come into contact with a wrongdoer's wealth when that person is not around. In addition, had the television not been owned by the offender in the first place, then the above example of stealth retaliation would not have taken place because, by definition, stealth retaliation requires that a wrongdoer owns wealth. Also relevant is that had the debtor answered the door when Dave knocked and engaged in social interaction, then the reported incident of stealth retaliation may not have occurred because, by definition, stealth retaliation requires the absence of contact between disputants.

Fraudulent Retaliation

Fraudulent retaliation is defined as non-violent retribution accomplished using deception to trick a wrongdoer into an unfair trade, and is a quantitative variable measurable by the amount of resources transferred, deception involved,

and contact between disputants during the act (Jacques & Wright, 2008a, p. 240). Any given act of fraudulent retaliation, for instance, could involve a gram or pound of fake drugs, and the fraud could be instant payback for a wrongdoing or could involve an elaborate scam that evolves over a matter of days, weeks, or even months.

Why does any given drug market conflict result in fraudulent retaliation rather than a pure fight, violent confiscation, or stealth retaliation? The first step in answering that question is determining what conditions are necessary for an act of fraudulent retaliation to occur. The key concepts that define "fraudulent retaliation" are *wrongdoer*, *retaliator*, *resource confiscation*, *deception* (i.e., deviation from an agreement), and *contact*. The retaliator confiscates the resources of the wrongdoer through deception while the two are in contact. Without a wrongdoer, retaliator, resource, deception, or contact, fraudulent retaliation cannot occur because the necessary elements for that behavior are absent. This suggests four propositions that are true by definition and thus should be considered in the construction of a theory of retaliatory forms in drug markets:

- Fraudulent retaliation is only possible when a wrongdoer owns wealth.
- Fraudulent retaliation is only possible when a wrongdoer has contact with their wealth.
- Fraudulent retaliation is only possible when a wrongdoer has contact with a retaliator.
- Fraudulent retaliation is only possible when a wrongdoer and retaliator have an agreement (i.e., something to deviate from).

Together, these propositions suggest that fraudulent retaliation is possible only when wrongdoers own wealth, have physical contact with their wealth and retaliators, and have agreements with retaliators.

The story of another drug dealer, Mark, illustrates how conflict can lead a "victim" to confiscate the resources of an "offender" through deception yet without violence, and that doing so requires certain necessary conditions (specified in the propositions above). Rather than use stealth or violence to punish a wrongdoer, Mark responded with trickery and deceit:

Interviewer: Can you think of any times you ever slacked [i.e., underweighed] someone on purpose?

Mark: Not ever when I was dealing, unless they pissed me off. I mean I can remember this one guy that called me up and I knew his bag was straight [i.e., fair] and he called me up saying it wasn't and then he forgot about it or whatever, and then the next time I hooked him up again and I had just weighed it out, I knew it was straight and he called me up complaining about it being slack again, tried to [get me to] give him more or whatever. So the next bag he came and got, I ripped him off hardcore.

Mark's story illustrates that a conflict can lead a dealer to give a customer "less than deserved" owing to that customer's deviant behavior, and that doing

so requires certain conditions. For example, had the wrongdoer not physically possessed any wealth (to buy drugs with), then this case of fraud would have been impossible because, by definition, fraudulent retaliation requires wrongdoers who own wealth and have physical possession of it. Moreover, had the wrongdoer not come into contact with Mark, then fraudulent retaliation could not have occurred because, by definition, fraudulent retaliation requires contact between disputants. What is also evident is that had the disputants not come to an agreement on what a particular quantity of drugs *should* cost, then fraudulent retaliation would have been impossible because, by definition, fraud requires an agreement.

Violent Forms of Retaliation

Violent retaliation “occurs ... in the context of prosecuting a grievance, seeking justice, exacting vengeance” (Cooney & Phillips, 2002, p. 81), and “includes beatings, killings, fights, and other physical attacks between individuals” (Black, 2004, p. 146; see, e.g., Goldstein, 1985; Jacobs & Wright, 2006; Phillips, 2003; Taylor, 2007). As discussed above, there are at least two distinct forms of violent retaliation: *violent confiscation* and *pure fight*, which are empirically distinguishable from one another according to whether or not they involve resource confiscation (Jacques & Wright 2008a, pp. 238-239).

Violent confiscation is defined as retaliation that involves both violence and resource confiscation, and is a quantitative variable measurable by the quantity of resources taken from the wrongdoer, violence applied to the wrongdoer, and contact between disputants during the retaliatory action. Any given violent confiscation, for instance, could involve \$1 or \$1,000, one ounce or many pounds of drugs, a slap to the face or a murder, and could last seconds or months (e.g., a retaliatory robbery versus a retaliatory kidnapping).

Violent confiscation, stealth retaliation, and fraudulent retaliation all involve taking the resources of wrongdoers, but retaliators do not always take offenders’ property. A *pure fight* is defined as violent vengeance that does not involve resource transfer between disputants, and is a quantitative variable measurable by the amount of violence used by the retaliator against the wrongdoer and the amount of contact between disputants during the event.

Important questions remain unaddressed: Why does a drug market participant respond to conflict with violent retaliation rather than with stealth or fraud? And why do some conflicts lead to a pure fight while others result in violent confiscation? The first step in answering these questions is determining what conditions are necessary for a pure fight or violent confiscation to occur. The key concepts that define “violent retaliation” are *wrongdoer*, *retaliator*, *violence*, *resource confiscation*, and *contact*. The retaliator acts violently toward the wrongdoer while they are in contact, and some cases involve confiscation. Without a wrongdoer, retaliator, violence, and interaction, violent retaliation cannot occur because the necessary elements for that behavior are

absent. In addition, and by the same logic, violent confiscation cannot occur unless the wrongdoer possesses wealth. This suggests four propositions that are true by definition and thus should be considered in the construction of a theory of retaliatory forms in drug markets.

The first proposition employs one of the same explanatory variables used to explain the rate of fraudulent retaliation:

- Violent retaliation (pure fight or violent confiscation) is only possible when a wrongdoer has contact with a retaliator.

Violent confiscation, pure fight, and fraudulent retaliation are definitionally similar in that all involve contact between disputants during the retaliatory act. Therefore, the definitional properties of these three forms of retaliation suggest they have common precipitating factors: both forms of violent retaliation and also fraudulent retaliation are only possible when disputants come into contact because, by definition, they all require contact between the retaliator and wrongdoer.

However, a pure fight or violent confiscation is conceptually distinct from fraudulent retaliation because they involve violence whereas fraudulent retaliation does not. The way the two forms of violent retaliation have been defined suggests that a retaliator's physical capacity to be "violent" influences their prevalence. Stated as a proposition:

- Violent retaliation (pure fight or violent confiscation) is only possible when a retaliator possesses the physical capacity for violence.

Although somewhat obvious, the simple fact must be acknowledged that without the physical capacity to apply damage with physical force, "violence" is not possible.

In addition to a retaliator's physical capacity for violence, what must also be considered in developing a necessary conditions theory of retaliatory forms in drug markets is that some acts of violent retaliation involve resource confiscation while others do not. Two concepts—wealth and contact—provide theoretical guidance regarding the conditions under which a pure fight versus a violent confiscation will occur. All cases of violent retaliation, by definition, involve contact between retaliator and wrongdoer, and the single definitional difference between a pure fight and a violent confiscation is whether the wrongdoer's resources are taken. This suggests two propositions:

- Violent confiscation is only possible when a wrongdoer owns wealth.
- Violent confiscation is only possible when a wrongdoer has contact with their wealth.

Violent confiscation is impossible unless a wrongdoer has physical contact with their wealth and a retaliator because, by definition, violent confiscation

requires the transfer of resources from the wrongdoer to the retaliator when the two are in contact. Unlike violent confiscation, a pure fight *is possible* when a wrongdoer does not have contact with their wealth because, by definition, a pure fight is retaliatory violence *absent resource confiscation*.

Taken together, the four propositions above suggest that a pure fight or violent confiscation are possible only when wrongdoers have contact with retaliators who have the physical capacity for violence, and, in addition, violent confiscation is possible only when wrongdoers have physical possession of their wealth.

William's story, below, illustrates how the aforementioned factors affect violent retaliation. William is a drug dealer whose Valiums were stolen with stealth by a friend with a methamphetamine "problem." When William discovered that he had been victimized, he took revenge by violently confiscating the wrongdoer's resources:

William: I was on probation ... and I had a PO [i.e., parole officer] meeting and so I had just picked up about 6 or 7,000 dimes [Valiums] and my buddy was driving me as I didn't have a license. So I'm not gonna walk in there with two cargo pockets bulging out huge, you know I wasn't that stupid at the time. Yeah selling drugs on probation wasn't smart. So I left it on my friend's seat, and this was a friend in my group of 50 I'd say. He gave me a ride, I gave him 10 dimes for giving me a ride and so I put it in his car, went in there. Probation was never fast at that place ..., it was never a fast process, you were there 45 minutes to an hour. I came out, my buddy dropped me off ... I counted them and tallied them and I don't remember exactly how much I was supposed to have but I was about 3[00] to 400 short, but out of a bag of 6-7,000 Valiums you're not gonna be able to tell 300, you just can't tell. So I guess he probably had a couple of handfuls out of each bag ... [S]o my friend [and I], we showed up at his house, beat the hell out of him and took every dollar he had, you know, just two guys on one. We weren't gonna bloody him up or anything, just kind of beat the hell out of him, held him, took all the DVDs we could find, obviously he had sold some, probably got about \$600 back. I gave my friend \$200 [and] I took \$400.

William's account shows that a drug market participant may respond with violence when victimized. The propositions outlined above suggest that without particular conditions, each form of violent retaliation is impossible. Had William, for instance, been seriously physically handicapped, then violent confiscation (or a pure fight) would have been impossible because, by definition, this form of vengeance requires a retaliator with the physical ability to be violent. Or, had the wrongdoer not come into direct contact with William and his friend, then violent confiscation (or a pure fight) would have been impossible because, by definition, violence requires contact between a wrongdoer and retaliator.

As relates to distinguishing between the two forms of violent retaliation—violent confiscation and pure fight, the story of William shows that the "seriousness" of

retaliation is affected not only by violence but also by the amount of wealth confiscated. Had the wrongdoer not owned or physically possessed any wealth, then William's response could not have been violent confiscation because, by definition, violent confiscation requires a wrongdoer who owns wealth and is in physical possession of it. However, even if the wrongdoer was entirely without wealth, that person still could have been the victim of a pure fight because this form of vengeance does not require a wrongdoer to possess wealth.

Relationships between Retaliatory Forms

Jacques and Wright (2008a) suggest that unique insights into drug market violence can be obtained by theorizing the factors that influence non-violent (i.e., "peaceful") forms of drug market behavior, such as fraudulent retaliation and stealth retaliation. "If one reason exists why peaceful behavior is relevant to the study of drug market violence, it is because the presence of peace necessitates the absence of violence" (p. 245). By definition, where one kind of retaliation occurs, the others cannot *simultaneously* take place; it is impossible, for instance, to at the same time punch a person in the face (violent retaliation) and burglarize that person's home (stealth retaliation).

This idea is relevant to the development of a theory of retaliatory forms in drug markets because if forms of retaliation cannot occur simultaneously, then it logically follows that the necessary conditions for one form of retaliation to occur may inhibit the occurrence of the other forms of retaliation (see Jacques & Wright, 2008a). The propositions outlined above suggest the following:

- Stealth retaliation is only possible if a wrongdoer physically separates from their wealth, but fraudulent retaliation and violent confiscation are only possible if a wrongdoer has contact with their wealth.

What the above proposition suggests is that stealth retaliation is possible when fraudulent retaliation and violent confiscation are not possible, and vice versa. Whether a pure fight occurs is not dependent on whether the wrongdoer physically separates from their wealth.

Another logical proposition is the following:

- Stealth retaliation is only possible if a wrongdoer physically separates from a retaliator, but fraudulent retaliation, violent confiscation, and a pure fight are only possible if a wrongdoer has contact with a retaliator.

This proposition suggests that stealth retaliation is possible when fraudulent retaliation, violent confiscation, and pure fights are not possible, and vice versa.

Also apparent is that some of the factors necessary for one form of retaliation to occur are not necessary for the other forms of retaliation to occur:

- Stealth retaliation, fraudulent retaliation, and violent confiscation are only possible if a wrongdoer owns wealth, but a pure fight is possible even when a wrongdoer does not own wealth.
- Fraudulent retaliation is only possible if a wrongdoer and retaliator have an agreement (i.e., something to deviate from), but stealth retaliation, violent confiscation, and a pure fight are possible even when no agreement is present.
- Violent confiscation and a pure fight are only possible if a retaliator possesses the capacity for violence, but fraudulent retaliation and stealth retaliation are possible even when a retaliator lacks the physical capacity for violence.

These propositions suggest that wealth is not necessary for pure fights to occur; agreements (and deception) are not necessary for violent confiscation, pure fights, or stealth retaliation to occur; and, the physical capacity for violence is not necessary for non-violent retaliation (stealthy or fraudulent) to occur.

An Agenda for Criminology

This paper began with the observation that although theory and research suggest retaliation is prevalent among drug market participants because they lack access to law (see Jacques & Wright, 2009), no single theory specifies the variable conditions that determine which *form of retaliation* emerges from any given drug market conflict. To address that issue, this paper has laid the foundation for a theory of retaliatory forms in drug markets by specifying what conditions are necessary for each form of retaliation to occur. Because certain elements are by definition necessary for each form of retaliation to take place, those elements should consciously be considered when constructing a theory of retaliatory forms in drug markets.

As mentioned from the outset, however, the purpose of this paper is *not to end* but rather *to begin* an academic debate. It is obvious that there is much more to understanding variability in retaliatory forms than can be obtained solely from determining the necessary conditions for each form of retaliation to occur. Therefore, much work is left to be done by theorists and researchers before criminology will have produced a clear picture of what factors influence variability in retaliatory forms across drug market conflicts. At present, advancing criminological understanding of drug market retaliation requires (1) theorists to develop explanations of retaliatory forms; and (2) researchers to put those theories to the test with empirical data.

Develop Theories of Retaliatory Forms in Drug Markets

A limitation of this paper has been that it does not answer several important theoretical questions. For instance, what factors—such as routine activities or social structural (dis)advantage—lead to or inhibit the convergence in time and

space of the necessary elements for each form of retaliation? And, when the necessary conditions for a particular form of retaliation do converge, what factors—such as self-control, social learning, or rationality—affect the chance that a retaliatory action occurs? Many theoretical perspectives have the potential to shed light on the question of why one form of retaliation or another occurs. *Theorists should specify what factors determine the rate and magnitude of violent and non-violent forms of retaliation across conflicts (situations), people, and communities.* Although this paper cannot provide an exhaustive list of theoretical possibilities, a few noteworthy theories stand out as having obvious implications for explaining retaliatory forms in drug markets. *Criminology will benefit if theorists elaborate on them and specify other possibilities.*

Rational choice theory, for example, contends that crime is the outcome of what amounts to a cost-benefit analysis that takes place in the mind of offenders (Clarke & Cornish, 1985). Crime should escalate as the rewards of offending increase or the rewards of licit action decrease, or vice versa. Similarly, crime should decrease as the costs of offending increase or the costs of licit action decrease. A rational choice theory of retaliatory forms would predict that forms of retaliation differ in their relative prevalence and magnitude according to their relative costs and benefits. As any given form of retaliation becomes more beneficial or less costly to a retaliator, the more likely is that form of retaliation to occur.

Social learning theory maintains that crime is the outcome of differential association, imitation, differential reinforcement, and definitions (Akers & Jensen, 2006; Sutherland, 1937). Crime is most likely to occur among persons who associate with and observe criminals receiving rewards from crime and avoiding punishments, and who do not define crime as “bad.” A social learning theory of retaliatory forms would predict that people’s relative involvement in each form of retaliation depends on whether they associate with persons who engage in that form of behavior, imitate that behavior, benefit from it, and do not define it as being “bad.” This suggests that any given form of retaliation will increase as persons more often observe it, know people who engage in it, see its benefits but not its costs, and subscribe to positive definitions of it.

Routine activity theory argues that crime takes place when a situation includes a target and a motivated offender, but lacks a capable guardian (Cohen & Felson, 1979). Crime becomes more likely as targets increase in value, offenders increase in population size or relative motivation, and guardians decrease in number or effectiveness. A routine activity theory of retaliatory forms would suggest that forms of retaliation vary depending on the attractiveness of targets, the number of retaliators and the intensity of their desire for vengeance, and the capability of guardians to protect targets. Thus, the form of retaliation that emerges from a drug market conflict should be the one that offers the most attractive target that is the least guarded.

In recent years, Anderson’s (1999) “code of the street” thesis has been widely regarded as the premier cultural theory of criminology. Simply put, the code of the street is a cultural adaption that results from social structural disadvantage

and racial discrimination (also see Wilson, 1996), and views violence as an acceptable—or even good—strategy for settling disputes and gaining respect. However, the code of the street thesis suggests that retributive actions do not increase the respect, or “juice” (Anderson, 1999), of retaliators when community members are unaware of the retaliatory actions. This suggests that because non-violent forms of retaliation are less visible (since they involve deception or stealth but not bodily injury), there should be greater levels of violent retaliation among drug market participants who live by the code of the street because violent vengeance earns more respect and juice for retaliators. For drug-involved persons who do not conform to the code of the street, violent forms of retaliation should be relatively rare (for an empirical example, see Jacques & Wright, 2008c), and so fraudulent retaliation and stealth retaliation might be relatively common.

Gottfredson and Hirschi (1990) claim that criminal (and analogous) actions are the product of individuals’ low self-control. “People who lack self-control will tend to be impulsive, insensitive, physical (as opposed to mental), risk-taking, short-sighted, and nonverbal, and they will tend therefore to engage in criminal and analogous acts” (p. 90). The opportunity for crime may be ever-present, but “[t]o say that opportunities for crime are ubiquitous is not to say that opportunities for any particular crime are ubiquitous. Each crime or type of crime has a unique opportunity structure or set of conditions necessary for its performance” (Gottfredson & Hirschi, 2003, pp. 10-11). Thus, a self-control theory of retaliatory forms in drug markets would predict that each form of retaliation is more likely to occur as the opportunity for it increases among retaliators with low self-control. Holding constant the opportunity for each form of retaliation, self-control theory predicts that as retaliators’ self-control increases their probability of engaging in any form of retaliation—both violent and non-violent—should decrease.

The predictions that emerge from Gottfredson and Hirschi’s (1990) theory are in some ways mirrored by the predictions of the strain/anomie perspective (Merton, 1938) and also the social bond/disorganization perspective (Bursik & Grasmick, 1993; Sampson & Laub, 1993). These perspectives are similar because they all suggest that each form of retaliation will increase as do the factors that cause crime, namely strain/anomie or a lack of control. In other words, holding constant the necessary conditions (i.e., opportunity) for each form of retaliation to occur, the frequency and magnitude of each form of retaliation should increase as retaliators gain strain or lose social bonds, or as a group (that includes retaliators) experiences greater levels of anomie or social disorganization.

Collect Data and Evaluate Theories

Theory development is valuable insofar as it leads to testable predictions that can be falsified or supported through empirical research (Popper, 2002). Although qualitative data are valuable in theory construction, quantitative data and statistical analyses are important ingredients in putting theory to the test.

Yet data on *non-violent* retaliation in drug markets are extremely limited. The following empirical questions cannot be answered adequately at the present: How often does each form of retaliation take place as a whole, in comparison to the others, and in comparison to other forms of social control? To what extent do situations, people, and communities differ in their total and relative involvement in each form of retaliation? What are the total and average net costs/benefits of each form of retaliation for wrongdoers, retaliators, and communities? Are the factors specified by theory statistically and substantively significant? What proportion of crime in a community is the outcome of each form of drug market-related retaliation? Before researchers can answer such questions, they will have to collect data on each form of retaliation and the explanatory factors specified by theorists.

What method might researchers employ to obtain meaningful information on the factors that influence retaliatory forms in drug markets? To determine the *situational factors* that influence retaliation, one potential method is to adapt the "matched pairs" strategy used by Phillips (2003) to test Black's (1998) theory of retaliation. In this study, Phillips (2003) asked violent offenders to describe two similar conflicts—one that *did end* in violent retaliation and another that *did not*—that occurred within a short time span of one another, and then used statistical analyses to determine what differences between the two conflicts had a significant and substantive impact on violent retaliation. The value of the matched pairs approach is that it holds constant the effect of individual or community differences, and thus allows for the effect of situational differences to become more evident. Thus, it is obvious how researchers could use the matched pairs approach: have drug market participants describe two or more of their conflicts (of a particular type, such as debt-related) that resulted in two or more forms of retaliation (violent confiscation, pure fight, stealth retaliation, or fraudulent retaliation) or another form of social control (e.g., toleration). Because this methodological design controls for individual- or group-level differences, it would permit criminologists to determine what situational factors do or do not affect retaliatory forms in a significant or substantive manner.

Of course, *individual-* and *group-level* factors also likely influence variation in the form of retaliation across drug market conflicts. Thus, criminologists should generate and apply methodological designs that provide insight into why some people or groups are more involved in certain retaliatory forms than are others. *The field of criminology will benefit if researchers take up the challenge of designing and implementing studies that are useful in understanding situational, micro-, and macro-level processes that determine whether and to what degree drug market conflicts lead to violent and non-violent forms of retaliation.*

Provide Knowledge Relevant to Reducing Retaliation

Criminologists should develop, test, and refine theories of retaliatory forms in drug markets not only for academic reasons, but also for practical ones. If

criminology could produce empirically-verified theories that explain how forms of drug market retaliation behave, then the larger society would benefit. As Bacon (1939, p. 56) proclaimed, science is valuable not only because it produces new discoveries, but also because it produces new powers. The discoveries of criminology are valuable to society because, at least potentially, they represent the knowledge necessary to control and ameliorate crime.

Research is needed to tell us how often each form of drug market retaliation occurs, and to determine the costs of those acts for victims and entire communities. An exemplary empirical study in this regard is that of Goldstein et al. (1997), who used official data to determine the proportion of murders in New York City that were drug market-related. This study found that drug market-related (or systemic) murders accounted for 39.1% of all murders, and accounted for 74.3% of all drug-related murders (p. 118).

Among other reasons, the findings provided by such a study are useful because they provide citizens, politicians, and law enforcement officials with empirical "facts" regarding the circumstances (e.g., drug-market related or not) surrounding crime. These findings are important because they can be used to prioritize public efforts aimed at reducing crime. If criminologists could document the relative proportion of all crimes in communities that are the outcome of each form of drug market retaliation, and the relative cost of each form of retaliation, then communities would be better equipped to use their resources in a more efficient manner—one that would have the greatest impact on the total frequency and costs of crime.

To make the most of empirical findings, however, criminologists must first produce valid theories of why each form of drug market retaliation occurs. Once variability in the frequency and magnitude of retaliatory forms has been explained and verified, then it should be possible to draw on this theoretical and empirical knowledge to produce and prioritize practical strategies for controlling crime in communities. *For this reason, if for no other, it is important for criminologists to devote more attention to the question of why violent and non-violent forms of retaliation result from drug market conflicts.*

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