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Michoacán and Rio de Janeiro: Criminal Governance, Social Control and Obtaining Profit and Political Power by Armed Self-Defense Groups and Militias

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compara duas experiências de surgimento e consolidação de atores armados não estatais no Rio de Janeiro, no Brasil, e Michoacán, no México, constatando a emergência dos grupos, seu funcionamento, sua relação com o Estado e seu envolvimento em novas formas de governabilidade no controle territorial, na regulamentação populacional e na obtenção de lucros. Esses fenômenos fariam parte de uma transformação mais ampla, referente a mudanças políticas que descentralizam o Estado e geram formas subjetivas específicas que modificam a relação entre o indivíduo, o social, o Estado e o mercado.

Palavras-chave: milícia, autodefesa, crime, Estado, violência

The article compares two important experiences of the emergence and consolidation of armed non-state actors in Rio de Janeiro, Brazil, and Michoacán, Mexico, noting the rise of the groups, their functioning, relationship with the state and involvement in new forms of governance in territorial control, population regulation and profit-making. These phenomena are part of a broader transformation related to political mutations that decentralize the state and generate specific subjective forms that modify the relationships between the individual, the social, the state, and the market.

Keywords: militia, self-defense, crime, state, violence

Introduction

In recent years, studies in various countries around the world have documented the rise of new forms of social control in which civil groups perform a leadership role in the production of social order with a certain degree of legitimacy beyond the state sphere, in phenomena such as organized crime, gangs, vigilante groups, paramilitary entities, militias and self-defense groups. This type of governability generated by non-state actors has been characterized by the term *governance*, based on the analysis of new forms of public administration based on corporate business models. The concept seeks to understand a complex of institutions and actors that derive from government but go beyond it, referring to changes of standards between public and private sectors (STOKER, 1998).

The term *criminal governance* has been used to refer to the involvement of non-state actors in the coercive capacity to exercise authority and impose rules and norms of conduct in a certain environment, whether in criminal management or in the administration of their own security, in a context characterized by the redefinition of the roles of the state in the generation of

distributions and delegations that support the involvement of other social and political actors in a series of supranational and subnational spheres (ARIAS, 2017; LESSING, 2020; SAMPÓ, 2021).

The establishment of the social order that these groups represent can often question notions of legality and legitimacy as spheres linked to the modern form of the state. Perhaps the rise of these forms of alternative governance indicates a rupture between legality and legitimacy, accentuating the characteristics of legitimacy. This evaluation makes more sense when we observe the formation of the state, which allows us to understand that in different moments its construction has oscillated between legitimate but not legal forms (KNIGHT, 2012). This issue is relevant if it also addresses processes of state formation, in which the historic ties between legitimacy and legality are part of variable contexts under certain conditions. If we observe the studies of Tilly (1985) and Lane (1963) and studies about governmentality (FOUCAULT, 2009), it is possible to suggest that these practices can be understood, in some cases, as a substantial part of state formation (PANSTERS, 2012).

Currently, the orders imposed by these non-state actors are often hybrid and conjunctural. In addition, it is important to recognize that they respond to forms of organization of production and generation of profit in commercial chains that combine legal and illegal economies. An important volume of these profits is generated by the circulation of illegal goods, which requires the hybridization of legal and illegal spheres so that this accumulation of capital is possible.

Since 2013, in the Mexican state of Michoacán, there has been a rapid expansion of armed self-defense groups against the violence practiced by organized crime, which by diversifying its economic activities beyond drug trafficking, established forms of extortion enforced with murder and sexual violence. In the state of Rio de Janeiro, Brazil, particularly in the Rio de Janeiro metropolitan region (RMRJ), militias formed by public security agents, in association with civil groups, began their expansion in the first years of the decade of 2000, using as a justification the struggle against violence of drug trafficking factions.

The comparison of these cases will focus on the dimensions of social control and on how economic and political gains are obtained by the respective groups, detailing aspects of armed control of territories, political interference and the creation of businesses. The comparison is relevant because it allows analyzing elements of economic, political, and social history that contribute in each context to the formulation of differentiated responses: *self-defense groups and militias*, which are characterized by similarities that allow a theoretical-analytical examination that can deepen and expand studies about the issue.

In the Mexican case, the process is associated to the confrontation of public safety policies with narcotrafficking and the break of the historic equilibrium between illegal activities and social relations in the communities. The Brazilian case, in turn, reveals the deepening of a structure of

social control that originated in the corporate-military dictatorship of 1964, as well as modifications caused by the formation of factions since the late 1970s, and their expansion in the domain of favelas and peripheries¹.

If both cases have in common the creation of a gray zone, characterized by the indistinction between state and criminality, in Michoacán a space of dispute was created between different actors in search of regional political re-composition, in which multiple subjects dispute connections with the legitimate use of violence and social regulation. Meanwhile, in Rio de Janeiro a model developed involved the monopoly of the use of violence by state agents who use their privileged institutional position to obtain information to bolster their protection and expand their business and political gains. Thus, the Mexican case reveals an arrangement of negotiations between different armed groups, with the state as an important agent and regulator. In the Brazilian case involves a growing supremacy of those who operate within the public security system using armed violence to eliminate adversaries and establish safe environments.

The criminal governance to be compared in this article reflects how criminal organizations in composition with state agents—using collusion, omission or permissiveness—generate territorial orders and those for social regulation in environments in which they operate, creating procedures and tactics that produce economic benefits and social and political control, taking advantage of the ambiguous zones between legality and illegality, and between institutional formality and informality. For this purpose, in these gray zones the state does not disappear or abdicate its responsibility, but admits new actors who contribute to social regulation, articulating relatively autonomous microsystems of power. In this sense, the comparative study of Rio de Janeiro and Michoacán allows advancing in the understanding of new forms of the state, and of citizen participation present in the construction of the public sphere, in which violence performs a central role in the accumulation of capital and social regulation.

Michoacán: narcotrafficking and the illegal-legitimate order

The establishment of criminal governance in Michoacán and its confrontation with self-defense groups in early 2013 saw transformations in the operation of the narcotrafficking groups in the region. Drug cultivation in Mexico dates back to the nineteenth century, when it was introduced by Chinese immigrants to the Sinaloa region in northeast Mexico, who began poppy cultivation for medicinal and recreational purposes (GRILLO, 2011). However, in the early twentieth century the production and exportation of opium and later marijuana was promoted by Sinaloan businesses run by leading families with ties to local politics (ENCISO, 2015). The

cultivation of poppy and marijuana began to sustain families in poor peasant communities of the Sinaloa highlands, with workers hired by agricultural companies. Over four decades between 1940 and 1980, the cultivation of illicit substances changed, resulting in the development of family companies that controlled large regions of Sinaloa, organized by kinship, neighborhood and commercial relations, which gradually made it possible to institutionalize drug trafficking in the region (FERNÁNDEZ, 2018).

This business later expanded in other states of western Mexico, like Guerrero and Michoacán, and established other sales routes to the USA. In the 1980s Colombian organizations controlled the trans-Caribbean cocaine route to the US via Florida, but the drug policies of the Reagan Administration (1981–1989) forced a shift in the route to the Pacific. This gave Mexican organizations in the region a new role in the cocaine trade to the United States and led these organizations to enter the cocaine trade by establishing ties with Colombian organizations (VALDÉS, 2013). In these years, the Port of Lázaro Cárdenas in Michoacán gained a strategic role in the geopolitics of drugs, because it was under control of the Sinaloa organization. The jailing of its main leaders in the 1990s divided the organization into smaller groups and other groups and leaders arose to distribute access to drugs in the Gulf of Mexico and dispute the control of synthetic drugs.

The cultivation of drugs in Michoacán dates to the 1940s when planters from southern Sinaloa moved to the Pacific coast. In the 1950s marijuana and poppy cultivation spread and poppies began to be used as currency in commercial transactions (GUERRA, 2017). In the 1970s and 1980s the economic crisis contributed to a drop in the price of citric fruits, linked to the elimination of state incentives for agricultural production. As a consequence, the losses were compensated for by cultivating marijuana. As in other regions, the illegal businesses took advantage of the agricultural infrastructure created in the 1940s and 1960s for regional development (*Ibid.*). For a number of decades, narcotrafficking created overlapping in the regional economy between legal and illegal activities, establishing broad value chains in the regions where it operated, enrooted in a long history of regional identities (MALKIN, 2001). A type of political relationship was created that allowed the establishment of control and regulation of narcotrafficking, articulating an illegal order based on the reciprocal equilibrium between illegal activities and communities, established by the distribution of benefits in the social base and through camaraderie with state authorities who tolerated the illegal business and local control. This reciprocal equilibrium created a type of *legitimate illegal order* in which narcotrafficking took root, generating a zone of historic indistinction between crime and state (FUENTES DÍAZ, 2019) and establishing the bases for this type of criminal governance.

Predatory order and criminal governance

During the flourishing decades of drug trafficking in Mexico, from 1940 until 1980, the criminal activity was regulated by the Dirección Federal de Seguridad (DFS) [*Federal Security Directorate*], an organ for intelligence and security of the Mexican state. This administrative model involved the subordination of narcotrafficking organizations to the DFS through consent and profit-sharing, with a commitment to civilized criminal behavior that affected the communities as little as possible (VALDÉS, 2013). The macrostructural changes that took place in the country between the late 1980s and the early 1990s, through the implementation of a development model based on economic liberalization policies, and entrance into the General Agreement on Tariffs and Trade (GATT) in 1986 and the Free Trade Agreement of North America in 1994, as well as the disappearance of the DFS, put an end to this regulatory model (FLORES, 2009).

After 2005, the politics of fighting criminal organizations in Mexico and the United States, with a Security and Prosperity Agreement and the implementation of the Mérida Initiative in 2007, led to the fragmentation of large drug trafficking organizations, and to competition between sub-organizations for illegal markets and strategies for diversification of profitable criminal activities which found in natural resources—iron, wood, gold, silver and export agricultural crops—the opportunity to increase profits using systems to collect fee payments.

These changes were important because they allow us to understand the passage from a traditional profile of drug trafficking to another with corporate and global characteristics, marked by broad diversification of profitable criminal activities and a strong capacity for the use of violence.

It was at this time that the operation of narcotrafficking groups took on new characteristics, like an orientation to synthetic drugs (methamphetamines, fentanyl, heroin), and diversified criminal activities with extortion and para-militarization. Some studies use this characteristic to analyze criminal groups whose motivation is no longer political-ideological, like those linked to counter-insurgency activities—as in the case of Colombia—but economic, while they continue to use military knowledge (CORREA, 2015). Paramilitary organized crime is a type of network that can integrate illicit profits into the formal economy using professionalized violence, by applying strategic and tactical military techniques to the development of criminal activities and the establishment of a territorial hegemony (FLORES, 2018). These changes broke the historic equilibrium found at a local level between illegality, communities, and the state, making the criminal order illegitimate. This led to the formation in 2013 of armed self-defense groups in Michoacán, as well as a dispute for a new order (FUENTES DÍAZ, 2019).

After the fragmentation of the Sinaloa organization, various groups began to assume the commerce of illegal substances in Michoacán. Since the 1980s, a series of criminal organizations has

controlled of sales of illegal substances in the region. At first it was dominated by the Milenio Cartel, which organized cocaine trafficking from Colombia to the United States. In the first years of the decade of 2000, new organizations arose like the *Los Zetas*, *La Familia Michoacana* and *Los Caballeros Templarios* (VALDÉS, 2013; GRILLO, 2011). Among the most important stand out *Los Zetas*, constituted by former members of the special forces of the Mexican army and the elite Kailbiles group of the Guatemalan army. This organization was known for using counterinsurgency combat techniques in disputes for illegal markets, such as dismemberment of members of rival groups and decapitations, transforming the criminal organizations into *paramilitary* organizations.

In the disputes for markets for illegal substances, there were political confrontations and recompositions between the different factions. In 2006, *Los Zetas* were persecuted and expelled from Michoacán by *La Familia Michoacana*. The name of this group reflects that, in its confrontation with *Los Zetas*, and to obtain legitimacy in the communities where they operated, the members of *La Familia* emphasized that they are natives of Michoacán with ties to local residents, unlike their opponents. In 2011, another group arose as a dissident to the *Familia Michoacana*: *Los Cavaleiros Templários*, which began to operate by diversifying into criminal activities with high profit margins, such as contraband minerals and lumber. There were other smaller groups or that at some time became incorporated to these organizations. The common factor to all is that they established a criminal order through terror, taking advantage of the dispute for legitimacy of the monopoly of violence and surplus labor of the residual rural population, which adhered—at times under force—to the criminal organizations.

The activities of these organizations have been characterized by the charging of fees for offering security, a practice that has been implemented in various contexts, as in the case of armed militias in Rio de Janeiro and São Paulo (GLEDHILL, 2016; ALVES, 2020), of violent intermediaries in Russia (VOLKOV, 2002) and of criminal Colombian gangs (MEDINA, 2015), and that, according to Tilly (1985) have been fundamental in state formation.

The collection of security quotas was an extortionist practice used by all the criminal groups, each one giving it a different projection and scope. It was introduced by the *Zetas* and expanded on by the organizations that followed. The *Familia Michoacana* established a protection system for the communities against the abuses and murders by the part of the *Zetas*. To sustain this system, the inhabitants of the communities had to pay for security. Once the *Templarios* assumed control of the region, they continued to collect payments, arguing that this was necessary to prevent abuses by the *Familia Michoacana*.

Os Cavaleiros Templários took the extortion to a sophisticated level by articulating an extortion regime that charged taxes on all local productive activity. They charged taxes on exported agricultural products (avocadoes, citrus and other fruits) from small farmers and

seasonal farm workers and on formal and informal trade. They also charged exorbitant fees on the income of public employees. This regime also encouraged, as part of its diversification, the control of commercialization of agricultural products, the control of iron mines, human trafficking, and illegal extraction of gasoline. A *predatory criminal order* was thus mounted that at times co-existed, complemented, or even contested state sovereignty, establishing a gray area based on extortionary income (FUENTES DÍAZ, 2018a, 2019; LE COUR, 2019). This criminal order performed regulatory functions in some regions, comparable to what Mbembe (1999) has characterized as “indirect private government” with tax collection of commercial activities, actions of social control, occupation and influence in municipal structures, as well control over the right to live and die—a criminal governance. A fundamental fact was that, in the consolidation of their hegemony, the Templarios used sexual violence against women, the daughters and wives of rival groups. This was indicated by some studies (FUENTES DÍAZ, 2018a; LE COUR 2019) and documented by a member of the Commission for the Integral Security and Development of Michoacán², Imilse Arrue: “In addition to quotas, the Templarios reached the point of not respecting any woman, whether she was married or single...They impregnated 20 girls, many more were raped” (ARRUE, 2017, p. 52). Important investigations about organized criminality have revealed the profound connection between sexual violence, hegemonic masculinity in crisis, the patriarchal logic of organized crime and the preservation, through force, of a sexual order associated to the traditional rural family linked to a hegemonic masculinity in these regions (ÁLVAREZ RODRÍGUEZ, 2020, 2021; HERNÁNDEZ CASTILLO, 2017).

Governance, criminal economy and gray zone

The charging of extortion or *direito de piso* [*freely translated, the right to pass or the right to step*], allowed criminal groups, under penalty of death or physical harm, to collect funds at the same time that they assumed the control of territory, which would guarantee the quota more effectively than the state collections, thus establishing a *political economy of extortion* in various regions. The collection of protection payments implied the establishment of a territorial control and political order that would require economic income for its maintenance. This led to establishing the legitimacy of this criminal order by means of income from extortion as a security fee. To sustain this order and territorial control, it was inevitable that the organizations made use of armed collection agents, to guarantee that there were no antagonists or anyone who questioned the order. The collection of extortion payments is thus crystalized in full time work that sustains and reinvigorates the para-militarization.

Extortion permits the appropriation of profits without the extortionist—in this case, criminal groups—having to invest in a productive cycle, the reason for which the extortion assumes the form of extractive *income*. The income becomes an important component in the accumulation of capital, both in the process of expropriation and in the exploitation of labor, making it a central component in the accumulation of capital from criminal activities.

The loss of reciprocity between illegality, communities and the state, which this criminal order caused by means of extortion, murder and sexual violence, is at the origin of the rise, in some regions of Michoacán, of groups of armed citizens that confront the predatory criminal order established by the Cavaleiros Templários. In 2013, nearly 20,000 citizens had weapons in 45 municipalities in the state. The mixture of organizations and armed actors by regions and municipalities, with different political horizons, ethnic origins and political connections with the state and economic agents, gave rise to a heterogeneity of self-defense groups. The armed defensive organizations took mainly two forms, depending on the context, the social characteristics of the communities and the degree of institutionalization: *community police and self-defense groups*.

Community patrols or police are armed entities that are legally recognized by Art. 2 of the Mexican Constitution, which refers to the right to self-determination of the Indigenous peoples, and by Convention 169 of the International Labor Organization (ILO). The armed body referred to is subject to the mandate of the Indigenous community authorities. Meanwhile, the self-defense groups are armed organizations, usually articulated under the leadership of charismatic individuals, that defend assets and personal integrity, without an ethnic identity that associates them and without being subject to civil or community authorities.

The armed defense groups form a plurality of regulatory authorities characterized by challenging or complementing the state's legitimate use of violence, by establishing *community orders for regulating security*, which in some cases seek to establish normative systems of alternative justice and to have their own government structures—as in some cases of community police—established mainly as a result of the omission of state institutions.

The information presented was gathered during various fieldwork trips conducted between 2013 and 2020, in which, in addition to participant observation, interviews were conducted with leaders of self-defense groups and local leaders, including teachers, doctors, representatives of political parties, municipal authorities, and religious and resident organizations involved in community defense organizations. The study was conducted with the self-defense groups that arose in the villages of Tepalcatepec, La Ruana, Buenavista and Los Reyes, located in the zone of Tierra Caliente, and in the Indigenous community of San Francisco Cherán, on the P'urépecha plateau.

The fieldwork confirmed that these defensive organizations are articulated against the predatory order generated not only by narcotrafficking groups, but also by the involvement of

state agents with criminality. This indistinction generated a social environment characterized by ambiguous practices between the legal and illegal, formal and informal, institutional and non-institutional politics—creating an effective and functional environment for the extraction of income and for local governance exercised by criminal and state actors. This can be conceptualized as a *gray zone*³ that combines state and criminal, formal and informal, as well as global and local actors (FUENTES DÍAZ, 2019).

As different investigations have documented (CARREÑO, 2013; EL ECONOMISTA, 19/12/2015, LE COUR, 2016; LEMUS, 2015), the formation of self-defense groups incorporated various former members of the Templarios and other criminal groups. As Arrue (2017), from the Commission for the Integral Security and Development of Michoacán emphasized, the self-defense groups included former “repentant” Templarios⁴:

[in fact, Luís Antonio Torres] TheAmericano [the leader of the self-defense groups of the municipality of Buenavista] was the first from the self-defense groups to forgive the former Templários, he pardoned them and incorporated them to the Los Viagras and La Chanda [criminal groups that operate in the region] (Ibid., pp. 63-64).

The issue is complex because the rise of self-defense groups took place amid a dispute between rival criminal groups for territorial control. It should be emphasized that some self-defense groups were armed and financed by groups opposed to the Cavaleiros Templários. Calling themselves “self-defense” groups served to justify confrontation with the predatory order but contributed to having these groups become the future beneficiaries from drug trafficking and other criminal activities, given that the Templários were deposed⁵. In this sense, there was continuity, in various cases, in the operation of the *predatory order*, now exercised by these “new” actors, mainly by means of extortion and fabrication and commercialization of methamphetamine.

In early 2014, the federal government promoted the legalization of the self-defense groups, through the creation of the Rural Police Force, subordinated to the Secretariat of Public Safety of the State of Michoacán (RAMOS and MUÉDANO, 28/01/2014; CAWLEY, 2014; PADILLA, 2014). As could be expected, this entity also incorporated former members of the Cavaleiros Templários, and other criminal groups, who had already been incorporated to the self-defense groups. This provided them legal means to continue their criminal activities, now as the Rural Police Force (CARREÑO, 2013; EL ECONOMISTA, 29/12/2015; LE COUR, 2019).

In addition to the legitimate citizen organizations that confronted the predatory order, the state response to legalize them wound up incorporating criminal factions, in an attempt to once again consolidate the monopoly of coercion. An example of this was the creation of the elite G-250 group, to capture the main leaders of the Cavaleiros Templários. This group was formed by members of the military and federal police, and by members of self-defense groups that had belonged to

organizations rival to the Templários—“repentants” from the group now being sought. Some of its members were also on the Rural Force, such as José Antonio Torres, known as “El Americano”. This group was disbanded after a few months and most of its members joined new criminal groups.

It is possible to understand this operation from a declaration made in 2014 by an agent of the government commissioned by then president of the republic Enrique Peña Nieto (2012–2018). He said to new members of the Rural Force, who were former members of self-defense groups and some of whom were former criminals: “Now you are the state ” (FUENTES DÍAZ, 2018b). This allows observing that the attempt to gain adhesion to the state composed a gray zone: illegal armed actors and criminals who became part of the elite G-250, while some joined the Rural Force. That is, they became part of the state. However, this relationship was temporary and fragile. The Rural Force was terminated in 2016 and some of its members became part of the state police of Michoacán (Policía Única Michoacán). Some self-defense groups did not adhere and remained relatively independent, returning over the years to criminal activities.

The attempt at incorporation was just one more political action, although it has been difficult for the Mexican state to contain these impulses towards pluralization of regulation and legitimacy in other regulatory organs outside the state. Today, in Michoacán, there is permanent armed conflict between those who dispute the territories, of which participate former self-defense group now linked to groups that seek hegemony for the control of synthetic drugs.

The Baixada Fluminense region and Rio de Janeiro: colonization, segregation, military coup and factions of drug traffickers

The information presented here is based on fieldwork in Rio de Janeiro and the Baixada Fluminense region, begun in 1993, 29 years ago. It was prepared through public discussions in courses, events, meetings and encounters with groups and individuals in schools, churches, unions, resident associations, political parties, NGOs, collectives and groups of people in various social movements from the Rio de Janeiro metropolitan region. The central theme of these interactions was urban violence and extermination groups as described in *Dos barões ao extermínio: Uma história da violência na Baixada Fluminense* [From Barons to Extermination: A history of violence in Baixada Fluminense], a book published by one of the authors of this article, José Cláudio Souza Alves. The book was the result of a doctoral thesis in sociology, defended at the Universidade de São Paulo (USP) em 1998.

Alves lived from 1966 until 2011 in the neighborhood of Vigário Geral, in the periphery of Rio de Janeiro, which is the site of a massacre committed by the Cavalos Corredores, an

extermination group formed by military police, which led to the death of 21 people in 1993. Since 2011, he lives in the Baixada Fluminense. These experiences add important dimensions to the research, like conviviality with people directly affected by violence and exposure to risks related to denouncing grave violations to the physical integrity and lives of those who suffer daily from the action of armed groups in the peripheries, neighborhoods and favelas. During this time, a network of information and informants was constructed from hundreds of accounts, many non-official, given the risk to the informants of being reached by security agents who should register the occurrences and protect them, but who were and still are compromised by direct involvement with the action of armed criminal groups. Thus, the data that follow have a longitudinal, historic, spatial, and existential dimension associated to nearly 30 years of studies, activism and solidarity and living experience amid the population affected by the facts narrated here.

The Baixada Fluminense region includes 13 municipalities west of the city of Rio de Janeiro, with which it forms part of the Rio de Janeiro Metropolitan Region, totaling a population of approximately 4 million people who occupy a territory of 4.379,845 km². The legacy of the colonial process, based on the enslavement of blacks, in one of the largest concentrations of enslaved people in Latin America, created a socio-spatial inequality that condensed the segregation and stigmatization of the populations that came to occupy favelas and peripheries in this megalopolis (SOUZA, 2014; ALVES, 2020). The economic export cycles of sugarcane, gold, and coffee permeated the region, reinforcing the command of the plantation masters, large landowners, and merchants. The importance of the port of Rio de Janeiro transformed the city into the capital of the country, until it was transferred to Brasília in 1960. Since then, the decline of agriculture and the lack of industrial projects, with the exception of the petrochemical and steel sectors, which create few jobs and are highly polluting, add to a precarious expansion of the services sectors, separate from industrial production and an incipient growth of commerce.

In the early 1960s there was an intense popular mobilization in search of agrarian and urban reform led by unions, political parties and social movements joined in a broad spectrum that included professionals, workers and communists. The corporate-military coup of 1964 put an end to these movements, plunging the country into an authoritarian situation marked by political persecution, interventions in unions, prisons, torture, and death of opponents of the regime. Inequality and segregation have given rise to an expanding world of crime, highlighted by the growth of bank robberies, which were treated by the dictatorship as violations of the National Security law.

Tortured and murdered in the penitentiary system, poor and mostly black and favela residents, seen as enemies of the state, organized and created in 1978 the first large organized crime faction in the country, the Comando Vermelho (CV) [*Red Command*]. Since then, criminal governance gained broader dimensions, within prisons and on the corners and streets of the city,

as drug trafficking became the main illegal activity in the country, when the city of Rio de Janeiro became a large corridor for drugs produced in Latin America heading to Europe, Africa, and Asia. The city of course, also became an important center for consumption of these substances, particularly marijuana and cocaine.

From extermination groups to the militias

Before the rise of the large drug trafficking factions, the dictatorship established extermination groups, which intensified illegalities by consolidating criminal governance in Brazilian society. These groups emerged with their ranks including public security agents who committed murders, business owners who offered financing, and members of the military regime who provided political and legal support. The action of the police to protect criminal business also involved numbers rackets, [*known as jogo de bicho, literally the animal game*] which associated numbers to animals, which is another important aspect in the history of criminal governance in the Rio de Janeiro metropolitan region. The military had direct participation in these numbers rackets, commanding and organizing the sales points and their million dollar businesses. The military was involved in the territorial division of the rackets and their owners and used the points where the bets were made, spread across corners of the cities, to observe and collect information about movements in the streets, which was essential for fighting opponents of the regime (OTAVIO e JUPIARA, 2015).

In the 1980s, with the end of the dictatorship and beginning of redemocratization, civilians were recruited in a process of outsourcing of extermination groups, which always counted on protection from the police apparatus. In the following decade assassins were elected as city councilmen, state legislators and mayors in the Baixada Fluminense region, through a power structure based on the extermination of poor populations, the majority of whom were black and spatially segregated. The prototypes of militias began to appear in the mid-1990s, in urban occupations in neighborhoods such as São Bento and Pilar, in the city of Duque de Caxias, and the Rio de Janeiro neighborhoods of Campo Grande and Rio das Pedras. In the decade of 2000, the militia model⁶ reached what we know today: militias organized by public security agents, within the state, and operating in partnership with drug trafficking factions to maximize earnings and confront rival armed groups.

Because of its origin among those hit hard by repression and torture during the military dictatorship, the Comando Vermelho, now the armed group in retail drug sales with greatest territorial control, tends to have police agents and state representatives as its main enemies. The

faction favors confrontations and murder over involvement in bribery schemes and territorial divisions. Meanwhile, the Terceiro Comando Puro (TCP) [*Third Pure Command*], a faction in permanent dispute with the Comando Vermelho for control of drug trafficking, is more identified with negotiations with the police apparatus. The fact that members of the police have a significant presence in the militias largely explains the strategies of alliance between the TCP and the militias, both in confrontations with the Comando Vermelho in territorial disputes and in the alliance between the TCP and the renting of points for drug sales that the TCP pays to the militias. Another armed group, Amigos dos Amigos (ADA) is much smaller, and has an isolated presence in the disputes.

Thus, despite the militias justification that they protect communities from drug trafficking, they always had a relationship with trafficking, notably with the TCP. In this situation, the militias came to monopolize the market for sales of land, property, water, electricity, gas, clandestine cable TV and internet, illegal ride services, theft of fuel oil and clandestine refining for illegal gasoline sales, sales of appointments in the public healthcare system for consultations and exams, control of companies that provide services for city and state government in a wide variety of fields (through the manipulation of contracts and access to jobs and services) and charging security fees from residents and merchants, in a growing expansion of the extortionist practices and regions in which they operate.

Militias: kidnapping, CPI and expansion

The militias came to be seen more critically by the media after two events in 2008—the kidnapping and torture of journalists from the newspaper *O Dia* in the favela of Batan, in the Zona Oeste [*western zone*] of Rio, and the creation by the state Legislative Assembly of Rio de Janeiro of a Parliamentary Investigative Commission to examine the action of militias in Rio de Janeiro, the so-called CPI of the Militias. Until then the media had more easily accepted the version that the militia were “community self-defense” groups organized against drug trafficking factions. The objective of this comparison with a phenomenon that developed in Mexico was to make them legitimate and accepted.

Thus, a phase began in which the militia organizations became less ostensive and more hidden (CANO and DUARTE, 2012). However, despite this, in early 2018, it was determined that militias were present in 37 neighborhoods and 165 favelas of 11 municipalities of the Rio de Janeiro metropolitan region occupying an area of 348 km², or 1/4 of the territory of the capital with 2 million residents. This data was obtained by analyzing information from the Public Ministry of Rio de Janeiro State [*the state prosecutor's office*], the Civil Police, the State Secretariat

for Public Safety, and the Brazilian Institute of Geography and Statistics (IBGE) (GRANDIN *et al.*, 2018). A review of this data in 2019 found that the militia had reached 14 municipalities of the metropolitan region and 26 neighborhoods of the capital city, affecting nearly 2.2 million inhabitants (WERNECK, 2019). In that year, the map of armed groups in Rio de Janeiro⁷ indicated that the militias controlled 25.5% of the neighborhoods of Rio de Janeiro, totaling 57.5% of the territory of the city, encompassing 33.1% of the population.

The expansion of the militias was enhanced by the victory of the Bolsonarist project in the presidential elections of 2018, with a campaign platform that affirmed a “good bandit is a dead bandit”, in an alignment for the unification not only of the extreme right but also to congregate parties of the right and center. The election of Wilson Witzel (PSC) as governor of Rio de Janeiro in Bolsonaro’s wake, and the current government now led by his vice governor, Cláudio Castro (PL), who took office after Witzel was removed for corruption, intensified the growth of the militias through a public safety policy based on extermination practiced by police operations in the name of fighting drug dealing and the lack of control over the expansion of militias. In turn, the militias strengthened their alliance with the TCP, both in the armed disputes against the Comando Vermelho, in an effort to conquer territories, and in partnerships for drug sales, by renting drug sale points to the faction.

A more recent sequence of events precipitated this dynamic. In October 2020, one month before municipal elections, a joint operation of the Civil Police and Federal Highway Police killed 17 people, with the justification that they were connected to the “narcomilitias”, a term used to explain police operations. It distanced the militia actions from connections with public security agents and the state, attributing them to practices of drug traffickers. A consequence of this conceptual change was the space given to police forces to kill these individuals, given that they were only bandits. The marketing of the “anti-militia” police actions to hide the growing engagement of the police in militia operations, was combined with the logic that “a good bandit is a dead bandit”, which was so important to the far right at that time of the electoral campaign.

A second event was the implantation of a division of the 39th Battalion of the Military Police in the region known as the Complexo do Roseiral, which is a group of neighborhoods and sub-neighborhoods in the city of Belford Roxo in the Baixada Fluminense region in January 2021, after articulations between the newly re-elected mayor, Wagner dos Santos Carneiro (União) and governor Cláudio Castro. The more than 20 deaths caused by the police operations in this region, including members of the Comando Vermelho, was part of the geopolitics for the expansion of the militias that for decades dominated the neighborhoods of São Bento and Pilar, in the neighboring city of Duque de Caxias, and spread along the Avenida Leonel Brizola.

A third event was a Civil Police operation that killed 27 people in the favela of Jacarezinho, Rio de Janeiro on 6 May 2021. This disproportionately high number of deaths, when compared to the history of police operations in the capital, was related to two issues. One was a confrontation with the Federal Supreme Court (STF), which had upheld a legal action known as (ADPF) no. 635 that affirmed that the police had not complied with fundamental principles, by ignoring restrictions that had been placed on police operations in favelas due to the effects of the Covid-19 pandemic. The other was a geopolitical dispute instigated by militias that had begun to isolate the municipality of Jacarezinho through conflicts with the Comando Vermelho in three neighboring favelas: Arará, Mandela 2 and Bandeira 2, the latter two in the Complexo de Mangueiras.

The murder of Wellington da Silva Braga, known as Ecco, on 12 June 2021, furthered this project⁸. The alliance between the militias and the TCP, with the support of the police apparatus, continued despite the murders of “narco-militiamen” related to the TCP, present in the Liga da Justiça or in the former “bonde do Ecco”⁹, as a type of “price to be paid” to maintain the business and for the police’s anti-militia marketing, which sought to hide the militia expansion. There was also an intensification of territorial, economic, and electoral political control by the militias over the areas of the Comando Vermelho.

This correlation of events makes clear the political strategy with extreme rightwing projects focused on the elections of 2022, involving candidates for state governor, state and federal legislatures, the Senate and the Presidency of the Republic. The intensification of social divisions and the growth of the world of crime as a real alternative to the multidimensional crisis that is intensifying in the post-pandemic period projects the field of public safety as a grand stage for psychological, social, and media operations, as well as murders whose objective is to consolidate a hegemony of the Bolsonaro far right and its allies. The death of Ecco, which was part of a program of extermination as a solution, has another dimension that must be recognized. It opens a scenario of disputes inside and outside the militia, related to the conduct of the militia legacy in the Zona Oeste region of Rio de Janeiro and in the Baixada Fluminense region, which together account for 50% of voters in the state. This wave of instability and fear reinforces the foundation for maintaining extermination as a public security practice, which feeds operations and massacres as smoke screens to hide the expansion of the militia and their project for control of a broad spectrum, particularly the political-electoral field.

Comparative analysis between self-defense forces and militias

In Michoacán, in Mexico, the self-defense groups emerged in the 1990s and spread from 2006 to 2013, due to the break in the balance of relations of reciprocity between illegal activities and life in the communities promoted by narcotrafficking. In Rio de Janeiro, Brazil, the militias have a historical formation dating back to the 1960s, based on extermination groups created by the corporate-military dictatorship of 1964. In the 1990s these groups became consolidated through a monopoly on markets of illegal goods and services and armed control of territories, in a constant dispute with drug trafficking factions. This made them the criminal group with the largest expansion from the decade of 2000 until today.

In Mexico, the self-defense groups represent a flexibilization of the legal monopoly of state violence, in an effort to negotiate the presence of other armed actors, incorporating civil groups in a political strategy of agreements and expansion of participants. In Brazil, the militias express a strategy of centralization and monopoly by public agents present in the state, although they compose partnerships in control of illegal activities, in an expansion that gives centrality to the state, to its monopoly of violence and to its link to illegal and criminal forms of markets (economic, political, social and cultural). In both cases—whether through flexibilization/negotiation or through monopolization/centralization—the state is at the center of the focus of the strategy of criminal governance, making analyses of this phenomena more complex. Comparing them allows us to perceive important details.

The indistinction between the state and criminality that creates a cloudy and undefined gray zone fulfills a central role in both cases. Movements in strategies of each model, self-defense groups or militia, can vary as part of the historic process of each one of them. The decentralization of the self-defense groups brought a centralization and a monopoly of the state that incorporates its members to the structure of state security; while the centralization and monopoly of the militias carries, since their origin, agreements with drug trafficking factions, leading to decentralization. Each situation, however, carries elements of its evolution and outcome, in fluid scenarios that require permanent revisions.

Drug trafficking in Michoacán has a trajectory that began with small scale production in the nineteenth century, and then moved on to the formation of family nuclei that expanded and took control of routes to the United States, from 1940 to 1980. Associations were then established with Colombian cocaine producers. This was followed by diversification into methamphetamines and the inclusion of new criminal markets. Rio de Janeiro, in turn, underwent a growing organization of commercialization and distribution of drugs by the factions, which began to organize in the late 1970s, during the corporate-military dictatorship. As a region that does not produce drugs and with

its economy declining due to the loss of status as national capital, its urban population in the peripheries and favelas were incorporated to an expanding drug economy. The region's economic structure was based on commerce and services, which although incapable of expanding and embracing most of the population, allowed an accumulation of capitals and a sufficient salary mass for the maintenance of illegal markets in which drugs have a central role. The intensification of disputes over drug markets between factions in the 1990s created an environment for the expansion of militias within the state structure, as a project of appropriation of part of this criminal market. In this visceral dispute militia members occupied posts in the state apparatus, particularly the police forces, as a decisive distinction in the confrontation with other organized crime factions.

The adoption by the state of a neoliberal model that deregulated economic activities, reduced workers' rights, increased precariousness of labor relations and unemployment, led in the Mexican case to growing diversification of criminal activities including extortion, kidnapping, control of iron mines, sales of cultivated products and illegal extraction of lumber in community-owned forests. In this context, organized crime corporations emerged that by breaking with the previous model that regulated relations between community life, illegality and state action, gave rise to armed self-defense groups which, through their incorporation to the state structure, follow their own route to illegality and crime. In the Brazilian case the neoliberal project that removes protections for the poorest population expanded the base of criminal entrepreneurship by militias, which under the justification of protecting the population against the crimes practiced by drug trafficking factions, came to monopolize goods and services in the urban peripheries and favelas with a growing list of items associated to the demands not served by the state.

Political action by the state was decisive in both projects. In Rio de Janeiro, the totalitarian dimension of armed control of markets and territories produced a militia monopoly protected and strengthened by the actions of legislative actors (city councilmembers, state and federal representatives), those from executive branches (mayors and governors) and from the judiciary. However, this militia monopoly involved partnerships with factions, like the TCP, mainly involving renting points for drug sales and forming alliances in armed confrontations to take territories from the Comando Vermelho. The Michoacano case involved the incorporation of armed non-state actors from self-defense groups by controlling/distributing access to the use of violence in political negotiations that led to the expansion of the armed presence of civil groups as a strategy for political cooptation of new actors in the market for security goods, which was overheated by the intensification of violence due to changes that the reconfiguration of the drug market brought to the region.

Chart 1 compares the action of self-defense groups and militias, allowing a better visualization of how criminal governance operates in each case.

Chart 1: Dimensions of criminal governance in Michoacán and Rio de Janeiro

DIMENSION	DEGREE OF GOVERNANCE	
	Michoacán <i>Criminal organizations/ self-defense groups</i>	Rio de Janeiro <i>Militias</i>
Charges		
Charging/ extortion of fees	- Security fees - Charging for formal-informal commercial activity - Charging for basic food supplies - Charges per m2 in housing - Charging farmers by the ton for agricultural products - Charging farmworkers per kg of products harvested	- Security fee - Rate per job at contractors - Fee for working in illegal transport of people - Fee for selling real estate/land - Rent for drug-sale points - Rent for use of public sidewalks for the construction of shops
Services	—	- Water, electricity, gas, internet, gasoline, Cable TV - Sale of appointments in public healthcare - Sale of landfill for building houses
Regulation		
Legal markets	- Regulation of the commercial chains of agricultural, mineral and timber products	- Sales of land, real estate, gas, sand, services from social organizations and contracts with city halls and state government
Illegal markets	- Market for amphetamines, fentanyl, cocaine and heroin.	- Market for cocaine, marijuana, crack, and contraband cigarettes - Arms trafficking
Social control		
	- Establishment of controls on circulation in the streets, checkpoints - Closed communities - Sexual violence	- Organization of dances and parties - Organization of beauty contests - Organization of gambling and bingos - Standardization of clothing: hair color, clothing color - Prohibition of the movement of people from areas controlled by trafficking factions—CV
Politics		
Government and elections	- Influence in the elections	- Influence on elections - Assassination of candidates - Murder of occupants of elective positions: city council members - Sale of votes in the elections - Prohibition of candidates not linked to the militia from campaigning in the areas they control - Imposition on voters of candidates linked to the militias
Gray zone	- Capture of municipal and state governments by criminal groups	- Public security agents linked to the militia and narco trafficking factions - Capture of municipal and state governments by criminal groups

Source: Prepared by the authors.

Conclusions

This article has presented how Mexican self-defense groups and Brazilian militias exercise control over territories and populations, showing that the state does not have exclusive sovereign power. Instead, this power is disputed, negotiated or complemented by a plurality of actors who exercise social control and regulation, and conduct practical affairs in their territories, including enforcement of the right to live and condemnation to death. Note that the state is not absent. To the contrary, it participates in various moments and intensities in the territories and in the regulations that it administers, while legitimizing the use of coercion, by situating it not exclusively in the state.

This exercise of government is important for both maintaining a constant flow of illegal income and legal regulatory controls, and for maintaining political control and a captive sale of services. Control over territories and populations is linked to the extraction of income and control of circulation of goods (legal and illegal). In this sense, it is a function of the accumulation of capital in the regions from which profits are extracted.

In general, two markers of criminal governance can be mentioned in both cases. The first is the rise in some regions of relatively autonomous *fragmented sovereignties* (DAVIS, 2010), that the state tolerates given that it is unable to control the actors or encourage them as part of the model of local governability and citizen participation. Seen in this way, these groups are part of the morphology of the state, and not its opposition. The second marker is the indistinction between legality and illegality in which these fragmented sovereignties operate. Therefore, on a local level the criminal actors are linked to state actors in the generation of control—which is reflected in terms such as “state of exception” (AGAMBEN, 2013), “margins of the state” (DAS and POOLE, 2004), “gray areas” (AUYERO, 2014; FUENTES DÍAZ, 2018a) or “symbiosis” (LESSING, 2020) driven simultaneously by the logic of extraction.

We highlight that the model of territorial and population control is established as a function of obtaining profits, which in the cases studied takes the form of protection systems (sale of security) or the sale of services. The organization of control that allows this extraction of benefits implies not only a duopoly of violence (*Ibid.*) but tends towards a pluralization of the regulatory authorities (ROITMAN, 2004). Extorsion, tax collection and mandatory payment for services requires an organized and strategic use of force. The protective operations involve the use of force to control other competing or potential forces in a given domain, leading to a violent entrepreneurial spirit guided by the earnings of those who exercise the force (VOLKOV, 2002). This violent entrepreneurialism creates relations that involve controlling risk and establishing competitive advantages by violent entrepreneurs. Both forms have a key element: the capacity to

determine or limit the course of action of other participants in the economic market, whether by means of direct physical coercion or by influencing their expectations.

From the perspective developed here, these phenomena are part of a broader transformation related to political mutations that decentralize the state and generate specific subjective forms that modify relations between the individual, social, state and market spheres. Criminal governance involves various criminal regimes in arrangements that articulate different criminal groups. Thus, a specific criminal regime—for example that which characterizes the relationship between the state and self-defense groups or militias—coexists with differentiated criminal regimes—for example, that which characterizes the relations between state and drug cartels or factions of drug traffickers.

Criminal regimes denote broader politics of relationships based on movements in a vast stage of operations, with differing economic, political, and spatial scales, whose complexity and depth have still been little studied and analyzed, due to the interpenetration of different spheres, the absence of information, the risk to the safety of researchers, and the analytical complexity required by the multi-disciplinarity involved. A political and economic movement supported by security policies that favor a criminal group promotes rearrangements of the playing fields for other criminal groups, which implies not the elimination of a group, but new geopolitical patterns, seeking the maximization of gains in a course of events that develops without clear or previously defined predictability or traceability. As events and actions unfold, details can lead to new negotiations and changes, depending on more complex dimensions.

The expansion of militias in Rio de Janeiro, combined with the criminal regime specific to relations between the state and the TCP faction of drug traffickers, only attained the degree of intensity and complexity that involves the execution of leaders of militias and factions thanks to a conjuncture strengthened by the advance of the extreme right, expressed in the Bolsonarist electoral victory. This is reflected in the focus on the elections of 2022, to continue the broad political, economic, social and cultural project that has support of the military, legal bureaucracy, media and from suppliers of abusive and manipulated information environments and from the hacking of unregulated social networks. Meanwhile, the incorporation of members of the self-defense groups to the state public security apparatus has driven to within the Mexican state the criminal regime that originated with and is led by these organizations, strengthening them for future negotiations and economic and political arrangements that do not discard relations with the cartels, but to the contrary, have in them the counterpoint necessary for their perpetuation.

Notes

¹ Urban spaces that do not belong to the central areas of the cities or regions with economic and state investments, that is, distant places, marked by the absence of goods, services, equipment, and public policies.

² The Commission for the Integral Security and Development of Michoacán was an administrative organ of the Mexican federal government created in January 2014 to restore security in the state of Michoacán, mainly through the legalization of self-defense groups.

³ The notion of a *gray zone* is used here following Auyero (2007), who in turn took it from his reading of Primo Levi, to refer to a zone of social space in which normative limits dissolve. According to Auyero, following Levi, the experience of the concentration camp is a zone of ambiguity that challenges the bipartite division between friend and enemy, exterior and interior, licit and illicit. For Agamben (2013), concentration camps are found in a zone of indistinction between exception and rule, forming a *localization without order* that became innocuous to the legal protection of life. For this reason, the notion of a gray zone is a useful conceptual tool for thinking of the zones of social space that combine practices in an indistinct manner—in the case of this study, normative and illegal, public and private—generating illegal social ties and being effective in terms of criminal governance.

⁴ In the formation of self-defense groups and later in their legalization in the Rural Force there were people who were part of a criminal group in the past and who decided to leave it. This gave origin to a new moral order that classified them as “repentants” and or “pardoned”, as well as “clean”, “dirty” or “rolados” [*muddled*] (ÁLVAREZ RODRÍGUEZ, 2021; LE COUR, 2016).

⁵ It is important to emphasize that not all the self-defense groups became the new predators who they alleged they would fight, as mentioned. The diversity included some experiences, mainly in the case of community patrols and even other groups, in which legitimate and legally recognized security schemes were established. However, in the case of the self-defense groups in the municipalities of Los Reyes, Tepalcatepec and Buenavista, they returned to predatory forms. At some time these groups were colloquially called *false self-defense groups*.

⁶ There is no homogeneity in terms of the theoretical-analytical, spatial and practical-operational dimensions of the militias. They involve experiences in different regions of the Rio de Janeiro metropolitan region, practiced by various armed groups, with distinct forms of actions whose composition revolves around having public security agents in their organization and the participation of civilians. There is also a history of construction of the concept, predominantly in the journalism field, which is different from its more common use in the literature about armed groups. That is, in the case of the militias of Rio de Janeiro there is no intention to remove the dominant political group from power to assume control of the state, but a maintenance of the interactions within the state, regardless of the political group in power, to guarantee territorial control, economic gains and electoral political power. A study by Brama (2019) analyzes this heterogeneity. The perspective adopted here follows the line of Alves (2020), which understands the militias as an evolution of the extermination groups that were based in practices historically established in the Baixada Fluminense region and improved with criminal capital acquired in the relationship between the police apparatus and the drug trafficking factions in Rio de Janeiro.

⁷ Map prepared by Geni/UFF, Fogo Cruzado-RJ; NEV/USP; Pistas News e Disque Denúncia, available (on-line) at: <http://geni.uff.br/2021/03/26/apresentacao-ao-mapa-dos-grupos-armados-do-rio-de-janeiro/>

⁸ After being captured alive in a police operation and under the guard of police agents, Ecco was unexplainably killed, followed by a common script of explanations provided by the police, or that is, that he had reacted to the arrest and ended up being killed—but in fact he was already in custody.

⁹ A heavily armed group that acts in consonance with the criminal interests of its leader, Ecco.

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