

Pandemic, Criminal Governance and Mechanisms of Social and Economic Regulation in Three Latin American Contexts

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A pandemia de Covid-19 tem provocado uma série de adversidades não somente na vida das pessoas, mas também nas cidades e suas formas de organização territorial. Como ela tem interferido nos mecanismos de regulação social e econômica do crime na América Latina? **Pandemia, governança criminal e mecanismos de regulação social e econômica em três contextos latino-americanos** compara três contextos urbanos onde a regulação de atores armados se tornou relevante e a governança criminal atingiu certo grau de estabilidade ou sofisticação. Tomando a pandemia como ponto de inflexão, comparamos as possíveis transformações em torno dos mecanismos de regulação por parte de grupos armados ilegais nas periferias de grandes cidades ou centros de poder da Colômbia e do Brasil.

Palavras-chave: governança criminal, atores armados, crime, América Latina, Covid-19

The Covid-19 pandemic has caused a series of adversities not only in people's lives but also in cities and their forms of territorial organization. How has it interfered with the mechanisms of social and economic regulation of crime in Latin America? This article compares three urban contexts where the regulation of armed actors has become important and criminal governance has reached a certain degree of stability or sophistication. Taking the pandemic as a turning point, we compare possible transformations related to mechanisms of regulation used by illegal armed groups in the peripheries of large cities or centers of power in Colombia and Brazil.

Keywords: criminal governance, armed actors, crime, Latin America, Covid-19

Introduction

This article compares three urban contexts in which the regulation of armed actors has become important and criminal governance has reached a certain degree of stability or sophistication. With the Covid-19 pandemic as an inflection point, we comparatively analyze possible transformations related to regulatory mechanisms used by illegal armed groups in the peripheries of large cities or centers of power in Colombia and Brazil. The comparison allowed broadening the examination of phenomena that appear to be characteristic in Latin American countries like Brazil with histories of urban violence, and of sociopolitical conflicts like Colombia. These phenomena highlight relations of coexistence or parallelism among different states and other illegal power sources, in the regulation of the social and economic life of entire populations, especially the most vulnerable. It is important to highlight the relations of mutualism

observed among these powerful actors, while they do not necessarily present open or bellicose conflicts among them. The power of criminal governance is configured here less as a parallel state or in the image of a “state” that threatens the legal order and more to express the capacity that actors considered legal and illegal have to plan their preferences and act and control their variety of possibilities and projects in territories of vulnerability, instilling fear as an element of control to promote greater vigilance, repression and relativization of rights and guarantees.

The article has four sections in addition to this introduction and the final conclusions. In the first section we present an expanded notion of the concept of criminal governance, pointing to its heuristic implications. In the second section we discuss the criteria used to choose the cases selected and the methodological strategies used in the field work. In the third section we present the context of each case, highlighted by the social and spatial characteristics of the territories analyzed and the identification of the most recurring conflicts and their key actors. In the fourth section we discuss the parameters that guide our comparative investigation, presenting a synoptic chart of our findings, and we analyze the approximations and distances related to the models of regulation and criminal governance that we identified in each situation. Finally, in the conclusions we discuss the impacts of the Covid-19 pandemic on the administration of crime in the territories, especially the social control of populations and licit and illicit markets.

Defining criminal governance

Until recently the idea of criminal governance was vague, with little empiric investment and precise conceptualization. In most cases, it is interpreted as a source of power or force antagonistic to legal-state power, especially under a conventional Weberian definition of state as an institution defined by the monopoly of force and its legitimate use. Recent examinations of how criminal groups operate have inaugurated an extensive research agenda that points more to relations of mutualism and symbiosis between illegal and legal powers than to relationships of competition between them.

From this initial perspective, particularly in the studies of Benjamin Lessing (2019), criminal governance is understood not as a rival actor to state forces or as occupying an “empty” space left by the negligence or inefficiency of state power, but as a co-participating actor of state administration. In this sense, it extends its range of attributions over functions and attributions previously said to be or seen as exclusively statist, like various activities including: *policing and surveillance* (to repress sexual and other forms of violence, regulate the dynamic of homicides and exercise spatial control of vulnerable territories); *judicial* (to resolve disputes and conflicts of other natures among residents of vulnerable communities); *oversight* (to regulate the well-being

of the civil population that lives under its shadow or influence, sponsor the supply or flow of micro-credits to the population of the peripheries); and *political* (to influence politics, especially through the cooptation of political actors and interference in electoral processes).

The situation does not involve an absent state. Residents of areas governed by crime continue to vote to choose their representatives and pay their taxes; they benefit from assistance policies and recognize institutions of state control but understand the limits of the competencies of both forms of governance, *legal* and *criminal* (LESSING, 2021). Criminal governance is not a second state, nor a “rebel” governance that rivals and competes with the legal order. This view is incongruent with empiric results that indicate the representation of powerful groups that feed off each other in a game of mirrors in which crime and state intersect (LESSING and WILLIS, 2019). Criminal governance is not a source of power located outside the state—or at least it is longer seen this way—but a force that locates itself through the state, which is especially evident, for example, in the militias of Rio de Janeiro, which are entangled with state operations.

Who, what and how these criminal organizations govern in different places around the world varies enormously, and efforts to identify and categorize these dynamics have received substantial investment of empiric research in the field, above all in Latin America, where the historic model of state development follows *sui generis* paths. Despite the differences that can be established in the forms of administration and how this criminal governance is conducted on the continent, the cases have in common a challenge to the argument that the state holds a monopoly on violence. In practice, for most of the residents of these vulnerable communities, from Brazil to Colombia, and including Honduras, Guatemala, Mexico or El Salvador, local criminal organizations have authority over most daily issues. This does not mean, as we said, that the presence of criminal organizations necessarily implies the absence of the state, to the contrary.

We are not speaking here of a state that simply abdicates its attributions and functions or that is incapable of contesting the criminal authority, but a state that ignores or overlooks the presence of criminal groups, or even collaborates with them. It would be curious to speak of a state that delegates competencies to organized crime, but it would be reasonable to think of a “duopoly” of violence—a relationship that is not static or immutable in time, given that it can include moments of mutual convenience or competitiveness, turbulence or functional stability. Thus, we do not want to completely erase the distinction between state governance and so-called criminal governance. It is necessary, using the classic Weberian definition, to emphasize that although both technically impose themselves with their coercive capacity, they have noticeably different *modus operandi*. Criminal governance operates in the shadows, beyond sight, in large and small cities. It flourishes in areas of vulnerability or in pockets of poverty, where the

inhabitants have long been familiarized with both the community intervention of criminal groups, and with the more repressive side of the penal state (LESSING, 2017).

Therefore, the notion of criminal governance requires and justifies going beyond the dimension of official public discourses and the colloquial understanding that crime and criminal governance are shaped in opposition to the state. The concept explores precisely how these institutions complement each other in subtle ways. There are two sides of the same coin. It cannot be forgotten that it is the state that defines what crime is, and it constructs the images and representation about criminality and the typology of the risk it represents. In this sense, all state actions—from investment in policing to the provision of welfare for police forces—all measures taken by the state in relation to public security, have substantial effects on the incentives to and capacity of criminal groups to govern extensive portions of the population, particularly the poorest.

This expanded view of the relationship between state and criminal governments allows us to think about and explore unexpected or paradoxical effects of public security policies and show how intensified incarceration or the expansion of the punitive power of the state can be partially useful to organized crime. This understanding casts light on the possibility for symbolic configurations between state and crime, showing, for example, that criminal governance can also be an efficient social regulator of urban violence, and become a mechanism for maintaining the social order in urban spaces, especially the periphery, and even within prison systems—which have been difficult for Latin American states to administer. In this sense, criminal governance, as an integral part of the social stability of territories and populations, can also contribute, even if perversely, to the constitution and maintenance of the state (*Idem*, 2018).

But how is this criminal governance constituted in practice? How can it be perceived? In general, criminal governance takes place when a criminal organization imposes rules or restrictions on behavior. This includes governance on criminal and non-criminal members. The core of this definition or understanding of criminal governance is distant from sterile discussions about what organized crime is or is not and focuses on its immanent practices. In this way, we understand that criminal governance can be exercised by groups of different natures, from gangs to criminal organizations with better structures that emanate from the prison system. Considering the consequences, it can be said that we speak of criminal governance when the lives, routines and activities of individuals are affected by rules and codes imposed by criminal groups.

The growing image of state violence against criminal groups and their triumphalist discourses, expressed by public administrators and the media, reinforce the idea that the state continues to “struggle” against criminal groups. For the definition of criminal governance, this understanding is limited or even misleading, because it omits or obliterates the reality that this legal repression is in most cases the driving force that gives structure to spaces of crime, among

which the best examples are the dynamics found in illicit markets and prisons. Finally, it involves a definition that cannot be understood separately from the state, its public policies, its coercive apparatus and its relationship with communities and citizens.

Criteria for selecting the cases and methodology

This study compares the Brazilian city of Maceió, the capital of the Alagoas state, and the Colombian cities of Medellín, the capital of Antioquia, and Cauca, a mid-size city in the same state. In each of these territories criminal governance has varied in terms of intensity and style in particular ways. The comparative study of such distinct realities can be a powerful tool for understanding the mechanisms that give rise to the regulatory dynamics of the criminal actors in urban contexts where the dynamics of criminal political economy have varying complexities.

The main dimension compared in these cases is the territorial control that illegal armed actors exercise on communities permeated by combative social relations. In this sense, our first question is: *what are the differences and similarities between the processes of social and economic regulation of criminal governance in the peripheries of Maceió, Medellín and Cauca?* Then, considering transformations related to the Covid-19 pandemic, especially on Latin American societies, we ask: *to what degree have the adversities established by the sanitary crisis impacted criminal governance in these territories?* The choice of the cases indicated is also justified because they reveal processes of spatial control that involve distinct periods of domination of territories where the control of the state has been seen as limited, restricted, and conflictive.

The city of Maceió includes a remote territory that has undergone expressive urban transformations, especially since the second half of the twentieth century, when the capital had one of the highest rates of demographic growth in the region, beginning a progressive process of expanding the peripheral urban regions, particularly with the migration of rural workers to the city and the collapse of the sugar cane and alcohol economy. In the absence of programs to attend to this population, the horizontal and peripheral growth of the capital in the past 30 years has taken place through the negligence of public and parallel administration in relation to the growth of organized crime and drug trafficking.

In the Medellín neighborhood of Moravia armed actions have been historically incorporated to social life. Violence has been used as a mechanism for conflict resolution and as a form of social coordination of space. Territorial control is characterized by the influence of armed groups linked to the drug cartel Oficina de Envigado, whose main activities are related to narco-trafficking, micro-trafficking and extortion. In turn, the installation of armed groups takes place particularly

by offering security services and controlling the production and distribution of goods and services, foods and other elements that are part of local economic chains. Moravia is now one of the regions with the most intense commercial dynamics in the city, conjugating legal (formal and informal) and criminal economies.

In the case of Caucasia, the transition from armed conflict with the guerrillas marked the regulatory dynamics of the territory. The demobilization of the guerrilla groups, particularly in territories where there are important sources of mineral wealth or illicit crops, left gaps that were increasingly occupied by actors with distinct objectives and that do not aim to totally supplant the state, whether by extending forms of regulation and social, economic and political control, or through other illegal activities, such as illicit mining, the invasion of residential spaces, and controlling the use of public or collective spaces for private use etc.

In all three cases we highlight the role that micro- and narcotrafficking have had in the management of territories and their inhabitants, by exercising control and monopolizing security services and economic activities. The armed groups are able to impose a model of regulation of territories that directly interferes in daily activities including labor, leisure and social interactions. This reality has caused the use of force to be increasingly accepted and recognized by the population, except for specificities that we will discuss. The management of territories by organized crime has inserted armed violence into the regulation of social relations as a form of satisfying individual and collective interests and networks of power.

Considering the limitations on conducting empiric research during the pandemic, which restricted field activities, this study uses results of previous research by the authors (between 2017 and 2020), as well as various recent sources including: semi-structured and informal interviews with residents, state security forces, political leaders and armed actors (conducted with virtual means of interaction); and *surveys* with residents from regions of informality (conducted between 2020 and 2021); as well as journalistic reports and content shared on social networks.

Description of the cases: territories, conflicts, models of regulation and the impact of the Covid-19 pandemic

Case 1: Maceió

In the perception of the media and even the Maceió police, since 2009 there has been a growing phenomenon of the creation of factions in criminal activities in the capital of Alagoas. Since then, the factions have gradually occupied the center of public debate and redefined the

administration of crime by the state, interfering in the socialization dynamics of peripheral youth and deepening mechanisms for criminal selectivity, especially among the black and vulnerable population—which, as has been widely indicated or denounced, is the prime target of repressive state power (FBSP, 2020). During this period, the factions have been recognized as the number one enemy of the public security apparatus, especially of the police institutions, which understand that they are at war against the subjects and groups in the factions (RODRIGUES, 2020).

The idea of a buffer zone to prevent the problems of neighborhoods said to be violent and controlled by factions from passing to other neighborhoods of Maceió, highlights the centrality of the theme and how much the phenomena of the factions has been gaining a structural dimension in the state security policy executed in the past ten years. The image of a divided, fractured city has guided institutions of public safety, determining the processes and means by which state government has understood and handled the problem of violence in these territories (MAJELLA, 2019). Parallel to the proposal to confront the factions and wage war against drug trafficking, the state security policy guidelines have implemented a model of regulation of crime that by georeferencing the violence establishes a dual and criminalizing logic that in regions considered “noble” guarantees the legality and dignity of the human person, while in the peripheries transforms violence and rights violations—particularly among black and brown youth—into daily and normalizing elements of life (SANTOS, 2020).

The presence of the armed factions has influenced the lives of the most citizens in the city. The notion of the threat of the factions is used by the police and the city to represent neighborhoods governed by crime or its so-called factions. Most of these territories are out of view to tourists and others at the center of the capital, far from the paradisiacal image of touristic and commercial Maceió. They are territories marked by intense and disorderly processes of urbanization, by precarious living and sanitary conditions and by the absence or inefficiency of public facilities for leisure, healthcare, education and public safety. The results of unchecked horizontal growth over the past 50 years, these peripheral spaces are the privileged territory of micro-trafficking in the capital, and for this reason attract both the selective attention of police intelligence and vigilance actions (RODRIGUES, 2017). These territories have been priorities for experimental security programs in the city since 2007 when the federal government chose Maceió for implementation of experimental public safety programs (NASCIMENTO, 2016). Since then, these programs have reinforced the argument that associates homicides and drug trafficking in Maceió, which is especially reflected in the expressive growth of incarcerations of Alagoas.

Although it is tempting to imagine that this situation involves a “mini state” that was implanted because of the absence or failure of the legal state, it is essential to highlight that this population that lives under the administration of factions of criminal groups is also that which knows and recognizes

the more repressive dimension of state power (NASCIMENTO, 2017), because these are the territories with the highest rates of lethal violence, especially violence supported by state security apparatuses, and which the prison system “selects” the majority of its population from. Interviewing and daily accompanying residents from the poor and working-class neighborhoods of the capital clearly revealed the recognition of the responsibility between the state and the criminal actors to provide for or administer various dimensions of the issues of residents. In a way that is complex but tangible to those who reside and live in these territories, informal conversations, and community statements, allow identifying and gauging distinct competencies for each one of these actors without this coexistence signifying an incongruence for the residents.

Of the 50 neighborhoods of Maceió, only six, nearly all located at the margins of the city, which account for 42.7% of the inhabitants of the capital, in 2019 registered 49.2% of the homicides in the city. These are neighborhoods that concentrate the main criminal activity in Maceió. They include territories that have been occupied for a long time but are now in degraded conditions as well as younger neighborhoods in regions of more recent habitation, characterized by the irregular occupation of valleys, ravines and slopes (LINDOSO, 2000; CARVALHO, 2012). They are areas of extreme vulnerability in which geographic and urban factors have contributed significantly to the promotion and occurrence of crimes, especially those against life, and to the expansion of illicit drug sales, above all among the younger population.

The siege by the factions is not by chance and their popularity appears as a gauge of the world of crime in the capital. In this sense, the state’s strategies and interventions have reinforced this image of crime as something once unordered and ungovernable, but in which there is now a chain and a representation of power. These youth find in the dynamic of the collective representation of the factions an expression of visibility, status and power—they celebrate ostensive consumption, expand possibilities for social interaction and connections of belonging to a group, explore the advantages of precocious sexuality, misogyny and the promotion of hedonist moral values related to the satisfaction of instincts (RODRIGUES, 2020).

During the first and second wave of the Covid-19 pandemic, in the community of Vergel¹, one of the most vulnerable territories of the capital, although at first sight the measures of social isolation had contributed to the strengthening of crime, what was revealed was an exacerbation of the systemic economic and social inequalities in these spaces. Despite the representation of power that these groups have in their communities of origin, at times the pandemic made them equal to other residents in terms of vulnerability. During this period, special actions for social control or assistance were not promoted by these armed factions. To the contrary, their members and families were at times integrated to the network of benefits sponsored especially by non-governmental organizations. However, it should be highlighted that there was a deepening of the

symbiosis between the armed groups and these NGOs, given that the factions were often used by these organizations to administer and cooperate with social control measures including the distribution of basic foods, or the donation of healthcare kits.

Case 2: Medellín, the neighborhood of Moravia

Medellín is divided politically-administratively into “comunas” and neighborhoods. The city now has 16 comunas and four districts. The neighborhood of Moravia is located in one of these comunas, in an area that is completely urbanized and commercial in the periphery of the center of the city. Since its formation as a neighborhood, in the late 1960s, there has been a strong urban evolution marked by accelerated changes in the dynamic of occupation, in its social and economic structures and in the cultural appropriation of the territory. In 2018 Moravia had a population of just over 40 thousand residents in an area of 45,18 hectares (451,810m²). Its population is one of the highest in Comuna 4, Aranjuez, which has a total of 161,491 residents—so the population of Moravia represents 25% of the comuna.

The neighborhood has been one of the peripheral areas of Medellín that since its rise has coexisted with expressions of violence, accompanied by the denial of economic and social rights, high rates of social exclusion and precarious housing. It was the epicenter of the action of various armed groups in various moments of its historic configuration. In the 1980s it was marked by the presence of armed groups at the service of the drug cartel, which led to annual increases of the homicide rate of more than 100%. The 1990s, saw the rise of urban militias, amid a rise in armed conflict in Colombia and the intention of guerrilla groups to enter and dominate the cities. These groups contributed to high-intensity armed confrontation between the state, groups of the Medellín cartel and these militia, mainly the Exército de Libertação Nacional (ELN).

The command of the militias in some way allowed the homicide rates to fall nearly by half until 1998, when paramilitary groups began to enter the city. Their primary objectives were the extermination of the militias, the struggle for territorial control and the dispute for micro-traffic networks. Thus, the homicide rates did not rise to the same level that it had reached in 1991, but oscillated between 150 and 180 per 100 thousand residents from 1998 until 2002—a period of consolidation of the paramilitary groups in the city. In the following years, the rates of homicide dropped significantly, reaching 35 per 100 thousand residents; however, between 2008 and 2011 it grew again, reaching nearly 100 per 100,000 residents. There has been a recomposition of armed groups in the city and a protagonism of new criminal organizations associated to activities aimed at territorial control for economic purposes, like the illicit drug market, extortion and the sale of services, especially security.

In 2020, the rate of homicides in Medellín reached 26 per 100 thousand residents (LÓPEZ, 01/01/2021), the lowest in 30 years. Various authors have analyzed the reconfiguration of armed actors in the city, their nature and forms of action, which range from relations with narco-trafficking to other forms of influence and exercise of armed power in daily practices, such as extortion and control over the prices of foods and their distribution, the supply of security services, money lending, the exploitation of poverty, and others (PATIÑO, 2015; GIRALDO, RENDÓN e DUNCAN, 2014; ÁVILA MARTINÉZ, 2010; ALDANA, 10/01/2019).

A 2018 report by the Fundación Paz y Reconciliación (Pares) showed that until 2015 nearly 146 criminal organizations operated in different neighborhoods of Medellín (FUNDACIÓN PARES, 2018). In Comuna 4 of Aranjuez there were approximately nine operating with a direct influence in the neighborhood of Moravía (*Ibid.*, p. 11). The key actors in this conflict included: El Cristo, Palermo, El Pueblo or Pueblito, Los Calvos (reduto), La Oficina de Campo Valdés, Moravia, Los Gomelos, Plan de la Virgen or Miranda and Los del Alto.

The regulation of social life by the armed actors in Moravía is part of the social history of the neighborhood. Some factors deserve highlighting: firstly, its distant relation from the state, the low institutional presence and the minimal regulation of conflicts. Secondly, the territorial command enforced by the armed actors in the neighborhood and surroundings that shapes a form of social order in the territory. Thirdly, the transactions and forms of negotiation with other social actors organized to defend the territory, such as social and community organizations. Moravía is inserted in this complex network of relations between the legal and illegal, the formal and informal, related to territorial control by illegal armed actors. The dynamic around the control of the armed actors is little different from that in other neighborhoods and comunas of Medellín, mainly in relation to the types of illegal practices.

A questionnaire was issued to 70 residents of Moravia in July 2021, about relations between the administration of conflicts and the Covid-19 pandemic. The responses express that the most common conflicts during confinement were those related to conviviality among neighbors (30%), followed by family violence (24%), theft (20%) and then other types of conflicts (23%). Homicide accounted for 3% of the total.

When asked about the level of compliance with the measures determined by state institutions during the confinement, the respondents indicated that the measures not complied with were: the ban on social encounters like parties and leisurely gatherings (46%), respect for the lockdown and the dry law (26% each), the use of masks (23%), physical distancing (25%) and to a lesser degree travel (20%).

The data show the relationship between the level of compliance with the norms during confinement and the actors involved with control. We asked which actors most controlled the situations that arose during confinement and 53% of the respondents said that it was the police;

32% said that no actor implemented control; and 14% said that illegal armed actors had control over the measures. The police always appeared in the responses as the main actor in the control of pandemic measures, but people indicated that illegal armed actors were important in the control of confinement, even measures imposed by the state.

Responses to a question about the perception of security in Moravia during the pandemic were quite varied: 37% of the respondents said they felt somewhat secure; 27% secure; 16% poorly secure; 13%, very safe; and 7% responded they did not feel safe in any case.

The illegal armed actors in Moravia maintain a dynamic of control and regulation of conflicts and territory, and during the confinement engaged in controlling daily life without confronting state institutions or other illegal armed groups. However, the confinement strengthened their power over income from land use, with the forced sale of lands within the neighborhood, extortion and security.

Case 3: Caucasia

Caucasia is the third most important city outside Medellín metropolitan region. It is about 300 km from Medellín—a trip of approximately six hours along one of the country's main roads, which connects the interior to the main Caribbean ports. With just under 100 thousand residents in its entire territory, which is dedicated to crops, husbandry, commerce, mining and other primary sector activities, it is located in one of the most combative regions of Colombia, *el Bajo Cauca*. The city's name refers to the Rio Cauca, which forms a natural border of the urban area and influences much of its economic activity. The presence of gold, the fertile lands good for planting illegal crops, raising animals and other factors make the region a support zone for guerrilla and paramilitary groups and one of the epicenters of Colombian conflict.

Since the 1970s, the now extinct guerrilla group the Fuerzas Armadas Revolucionarias de Colombia–Ejército del Pueblo (Farc-EP) had a strong presence in the territory of Caucasia, especially in rural areas, where farming and mining were predominant and important income sources, susceptible to being considered financing for their cause. Thus, a social order was established in which support to social and agrarian causes was one of the main strategies of accommodation (ARJONA, 2016; RAMÍREZ *et al.*, 03/2013). In the 1980s marijuana and coca crops gained a strong presence in the region, and requests by landowners for protection against the rebels led to the installation of self-defense and paramilitary groups. Therefore, the recently formed Autodefensas Unidas de Urabá consolidated their forces and created the Bloque Mineros and Bloque Central Bolívar, which quickly began to claim territory control, not only on rural areas, but also urban centers, which served as collection and supply points (FALS BORDA, 2016; VERDAD ABIERTA, 07/09/2011).

This dynamic generated a fast population expansion, and the city grew from 19,500 residents in 1965 to 88,400 in 2007². Its economic activities expanded and the boom in the coca and gold markets encouraged its urban development. The circulation of capital derived from these markets shaped the municipality's economic and political structures. These dynamics generated greater social mobility, expressed in the new regional elite that arrived and coopted political institutions. Proof of this is the criminal history of mayors elected since the 1990s who have been investigated for ties with paramilitary groups, illegal mining, drug trafficking and corruption (FUNDACIÓN PARES, 09/08/2019; TRIBUNAL DE JUSTICIA Y PAZ, 2018; VERDAD ABIERTA, 2012).

The local and national governments reacted to this phenomenon by increasing military presence, then investing in road infrastructure and services like education and healthcare. However, this state presence was not enough to counter the influence of the already positioned paramilitary groups, which were able to impose a criminal governance on the municipality and with it a tense peace that extended through certain periods, when the crime rates were not as alarming as they are today.

In 2019, the homicide rate was 147 murders per 100 thousand residents, six times higher than the average for the whole country, which was 25. The rate in Cauca was much higher than in the large cities like Medellín and Cali, where it was 23 and 51 respectively. In 2020, it dropped to 87 per 100 thousand, which was still far above the national average of 24, and of Medellín and Cali where it dropped to 14 and 48, respectively³.

These numbers make Cauca one of the world's most violent municipalities, considering that the NGO Seguridad Justicia y Paz places the Mexican cities of Tijuana and Juárez at the top of the ranking, with 134 and 104 deaths per 100 thousand residents respectively, (CCSPJP, 2020). These rates can be attributed to a realignment of forces, derived from the peace process and that include the dissident positions of the Farc-EP and the Autodefensas Gaitanistas de Colombia (AGC), which is the predominant group in the region (DALBY, 2019).

Before mentioning the presence of guerrilla groups, the attractions of this region that help to explain its high rates of conflict are: the lack of a state and military presence, expressed in deficient infrastructure and precarious services; the low institutional effectiveness in meeting the needs of the population; the presence of illicit plantations, mainly coca; the presence of gold; and the struggle for economic and political control of these resources and territories, which have triggered intense confrontations, resulting in a vicious circle of state inefficiency and violence with harsh repercussions for residents.

A report published recently by the Fundación Ideas para la Paz (Indepaz, 2020) presents a definition the AGC attributed to itself: "we are a Political-Military Organization for armed civil resistance, with a social origin, temporarily illegal, a defender of the vulnerable population that is the victim of armed social conflict, the product of abandonment and political-administrative

corruption of the elites that govern us” (p. 39). This declaration reveals that the group has specific political purposes, very different from the paramilitary and self-defense groups that have controlled the territory in recent decades.

The AGC is a residual group of the Autodefensas Unidas de Colombia (AUC) which joins some of the most powerful men from that paramilitary group. They include those who, demobilized as a result of the peace process of 2006, continued to commit crimes in prison or who did not adhere to the Ralito Pact—as the agreement signed among the self-defense groups and the Colombian state is known—and those who completed their sentences and took up arms once again. Since then, their objectives have been quite concentrated on control of drug trafficking and extortion. Its consolidation took place after heated disputes among known factions such as Los Paisas, Clan Úsuga, Los Rastrojos, Oficina de Envigado, cartels from departments of the Valle, dissident cells of guerrilla groups and common criminal groups (INDEPAZ, 2018; DALBY, 29/07/2019).

It is now the most powerful criminal group in Colombia, present in 17 of the 32 departments and has strong transnational connections, mainly with Mexican cartels (SAAVEDRA, 10/06/2020). In reality, the national government considers it a drug cartel, known as the Clan del Golfo (EL TIEMPO, 18/07/2018). Many of its factions are linked to the central command and others operate in a franchising model, an innovation that has allowed it to gain importance throughout the territory, increase its influence with the political class and control a large portion of illegal revenues from mining, drug trafficking and other sources that depend on the conditions of each region (ÁVILA MARTINÉZ, 2019; SEMANA, 2020).

There are no specific registers about the number of members, but it is estimated at more than 2 thousand combatants (INDEPAZ, 2020) who serve under a hybrid structure that is pyramidal for flows of money and horizontal for operational decision making. That is, there is a certain amount of autonomy for each one of the fronts, which helps maintain a unity of action and the integrity of its ranks. Its administration of resources is well organized and it exercises effective social and economic control in its territories. Its organization includes two key figures for these purposes who are replicated in each one of its fronts and units: a political and a financial leader. The political leader is responsible for all of social controls that can affect peace or stability in the regions, such as disputes, labor and family conflicts (cases of domestic abuse and infidelity), problems with neighbors and conflicts over unpaid debts—that is, everything that can be regulated and resolved quickly without the intervention of state entities. The financial leader controls and regulates the economic transactions conducted in the illegal markets and administrates the so-called “vaccines” or extortion imposed on the legal economy and on the residents. These two posts impose vertical control over all the other members of the organization, avoiding operations not authorized by the central commands or by the squadron—which are treated as serious violations with consequences such as the death penalty (RE/170120/01; ARNE/140320/01).

The objectives of this grouping are not only political or economic, as suggested by Collier's (2002) classification of armed conflicts and their actors (COLLIER and HOEFFLER, 2005; COLLIER, 2002). In this case, the objectives are the result of a history of counter-insurgency struggle and of control over narco-trafficking and other attractive incomes in a large portion of the country. Social and economic control become imperatives for its purposes and ends in themselves. To achieve these goals it can wield its armed organizations or also enter the structure of the state, which is one of its most profitable sources of income (GARAY SALAMANCA *et al.*, 09/2008).

Comparative analysis of the cases

To fulfill our proposal to sketch a comparison between the urban contexts analyzed in relation to the regulation of armed actors and their model of criminal governance during the Covid-19 pandemic, we began to determine various aspects for comparison. Our attention fell especially on the identification of social mechanisms of regulation of daily life of the inhabitants of different neighborhoods and territories under analysis. In general, we considered two main dimensions of criminal governance for our registers and observations: *social control* and *market regulation*.

In terms of social control, we highlight how the armed groups of each one of these territories interfere directly on the daily life of these populations, assuming, above all, a role as arbitrators of social behavior, deviations, the circulation of people, weapons possession, and protection of private property. In terms of market regulations, we highlight mechanisms for control and regulation of legal and illegal markets, to manage compliance with the pacts and contracts and to administer formal and informal transportation. Table 1 presents a comparative synthesis of these dimensions and mechanisms for each one of the territories:

Table 1: differences and similarities in criminal governance: dimensions and mechanisms

Dimensions	Mechanisms		
	Maceió (Brazil)	Medellín (Colombia)	Caucasia (Colombia)
Social control			
<i>Intrafamily violence</i> <i>sexual violence,</i> <i>infidelity</i>	Groups repress sexual violence. Intrafamily conflicts are addressed based on their magnitude. Punishments range from warnings or expulsion to the death penalty.	Groups receive complaints and use physical violence as punishment.	Groups arbitrate and impose sanctions that can be economic, social, community or even expulsion.

<i>Interpersonal violence/homicide</i>	Death penalty for extreme conflicts. Arbitration for violations of group or community codes.	Arbitration, death penalty and expulsion from the territory.	Arbitration, death penalty and expulsion.
<i>Circulation/entry and exit from the territory</i>	Intermittent reports of mechanisms for control and of circulation of people in the territory. Control occurs through scouts and informants and may become regular in situations of conflicts between groups.	Control of the circulation, and entry and exit of people in the territory. Surveillance in strategic places.	Schedules and authorizations for outsiders. Frequent night curfews, especially for entering or leaving controlled neighborhoods.
<i>Weapons possession</i>	Members of factions tend to regularly carry firearms but are indifferent to the armed presence of the population. No policy for controlling access to firearms.	Not allowed. Seizure or authorization of weapons. Enforcement can include confiscation of the weapon and expulsion from the territory.	Not allowed. Seizure or authorization of a weapon.
<i>Protection of private property/theft</i>	Control of private property. Groups take responsibility for resolving thefts. This includes returning belongings and punishing offenders, in some cases with the death penalty.	Surveillance of commercial establishments/weekly charges. Surveillance of cars and motorcycles parked on the streets/weekly charge. Property damage and theft for refusal to pay for the service.	Search for those responsible, seizures, returns or redemption may generate charges for the service.
<i>Resolution of Interpersonal conflicts</i>	Interpersonal conflicts are considered only those that threaten control of the territory. For these cases, negotiation, public punishment or expulsion are prescribed.	They arbitrate and impose sanctions	They arbitrate and impose sanctions that may be economic, social, community or even expulsion.
<i>Social behavior</i>	Groups do not interfere with alternative social, cultural or religious behaviors.	No reports.	Drug use and control of social events.
Market regulation			
<i>Control of illegal market</i>	There is no identification of control of illegal products, at most there is a prohibition of thefts and robbery in the territory under penalty of death.	Control is seen in the distribution of food products, both those produced in the neighborhood and those from the outside. It expresses what products are sold, which are not and distribution points.	No reports.

<i>Control of commerce: stores/supermarkets/nightclubs/cassinos</i>	No reports.	Extorsion versus security services.	Extorsion versus security services.
<i>Debt collection</i>	No reports.	They receive complaints, arbitrate, and organize commands for collection with payment fees.	Retrieval commands that charge a fee starting in 10% of total debt.
<i>Compliance of contracts and agreements</i>	No reports.	Arbitrate rental contracts and related debts.	Arbitrate with fees for the agreements reached.
<i>Formal e informal transportation</i>	No reports.	No reports.	Regulate, taxi services, motorcycle taxis, which are used for communication/illegal taxes or <i>vacunas</i> .

Source: Prepared by the authors based on analyses of each of the cases.

In the three contexts analyzed, despite their fragmented organizational characteristics, a type of naturalization of violence as an accepted means of conflict resolution is seen to be common, not only among the armed groups, but also in the communities. Criminal governance, in the cases analyzed, limits the state's monopoly on violence but is not necessarily contrary to state interests. In the case of urban violence in general, and of resolution of interpersonal conflicts and the protection and maintenance of private property, the armed groups impose a specific grammar and administer these activities in all the territories. In terms of the aspects compared, greater affinities were identified among the groups in relation to social control, even if they are characterized by distinct practices of repression and coercion.

We saw that in Colombia violence can be considered a means to attain various objectives, like efforts to assert power that can include the establishment of order or combatting left-wing ideologies to the regulation of violence as a form of guaranteeing earnings from legal markets. Meanwhile, in Maceió, violence can be understood as an end itself, constituting a cycle that perpetuates itself through its practices. If in the Colombian case the presence of various political actors (from armed groups to unarmed civil society) establishes certain forms of regulation of violence, in Maceió these disputes, when they take place, are of a strictly endogenous character, such as disputes between factions for the control of territories and micro-trafficking.

It is important to emphasize the close relationship between the legal markets and the armed actors and the need for collaboration and or cooperation from the state to maintain the survival of these markets. To some degree, this is a characteristic that can be observed in all cases, with some exceptions, from the fragmentary networks of trafficking in Maceió until the most hierarchized or horizontal models of administration of criminality in Medellín and Caucasia. For

some, these arrangements between the state and criminal groups are somewhat mixed; for others, the state and criminal groups remain independent of each other, although by nature they establish a relationship of co-participation, in which crime comes to be tolerated in return for the enjoyment of certain benefits, some even of a collective character, such as the social regulation of homicide in the peripheries and within prisons.

The phenomenon of control over territories and communities, considering the degree of fragmentation or not of criminal activities in the cases observed, appears to point to a correspondence between control over communities and their economic activities. The larger activity networks, the greater demands for territorial control, therefore its communities. In this regard, the comparison of the three urban contexts appears to indicate a dimension that is still little explored by the specialized literature: the relationship between capillarity, extension and the dimension of the criminal groups and the influence of their range of action over the urban peripheries. In the case of Maceió, for example, more than a year after the beginning of the Covid-19 pandemic, it was clear how the fragility of the organizational factors of the armed groups was overcome by the precarious conditions for survival.

High levels of poverty and low levels of employment and education were found in the three cities, which facilitates the recruitment of youth without many opportunities and who enter in cycles of violence. In the case of Maceió, this data is essential for identifying and understanding where micro-trafficking is established, and the dynamics of recruitment and the model of attraction that the illicit drug market exercises on youth in the periphery. In the case of Medellín and Cauca, the relationship with poverty is important, but does not appear to be a defining element in these relations, given that the presence of other actors in dispute for legitimacy from the population makes traffickers simply one more group of actors among others.

In all cases, the state has little legitimacy in terms of public security, especially for the lowest social classes, but other state services continue to be available. It is curious to observe that the image of the absent state is as unrealistic as the image of traffickers as actors with total control over territory and populations. Neither of these models of domination exist. What is observed is a type of “social division” of labor between armed actors and the state. Even in the most vulnerable contexts there is not an absolute absence of the state, given that it is present in some way, whether in the image and representation of schools, family health clinics, or in the security forces. What is seen is a logic and rationality specific to the attribution of functions and competencies to one actor or another.

This is essential, in terms of how the relations of force and power are established in the cases of Maceió, Medellín and Cauca, considering that we have two different models of state, given that Brazil has a federative administrative model, while Colombia has a centralized state. This distinction is important, especially for considering the case of Cauca, where the administration

of crime to some degree approaches an attempt to usurp the power and functions of the state—something closer to a model of a type of rebel governance. This issue is also important for considering the development of the type of action that one state and the other have understood to be efficient for fighting criminality—for example, the role of the police in each context.

Cooptation of the state by the AUC in Bajo Cauca is much greater than in Medellín, or groups controlling the periphery of Maceió, which highlights the political dimensions of the state's governing functions. These particularities stand out in comparison to the other cases. Not by chance, in Maceió the dimension of regulation of markets is comparatively ineffective or incipient. At most, the armed groups in the capital of Alagoas establish rules to prohibit robbery and theft in the controlled territories. In Bajo Cauca, the mechanisms to regulate markets are the most highly developed, with the institution of commissions to arbitrate contracts and establish complex networks of extortion and security, even with a provision for monthly interest payments and regulation of informal transportation.

We can affirm that in Medellín the various sources of power interact and cross each another. In Bajo Cauca, it would be more appropriate to describe these relations as those involving cooptation of crime by the state. While for Maceió, there is a type of overlapping of functions between the state and armed groups, particularly in relation to social and economic dimensions. To some degree all these situations involve conviviality and mutualism between the armed groups and the state. Since there is no criminal power that controls everything, it is illusory to think that the state is completely absent in these cases. Beyond discourses that emphasize the confrontation between good guys and bad guys, the empiric reality blurs these limits. Complicating a binary understanding and problematizing the syntax of the relationship between repression and cooperation.

Conclusions

During the pandemic significant changes were not seen in the conventional functions of criminal governance in the contexts analyzed. In the case of Bajo Cauca, there was a need to avoid attracting the attention of the authorities and the press. In Medellín and Maceió there were only isolated and residual actions, with no intent for intervention or to respond to the challenges imposed by the pandemic. In any case, there was a continuation of the regulatory practices already underway, and no significant changes in the modes of regulation. No strengthening was noticed or increase in the number of combatants or even an intensification of violent actions or those against the community and security forces.

The analysis conducted of the cities of Medellín and Cauca in Colombia, and Maceió in Brazil helps to confirm the similarities in the actions of illegal groups in Latin America, especially when their interest is to regulate social and economic life in vulnerable urban zones. That is, there are no large sources of capital available in the immediate surroundings; in fact, the objective is to establish territorial control despite the difficulty of finding significant income sources. For example, in the case of the neighborhood of Moravia, in Medellín, the dynamic and organization of groups, characterized by action in small groups and networks, does not require a significant amount of capital to maintain large number of fighters, as do guerrilla or paramilitary groups.

This contributes to the sustainability of illegal markets, largely thanks to collusion between illegal armed actors and states, represented in the territories by the police and other control agents. Due to the social and economic characteristics of these territories, where the basic needs of the population are poorly met and residents have few employment and economic opportunities, structures of other types of non-state governance are easily installed. This is not to imply that the state is absent. It has a differentiated presence that opens gaps to other agents who offer complementary services as a counterpoint to extorsions expressed in money or covering up illegal activities.

The provision of services, mainly security, appears to benefit state actors and illegal armed actors. Both benefit from a silenced and controlled population deprived of an ability to claim their economic and social needs. Complaints expressed through protests or denunciations of state abuse, repression or of its negligence are not possible. The criminal groups also violently repress any attempt by the vulnerable groups to gain visibility. There is no evidence of an orchestrated strategy with state agencies of this mutually beneficial relationship. But state agents do benefit, which can be seen by the advance of accusations against public actors for participating in corruption and extortion linked to trafficking in legal and illegal products.

During the period analyzed there was no evidence of a rise of new forms of regulation by the armed actors in any of the three cities. The measures decreed by the local authorities were to some degree beneficial to the armed actors who deepened their control over the circulation of people and social activities. This context facilitated their illegal activities and reduced the need for coercive and violent actions. Proof of this is the decrease in rates of criminality in the three cities. The measures of social isolation during the pandemic should be highlighted, because they appear to have directly influenced the reduction in the rate of intentionally violent and lethal crime in the territories in question.

But new mechanisms of governance through aspects directly linked to the pandemic were not seen. Their administration, by the part of the governments or illegal armed actors, did not generate social and economic dynamics different from those already existing. In fact, while Maceió, Medellín and Cauca have armed groups with different characteristics in terms of the

numbers of members, type of structure and scope of actions, the regulatory practices that they have implemented appear to have maintained a certain stability over time. This characteristic demonstrates the effectiveness of their actions and territorial control, as well as the stability of this relationship of symbiosis with the power of the state.

Notes

¹ The community of Vergel is 4 km from the center of Maceió, at the margins of the Lagoa Mundaú, one of the country's most important estuary systems, which is now suffering accelerated degradation, which is aggravated by the disorderly urban growth in the region and the presence of the chemical industry. The territory is also characterized by a high homicide rate and the flagrant presence of criminal factions. It is a traditional fishing community, with many families living along the banks of the lake who had long depended on gathering mussels. The low price for the mussels and the seasonality of their harvest, in addition to the unhealthy conditions of their processing, have made drug trafficking an alternative, especially for the young. The unhealthy and precarious urbanization of the location promotes sub-human living conditions that now combine with the control of retail sales of illegal drugs and the philanthropy by third sector organizations that, together with the state and the factions, share the administration of the territory and of the main problems in the daily life of its residents.

² See (on-line): <https://www.dane.gov.co/index.php/estadisticas-por-tema/demografia-y-poblacion/proyecciones-de-poblacion>

³ See (on-line): <https://www.policia.gov.co/grupo-informacion-criminalidad/estadistica-delictiva>

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