

# Types of Criminal Governance: A Comparative Study Based on the Cases of the Maré

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**Tipos de governança criminal: Estudo comparativo a partir dos casos da Maré** analisa algumas modalidades de governança criminal, partindo da comparação entre as distintas configurações do poder local que se encontram em favelas da Maré, no Rio de Janeiro. Busca-se ultrapassar os limites do território originalmente focalizado na pesquisa “Impactos sociais da exposição à violência armada na Maré”, agregando informações disponíveis sobre o universo popular fluminense. Nossa intenção é propor algumas hipóteses interpretativas que dialoguem com as tradições dos estudos sobre poder e desigualdades na sociedade brasileira.

**Palavras-chave:** governança criminal, grupos criminosos armados, milícias, tráfico de drogas, impactos sociais da violência armada nas favelas

This study analyzes some of the modalities of criminal governance by means of a comparison between the different configurations of local power found in the favelas in the region of Maré, in the municipality of Rio de Janeiro. The aim is to go beyond the limits of the territory originally considered in the study “Social Impacts of Exposure to Armed Violence in Maré” by adding to it the available information about the popular universe of Rio de Janeiro state. Our intention is to propose some interpretative hypotheses that engage in dialog with the traditions of studies on power and inequalities in Brazilian society.

**Keywords:** criminal governance, armed criminal groups, milícias, drug trafficking, social impacts of armed violence in favelas

## Introduction

Our study entitled “*Construindo Pontes: Impactos sociais da exposição à violência armada na Maré*”<sup>1</sup>, carried out through surveys, focus groups and open-ended interviews in the favelas of Maré between 2018 and 2021, examined the ways in which different armed groups, drug dealer gangs and *milícias* exert power over territories and populations. We now seek to further enrich our analysis by adding information from other sources that relates to other areas.

According to data<sup>2</sup> provided by the Brazilian Institute of Geography and Statistics (IBGE), it is estimated that in 2019 there were 13,151 favelas in Brazil, which accounted for 5,127,747 households (IBGE, 2020). Specifically in the city of Rio de Janeiro, the estimate is that there were 453,571 occupied residences in favelas, representing 19.3% of total occupied residences (*Ibid.*).

Maré is an administrative territorial unit of the city of Rio de Janeiro that occupies an area of almost 6 km<sup>2</sup> and is home to 16 favelas<sup>3</sup>, the largest working-class area in the city. Located on the

shore of Guanabara Bay and crossed by major expressways (Avenida Brasil, Linha Vermelha and Linha Amarela), the region was named after the mangroves and beaches that dominated the landscape when it was settled in the colonial period. At that time, Maré played an important economic role due to the ports of Inhaúma and Maria Angu, through which the production of local farms was transported, and the presence of the mangroves, which fed the sugar cane mills and the potteries there (FERNANDES, 2015). It was officially incorporated into the city in 1986, with the creation of the 30th Administrative Region (RA-Maré). A few years later, by means of municipal law nº 2,119, of January 19, 1994, the neighborhood of Maré was created and delimited to correspond to the entire extension of the RA (RIO DE JANEIRO, 01/19/1994).

Among the 161 officially recognized districts of the city, Maré, with around 140,000 inhabitants, is the ninth most populous, having twice as many as Rocinha or Complexo do Alemão<sup>4</sup>. However, it occupies the 123rd place in the city in the terms of the Human Development Index (HDI)<sup>5</sup>. Today, there are an estimated 40,000 households distributed in communities with different physiognomies, their own characteristics and different contexts of occupation—a reality that decisively contributes to the diversity and cultural richness that constitute a true mosaic, and not a homogeneous unit (REDES DA MARÉ, 2019).

The overwhelming majority of the population that spontaneously occupied Maré came from the Brazilian Northeast and witnessed the arrival of population contingents removed from various parts of the city through housing programs aimed at eradicating slums. According to testimonies from older residents, estrangement was inevitable. This generated distinctions between communities, some of which persist to this day. The very existence of 16 areas with different names and the relationships of belonging that their residents experience already indicates that the degree of complexity and autonomy in the territory is great.

According to Souza e Silva (2003, p. 21), there are “heterogeneous social, economic, geographic and historical characteristics.” The localities are clearly delimited, and their populations know their “invisible borders.” According to the Enterprises Census carried out in 2014 (REDES DA MARÉ, 2014), there are approximately 3,000 commercial developments in the whole of Maré, with an emphasis on bars and restaurants, followed by beauty salons. It is estimated that, before the Covid-19 pandemic, these businesses employed more than 9,000 people. All were severely hit by the pandemic in 2020 and 2021. Currently, the neighborhood has 50 public schools in the basic network and eight health units<sup>6</sup>. However, access to services is not always guaranteed. Despite the spatial distribution carried out by public bodies, aiming to reach the population as a whole (in aggregate numbers) in a region dominated by an armed group inhibits movement in another territory, as we will see later. In other words, implementing an Emergency Care Unit (*Unidade de Pronto Atendimento* “UPA”) in the “Maré neighborhood”

does not guarantee free access for all residents. The effects of public policies are limited by armed violence. In addition to impeding the free flow of traffic, shoot-outs interrupt classes, prevent people from keeping appointments and stop professionals from remaining at their posts.

Now we come to our central problem, the power of armed crime. We attribute the category *criminal governance* with the generic meaning of different regimes of extralegal territorial control, exercised by criminal groups, which severely affect or order the material and inter-subjective dimensions of vulnerable populations. Therefore, we can say that criminal governance refers to freedom and rights. In this context, it is a matter of life or death. There are three armed criminal groups in Maré that violently dispute control of the territory and the lives of the residents: two associated with retail drug sales, the Comando Vermelho (CV) and the Terceiro Comando Puro (TCP), and an armed *milícia* [*i.e., police-affiliated paramilitary*] group, which we will discuss in detail.

### **Armed violence and public security**

According to the monitoring of armed violence published in the five annual editions of the *Boletim direito à segurança pública na Maré*, between 2016 and 2020, the region recorded 151 fatalities and 147 people injured by firearms (REDES DA MARÉ, 2019a, 2019b, 2020).

In 2018, 16 recorded police operations resulted in ten days of school closure and 11 local medical centers being closed (Idem, 2019b). Of the 19 deaths that resulted from the interventions of agents of the State<sup>7</sup>, only three were investigated. In that year, the rate of deaths caused by police operations in Maré was 13.7 per 100,000 inhabitants, while the rates for the state and municipality, respectively, were 9.0 and 8.4 per 100,000 inhabitants (*Ibid.*, p. 8). No operations were carried out in Roquete Pinto and Praia de Ramos, localities controlled by *milícias* (*Ibid.*, p. 5). In addition, 96% of the victims were male, 79% were black and 72% were aged between 13 and 29.

In 2019, thirty-nine police operations were carried out, which resulted in schools being closed for 24 days (Idem, 2020, p. 6) and Basic Health Units (UBS) for 25 days, the latter causing 15,000 appointments to be missed (*Ibid.*, p. 7). The increase in the frequency and lethality of police operations is represented by the death rate due to the intervention of State agents, which rose, in 2019, to 23.4 per 100,000 inhabitants, while in the state of Rio de Janeiro as a whole it was 10.5 and in the city overall, 10.9. The most-affected groups repeated the 2018 pattern: 94% were male, 96% were black and 85% were aged 15 to 29.

During the pandemic in 2020 and 2021, it was necessary for residents of communities (not just Maré), as well as collectives, organizations, political parties, and social movements to request the suspension of police operations to avoid the aggravation of the social and health crisis in the

favelas of Rio de Janeiro. This was granted by an injunction issued by Justice Edson Fachin, of the Federal Supreme Court (STF) on June 6, 2020, which partially accepted the allegation of “non-compliance with a fundamental precept” (ADPF) nº 635. The injunction significantly reduced lethality, either by suppressing the direct effects of police brutality or by enabling the uninterrupted operation of health services.

The aggregate result for 2020 indicated a drop in the number of police operations, from 39 to 16, which caused the suspension of care provision in health units for eight days. The number of deaths dropped from 34 to five and the number of injured from 45 to 17 (REDES DA MARÉ, 2020). It is important to note that these changes took place after a first quarter that had followed the pattern of 2019. The reduction in police operations in 2020 led to a 59% drop compared to 2019 (*Ibid.*).

On the other hand, clashes between armed groups increased from five in 2019 to 26 in 2020. Nonetheless, this increase in clashes did not translate into an increase in deaths: the number of fatalities dropped from 15 in 2019 to 14 in 2020, according to the *Boletim Direito à Segurança Pública na Maré*. This finding reveals the ineffectiveness of a public security model based on police incursions, whose justification is to avoid the harm caused by criminal groups (*Ibid.*).

Maré is, in fact, many Marés, each of whose peculiarities are experienced by its residents in all dimensions of everyday experience: not only in relation to the history of the formation of the neighborhood, the dynamics of violence there and the varied origins of its inhabitants, but also the general aspects of human rights and citizenship that are so often denied them. On the other hand, there are numerous local initiatives that reveal a gregarious spirit, critical awareness, a cooperative disposition, creativity and a remarkable ability to mobilize alliances and resources. This was clear throughout the pandemic and had the effect of reducing individual and social harm (HERITAGE and SILVA, 2021).

Structural inequities and racism, inscribed in the class relations typical of Brazilian authoritarian capitalism and associated with institutional violence administered by State agents and the activities of various armed groups, affect the residents of Maré and other working-class other segments of the population of Rio de Janeiro in a variety of ways. The study of the forms of criminal governance must take into account the broader context, as well as the associative and participatory potential of groups subject to despotic local powers, whether these be gangs, *milícias* or police.

Taking this potential into account means adding a question mark to our analysis of criminal governance. This constitutes recognition that processes are ongoing, and reversals cannot be excluded. Some degree of openness to uncertainty, raised by the entry into the scene of civic protagonism in the form of individual and collective resistance, attests to the fragility of a structure that seems unshakable. As we know, where there are deep contradictions and repressed conflicts, that which is solid will always be subject to falling apart.

## Effects of extralegal territorial control regimes in the favelas of Maré: exposure to violence, experiences of victimization and fear

Understanding the public security situation in Rio de Janeiro as a result of a historical process of social accumulation of violence (MISSE, 1999) or the dynamics of victimization and exposure to armed violence (CANO and RIBEIRO, 2016), involves observing a set of practices of domination and territorial appropriation by armed criminal groups or “armed criminal groups with territorial control” (SOUZA E SILVA, LANNES-FERNANDES and BRAGA, 2008), formed by drug trafficking gangs (hereinafter “gangs”) or the paramilitary groups known in Brazil as *milícias*.

The presence of these criminal groups, whose activities require the maintenance of territories for the reproduction of their business activities, is associated with a specific configuration, historically characterized by elements such as a high incidence of armed conflicts, high levels of lethality and ostensible domination over territories and populations. The fact of these groups being territorialized implies forms of direct and indirect social control over people, relations of power and resources, in addition to subjecting resident populations to the violence of conflicts and shoot-outs between rival gangs or between gangs and the police (MISSE, 1999; DOWDNEY, 2003; MACHADO DA SILVA, 2008).

The responses offered by security agencies and governments, the arbitrariness of police action and the historical involvement of the police apparatus in the world of crime complicate the context, resulting in adverse effects on individual and institutional routines (LEITE, 2008; FARIAS, 2008) and the repression of political-community life (LEEDS, 2006).

The *Building the Barricades*<sup>8</sup> study sought to collect data that could shed light on the effects of these different regimes of extralegal territorial control (“models of criminal governance”) on the lives and routines of populations in favelas and urban peripheries, and more specifically, on the lives and routines of the residents of the favelas that make up the Maré Favela Complex. The “effects” mentioned above constituted the objective experiences of being victims of crime and/or exposed to armed violence, and the subjective experiences of feeling fear and/or a sense of insecurity. The study focused on the effects of armed violence on the health and well-being of the residents of Maré.

The research was designed with reference to a set of hypotheses concerning the relationships between the experiences of violence and feelings of insecurity and the social and psychosocial impacts of those experiences. The hypothesis underpinning *this* article (and which guided the design of the survey whose results will be set out below) is as follows: Areas under distinct regimes of territorial control (gang or *milícias*) reveal differences in certain variables that represent distinct levels of exposure to armed violence according to distinct political-institutional arrangements,

especially those related to the forms of action employed by the State and the relationships between criminal groups and public security agencies.

The probability sampling design used in the household survey employed stratification and unequal probabilities in the selection of respondents. The set of communities that make up Maré was then divided into three geographic strata, defined according to a methodology developed for research carried out by the NGO Redes da Maré that takes into account socio-urban and housing aspects, but focuses on the delimitation of the territories of the various armed groups.

The first stratum (Area 1) comprises four of Maré's 16 favelas, is home to 24% of Maré's adult population and is under the control of one gang. The second stratum (Area 2) is larger than the first, comprising nine favelas, 60.5% of the adult population and is controlled by another gang. The third stratum (Area 3) comprises three favelas, 15.5% of the adult population and is controlled by a *milícia*—although one of the three favelas<sup>9</sup>, which has a history of *milícia* activities, is currently under the control of a gang.

The three strata have very similar demographic and socioeconomic profiles, in terms of the composition of the population by sex, race and age groups, literacy, education, occupational conditions and income. However, they have very dissimilar profiles vis-à-vis being victims of crime and/or exposed to armed violence, as well as the distribution of fear and feelings of insecurity, all reflected in mental health and subjective well-being indicators (HERITAGE and SILVA, 2021).

Table 1: Experiences of exposure to crime and/or armed violence by region in the Maré Favela Complex — 2019

Experiences of violence and/or crime in the last 12 months in Maré	Regions of Maré			Gang/ <i>milícia</i> Ratio
	Area 1 Gang	Area 2 Gang	Area 3 <i>Milícia</i>	
Restricted access to public facilities due to violence	64.6	57.0	3.9	15.6
The household was invaded by criminals or police	19.9	10.7	1.3	12.2
Was caught in the middle of a shooting	49.7	47.9	4.8	10.2
Witnessed someone being shot or killed	22.6	14.7	2.1	9.0
Work or school/university performance adversely affected due to violence	38.4	36.7	4.5	8.4
Suffered material loss due to violence	10.4	7.2	2.2	4.0
Saw someone being beaten or assaulted	29.6	23.0	7.3	3.6
Was assaulted	1.6	2.1	0.7	2.8
Suffered some verbal violence, was verbally abused or humiliated	8.9	13.5	4.7	2.4
Suffered extortion	2.5	1.3	0.9	2.2

Source: The authors.

Table 2: Frequent feelings of fear and insecurity by region in the Maré Favelas Complex — 2019

Types of fear and feelings of insecurity	Region of Maré			Reason gang/milícia
	Area 1 Gang	Area 2 Gang	Area 3 Milícia	
Fear of a close friend/relative/partner being hit by a stray bullet	69.8	76.7	42.3	1.7
Fear of personally being hit by a stray bullet in Maré	61.1	69.5	33.3	2.0
Fear of a close friend/relative/partner suffering physical or verbal abuse	43.2	50.8	32.4	1.5
Fear of personally suffering physical or verbal abuse within Maré	29.7	39.1	21.4	1.6
Fear of a close friend/relative/partner being obliged to engage in illicit activities	36.0	39.1	34.9	1.1
Fear of suffering material/work losses due to situations of violence	34.4	37.6	20.1	1.8
Fear of saying what you think or feel in Maré	31.4	33.3	22.4	1.4
Fear of being obliged to engage in illicit activities	19.0	26.1	19.8	1.1
Fear felt in the street or public squares	14.7	12.7	10.9	1.3
Fear of moving around Maré	11.8	11.6	10.4	1.1
Having to avoid certain things, places or activities because of fear	8.6	9.4	5.4	1.7

Source: The authors.

In short, the percentages of the adult population that suffered or experienced violence or events related to armed conflicts, activities of ostensible territorial control by criminal groups or violations perpetrated by police agents were systematically higher in areas 1 and 2, which are under the control of gangs, than in Area 3, which is dominated by a *milícia*<sup>10</sup>.

Considering the average of the percentages for areas 1 and 2, the results for gang-controlled areas were 15 times those of *milícia*-controlled areas. The percentage of residents whose homes were invaded was 12 times higher in gang-controlled areas than in *milícia*-controlled areas. The percentage of residents who *found* themselves in the middle of gunfights was 10 times higher in gang-controlled areas than in *milícia*-controlled areas. The same was true for a series of indicators that representing exposure to armed violence, including material losses, days off work and exposure to aggression.

With regard to fear, feelings of insecurity and perceptions of risk and danger, gang-controlled regions scored consistently higher than *milícia*-controlled regions in terms of feeling fear “frequently,” “almost always” or “always”. In this case, however, gang-controlled areas only scored twice as much as *milícia*-controlled areas.

### Role of police operations

As pointed out in Ribeiro (2021), the research design made it impossible to ascertain some of the more granular details of experiences of violence and crime, such as the identities of the

perpetrators in cases of extortion, home invasions, exchangers of gunfire and acts of aggression either suffered or witnessed.

However, it was possible to ascertain (by sample design) whether an interlocutor lived in a gang-controlled or *milícia*-controlled area, although no distinction was made between criminal or police agency in each case.

Considering this limitation, it is worth noting that at least one of the items in the questionnaire (an open question about whether the respondent has been prevented from accessing to cultural facilities or engaging in artistic or social practices in Maré) made it possible to identify the situations in which an adverse event occurred. In this variable, police operations were the most frequently reported events, which confirmed the relevant role of the police in the dynamics related to armed violence, in particular, and to the regulation of daily life in favelas more generally.

In fact, it was estimated that, over a period of three months, 30.5% of the adult population of Maré was prevented from practicing some sociocultural activity (leisure, artistic, sporting or religious) because of armed violence. This percentage was higher in gang-controlled areas than *milícia*-controlled one, with 38.1% in Area 1 and 31.6% in Area 2. Most of these resulted from police operations: 64.8% in Area 1 and 73.2% in Area 2. Reports of impediments and barriers to access attributed to other causes were fewer, and cited shootings in a generic way, without identifying the actors involved (33.4% in Area 1 and 25% in Area 2) and, to a lesser extent, conflicts between gangs (3.9% in Area 1 and 9.5% in Area 2). On the other hand, in Area 3, a *milícia*-controlled area, only 1.9% of the population reported having been prevented from engaging in sociocultural activities specifically because of violence in Maré.

Now let us change our focus and follow the testimonies of two relevant characters. It's time to change the register and approach to learn from the experience of two interviewees who were in the eye of the hurricane, exercising local power. They give us analytical clues that allowed us to articulate the findings of our survey with ethnographic interpretations. The two lines meet, and the two hypotheses confirm each other and lead us to other relevant questions.

### **Gangs, 'milícias,' police**

— Ruling is different from leading. Leaders don't kill anyone. Bloodthirsty murderers will not enjoy solidarity from their community. Rulers cannot establish their rule as residents won't let them. Only leaders can.

The author of the above sentences is not a political scientist and learned to think of politics as war by other means through practice. The contradictions of community life subjected him to extreme situations. He knows that experience, however rich and challenging it may be, does not



always teach, so much so that he attributes his maturation mainly to his reading in prison and to the unconditional solidarity of those close to him, which prevented him from losing faith in himself and human relationships. In 2020, he told researchers that “you have to be strong to recognize your own weakness.”<sup>11</sup> Clinging to the image built by machismo lay at the root of his mistakes and those of many others who followed him or fought him. Revenge, machismo and repression, ridiculous disputes for the love of women: this is what it all comes down to, in the words of the leader of the Comando Vermelho (CV) in Maré, who lived through the armed conflicts and played the starring role in a tragic and repetitive script. “After a certain moment, you no longer know why you kill and die,” he admitted. “It’s hard to get out of the whirlpool, to cool your head, to think. As long as it is banned, the drug trade will always sustain itself, one way or another, with all its ups and downs. But anyone active in that trade is living on borrowed time. If you do manage to save up some money, you’ll have no future to spend it in.”

“*Milicianos* [members of *milícias*], on the other hand, thrive because they don’t encounter obstacles.”

The interviewee did not discuss *milícias*. We know that they are criminal groups mainly formed of police officers, ex-police officers and their associates. Originally, they presented themselves as enemies of gangs and started occupying territories, imposing their own rules and looting communities in their own way, with the justification of offering them security and freeing them from the yoke of the gangs.

The interview cited above echoes statements made by another prominent character in the same universe, collected six years earlier. Although the leader of a rival gang, the Terceiro Comando Puro (TCP)—and not just in Maré—his perceptions show surprising affinities with those of his archenemy: the two refer to the fact that ever younger new generations are being recruited into gangs everywhere; both draw conclusions from a process that intensifies reckless voluntarism, violence and a search for immediate results, a counterpart to the growing preponderance of emotional reactivity that leads to negative results in violent confrontations and in business and encourages the adoption of paths that are as disastrous as they are irreversible. Unusually, in this case it was the interviewee who sought out the interviewer. His intention was to get out of drug trafficking without betraying his fellow gang members. He no longer saw a future in the life that he was leading. However, he was afraid to have anything to do with the official justice system as he knew a lot about police corruption. He would run the risk of becoming a victim of what Brazilians call “file burning.”

The diagnosis, therefore, was shared. The main representatives of the two warring sides in Maré, the CV and the TCP—who, despite their granting interviews that were separated in time, had fates that were similar when observed in perspective—recognized that their real enemy was not the other gang but the police, not because they fought them while selling them complicity

behind the scenes, but because they would replace them and make their business and governance model obsolete. This model could be summarized in the formula: armed control of territory and community exclusively for the promotion of the retail trade in illicit substances.

It is significant that, although these two leaders both knew it, the admission of the failure of the model established in Rio de Janeiro in the 1980s had yet to be accepted leadership of the CV, who insist on keeping things as they are, resisting advice and proposals from the leaders of the Primeiro Comando da Capital (PCC)<sup>12</sup>—erstwhile allies, now enemies. The PCC advice was only an expanded and updated version of what the ambassadors from the Cali Cartel had suggested to them in 1997 (SOARES, 2012, 2019).

Currently, in Rio de Janeiro, the Amigos dos Amigos (ADA) gang has practically disappeared. The TCP has allied itself with the *milicianos* and has been progressively absorbed – although in Maré it remains independent and active and controls part of the territory. The CV remains active in Rio (not just in Maré), has established links with organizations in other regions and has copied *milícia* strategies: it is no longer limited to the drug trade.

Drug trafficking had been ongoing in Maré since the 1980s, but it was during the 1990s, when clashes between gangs shook the community, that local violence became more visible (SOUZA, 2014). The *milícia* is a more recent arrival. The best journalistic account of the expansion of the *milícias*, “Larger Communities Also Targeted by Milícias,” was published in the *Folha de São Paulo* in December 2006. A snippet from the article is worth reproducing:

As a major indication of the power of the *milícias*, the invasions of the favelas known as Kelson’s, Roquete Pinto and Praia do Ramos show that larger communities are also at risk. The attacks were supported by the PM (Military Police), local leaders allege. Part of the most vulnerable section of the Maré complex (North Zone), the favelas were invaded and occupied last month. According to reports from residents, the *milícia* expelled or killed the gang members present. The PM denies having helped the *milícia*. According to community leaders, the *milicianos* made use of an armored police vehicle. The Maré police deny this but acknowledge that the *milícias* have settled in the favelas. Without the gangs, the *milícia*, led by a former PM corporal, now controls the community (FOLHA DE SÃO PAULO, 12/12/2006).

In subsequent years, the media reported the expansion of businesses run by the *milícias* and the ambivalent responses of institutions that sometimes investigated and other times supported them by action or omission. The negligence of the authorities responsible for public security, including the Armed Forces, during operations to guarantee law and order (GLO) and the federal intervention in Rio de Janeiro state in 2018 is notorious (TORRES, 02/20/2011; CENSANET, 09/09/2018; MONKEN, 07/11/2019)<sup>13</sup>.

One aspect clearly distinguishes gangs from *milícias* in addition to the higher average age of the *milicianos*: in gangs, the trade in illicit substances is not covered up with an ideological moral fantasy

discourse. Gang leaders recognize that drug trafficking is an economic undertaking and the measures needed to keep it going do not exempt the gangs from responsibility for avoiding arbitrariness and maltreatment of residents in areas under their control, a view which at least means the gangs' leaders do not have feet of clay. The two interviewees cited above were emphatic about their commitment to respecting their communities, although this cannot be taken literally, given the profusion of brutal mistreatment meted out against the people who live in the territories they control.

The empirical reality lays bare the idealized character of the statements of both interviewees. Everyday life mixes that which ideal types (leaders and bosses) separate. This separation is useful, it should not be disregarded as simple masking, it serves as a guide and defines judgment criteria, however, it does not correspond to the experience of any gang. It leads them to the view that, in addition to age (the younger ones would have difficulty understanding the importance of respect for the community), disputes between gangs over points of sale, i.e., for control over territories, have been decisive for the increase in violence, the expansion of community repudiation and the climate of instability that increasingly corrodes local authorities. According to both assessments, those who invade a community arrive insecure, need to impose themselves, do not know people, do not trust anyone and use violence to prevent anyone reporting them to the police—all much more than in places where drug dealers are members of the community and have been known to local families since childhood. Whoever invades the territory of a community—by occupying it or displacing rivals—tries to kill any sign of weakness at its source and seeks to crush every act that could undermine its authority. Humiliation and threats do not conquer a community; by contrast, they spread fear and hatred, which are then directed against the invaders. The price for mistreatment will be exacted on the outsiders, at some point, in some way.

What the two gang leaders have to teach is well known in the popular world of Rio de Janeiro: the fratricidal and expansionist geopolitics of gangs end up being counterproductive for everybody and result in generalized destabilization of local domains. The groups become more violent because they are weaker, in the face of perennial disputes with rivals and the uprooting of local operators (of criminal governance). Increased insecurity stimulates increased investment in weapons and the vicious cycle continues.

Arms trafficking involves elements of the police, directly or indirectly, either as agents of the trade or as accomplices—the TCP leader's report is corroborated by his rival. It should be noted that the calculation of the need for weapons is based on information about enemies, their plans and any ongoing movements to renew their arsenals. Among the enemies are the police. In other words, the effort to overcome rivals and become autonomous in relation to them and the police involves, paradoxically, a deepening of interdependencies and greater integration of organic networks, making the arms of the State and the tentacles of crime indistinguishable. It is easy to understand

why the government's provision of police institutions with ever more powerful weapons is useless. Worse than useless, it is harmful, because the aggregate result tends to be the generalized strengthening of all the actors and an increase in the bellicosity of their dispositions. This dismal cycle is clearly identified by the gang leaders and is yet another reason for their shared skepticism.

In short, gangs do not sweeten the scene when it comes to defining their objectives and the nature of their practice: it is about business and the use of force to prevent rival groups or police from intervening and preventing them from acting.

On the other hand, in the case of the *milícia* (we use the singular here, a simplification for didactic and synthetic effect), the justification involves the objective meaning of the practices. Let's see what Bruno Paes Manso (2020, pp. 9-10) has to tell us when he summarizes the testimony of a former *miliciano*:

(He) prided himself on having been a murderer and went on to work in the army of the paramilitaries in Rio – he had found himself in a war against crime, and homicides, beatings and violence were the tools of the trade (...) He regarded the violence he practiced as an instrument in defense of a collective ideal. He defined his trajectory based on an ancient belief according to which murder granted power to the murderer and his transformation into a hero in the daily war against crime.

It should be noted that the belief is likely shared by a sufficiently broad segment of society so that its reference to the collective good would sound minimally plausible in its own terms, so that it might enjoy popular adherence (even if non-consensual) and emulation and tacitly justify its own continuity. Being a belief, it would achieve social dimensions and transcend the limits of self-justification rather than merely being exhausted by the self-indulgent discourse internal to the gang. And this is how the story of the *milícias* in Rio de Janeiro is usually told. They began as vigilante police and their associates, death squads, urban *jagunços*, hired killers and compulsory security providers<sup>14</sup>.

In this role, *milícias* establish their original identity, sell security services and produce order through their own methods. However, the sale is not part of the logic of markets, which brings together supposedly free agents, where prices follow demand, quality can be measured, agreements revised, and contracts concluded with clear clauses and limits. In the case at hand, the sale is, in fact, an exchange of security (a guarantee that the buyer will not be a victim of crime) for the payment of a certain amount, through coercion. The business is extortion, based on the potential to cause damage that is attributed to the armed group.

The challenge for the analyst is the fine-tuning between popular support, even if partial and provisional, and the virtual ubiquity of extortion. Obedience is different from approval. Coercion gives rise to the first and not the second. However, here it is essential to introduce a key ingredient: the comparative nature of popular assessments of *milícias*, even in the early stages of their

implementation. When it comes to the “war on crime,” if “homicides, beatings and violence are work tools,” why not charge for labor? The charge sounds reasonable, almost a corollary of the equation stated. In a sense, it assumes an air of legitimacy. A person who endorses the *milícia* perception of the war, supports the associated practices and agrees with the definition of the targets of its activities as enemies, would be able to accept payment and understand its compulsory nature as the only means of guaranteeing the continuity of the “work” being done.

There are at least two situations that can be compared with the one resulting from the “work” of the *milicianos*: the disorder resulting from the continued activity of the “enemies,” the criminals, and the humiliation to which hundreds of communities, dominated by drug factions, are subjected, in which shootings are constant and “drugged teenagers wearing sandals give orders to their parents, even dictating the colors they can wear,” as per the emotional statement of resident of Rocinha to one of the authors, in 2010 and whose meaning reappears in countless testimonies, in the most diverse communities, including Maré, and is directly related to the massive vote share that far-right gubernatorial and presidential candidates won in working-class areas in 2018, in tune with *milícia* discourse.

*Milícia* power offers advantages relative to both alternative hypotheses: 1) to the first, because the social imaginary is populated by negative images and emotions about criminals and their acts—the word “war” refers to the danger that criminals represent and relates to the intensity of the emotions invested; 2) to the second, because nothing can be worse than exposing yourself and seeing your family exposed to humiliation, shootings and the tragic randomness of the “stray bullet.”

At this point, we catch the key link that closes the circuit and explains the perception of the superiority of the *milícia* option from the point of view of those who experience the anguish of unpredictability: areas under *milícia* control are not disturbed by police incursions<sup>15</sup>.

The team responsible for the survey in question (RIBEIRO, 2021), who conducted 1,211 interviews in the Maré complex in 2019, was careful to divide the sample into three segments, precisely because there are three areas in Maré where, it was hypothesized, local residents would tend to respond differently to questions related to exposure to armed violence: two areas controlled by the CV and the TCP and one controlled by the *milícias* (so police actions should be non-existent).

The results, as explained above, confirmed the hypothesis, revealing significant and consistent differences between gang-controlled areas and *milícia*-controlled areas. It became evident that the decisive factor in traumatic exposure to gun violence is police brutality. Clashes between gangs are relevant as they lead to shootings and victims, and cause severe damage, but the central referential axis is the relationship with the State, which determines whether police operations take place<sup>16</sup>.

It can be seen how unreasonable it would be to attribute value to the comparative advantages of one form criminal governance over another, especially when the advantage derives from

mitigating the damage caused by the State itself. At the same time, it is readily understood that any positive evaluations of the *milícias* by the population directly involved make sense, given that it finds itself confined to an oppressive repertoire that restricts its horizon to a choice between two types of tyranny. The tendency of groups subjected to despotic powers to opt for the one that is capable of offering the highest degree of predictability is well known (cf. SOARES, 2000).

Evidently, the extended duration of *milícia* power raises new tensions and triggers increasingly serious problems. The least noticed and perhaps most important aspect in the recent history of the *milícia* is the transformation of its protection racket into a licensing fee, which reactivates the traditional immobilization of the workforce as a form of political interference in the economic sphere. This transformation inscribes “*milícia* governance” into the type of domination consecrated in history as expressive of the authoritarian nature of the development path of Brazilian capitalism, defining it as conservative modernization (VELHO, 1976; SOARES, 2019d). The metamorphosis of security (coercively commodified) into a license or authorization (granting of informal and provisional titles for the operation of businesses or enjoyment of property) corresponds to a mitigated and reconfigured update, given the new context and the new actors, of the model that manifested itself in the restricting of access to land (and the fruits of one’s own labor) through the granting of monopoly titles, in the legal-political establishment of the latifundium, which engendered the various modalities of spoliation of rural work and class exploitation, in the plantation systems and on the Brazilian *engenhos*—slavery being the most violent and radical form of this power strategy. To some extent, the economy ruled by *milícia* power is articulated to the dynamics of capital through formal subsumption: the policy of force imposes mediation on a process that, were it permitted to flow without obstacles, would promote real subsumption. Something similar happens in the drug trade. The link between the drug economy and the circuit of capital has similar characteristics, in this case not through domination via authorization, but through the chain of dependence that is installed within the organization that operates the trade, where the division of labor is subordinated to organizational discipline, tributary to a certain hierarchical, proto-military line of command and control (SOARES, 2019 b).

Even with the risk of some redundancy, it is worth revisiting and detailing the argument. In the contemporary scenario, State prerogatives (whatever the level of government) are those that are legally foreseen and whose institutionality finds constitutional support: tax collection, recognition of property titles, provision of licenses to operate commercial establishments or to live somewhere, to build or to public transport, approval from Civil Defense for initiatives that involve risks, official recognition of the transmission of goods, and the provision of public security. These are just a few examples. The actions of State agents not acting as such, while benefiting from the power and protection that their professional status grants them, are quite different: provoking

insecurity in order to “sell” security or blackmail citizens, committing extortion, etc. As we have seen, and it is worth reiterating this emphatically, the prolongation of *milícia* power routinizes illegal dominion, violence carries on behind the scenes, becoming a silent and tacit threat, and *milícia* criminal governance reaches an apparently stable stage, which could be described as a form of naturalization. At this stage, when force has already been replaced by routine, it becomes (as it were) natural to pay (the *milícia*) to function, work and maintain commercial establishments and services provided within the community. With the retreat behind the scenes of armed power, with the reduction of punishments or their consummation outside the public eye, that theft is assimilated, metabolized in the common sense of the community, and cowardly theft becomes a perverse kind of duty that reverses poles and transfers the agency pole to the victims. Real power aspires to legitimacy, investing in repetition, betting on conditioned obedience.

In the Brazilian colonial and post-colonial past, political power canceled free access to land, preventing the workforce from moving into unoccupied spaces and setting the agricultural frontier in motion. The intervention of the juridical-political in the economic forged the immobilization of the workforce—whose most brutal and ostensible expression was slavery—as a key strategy for the accumulation of capital and the exercise of class rule. Colonial and imperial power granted titles and licenses, served interests and forged the propertied class. Therein lies the distinctive dynamic of what is conventionally called “authoritarian capitalism.” It does not seem excessively speculative to suggest the hypothesis that there are analogous structural traits that justify an analytical comparison between the immobilization of the workforce by the incidence of juridical-political force (a distinctive and structuring operation of “authoritarian capitalism”) and the establishment of the *milícia* as a source of authority (affirming itself as a source of a parallel normativity that licenses various activities). As we have seen, the establishment of the authority that characterizes this type of criminal governance corresponds to the passage of *milícia* power from extortion to the normalization of the charging of fees as a condition for the local economy to function, i.e., as a condition for work to be carried out and for individuals and families to be present in the community.

For our analysis, in addition to setting out the *milícia* model of business and exercise of power, for which the security-authorization passage is key, and to which we will return later, some observations are crucial:

- 1) There are variations between forms of presence and action both within the universe of gangs and within the universe of *milícias*, whether in Maré or in other regions. The differences concern space—the characteristics of communities and neighborhoods—and time—implying, for example, erosion or consolidation, the existence or not of expansionist projects—, the peculiar conjunctures of geopolitical disputes—the affirmation of local power relations with others being more or less stable, especially in contiguous areas—in which gangs and *milícia* coalitions collide, considering

that each of these segments is also affected by conflicts. The qualification of conjunctures depends on the examination of political changes at the municipal, state and federal levels, as well as the examination of changes in the orientation of so-called public security policies, often resulting from disputes within police institutions, involving *milicianos* or actors directly linked to them. Therefore, the use of the singular and the generalizations, “the *milícia*,” “gangs,” perhaps convenient for the synthetic formulation of interpretative hypotheses, need to be read with caution.

2) Control over the movement of people and vehicles is important for sociability, access to public services, leisure and religious, cultural and economic life, as well as for the formation of mental maps. The establishment of borders, through constraint and the threat of the use of force, triggers a kind of orthopedic fixation of totemic identifications (SOARES, BILL and ATHAYDE, 2005) with artificially delimited territories—whose borders do not coincide, from the qualitative point of view, given their origins in violence, with records of affections, the contours of practical life or the definitions that regulate official cartographies. Such borders correspond to the scope of reach of local authorities, in which the cut-out spaces represent symbolic (metonymic) extensions, contaminating residents with their distinctive marks, i.e., vertically compromising the inhabitants with alliances and antagonisms, transferring access rights to them and imposing prohibitions on them. As is well known, identification with totems serves to distinguish groups and only vicariously promotes communion or equality. Of themselves, as with signs, totems are a priori arbitrary and motivated only a posteriori, i.e., when they produce, through the grid of oppositions, a certain order. Transposed to the field of circulation between territories, the following example could be suggested: residents of areas controlled by the CV are prevented from transiting TCP domains (in which the use of red clothes is prohibited). This does not mean that residents identify with the CV or the TCP or that they feel they belong to one gang or another. They are simply forced to live with classifications and their consequences. The restrictive ordering of circulation symbolically operates as a reaffirmation of power. It works as a performative language that clashes with free will, i.e., it generates friction on the hypothesis of power to light its flame—to make it pass from the virtual plane to the lived reality. Let us remember that power is virtuality an expectation, so it depends on ritualized signs and successive evocations. Limitations on movement cause anguish for lovers, friends and relatives, churchgoers and health clinics, health and social care professionals, students, school employees and teachers, users of various services and sports fields, musical shows, dance and other leisure environments. Blockades do not just separate neighboring territories; they are neither absolute nor continuous over time. There are lapses, relaxations and the possibility of negotiation, especially for those who can justify their motivation to enter inhospitable terrain. But precisely because there is some flexibility, to a greater or lesser degree according to the temperature of the conjunctural tensions, there is a great fear of misunderstandings—in certain circumstances these can be fatal, and narratives about dramatic



episodes simmer in the minds of passersby. Gender and age, clothing, body language, days of the week and hours are factors that exacerbate or neutralize control mechanisms.

Because it is very present in the daily lives of residents, the limits to circulation frequently come up in dialogues with researchers (if we stick to the case of Maré), although it is a significant issue and inseparable from the problem of violence for the working class of Rio de Janeiro in a general way. The most prominent situation in Maré is in the area known as the “Gaza strip,” which divides communities under the CV and TCP domains. However, the *milícia*-dominated area also occasionally regulates border crossings, including associating traffic rules with rules of conduct. The following example serves to emphasize that the themes separated by analysis often come together in everyday experience. On July 11, 2019, reporter Mario Hugo Monken from the website *Eu, Rio!* reported in the article “*Milícia* active in Maré without being the target of the police or drug traffickers” that

recently, information has emerged that the paramilitaries had imposed rules for residents who enjoy dances outside the communities (referring to Praia de Ramos and Roquete Pinto, controlled by the *milícia* since 2006). According to the complaint, anyone who goes to dances in favelas dominated by gangs is advised not to return to Ramos. Anyone who does so will be expelled from the community with the clothes on his or her back, without the right to take any of their possessions (MONKEN, 11/07/2019).

Subsequently, the article reported that two *milicianos* had to respond in court for the alleged murder of a man in 2016 for urinating in an inappropriate place.

It is worth adding that the limits imposed on circulation by the various local criminal powers redefine society’s relationship with territoriality, especially the relationship in which individuals are rooted by biography, affective bonds, housing and work. Like the perceptions of belonging, the experiences of distance and proximity transcend the material, geographic or physical dimensions, insofar as the place where one lives, the landscape itself, as Tim Ingold (2000) teaches us, is much more than the background of everyday life: it intertwines with the movements of the body and spirit, becoming part of who we are (SOARES, 2019c). This phenomenon should be underlined: in Rio de Janeiro, a particularly insidious and perverse vector operates the mediation between belonging, inhabiting and frequenting, recognizing oneself as linked to the territory and appropriating city scenarios – the selective interdiction of the access to public spaces, dictated by criminal governance.

Other effects of local powers are projected onto territories, including population displacements (intra-metropolitan migrations), attracted by *milícia* real estate projects. The densification of the population in the areas under their control interests the *milícias* as it expands their basis of economic exploitation, as we will see. For this reason, and also because they constitute prodigious sources of income, some *milícias*, especially in the last decade, have invested in the construction of buildings for the low-income market. Prices are lower than the average because land, which is often public

(taken over by private property), is invaded, materials are precarious, the labor is not qualified and the works are outside technical parameters, and beyond the reach of taxes and the state licensing system. It is not surprising that there have been landslides with fatalities.

3) It is important to note that *milícias* and gangs find local societies with different degrees of organization and various aspects, including a greater or lesser presence of entities that provide services of common interest. Authorities do not act in a vacuum, nor do they oppress the homogeneous masses in a uniform reality. Local domination faces refraction, resistance and clashes with—or tries to articulate with—public policies and institutions, associations and social movements. Articulations range from alliance to attempted control and co-optation, to the extreme of antagonism, which in turn ranges from boycott to frontal attacks.

4) The *milícia* is becoming a political project of institutional, not just economic or micropolitical, scope. In areas under the control of armed drug traffickers, the stance adopted in relation to politics, politicians and elections has changed little over the decades. Access to territory for campaigning, especially door-to-door, and the right to distribute material and put up posters is restricted and negotiated. Exclusivity is more expensive. In addition to pecuniary values, other items may enter into an agreement with a candidate, such as, for example, the commitment, if elected, to provide for certain community demands for services and infrastructure, to change the conditions of incarceration to that gang leaders may be subjected to or to avoid State interventions that might harm the interests of the criminal group. The gangs generally do not seem to have gone beyond this agenda. The reference to popular demands is especially important because it indicates fidelity to the conventional pattern (DINIZ, 1982) and, at the same time, the replacement by the new *donos do morro* (“owners of the hill”) of the former community leaders, the brokers, whose influence in the community depended on privileged contacts with political actors and decision makers responsible for allocating resources and public works. The exchange of votes for works, before the new criminal governance, set the tone of “populist” politics. Under the gang regime, change is concentrated within the community, reducing the space for the emergence and consolidation of leadership. The dynamics that empty out independent leaders also strangled the local associations that were so alive and promising in the early years of redemocratization (BOSCHI, 1987).

The case of *milícias* is quite different. When they established themselves in the current format in the state of Rio de Janeiro, from the early years of the 21st century onwards – benefiting from a long history of institutional support to *scuderies* and death squads, under different names, in which the dictatorship’s dungeons recruited agents of torture and murder, whose activities in the Baixada Fluminense did not require disguises or justifications—the *milícias* shielded themselves under the protection of authorities. Mayors, politicians and public security officials declared that they did not exist or that they constituted community self-defense. Despite having had the support of *milicianos*

in the 2006 election, in 2007, the state government authorized its first police operation against the *milícias*, through the *Delegacia de Repressão ao Crime Organizado* (Draco), under the command of police chief Claudio Ferraz. By 2010, according to an interview he gave us, almost 500 *milicianos* had been arrested. This result was possible because the torture and aggression suffered by a photographer, a driver and a reporter from the newspaper *O Dia*, who were investigating the *milícia* in the Batan favela, in the West Zone of Rio in May 2008, had an impact on public opinion, forcing the Legislative Assembly of the State of Rio de Janeiro (Alerj) to establish a Parliamentary Commission of Inquiry (CPI) into *milícias*, as had been requested by state deputy Marcelo Freixo more than a year earlier and, since then, held up by Assembly President Jorge Picciani.<sup>17</sup>

The popularity gained by the CPI facilitated Ferraz's work, guaranteeing him support to advance at least until higher levels were threatened, which ended up happening in 2011 and led to his dismissal. In any case, the new framework prevented politicians from continuing to deny the existence of *milícias* or to ostensibly defend them, forcing them to change their methods. "*No sapatinho*": *A evolução das milícias no Rio de Janeiro (2008-2011)*, an influential study coordinated by Ignacio Cano and Thais Duarte (2012), revealed the first effects of this adaptation effort: clandestine cemeteries multiplied, because it was no longer convenient to display the sadistic punishments meted out against recalcitrant residents or the executions of those who challenged the local order.

Reckless or discreet, the *milicianos* never stopped jostling for spaces in government bodies, at first as substitutes and then in their own right. The main distinguishing feature of the *milícias*, in terms of their relationship with politics, has been their willingness to run for elected office. The *milicianos* themselves take on candidacies, instead of selling support to third parties, at retail or wholesale prices—in this case, trying to reduce communities to simulacra of the "electoral corrals" that were typical of the First Republic. This political vocation reinforces and is reinforced by the progressive increase in the number of police candidates (remember that *milicianos* are often also police officers), a trend that has intensified since the authoritarian values dominant in the police ceased to serve only police agendas, thanks to the mediation of ultra-right operators who saw the potential in ideologizing the dispute for power in Brazil. If, at the beginning, their motivations were material advantages, guarantees of impunity, image-washing, legitimization of local powers, facilities to do their work, today to all this we can add adhesion to anti-democratic ideas, due to opportunism, but also due to natural affinity.

5) We have come back to the police, again. Let us just take the case of Maré: the interviews given to us by leaders of both gangs are supported by informal testimonies from residents, who, under the guarantee of anonymity and referring to each of the gangs, describe scenes in which

police collect payments of an “arrangement.” The material on complicity between drug dealers and police is abundant (SOARES, BILL and ATHAYDE, 2005).

Considering the links that attest to this mutual permeability between “enemy” worlds and call into question the very idea of legality, it could be said that the authoritarian experiment conducted by gangs corresponded to a kind of dress rehearsal and fulfillment of work outsourced—though, of course, unplanned—by the State. In practice, the gangs inaugurated a field of experimentation in competitive startups dedicated to the retail trade in illicit substances. And they did so thanks to extralegal entrepreneurship, induced by unofficial public policy, which consists of articulation between drug prohibition and mitigated protection. The adjective “mitigated” is necessary because the aforementioned protection is ambivalent and fluctuates according to political conjunctures and the circulation of different police groups whose authority affects the negotiations that take place on the ground—known as the *arrego*<sup>18</sup>. The field of experimentation that gangs represented and the lasting historical lineage of the autonomization of police niches served as a laboratory for the full adoption, by the police, of criminal protagonism under the *milícia* model<sup>19</sup>.

The drug-dealing-in-favelas experiment, set in motion by the State (through its connivance, then its involvement), outsourced costs, criminal responsibilities and the risks involved in setting up the testing laboratory with a view to imposing (interpreting in retrospect) a more profitable and secure criminal order (cf. SOARES, 2020).

### **Central aspects of ‘milícia’ governance**

In summary, here is what the *milícia* is and what it does in the state of Rio de Janeiro according to information that is divulged in the media and in the aforementioned research. The *milícia* occupying part of Maré is just one of the cases included in the comprehensive description. The empirical situations correspond to different combinations of the listed modalities.

1) An armed group under centralized command and organized by a division of labor, which seeks economic and political benefits by illegal means (not excluding legal ones, whenever convenient, such as participation in elections) by dominating territories and populations. Among the members of the criminal group are police officers and/or former police officers, or associates of active police officers who are capable of influencing institutional decisions and providing access to information about police activities. Dominion manifests itself in the form of occupation, i.e., the permanent presence, ostensible or not, of armed agents in a territory inhabited by a vulnerable or low-income community, whose access to civil rights is precarious.

2) Vicariously, it operates in middle class neighborhoods or gated communities, providing informal (illegal) private security services, eventually using extralegal means (be they subtle or rudimentary) to impose itself. In this case, there is no occupation or control by the local society, nor are the other forms of gain indicated below.

Let us take a closer look at the distinct types of intervention:

a) A monopoly is established on the sale of gas cylinders at prices higher than those of the competition (therefore, abolishing it), made possible by threats sustained through coercion that corresponds to the potential recognized by the community to mobilize armed, collective and organized force, and the prohibition of access to police services and other institutions. It should be noted that the aforementioned prohibition derives from the expectation of retaliation but also from the conviction that said institutions are not opposed to the *milícias* and that, on the contrary, they shelter and protect police officers directly associated with the crimes in question. The entities are seen, with exceptions, as continuities or extensions of one another, with which authority (originally of the police, on the level of legalist idealism) is transferred to the *milícia*, and arbitrariness (originally from the *milícia*) to the police.

b) A monopoly is established in the provision of pay-TV services through material changes in the communication infrastructure.

Note that case (a) does not involve the material blocking or physical extinction of the competitor, which occurs in case (b), but rather a ban on the act of consumption in an alternative source of supply: it is about obedience. An active provision of consumption is required in the *milícia's* supplier. The negative freedom of the citizen is suppressed, that is, his or her right not to consume where s/he does not want to, which corresponds to the cancellation of the positive freedom to choose where to consume. The option not to consume is excluded by the imperative of necessity, of course. It is worth noting the suppression of negative freedom because the topic is relevant to the broader reflection on types of governance. In the second modality, it is enough for the *milícia* that residents remain passive in the face of tampering with the physical network that establishes TV connections, for example. They will pay for access, which involves active provision, but not necessarily more than they would pay formal providers.

c) A monopoly on public transport is established, which does not prevent authorizations from being negotiated for taxi and ride sharing application drivers.

d) Trade is subject to parallel “tax exaction.” Fees charged to merchants may vary by location, size and income. In the historical stage of implantation of the local *milícia* power, it was intended that the charge would be justified as payment for the provision of the security service, even though the constraint involved in the negotiation prevented it from defining it as a typical market operation, which supposes equity between contractors and the exercise of free will. The consolidation of

asymmetric relationships produced the semantic displacement of the ordinary discourse in which the practice of informal “tax” is described: from the purchase and sale of security, one passes to the value of authorization to function—here we summarize the previous reflection to extend it in a distinct but complementary direction. One jumps from exchange, albeit asymmetrical, under extortion, to the tacit admission of power that, becoming a source of accreditation or licensing, aspires to some form of legitimacy. It is through the mediation of this power that the economic agent achieves recognition, making his or herself viable as such. Recognize, license, authorize: this is the *milícia* simulating the legal-political operation that confers title to land or real estate and attesting to the right of ownership or usufruct that licenses economic agents.

Between force and the subject, between the brutal rusticity of extortion and the “world view,” between the direct violence of the threat and the imaginary, the instituted interposes itself, the objective reference that time and reiteration consolidate. What is instituted, by definition, is what is in force: the *fait accompli*—the reiterated imposition of a certain reality—ends up triggering a paradoxical dynamic of self-legitimation (SOARES, 2020b).

Therefore, it could be suggested that the transition from selling security to charging a license fee for the activity, that is, the passage from naked extortion to authorization, corresponds both to the reactivation of a Brazilian historical atavism (immobilization of the workforce articulating authoritarianism) in respect of the incorporation of new intersubjective and micropolitical ingredients in the rooting process of local *milícia* power.

e) Appropriation of public land (private land can also be confiscated) for irregular building. Occupancy of housing projects built as part of government programs for popular housing before they are distributed to beneficiaries. In this case, the *milícia* sells the units and controls the condominium, requiring residents to pay monthly fees. There are situations in which the *milícia* takes control of popular housing projects that are already occupied, but in these cases, the methods and strategies already exposed are reproduced, on a limited scale, and applied to communities.

f) The issue of drugs, which is associated with the problem of controlling behavior, deserves a special approach. This was part of the construction of the positive image of the *milícias*, which circulated widely in the initial stages of their implementation in their current format, i.e., in the form of territorial dominion with the repudiation of drugs, which was manifested either in a refusal to get involved with commerce in drugs or to admit them in their domains. Drug consumption was not even allowed, at least not visibly. It made sense. After all, the product that was offered was security, and the gangs personified the matrix of crime, from which other practices such as robberies derive and to whose repression the *milícias* were supposedly dedicated<sup>20</sup>. The *milícia* appeared as the alternative, for the working classes, to drug trafficking. On the one hand, order, discipline, conduct compatible with the traditional principles of the family—a heritage that Northeastern immigrants prized. On the other,

chaos and humiliation, the space of inversions: armed pre-teens giving orders to parents, children exposed to public drug consumption, funk dances celebrating debauchery, precociously sexualized girls, etc. Echoes of religious discourses were also evident, propagated by the growing Neo-Pentecostal churches. The price to be paid to the *milícias* would therefore be justified, and the promiscuity between the *milícia* and police, even the overlap between both roles and characters, was welcome. Prohibitionist moralism fulfilled its legitimizing function, but it was not relevant enough—or ceased to be so, as *milícia* power was consolidated—to oppose economic interests, which ended up imposing themselves: the *milícias* joined the lucrative illicit substance business. Its great earning power continues to be the organic link with the police, which sometimes work to neutralize the common enemy, favoring the *milícias*. The biggest obstacle for *milícia* groups, especially since the political advance of the ultra-right in the country, which benefited the police segments that are closest to them, is internal disputes. Gains stoke ambitions and conflagrate geopolitical relationships in the criminal world, while institutions languish in the shadow of proto-fascist threats.

The differences between legality and illegality, in social life, are neutralized by the connections that link criminal organizations to the police, whose forms vary from “arrangements” in the case of gangs, to protagonism, in the case of *milícias*. The permanent backdrop is the unreliability of institutions whose actions are arbitrary, threatening and unpredictable, thus generating fear and insecurity.

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## Notes

<sup>1</sup> Building the Barricades: Social impacts of exposure to armed violence in Maré, in English. Coordinated by Paul Heritage and Eliana Sousa Silva, “Building the Barricades” was carried out by: *People’s Palace Projects*, Redes da Maré, *Queen Mary University of London*, Escola de Serviço Social (ESS) of the Universidade Federal do Rio de Janeiro (UFRJ), Instituto de Psiquiatria of UFRJ and Núcleo de Estudos em Economia Criativa e da Cultura (Neccult) of the Universidade Federal do Rio Grande do Sul (UFRGS), with support from the Economic and Social Research Council and the Arts and Humanities Research Council of the UK, through the Global Challenges Fund program and the Arts Council of England. Record: ES/S000720/1. Available (on-line) at: <https://gtr.ukri.org/projects?ref=ES%2FS000720%2F1>

<sup>2</sup> Available (on-line) at: <https://biblioteca.ibge.gov.br/index.php/biblioteca-catalogo?view=detalhes&id=2101717>

<sup>3</sup> The delimiting neighborhoods are: Baixa do Sapateiro, Conjunto Bento Ribeiro Dantas, Conjunto Pinheiros, Marcílio Dias, Morro do Timbau, Nova Holanda, Nova Maré, Novo Pinheiro (popularly known as Salsa e Merengue), Parque Maré, Parque Roquete Pinto, Parque Rubens Vaz, Parque União, Praia de Ramos, Vila do João, Vila dos Pinheiros and Conjunto Esperança.

<sup>4</sup> See *Rio em Síntese*, Instituto Pereira Passos (IPP). Available (on-line) at: <https://www.data.rio/pages/rio-em-sntese-2>

<sup>5</sup> The HDI calculated according to the 126 neighborhoods or groups of neighborhoods in the city of Rio de Janeiro in 2000. Available (on-line) at: <https://www.data.rio/>

<sup>6</sup> Available (on-line) at: [https://peoplespalaceprojects.org.uk/wp-content/uploads/2019/05/INFOGRAFICOS\\_PESQUISA\\_CONSTRUINDO\\_PONTES\\_AGO21.pdf](https://peoplespalaceprojects.org.uk/wp-content/uploads/2019/05/INFOGRAFICOS_PESQUISA_CONSTRUINDO_PONTES_AGO21.pdf)

<sup>7</sup> Data from the Public Security Institute (ISP).

<sup>8</sup> The overall survey results are available in four books and a “thematic newsletter”, all available (online) at: <https://www.redesdamare.org.br/br/publicacoes#livros>

<sup>9</sup> This favela was disregarded in the analyses presented in this article.

<sup>10</sup> Table 1 refers to extortion or home invasion and does not mention the perpetrator or the fear caused by gang or *milícia* members or police. The following tables focus on the role of the police and the subsequent section addresses this issue.

<sup>11</sup> These statements, in this case as in the next, were not transcribed exactly in the terms stated by the interviewees, although the words are very close to the original statements and faithful to their meaning.

<sup>12</sup> The PCC is a drug trafficking gang that has monopolized the drug trade in the state of São Paulo. Although it operates mainly in São Paulo, it is one of the largest criminal organizations in Brazil and is present, directly or indirectly, in all Brazilian states.

<sup>13</sup> [http://www5.mprj.mp.br/assImprensa/20140402\\_ES\\_AreasDeMilici.pdf](http://www5.mprj.mp.br/assImprensa/20140402_ES_AreasDeMilici.pdf)

<sup>14</sup> For the history and prehistory of the *milícias*, the following are essential, among others: Souza Alves (2020), Otavio and Jupiara (2015), Burgos (2002), Paes Manso (2020), Souza e Silva, Fernandes and Braga (2008), Cano and Duarte (2012), Rede Fluminense de Pesquisas sobre Violência, Segurança Pública e Direitos Humanos (2020) and Hirata *et al.* (2021). Soares *et al.* (2010) present a fictionalized treatment of real situations, according to testimonies collected to date. Soares (2020c), in testimony to Francisco Ourique and Marcio Scalercio, presents a portrait of the *milícias* and analyzes the challenges they pose to democracy.

<sup>15</sup> According to data from 2019, gangs occupied 233.13 km<sup>2</sup> of the territory of the state of Rio de Janeiro and the *milícias*, 267.27 km<sup>2</sup>. In closer focus: the CV dominated 166.16 km<sup>2</sup>, the TCP, 61.88 km<sup>2</sup> and the ADA, 5.09 km<sup>2</sup>. There were 65 police operations carried out in territories occupied by *milícias* and 712 in gang-controlled areas. In closer focus: 554 in CV areas; 146 in TCP areas; and 12 in ADA areas. If there were equal treatment, 816.27 operations would have taken place in the territories under *milícia* control, instead of 65 (HIRATA *et al.*, 2021).

<sup>16</sup> See the essay “*Maré e a longa gestação do novo mundo*”, based on the “*Construindo Pontes*” study (SOARES, 2021).

<sup>17</sup> An article published in the newspaper *Extra* on May 31, 2008 (O GLOBO, 10/14/20210) summarizes the facts.

<sup>18</sup> See the PhD thesis of Michel Misse, a pioneer in the conceptualization and analysis of the protection market (MISSE, 1999).

<sup>19</sup> It should be noted that the history of the autonomization of police niches should culminate – if we project the phenomenon onto a higher plane – in the engendering of an institutional enclave, which, in turn, will be able to be understood as the dialectically exponentiated and transfigured realization of autonomous niches, taken by what would essentially define them.

<sup>20</sup> On such links, differences and qualification problems, it is essential to consult Misse (2011).



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