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The “Grey Zones” of Democracy in Brazil: The “Militia” Phenomenon and Contemporary Security Issues in Rio de Janeiro

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Abstract

For the last fifteen or so years, there has been growing economic and political optimism regarding Latin America. However, this is also the continent with the highest homicide rate as well as endemic political corruption – increasingly tied to criminal activity and members of State security institutions. The “normalization” of the State’s repressive behaviour in the name of democracy, while also reinforcing certain of its authoritarian trends, is a standard practice in Latin American countries. To what extent is this paradox intrinsic to the democratization process these countries are going through? To bring some elements of a response, the “grey zones” concept will be developed here through the example of the phenomenon of “militias” in the western area of Rio de Janeiro.

Keywords. *Grey zone, Authoritarian legacies, Neo-authoritarianism, Militia, Security issues, Rio de Janeiro*

Introduction

Over the last twenty years, a dual dynamic has been observed in Latin America: in a climate of growing economic and political optimism in the entire continent, “grey zones” are also emerging on a local scale concomitant with the strengthening of democracy in a number of countries. This is particularly true in certain territories on the “edge” of major cities, resulting in new power relationships among social stakeholders employers, workers and unions.

¹ I wish to thank Bernard Bret for his careful re-reading and pertinent corrections.

A number of questions arise as a result, pertaining first of all to the exact nature of these grey zones, and why and how they have appeared. We must also wonder about the western area of Rio de Janeiro as representative of the political and security issues brought by these grey zones, meaning when all is said and done, on the relationship which paradoxically exists between the reinforcement of these “grey zones” and the consolidation of the democratization process in Brazil. This may contribute to the discussions currently underway in political science on “hybrid regimes”, meaning on the demarcation line between “authoritarian regimes” and “democratic regimes”, where they converge, and their interdependence (Dabène, Geisser, Massardier, Camau, 2008). The analysis on the emergence and consolidation of “grey zones” or non-pluralistic spaces or spaces of limited pluralism (Linz, 2000) in Latin American democracies is an interesting approach for responding to this set of issues. It will be shown that these grey zones, in both their socio-spatial dimension and as a theoretical concept, juxtapose the former authoritarian practices and new authoritarian practices produced by the contemporary democracy itself. To correlate the establishment of these grey zones with the democratic consolidation process in Latin America, the intertwining of authoritarian practices and democratic practices should be taken into consideration (Fregosi, 2011). That is why reflection on these grey zones and the power relationships stemming from them can begin from the repressive nature of the security institutions and be built on Gaidz Minassian definition of them. According to him (Minassian, 2011):

“...A grey zone is a space – closed or not – of social deregulation, political (self-determination, separatism) or socio-economic (crime, desocialized spaces) in nature, of a size that can range from a pocket to a province, essentially land-based and under a sovereign state whose central institutions are unsuccessful, due to either impotence or abandonment, in penetrating them to affirm their rule, which is instead provided by alternative micro-authorities.”

This concept connects the idea of “territories on the edge” (Das, Poole, 2004) and that of “alternative micro-authorities”. These concepts refer to the idea of a microcosm that has rules and forms of social organization that are different from those of the city’s “centre”. Indeed, although these “territories” belong to the city in

the usual sense, they are at the same time “on the edge” of it. These territories are therefore mainly characterized by areas of constant intersection between the formal and informal, the legal and the illegal, promoting in return the consolidation of this grey zone, an opaque area that is both inside and outside, disinterested and corrupt, just and coercive.

In the context of the fight against drug trafficking (or, the “war on drugs” in the United States) – since the 2000s, and particularly after September 11, 2001 – national security policies have undergone significant changes in Latin America. In most of these countries, this has translated into increased security narrative and the implementation of government measures leading to the autonomy of repressive authority. This new transnational context has resulted in reconfigurations at the local level, and specifically in these territories on the edge. In fact, inside these zones, certain functions that are the jurisdiction of the State have been privatized: security, justice, and control over infrastructure have become the responsibility of para-institutional stakeholders.

The metropolitan area west of Rio de Janeiro is a significant case of this process. Para-police groups known as “militia” exercise direct control over certain communities². The “Final Report of the Parliamentary Investigation Commission (PIC) on the action of militias in the State of Rio de Janeiro”³ provides information on the composition and activities of these groups. These include but are not limited to⁴, police officers, retired police officers and/or police officers sent back from security

² *Community* is the translation of the word *comunidade* often used today in place of *favela*. The *favelados* use the word to avoid the negative connotation surrounding the word *favela* and to indicate that they have mutual interests to protect.

³ This report made it possible to arrest certain heads of these groups. However, a number of facts show that control of the “militias” in certain territories as well as their ambiguous relationships with public safety institutions, political power and the justice system are still very significant. The August 2011 assassination of Judge Patricia Acioly, known for her diligent prosecution of the militia members in the city of São Gonçalo and the dozens of death threats received by Marcelo Freixo, member of state parliament from the State of Rio de Janeiro which led to the “Militia PIC”, are in keeping with this observation.

⁴ This same 2008 parliamentary report indicates that of a total of 930 militia members targeted by anonymous complaints, there were 511 civilians but also 283 military police officers, 32 military firefighters, 33 members of the armed forces, 18 politicians, 8 prison guards, 2 officers of the court and 2 municipal police officers.

forces. They practice extortion and illegally appropriate areas normally managed by public authorities: security (a “protection” tax is demanded from the residents), distribution of water and electricity, gas, satellite television, and even transit (control of minibus cooperatives). Some appoint themselves elections officials, in direct relationship with parliamentarians (“PIC” Report, 2008). Speaking of “alternative micro-authorities” therefore refers to “micro-centres of alternative power” which develop parallel to the democratic institutional authorities and grow stronger in this new security context.

This research is based on articles from the national and local press, institutional reports as well as empirical data obtained during observations and investigations in the field⁵. The difficulty in accessing the field for this type of research should be stressed. Three main factors make this field “difficult” (Boumaza, Campana, 2007): 1) The militia are organized crime groups responsible for a number of summary executions and the disappearance of individuals in the regions controlled; 2) the western zone is a difficult-to-access region where public authorities have never been very present (by way of example, the nearly 60 km trip between the centre of Rio de Janeiro and the community of Santa Cruz in the western zone can take up to 3 hours on public transit); 3) the militia still maintain ambiguous relations with political authorities which ensures that their illegal acts go unpunished.

Added to these “practical” difficulties are other difficulties related to the choice of sources used and their degree of reliability. These conditions therefore impose limits on all field studies of grey zones. To analyze them, we will first describe the socio-spatial characteristics of this metropolitan territory and explain the militia phenomenon. These components will then make it possible to analyze the grey zones using contemporary security issues as the criterion.

1. Descriptive approach of “grey zones”

⁵ The author carried out research in preparation of her doctoral dissertation. Access to the field was facilitated by the “Laboratório de Análise da Violência” - LAV (Analysis of Violence Laboratory) attached to the University of the State of Rio de Janeiro.

The grey zones are characterized by specific socio-spatial givens likely to foster the formation of para-police groups as is the case in the western area of Rio de Janeiro.

1.1. Socio-spatial characteristics of the western area of Rio de Janeiro

In Latin America, the urbanization process has resulted in the formation of near, intermediate and distant peripheral territories around the “city” considered here as the central core of the urban space; all of these spaces make up what are called “metropolitan urban agglomerations”. “Greater Rio” has 33 metropolitan administrative regions (RA). Certain *municípios*⁶ of the “Baixada fluminense”- the low-lying land over which the western suburban area of Rio de Janeiro extends – are part of the Rio de Janeiro metropolitan region. The area of focus is located in this peripheral zone of the western part of the agglomeration. Formerly rural, this peripheral area gradually took in great numbers of workers resulting from internal migrations – mainly due to the rural exodus from the north-eastern part of the country. This segment of the metropolitan region therefore presents a high-density population, a very heterogeneous social profile (middle-, high-, low-class, and poor) and a very mixed land use (semi-rural areas, industrial areas, social housing, *favelas*, shopping centres, subdivisions, and gated communities, called *condomínios fechados* in Brazil).

These socio-spatial characteristics of the western area of Rio de Janeiro are found elsewhere in Brazil; the government’s abandonment of peripheral urban spaces has promoted their growth in accordance with their own dynamic process, with rules specific to each territory intended to make up for the deficiencies of public authorities. Relations between the repressive authority of the police, political authority and its clientelist networks and criminals – notably drug traffickers – are historically rooted there and are part of local residents’ daily life.

⁶ The *município* is the lowest level of the administrative hierarchy in Brazil. In this respect it would be the equivalent of the *commune* in France, although the Brazilian *município* is, on average, much more extensive and much more populous than a *commune* in France.

In Brazil, the concept of crime is intrinsically associated with social class. In fact, the middle and upper classes are afraid of organized crime, mainly when it is related to drug trafficking and the nearby favelas [slums], which are deemed highly dangerous spaces. These same attitudes are found in the western area of Rio de Janeiro. Thus, the emergence of “alternative micro-authorities” has occurred in response to the growing sense of insecurity of the local population, and particularly the better-off social classes, vis-à-vis the residents of the nearby “favelas”. This results in a discriminatory attitude in these urban peripheral areas where the “criminalization of poverty” narrative finds a certain audience.

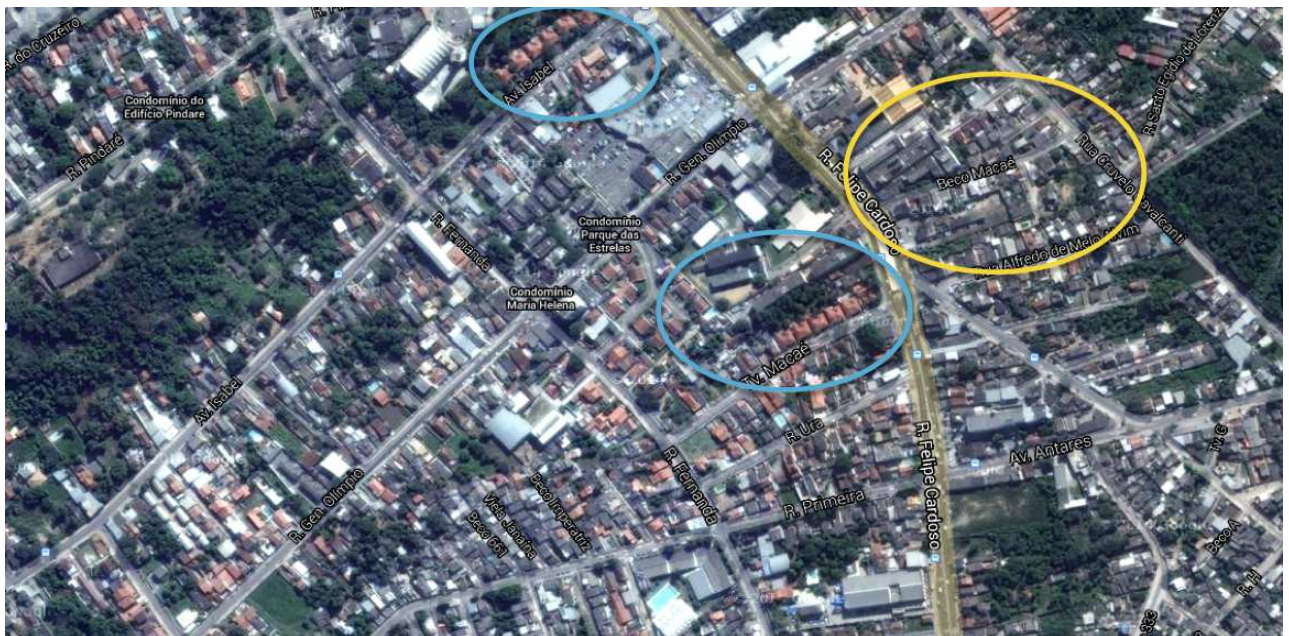
In the western area of the agglomeration, about 50 kilometres from downtown Rio de Janeiro, there are favelas. For all that, this territory’s characteristics are much closer to those of the suburbs, both from the perspective of its urban morphology – wide streets, residential-type neighbourhoods (fairly large houses far from one another) – and from the perspective of the prevailing atmosphere – tension, muffled violence, and no one sees or speaks about the power of the “alternative micro-authorities”. This reality is therefore quite different from that of the favelas – small houses randomly piled one on top of the other, apparent chaos, with violence visible daily in the conflicts between traffickers and police.

Figs. 1: Satellite images of spatial differences between suburbs and slums⁷

Fig. 1.1: Satellite image of the Rocinha slum



Fig 1.2 : Satellite image of Santa Cruz, suburb of Rio de Janeiro (blue circle : gated community ; yellow circle : slums)



⁷ Source for images: Search on "Google Earth" <https://www.google.fr/intl/fr/earth/>

Fig. 1.3: Satellite image of Santa Cruz, suburb of Rio de Janeiro (green circle: Low-rent housing in the social housing project “Minha Casa, Minha Vida” (My House, My Life) of the Lula and Dilma government (Workers party – PT); purple circle: subdivisions).



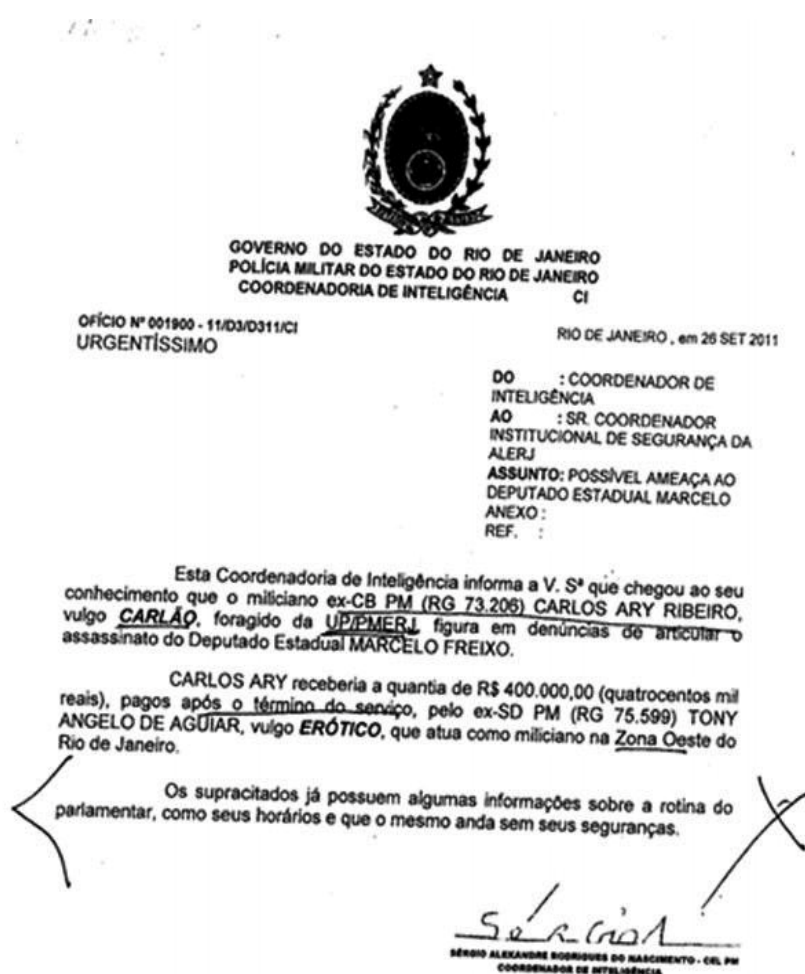
1.2. The “militia” phenomenon in Rio de Janeiro

The origin of the “militia” phenomenon is much debated. Studies emphasize that in their earliest phase there was reference to “police mineira” (Burgos, 2002) of the Rio das Pedras community located in the western area of Rio de Janeiro where the most organized and powerful militia are located today. Rio das Pedras is a community that was initially formed of migrants who came from north-eastern Brazil to work in construction. This “police mineira” was a civilian self-protection group that was created by the residents’ association of this slum in the 1970s and which had established a type of private justice system. They would enter the homes of those suspected of being delinquents and give them a quick deadline for leaving the area. This became increasingly arbitrary and violent over time, which caused discontent among the residents. Thus, certain public safety officers who lived there decided to

intervene and arrest the chiefs of this “police mineira”, but these same officers then took the place of the group they had dismantled and expanded the operations.

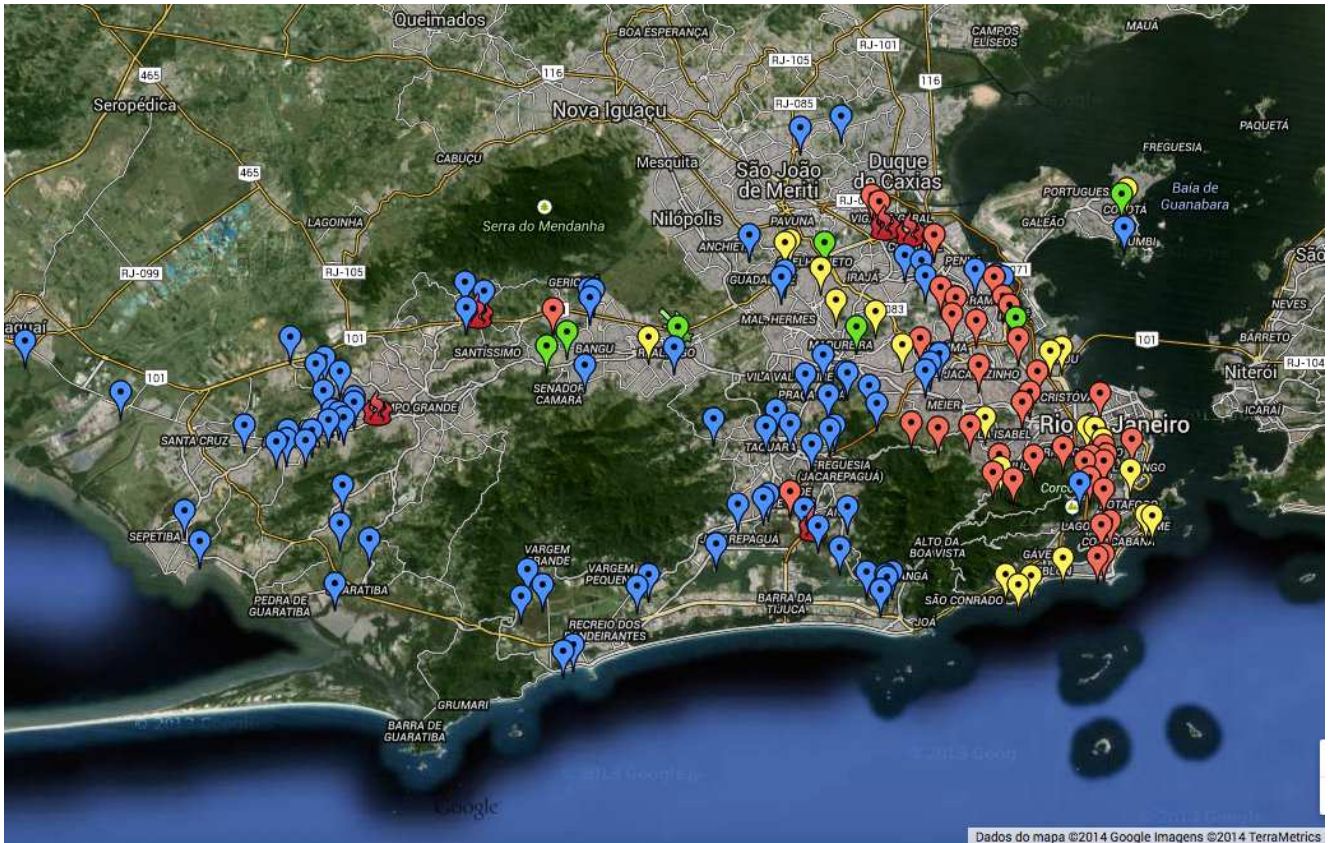
Until 2006, the local population and the State still considered the militias a third public security force alongside the civilian police and the military police in the fight against drug trafficking. Starting in 2006, the previously positive perception of these militias changed. This was particularly due to the considerable increase in the territories they controlled (from 42 to 92 in 2006, 170 in 2008, 305 in 2011, over 500 in 2013) and the growing number of anonymous complaints against their violent practices. Moreover, in May 2008, three reporters from the daily *O Dia*, who were secretly doing a human interest story on these groups’ actions in the Bata community in the western area of Rio de Janeiro, were abducted and tortured. Although they were ultimately freed, this dramatic event called the presence of the militias into question.

Fig. 2: Military police intelligence department report stating that former military police officer, Carlos Ari Ribeiro, would allegedly receive R \$400,000 to assassinate state representative Marcelo Freixo. The amount would be paid by Tony Angelo, a former police officer and head of the “Liga da Justiça” (“League of Justice”), the most important militia in Rio de Janeiro, controlling large territories in the western zone, including Cosmos, Santa Cruz, Campo Grande, Inhoaíba, Paciência.⁸



⁸Document from state representative Marcelo Freixo during an interview as part of my doctoral dissertation, June 13, 2014.

Fig. 3: Map of the armed territorial control in Rio de Janeiro updated in 2014: Militias (blue) and Drug Trafficking ("Comando Vermelho" (red), "Amigos dos Amigos" (yellow) and "Terceiro Comando Puro" (green))⁹



What then, are the contemporary security issues that have contributed to giving the militias a firm footing in the western area of Rio de Janeiro? There are three main issues that can be listed:

1) In the context of the “war on drugs”, the western area territories are not a priority target for the state security interests as they are far from the southern and northern areas of the city which are the more sensitive drug trafficking areas. So, the militiamen control this western area that is on the edge but which is strategic for their illicit interests as it borders the southern and northern areas. As a matter of fact,

⁹This map was created using data from the “CPI Militias Report”, press reports and information from the residents of the occupied communities. It is constantly updated. Source: “Google maps” (30/11/2014). [URL: <http://urlz.fr/2460>]

they gain legitimacy in the eyes of the local residents by claiming to contain the expansion of drug trafficking toward the western area. At the same time, they negotiate with the drug traffickers to profit from the drug trade and ensure that there is an ongoing supply of drugs in the slums in the southern and northern areas.

2) About 10 years ago, the government of the state of Rio de Janeiro, wanting to prevent the possible expansion of drug trafficking, had itself fuelled rumours justifying control by militiamen in the western area. The reason the word "militia" was initially used by the press was to avoid the use of terms like "death squads" and "vigilantes", inherited from the dictatorship and with highly negative connotations. This involved presenting the militias as a local policing group wanting to protect their neighbourhood from an outside threat in the figure of the "drug trafficker". That is why the mayor of the city of Rio de Janeiro, Cesar Maia, used the term "community self-defence" when he referred to these groups at the time. It was after the hostage taking and torture of the *O Dia* reporters in 2008 that the State recognized the militias as a crime group, although it still considers them a less serious problem than drug traffickers.

3) The cultural logic of the "criminalization of poverty": The militia members are for the most part public safety officers, whereas the drug traffickers are generally slum dwellers, poor and marginalized (Misse, 1995). The militia members therefore take advantage on the one hand, of the socially constructed narrative on the need to prevent the expansion of drug trafficking, or to "take back"¹⁰ the territories controlled by the traffickers, and on the other, the police repression supported by most of Brazil's society as well as of the sensationalistic media who always equate the poor areas with crime.

2. The "grey zones" assessed on the basis of contemporary security issues

¹⁰The guiding principle of the UPP (peacekeeping police) project in Rio de Janeiro is this idea of "reconquest" of the slums controlled by drug trafficking, through public power. One of the criticism directed toward these UPPs is the lack of political interest in expanding this project to the areas controlled by the "militias". This factor strengthens the criminalization of poverty narrative and the impunity granted to these groups.

The militia phenomenon should now be examined through two analytical variables: the “authoritarian enclaves” and the influences of new authoritarian influences.

2.1. Security and “authoritarian enclaves”

Current police force practices kill freedom in Brazil. “Authoritarian enclaves” therefore exist in the democratization process of security institutions. Reports of the UNO, Amnesty International, Human Rights Watch and others are unanimous: Brazil’s police are responsible for thousands of extrajudicial executions every year. Law enforcement agencies justify these actions by having recourse to a legal device called “autos de resistência ” (Law decree 3.689/41 of the Brazilian code of penal procedure). It is the equivalent of “self-defence” and allows them to remain unpunished. In fact, a large portion of the population believes that investigations on abusive police practices and their possible conviction may weaken the application of laws and thus strengthen criminal gangs. Thus the most well-off segments of the population support the major operations against drug trafficking in the slums while also being aware of the collateral damage they entail. The use of torture as a means of investigation in the slums, in the police stations and prisons is one of the most significant “authoritarian enclaves”. Under Brazil’s military dictatorship (1964-1985), torture was systematically used against political opponents. It is still a daily fact of life within law enforcement agencies despite nearly thirty years of democracy. According to the report of Christians for the Abolition of Torture (ACAT) [tr.]: “[tr.] the persistence of a culture accepting the abuses perpetrated by the agents of the State, a tradition of violence within the security forces, and the de facto impunity the perpetrators of these acts enjoy, are at the root of the police torture phenomenon in Brazil” (ACAT, 2010).”

A study carried out in the city of São Paulo underscores the disproportion between the use of torture and the punishment incurred for this crime when committed by public officials: there is an 18% conviction rate for torture involving public officials, and 50% when involving civilians (De Jesus, 2009). Indeed, comparative studies on Latin American countries’ transitions to democracy show that since the 1970s,

political systems have not evolved dichotomously and homogeneously; in other words, there has not been a transition from a pure dictatorship to a pure democracy. Over the course of the democratization process, we can observe areas where there is overlapping with the dictatorial system. Important research work in Brazil addresses this issue. Alba Zaluar speaks of an “unfinished democracy” (Zaluar, 2007), while Jorge Zaverucha refers to “Brazilian semi-democracy”.

These authors return to the concept of “democracies with adjectives” (Collier, Levitsky, 1996) to go beyond the simple definition of these “sub-types” of regime by reflecting on their hybrid and possibly lasting nature. Alba Zaluar cautions against the limits of macro-social explanations of violent crimes when they are observed from the sole perspective of the mechanisms of transnational crime (drug and firearms trafficking) and he favours the multi-scale approach. He shows that at the micro scale level, the fight against drug trafficking interacts perversely with poverty and vulnerable youths in many countries. In this reasoning, the accused is presumed guilty and this presumed guilt reduces his claim to defence: the security forces represent “good”, while “evil” is represented by drug traffickers who are more often than not, black youths between 15 and 24 years of age living in the slums (Zaluar, 2007).

According to Jorge Zaverucha, Brazil’s 1988 constitution kept a number of authoritarian enclaves with regard to relationships between civilians, the military and police. By way of example, art. 142 in the section “Protecting the State and Democratic Institutions”, establishes that the Armed Forces have the power to suspend the law to protect “order”. In other words, still today members of the armed forces may, if they deem that democracy is threatened, carry out a coup d’état by constitutional provision. Even after the dictatorship, there is growing militarization of the police forces (Zaverucha, 2010; Mainwaring, 2001; Ottaway, 2003). Moreover, the concept of public security in Brazil is a legacy of the “National Security Doctrine” practiced during the military dictatorship and realized by the “National Security Law” in the context of what was then the “fight against communists”. This doctrine returns today in the fight against drug traffickers.

From "death squads" to the "militias"

During the military dictatorship in Brazil, the "death squads" functioned in accordance with a complex structure: the military police attached to the armed forces took charge of "cleaning up" crime, with merchants and business people funding these services while the politicians derived benefits at the polls from their actions.

The most important death squad in Rio de Janeiro was the "Scuderia Le Cocq" [tr.: Le Cocq team] (Bicudo, 1988). This organization founded in 1965 was active from the 1970s until the early 2000s. It was created to avenge the death of Milton Le Cocq, a police officer of the personal guard of President Getúlio Vargas. This police officer was assassinated in August 1964 by Manuel Moreira, a famous bandit from the "Favela do Esqueleto", known by the nickname "Cara de Cavalo" [tr. Horse Face]. The "Twelve Golden Men" placed at the head of the "Scuderia Le Cocq" were chosen in 1969 by Luis França, Secretary of Public Security of Rio de Janeiro to "rid" the city of "bandits". Over half of the team members were from the Special Police created by Getúlio Vargas during the "Estado Novo (1937-1945), an authoritarian regime inspired by Italy's fascist model. One of the first "Golden Men" was Guilherme Ferreira Godinho, nicknamed "Sivuca", and later elected as a state representative of Rio de Janeiro. His motto was "a good bandit is a dead bandit". According to him, "the Team was created to give society satisfaction".

Fig. 4: Symbol of the "Scuderia Le Cocq"¹¹



"Death Squad" [*escadron de la mort*] was also the name given to the group of police officers controlled by commissioner Sérgio Paranhos Fleury during Brazil's military dictatorship. This group was guilty of the executions and disappearances of hundreds of individuals. Its actions were covered by major influence peddling under the protection of the dictatorial regime. Fleury's "criminal hunting" was used by the military to combat left-wing armed struggle organizations. Heading the DOPS (tr.: department of political and social order) – the fearsome centre of repression during the years of the military dictatorship – Fleury planned a number of executions such as those of Carlos Marighela in 1969, Joaquim Câmara Ferreira in 1970, and Carlos Lamarca in the State of Bahia in 1971, who were three of the main guerrillas of the armed struggle of Brazil's left (Souza: 2000).

Criminal police "death squads" still operate as a part of Brazilian democracy today. A few examples making it possible to illustrate this statement: in 1993, more than fifty police officers belonging to a death squad called "Cavalos Corredores" besieged the Vigário Geral slum in Rio de Janeiro, killing 21 persons. This massacre is known as the "Chacina de Vigário Geral" [tr.: the Vigário Geral massacre]. This same group, three years earlier, had been the main suspect in the abduction and death of 11 youths from the "Acari" slum, which became known as the "Acari massacre". More

¹¹Source of image : <http://odia.ig.com.br/noticia/brasil/2014-03-26/ligacoes-perigosas.html>

recently, in 2005, a “death squad” that was operating in the Baixada Fluminense was responsible for the greatest massacre in the history of the state of Rio de Janeiro: 29 civilians executed by this squad as a result of the security policy the government at the time had put in place.

Thus, during the dictatorship, the State intentionally gave its logistical support to police groups so that they would do the “dirty work”. The arrival of democracy did not get rid of this phenomenon. This arbitrary situation continues to exist in other forms and has ended up escaping State control. At this time, there is a strengthening of a space of exception within the democratic space (ongoing use of torture, summary executions and disappearances) within which security forces feel that they can legitimately act. The police criminally operating as militia is a consequence of this discretionary situation that has been constructed throughout the course of Brazil’s history.

There are a certain number of points in common between the behaviour of the death squads and that of the militia. However, the control exercised by the latter over the territories is firmer, exchanges with politicians more concrete, and the economic gain generated is greater. While the militias are autonomous and have a plan for alternative power to the central power (in economic, political and repression matters), the death squads are groups of police officers carrying out orders from above and performing an occasional “outside the law” favour in return for money.

2.2. Security and the “new forms of authoritarianism”

According to the UN “Report of the Secretary-General’s High-Level Panel” (UNO 2004) “[tr.] we live in a world of new and changing threats...” where “[tr.] a threat for one of us is a threat for all of us”. The terrorist attacks on the World Trade Center in 2001 led to important changes in U.S. security policies vis-à-vis Latin America. A new “War on Drugs” encourages a lack of distinction between drug trafficking groups and terrorist groups, as shown by the new concept of “narco-terrorist” and the example of “narco-guerrilla”, with reference to the FARC in Columbia. In 2003, the Organization of America States placed organized crime and terrorism on the same level, describing

them as “the main threat to regional security”. As a result, security narrative was ramped up and government measures implemented that led to the increased autonomy of security forces, which can be observed in the majority of Latin American democracies. In view of this reality, what is meant by “new authoritarian dimensions”? Mireille Delmas-Marty examines this new security paradigm from the legal perspective and thus developed the idea of a terminological blurring between the right to safety and the right to security. She states that

“...The security discourse has muddied penal terminology as it autonomizes dangerousness on the basis of guilt and separates the so-called safety measures from sentences, thus coming full circle as the safety measure becomes the negation of the right to safety” (Delmas-Marty, 2010).

Following this line of reasoning, Elizabeth Picard states that:

“...This transformation led to a change in the concept of security, by blurring the line between domestic space and foreign space, between national defense and the fight against external or transnational enemies and, thus, between the missions of the army and the police.” (Picard, 2008).

In a number of Latin American countries, even after the transition toward formally democratic governments, substantial portions of the State’s terror apparatus remain intact. Koonings and Kruijt refer to a “democratization of violence, and social and political insecurity” strategy. According to these authors:

“...This phenomenon was created by an apparatus of systematic repression and a climate of concomitant fear sanctioned by the armed forces and supported by civilian governments and the justice apparatus.” (Koonings, Kruijt 1999).

Because of these neo-authoritarian dimensions in public security, new forms of political repression and police violence have appeared and the militia are an iconic example thereof.

The “militia” phenomenon measured against the “macro-securitization” process

It must be stressed that the militias play a dual role in the “macro-securitization” process: they simultaneously perform the duties of public security officers – whose

goal is to wipe out drug trafficking – and those of militias – whose goal is to derive economic and political profit from the spaces that have been abandoned by government power. In Rio de Janeiro, a contradictory cause-and-effect dynamic occurs: the security policies reinforced by the new “war on drugs” ended up encouraging a proliferation of militia groups. In fact, the police brutality of the BOPE (Batalhão Operações Policiais Especiais) – an elite police troop founded as part of this security policy – as well as residents’ fear of the drug traffickers, provided fertile ground for the development of militias. As a result, the residents of marginalized territories very often accepted the control of the militias because the militias promised to protect their neighbourhoods from drug trafficking, with the logic being that without drug traffickers, there would be no violence from the BOPE.

Fig. 5: Photograph¹² a BOPE operation in the “Complexo do Alemão” (northern area of Rio de Janeiro) as part of the fight against drug trafficking



However, this logic seems warped as the “militias” have been quite skilled at playing on the “feeling of insecurity” (Míguez, Isla, 2010) of the residents of the communities controlled. Laurent Mucchielli uses the “security frenzy” concept to develop his theory on a new type of social control. According to him, this concept rests on a diagnosis which:

“Does not take into account the statistical information available, covers up everything that doesn’t jibe with the desired appearance, seizes hold of exceptions and presents them as the general rule, and in the end, states such distortions of reality that in some cases, it is possible to speak of genuine mistruths misguiding the population.” (Mucchielli, 2008).

The *modus operandi* of social control of these groups, strengthened by the “feeling of insecurity” of the local population, have made some unusual situations possible: the example of certain territories that were once occupied by the “militias”, have been sold to the drug traffickers and then retaken. There are other examples of militias that rent BOPE “caveirões” to reinforce their occupation of certain territories

¹²Source of the image: <http://minu.me/dg7p>

and to occupy others. Or the fact that the government of the State of Rio de Janeiro, when developing security strategies for the 2007 Pan-American Games, gave carte blanche to the "militia men" for the expulsion of the traffickers from the territories close to the "Olympic sites".

This operating procedure has enabled the "militia men" to expand their power by invading certain territories long controlled by drug trafficking, particularly in the northern area of Rio de Janeiro. This new spatial configuration of the "militias" has triggered side effects – the attacks committed by the drug traffic "commandos" in Rio de Janeiro in 2006, killing 18 and wounding more than 20 are an example. The government of the State of Rio de Janeiro had at the time officially declared that these attacks were the reaction of the drug traffickers against the major repressive operations of the security institutions. In reality, it was first and foremost the "militiamen's" occupation of the traffickers' territories that motivated these attacks. Directed towards the government of the State of Rio de Janeiro, these attacks exposed the coexistence of official power (the police) and extra-official power (the militia-police) within security institutions.

The criminal operation of the "militias" brings to mind the analysis of Salvatore Lupo on the "mafia business" in his now-classic book on the history of the Italian mafia. He writes:

"The mafia by nature always works on the assumption of disorder to be organized and controlled...the mafia creates the insecurity from which it profits, to the point that its sole function is whatever the mafia itself decides it is, particularly since common criminality forms the recruitment base for the *cosche* [clans]. Very often, the threat is amplified, if not manufactured, so that the contract is signed, and moreover it happens that the person openly threatening and the one who gives the appearance of wanting to protect the threatened, the extortionist and the protector, are simply role-playing in a division of labour within the same organization in order to convince yesterday's and today's entrepreneurs to sign up for this "insurance". (Lupo, 1999).

Beyond the manner in which the militiamen occupy the territories and their dual role of "protector-extortionist", it is interesting to analyze the arbitrary means they put in place to maintain their client networks among the political power structure. As a matter of fact, in this new macro-securitization context, the militiamen implement

innovative political control strategies over their territories by creating “electoral agencies” (“currais eleitorais”). Thus, when there are elections, “agencies” are formed while “community candidates”¹³ are represented either by militiamen themselves or by their political allies.

“Protection” in a violent context (actual violence or driven by the macro-policies of the fight against drug trafficking) thus becomes a key tool in domination strategies in a client network. Indeed, the majority of residents in the area studied perceives this “order” narrative as positive and considers the role of the “protectors” as necessary for the community’s well-being.

Conclusion: What the concept of “grey area” brings to the study of new organized crime phenomena in Latin America

My objective in this research was to show that the juxtaposition of historic “authoritarian enclaves” with new authoritarian dimensions – produced by the worldwide “security at any price” narrative – has made identification of authoritarian phenomena in the coercive workings of modern democratic states very difficult. The “militia” phenomenon is a quintessential case of this new configuration.

Moreover, other similar phenomena merit analysis using this same theoretical framework. For example, it is known that after the demobilization of the “paramilitary” of the “Autodefensas Unidas de Colombia”, these groups continued their criminal activities inspired by the “Aguilas Negras”. In Mexico, the state has virtually lost control of a number of regions dominated by “drug cartels” like the “Zetas” – former army troops for combatting drug traffic at the border between Mexico and the United States, who have become extremely violent mafia-like organized crime groups. In Argentina, the “conurbano bonaerense” police – particularly the extreme right wing paramilitary group, “Triple A” – which inherited its

¹³During elections, militiamen’s attempts to associate their image with the electoral district they control can be seen. For example, “Nadinho de Rio da Pedras”, “Liga da Justice” candidates, Jerominho, Natalino and Carminha, use the Batman symbol (“visual identity” of the Militia), which is very widespread in the Campo Grande region, and Cristiano Girão is the “Girão de Gardência Azul”.

impunity during the military dictatorship, continues to practice extortion, torture, sexual abuse of minors, and more.

The common thread among all these new mafia-like phenomena is that they are the result of the juxtaposition on the one hand of "authoritarian enclaves" of the past, and the new warped effects of "macro-securitization" policies on the other. In addition, they coexist very well with the democratic system and do not contemplate taking the place of the State. They grab onto the weaknesses of the modern democratic system to present themselves to the residents of the territories they control as a private, more effective alternative. It is precisely the ability to have various authoritarian or semi-authoritarian power bases in a democratic system (these "grey zones" of democracy) that enables these groups to coexist with the State while also protecting their interests. Thus, in order to more accurately define the current complexity of these phenomena in the various Latin American countries, it would seem indispensable to analyze both their "authoritarian enclaves" as their "new authoritarian dimensions".

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Bibliography

BICUDO, Hélio, *Do Esquadrão da Morte aos Justicheiros*, São Paulo : Edições Paulinas, 1988.

BOUMAZA, Magali ; CAMPANA, Aurélie, « Enquêter en milieu « difficile » » Introduction dans *Revue française de science politique*, 2007/1 Vol. 57.

BURGOS, Marcelo Bauman, *A utopia da comunidade: Rio das Pedras uma favela carioca*, São Paulo: Editora Loyola, 2002.

CANO, Ignacio, « Seis por meia dúzia ? Um estudo exploratório do fenômeno das chamadas 'Milícias' no Rio de Janeiro », dans *Segurança, tráfico e milícias no Rio de Janeiro*, Rio de Janeiro : Fundação Heinrich Böll, 2008.

- CANO, Ignácio ; DUARTE, Thais**, *No Sapatinho: a evolução das milícias no rio de Janeiro (2008-2011)*, Rio de Janeiro : Heinrich Boll, 2012 ;
- COLLIER D., LEVITSKY S.**, « Democracy "with adjectives": Conceptual innovation in comparative research » dans *Working Paper Series*, n° 230, University of Notre Dame, Helen Kellogg Institute for International Studies, 1996.
- DAS,V., Poole, Deborah**, *Anthropology in the Margins of the State*, Santa Fe: School of American Research Press, 2004.
- DE JESUS, Maria Gorete Marques**, *O crime de tortura e a justiça criminal: um estudo dos processos de tortura na cidade de São Paulo*, Programa de pós-graduação em Sociologia, USP, São Paulo, 2009.
- DELMAS-MARTY, Mireille**, *Libertés et sûreté dans un monde dangereux*, Paris : Seuil, 2010.
- FREGOSI, Renée**, *Parcours transnationaux de la démocratie : Transition, consolidation, déstabilisation*, Bruxelles : P.I.E. Peter Lang, 2011.
- GAUCHET, Marcel**, *La démocratie contre elle-même*, Gallimard, Paris, 2002.
- KOONINGS, Kees; KRUIJT, Dirk**, *Societies of Fear: The Legacy of Civil War, Violence and Terror in Latin America*, London: Zed Books, 1999.
- LINZ, J.** *Totalitarian and Authoritarian Regimes*, Boulder, Lynne Rienner Publishers, 2000.
- LUPO, Salvatore**, *Histoire de la mafia : des origines à nos jours*, Paris : Flammarion, 1999.
- MAINWARING, Scott et al.**, « Classificando regimes políticos na América Latina » dans *Dados*, v. 44, n 4. Rio de Janeiro, 2001.
- MÍGUEZ, DANIEL ; ISLA, Alejandro**, *Entre la inseguridad y el temor*, Buenos Aires : Paidós, 2010.
- MINASSIAN, Gaïdz**, *Zones Grises. Quand les États perdent le contrôle*, Paris : Autrement, 2011.
- MISSE, Michel**, « Crime e pobreza : velhos enfoques, novos problemas» dans **VILAS BOAS, G; GONÇALVES, M.A (Orgs)**, *O Brasil na virada do século. O debate dos cientistas sociais*. Rio de Janeiro: Relume Dubará, 1995.
- MUCCHIELLI, Laurent**, *La frénésie sécuritaire - retour à l'ordre et nouveau contrôle social*, Paris : La Découverte, 2008.
- OTTAWAY, Marina**, *Democracy Challenged: The rise of Semi-authoritarianism*, Washington, D.C.: Carnegie Endowment for International Peace, 2003.
- PERALVA, Angelina**, « Brésil : les nouvelles faces de la violence » dans *Cultures & Conflits* [En ligne], 06 | été 1992, mis en ligne le 06 janvier 2003, consulté le 22 janvier 2014. URL : <http://conflits.revues.org/676>
- PICARD, Elizabeth**, « Armée et Sécurité au cœur de l'autoritarisme » dans **DABÈNE, O., GEISSER, V., MASSARDIER, G., CAMAU, M.**, *Autoritarismes démocratiques et démocraties autoritaires au XXIe siècle : convergences Nord-Sud mélanges offerts à Michel Camau*, Paris : la Découverte, 2008.
- SANTOS, Rogério Dutra** (2007), « As 'Milícias' do Rio de Janeiro (ou a busca de legitimidade da 'Polícia Mineira') » dans *Centros de Estudos Direito e Sociedade*, Fevereiro, p.1. [URL<http://www.soc.puc->

rio.br/cedes/banco%20artigos/Direito%20e%20Seguran%E7a%20P%FAblica/as%20milicias%20do%20rio%20de%20janeiro.pdf]

SOUZA, Percival de, *Autópsia do medo – Vida e morte do delegado Sérgio Paranhos Fleury*, Rio de Janeiro : Globo, 2000.

ZALUAR, Alba, « Democratização inacabada: fracasso da segurança pública » dans *Estudos Avançados*, n° 21, Rio de Janeiro, 2007.

ZALUAR, Alba ; CONCEIÇÃO, Isabel. S., « Favelas sob o controle das Milícias no Rio de Janeiro : que paz ? » dans *São Paulo em Perspectiva*, v. 21, n. 2, p. 89-101, jul./dez. 2007.

ZAVERUCHA, Jorge, « Relações civil-militares : o legado autoritário da Constituição Brasileira de 1988 » dans **TELES, Edson; SAFATLE, Vladimir (Orgs.)**, *O que resta da Ditadura*, Boitempo: São Paulo, 2010.

Rapports

Rapport Action des Chrétiens pour l'Abolition de la Torture, *Un monde tortionnaire*, Rapport, 2010. [URL: http://www.acatfrance.fr/medias/actualites/doc/ACAT_France-Rapport_torture-Dec_2010.pdf]

Rapport Amnesty International, *They come in shooting*, 2 December 2005. [URL: <http://www.unhcr.org/refworld/pdfid/4395514a4.pdf>]

Rapport Anistie Internacional, *Informe 2010 – O estado dos direitos humanos no mundo*, 2010. [URL: <http://www.amnesty.org/fr/region/brazil/report-2010>]

Rapport du groupe de personnalités de haut niveau sur les menaces, les défis et le changement, *Un monde plus sûr: notre affaire à tous*, Nations Unies : 2004. [URL: <http://www.un.org/french/secureworld/brochureF.pdf>]

Rapport Execuções : Sumárias, Judiciárias ou Extrajudiciais – Uma aproximação da realidade brasileira, Recife, abril 2001, pg. 29. [URL: <http://www.defensoria.sp.gov.br/dpesp/Repositorio/31/Documentos/31.pdf>]

Rapport final da comissão parlamentar de inquérito do Estado do Rio de Janeiro, *CPI das Milícias*, Assembléia Legislativa do Estado do Rio de Janeiro, 2007.

Rapport Human Rights Watch, *Lethal Force: Police Violence and Public Security in Rio de Janeiro and São Paulo*, December 8, 2009. [URL: <http://www.hrw.org/en/reports/2009/12/08/lethal-force>]

Rapport United Nations/Economic and Social Council, *Civil and Political Rights, including the question of Disappearances and Summary Executions, Extrajudicial, summary or arbitrary executions, Report of the Special Rapporteur, Asma Jahangir - Mission to Brazil*, 28 January 2004. [URL: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G04/105/98/PDF/G0410598.pdf?OpenElement>]

Rapport United Nations/General Assembly, *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston - Follow-up to country recommendations – Brazil*, 28 may 2010. [URL: <http://www2.ohchr.org/english/issues/executions/docs/A.HRC.14.24.Add.4.pdf>]