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**Between Curfews and Confrontations:
Coronavirus Criminal Crisis Management in Rio de
Janeiro's Favelas**

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Abstract

From February 2020, the world has been facing a new challenge: Covid-19 pandemic. As states and international organizations prepared to face such crisis, so did criminal organizations around the world. This thesis focuses on how the criminal organization ‘Comando Vermelho’ in Rio de Janeiro faced the crisis, implementing a new array of service provision practices to meet the needs of the residents, and how its ‘crisis management’ plan impacted the overall relationship between the criminal group, the state and the citizens of the favelas.

Through applying concepts of hybrid and criminal governance literature, this thesis finds that the relationship dynamics did not change dramatically, as criminal orders existed and were operating effectively long before Covid-19 pandemic reached Brazil. The crisis re-enacted old dynamics, providing however a wider array of practices criminal orders can exploit to grow their legitimacy at the expenses of state legitimacy. Criminal orders did so through implement clear security instructions to protect citizens from the virus and promptly providing health services. This is likely to erode state legitimacy quicker than if no crisis was present as citizens needs are intensified.

Ultimately, this thesis is in accordance with Leeds (1996) in that it finds that are state’s structural shortcomings that leave open possibilities for criminal groups such as Comando Vermelho to implement effective governance systems and crisis management plans in the neglected areas of the city.

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“Anytime there’s something like this, organized crime is moving right in—we’re gonna try to fill that gap”

Michael Franzese, former mafia associate.

1. Introduction

Since the coronavirus pandemic originated in February 2020, mafias, cartels, and criminal groups around the world are trying to respond in their own way to the health crisis by acting as de facto governmental actors and services providers. In the suburbs of Guadalajara, Mexico, Alejandrina Guzman, daughter of Joaquin “El Chapo” Guzman, distributed parcels with basic amenities with the face of the infamous drug lord printed on the box¹ (see fig. 1; Informador, April 2020).



Fig. 1.

In other parts of Mexico, cartels are handing out food and essentials in their respective turf (Dittmar 2020) sometimes even advertising it on social media (La Jornada 2020) and overtly describing it as a ‘humane’ act for the less fortunate (Informador 2020). In Italy, mafias are giving more lenient loans, if compared with pre-coronavirus period, with interests comparable to bank’s rates (Saviano

¹ Fig. 1. Alejandrina Guzman distributing boxes with her father’s picture on them in Guadalajara, Mexico. Francisco Guasco, April 2020, in EFE, Entregan despensas con la imagen del "Chapo" Guzmán en Guadalajara, Informador. Accessed July 19, 2020 <https://www.informador.mx/Entregan-despensas-con-la-imagen-del-Chapo-Guzman-en-Guadalajara-l202004160002.html>

2020b). They are also distributing food (Saviano 2020b) and interrupting racketeering schemes in the south of the country (Roberts and Barigazzi 2020). In El Salvador, the Mara Salvatrucha 13 is using force to implement government restrictions in their neighborhoods and they spread videos of the physical sanctions on social media to deter others from breaking the restrictions (Martinez and Martinez 2020). In specific neighborhoods of Guatemala City, gangs are excusing local business owners from paying them extortion money (Rios and Sapalù 2020). These groups seem to be making an ‘effort’ to accommodate the citizens’ needs and priorities during challenging circumstances and contest or support government’s crisis management.

The oldest and main criminal group of Rio de Janeiro, Comando Vermelho (Red Command, CV per Portuguese name), was already taking steps to manage the crisis at the end of March. CV announced they would impose a curfew in order to contain the spread of coronavirus and their message stated that ‘no one is taking this seriously,’ referring to state authorities largely ignoring the issue of coronavirus (Barretto Briso and Phillips 2020). In the favelas in Rio, sanitary conditions are not fit to face a health crisis such as Covid-19. The favelas of the city are home to around 1.5 million people, often lack of basic sanitary conditions (e.g. running water) and they are known to be overcrowded, therefore making social distance difficult (Reeves 2020). In two of Comando Vermelho strongholds, favela Rocinha (South of Rio) and Cidade de Deus (West of Rio), coronavirus cases are likely to be higher than reported ones. Studies recently carried out show that 1 in 4 inhabitants in Rocinha and 28% of inhabitants in Cidade de Deus are infected with the virus, needing serious attention and help (Reeves 2020). However, citizens confirmed that the government is doing little (if anything) to contrast the issue (de Melo 2020). Hence, who will take care of these marginalized sectors of society when they are in trouble?

This thesis will focus on this last case here presented, the case of Rio de Janeiro and the crisis management enacted by Comando Vermelho as a response to coronavirus spread. By ‘crisis management’ is intended all the measures put in place (restrictions and coronavirus-specific service provision) promptly after the outbreak of the virus in a form of ‘crisis governance.’ The case is chosen because failures and crisis mismanagement of the government are particularly clear-cut in Brazil, given the confusing national leadership. This case will be taken to argue that failure of formal institutions to address people’s need forms a provision gap in which criminal organizations can thrive, and therefore change the power dynamics between state, crime, and citizens. According to Italian journalist Roberto Saviano, criminal organizations are at an

advantage during difficult times because people are desperate, and who struggles to take care of themselves and their families is more likely to accept criminal help to survive (Saviano, 2020a). Similarly, in an article for Forbes magazine, Micheal Franzese, a former mafia associate, suggests that mafias are always trying to ‘fill [the] gap’ that governments and markets leave open (Behar 2020). They scout for new opportunities, just like businesses do (Behar, 2020).

The objective of this paper will be to understand the relationship between three actors: state, criminal group, and citizens, in the narrow spatial settings which are the favelas in Rio de Janeiro, and how the (in)action of one actor as a response to the crisis affects their dynamics. This relationship will have a sort of ‘triangle’ structure. The citizens are the least influential actor in the dynamic, in terms of power exertion. They ultimately are at the receiving end of the help (and the violence) of one or the other actor, but not the helpers (nor the perpetrators). The help providers are either the criminal group or the state, who contend power over the citizens and the territorial space of the favelas. With ‘citizens’ I intend the inhabitants of the favelas, or the excluded sector of Rio’s society who might benefit from criminal service provision. I do not aim at including all the citizens of Rio de Janeiro equally in this research, however, the terms ‘citizens,’ ‘population,’ ‘community,’ and ‘locals’ will be used interchangeably, though meaning the inhabitants of the favelas.

The term ‘criminal groups’ refers to all the forms of crime which are ‘organized’ in some way. With ‘criminal groups’ I will not refer to common criminals, but to groups which have a structure of commando (e.g. Comando Vermelho does not have a hierarchical structure, but it is nevertheless organized in smaller groups which are affiliated and loyal to the leaders, who usually control the organization from prison), a transnational element (trafficking of illegal substances and/or weapons), and a strong presence in the local territory.

With the term ‘criminal orders,’ which refers to the concept of ‘hybrid political orders’ elaborated by Boege, Brown, Clemens, and Nolan (2008), I refer to all those ‘hybrid’ forms of power and authority that work as de facto governmental institutions but have criminal elements, as intended in the paragraph above. Criminal orders are forms of criminal governance enacted by criminal groups that provide services, order, and laws to the local population and enjoy a degree of legitimacy among the locals, in areas with little or no violent state presence. Criminal orders must be distinguished from hybrid political orders as their authority is seldom accepted by national and international systems for their ‘criminal’ nature. However, they cannot be also fully excluded

from ‘hybrid governance’ frameworks because they do enjoy some degrees of legitimacy and their service provision often works more effectively than the state one. In other words, if it were not for the high levels of violence that they produce, which is of course inexcusable, criminal orders may be effective forms of governance (Jaffe 2013).

The argument is that the active presence and service provision of one actor will deteriorate the relationship of the other with the citizens; and the more the relationship is deteriorated with one, the easier it will be for the other to enter the community and be accepted as a legitimate service provider by the population. This argument follows the findings of Stel and Ndayiragije (2014, 22), who claim that service provision implemented by non-state actors erodes state legitimacy, creating thus a process in which legitimacy is contested (between actors at play) and relative (to time and space). From this point onwards relative and contested legitimacy will be referred to only as ‘contested legitimacy.’ This idea and other concepts such as ‘criminal politics’ (Barnes 2017), ‘security in the vernacular’ (Luckham 2017) and ‘state-making’ (Tilly 1985) will be used in order to observe how criminal crisis management provision (might) influence the criminal group-state-citizens (CSC) relationship in the long run. According to Stel and Ndayiragije (2014, 23), legitimacy depends on the capacity of formal or informal actors to satisfy the needs of the community in a specific time and space. This means that the current crisis could shift the needs of the locals and thereby construct a novel specific setting in which relational dynamics can evolve.

This thesis will contribute to such body of literature in two ways: (1) by adding the crisis management aspect in the form of service provision and observing very recent empirical developments; and (2) by observing the CSC dynamic in a comprehensive manner. Notably, criminal governance literature focuses on how criminal organizations and the state interact and influence each other, but often leaves out the citizens response to such interactions. Hybrid governance literature tends to include citizens more explicitly yet still fails to integrate all three aspects and look at the triangle dynamic in a holistic manner.

Additionally, point (1) is also important because crises can be destructive, but they also bring opportunities and may create new ‘emergent orders,’ consolidate already existing ones or shifting power and authority dynamics (Raeymaekers et al., Menkhaus, Vlassenroot 2008, 11). This thesis finds that the ‘emergent’ orders originated from Covid-19 crisis were not so ‘novel,’ rather they existed all along. However, the crisis did function as an opportunity for them to exploit new avenues and consolidate their legitimacy among the local population, especially given the

lack of a cohesive response to Covid-19 at the federal level in Brazil. This crisis, additionally, made clear how much power criminal orders hold in the favelas of Rio and how embedded they are in the social fabric of the city.

To explore such ‘criminal’ crisis management and how it affects the CSC relationship triangle in the favelas of Rio de Janeiro, this thesis will aim to answer to the following question:

How is the crisis management governance implemented as a response to Covid-19 pandemic by Comando Vermelho criminal order impacting the dynamics between crime, state, and citizens in the poorer neighborhoods of Rio de Janeiro, from March until May 2020?

1.1 Methodology

This thesis will aim at disaggregating the power dynamics between governing actors in times of crisis, looking at the interplay between formal state and informal (criminal) actors through exploring the case of Comando Vermelho in Rio de Janeiro. While other parts of the world (such as Mexico) may be more apparent hotbeds of this dynamic, this thesis focuses on Rio because compared to them, it (a) presents a structure which can clearly be divided in criminal, state, citizens. (b) This case was chosen also ‘thanks’ to the governmental response to coronavirus president Bolsonaro took, which is not observable in any other crime-ridden context. The president chose to publicly downplay the risks of coronavirus and kept sending confusing signals to both the population and the state governors. This created a chaotic and not sufficient state response, in which citizens of favelas felt once again abandoned by the central state. Lastly, (c) there is much material available on the past and current situation in Rio de Janeiro, both in academic journals, media outlets and civil society platforms. As I could not go in the field to analyze the context, the availability of material played an important factor in my choice.

Thus, this thesis will look at the state’s reaction too, to see if the governance of criminal organizations was a response to the state’s (in)action. In this scenario, how did the criminal organization manage the crisis in the city’s favelas? How did such organization substitute or complement governmental action? How is it possible that an informal (illegal) entity has such meticulous crisis management response? How does the nature of the criminal response change the dynamics in the long run? How and from where the criminal organization draws its authority and

legitimacy over the local population? These questions raise theoretical queries on what legitimacy, authority, power mean. Such theoretical concepts will be explored through hybrid governance lenses.

This thesis is a dialogue between ideas and empirical evidence (see Ragin and Amoroso 2016, 52). To create such dialogue, I use concepts from hybrid governance and criminal governance to give order and meaning to reality. For the empirical analysis I chose different newspaper sources and selected articles published from March 2020 until May 2020. I mainly relied on established media such as O Globo (section G1) newspaper and UOL Noticias. O Globo is a private news outlet owned by the Grupo Globo, which is one of the largest media conglomerates in Latin America and was born in Rio de Janeiro in 1925. It does not openly support a specific party, but it does have a liberal imprinting (Media Ownership Monitor Brazil, 2017). UOL (Universo OnLine) Noticias is the second most accessed online news outlet (after O Globo). It is part of the private Grupo Folha, originally from Sao Paulo and it officially launched in 1996, with the objective of being an entirely online platform (Media Ownership Monitor Brazil, 2017).

I also used articles from other sources which explicitly referenced O Globo or UOL or were related to one of such newspapers. I usually searched news in English and in Portuguese, using the same key words but translated, and relied on the Google News section. Other media outlets I used were RioOnWatch, which is an online newspaper focused on ‘community reporting,’ thus it publishes news written directly by affected communities or people close to such communities. I used the website Fogo Cruzado to get a better overview on which favelas are the most important in terms of violence and size, as the website records every shooting, death and wounds of both civilians and police forces in Rio and Sao Paulo. I also relied on western reporting of the most significant events, using sources from The Guardian, CNN, and BBC.

Newspaper analysis is useful in understanding general, ‘structural,’ interactions, but comes with constraints for understanding individuals’ views. For that, I do not wish to come to conclusions on whether communities who are affected by this phenomenon do agree with criminal crisis management or not. Other constraints of newspaper analysis are that the press may be portraying drug lords as ‘modern-day Robin Hoods’ when they do still perpetrate violence on the civilian population (Leeds 1996, 62). Citizens, additionally, may be wary of speaking in public about their likes or dislikes on the police or the criminal orders. However, complementing academic literature that previously performed empirical research in these communities with local

news and websites paper and NGOs work was a viable ‘substitute’ for fieldwork. Especially in at-risk areas such as favelas, where help from the state often does not arrive or delays significantly, the civil society sector is quite active online as well, as the citizens have to organize themselves on their own.

This thesis will be divided in four main sections. The first section will include a review on the state of the art on criminal governance and hybrid governance literature and explain the theoretical framework I wish to apply in my analysis. The second section will explore the past (historical and pre-Covid) situation of my case study, namely the development of Comando Vermelho and its governance enactment in Rio de Janeiro. This follows the call for contextualization of political institution of Meagher (2012) and Bagayoko et al. (2016) and will be aimed at understanding why criminal organizations have now considerable service provision capacity in certain city areas. The third section will be a sort of ‘results’ section, and it will discuss the present situation in regard to the coronavirus crisis faced in the country and the criminal measures taken to contrast the spread of the disease. This section will include the data gathered from the review of newspaper articles, as it is a recent development, and it will bridge such evidence with the theory from the first section. Lastly, a conclusion of the whole thesis will be presented.

2. Review of the Theory

In this chapter, I will discuss the main theories and views surrounding both criminal and hybrid governance. CV imposing curfews is an example of criminal governance, and I will therefore use this body of literature to ‘zoom in’ into the criminal facet of the triangle and its relationship with the state. Hybrid governance will serve for a more comprehensive look at the whole structure of the triangle. I will start by presenting criminal governance body of literature and follow with its hybrid counterpart, to see how the latter can complement and improve the frameworks built on (solely) criminal governance. The chapter will end with a short section on theoretical considerations regarding the application of concepts and theories to the case study of Covid-19 governance in Rio. Lastly, I will explain the theoretical framework applied to this thesis.

2.1 Criminal Governance

Criminal governance is a social phenomenon in which criminal groups act as de facto governmental bodies, establishing rules and providing services to citizens. The academic concept of criminal governance bridges criminology with sociological and anthropological studies and focuses on the local environment in which criminal groups act in and influence the life of citizens. Central to this body of literature is the relationship between the state and criminal groups. It observes the way in which they interact, shape and take advantage of each other in specific spatial and socio-economic settings (Lessing and Willis 2019; Jaffe 2012; Desmond 2006; Leeds 1996).

The concept of criminal governance developed from the work of Charles Tilly on state-making as organized crime (1985), in which he observes the process of state-making as a ‘protection racket’ monopolized by the state. In this context, organized crime becomes a form of ‘competition in state-making’ (Felbab-Brown in Barnes 2017, 970), or a threat to which the state has to respond by fighting it and ensuring protection against it to the citizens. For this system to work, threats must exist whether real or imaginary (Tilly 1985, 171). Despite the flaws of this model (explained at the end of this section), the idea of state-making as protection from external and internal threats will be central to the understanding of the current Covid-19 crisis, which will identify the virus as one of such threats.

Following the Tillian model, Leeds (1996) focuses on Rio de Janeiro’s gang governance and she posits that state forces actively use the presence of and violence perpetrated by criminal

groups as a political excuse to enter poor neighborhoods, or favelas, and attack its citizens (Leeds 1996, 49-50). In addition, citizens of favelas are victims of state's structural violence, such as unequal provision of services and distribution of resources, from which the criminal group 'protects' them by ensuring provision of such services and resources (Leeds 1996, 49). Leeds calls this welfare and protection provision of the criminal groups a 'parallel power structure,' in which the local population remains 'caught between two armed forces,' namely the state and the criminal group (Leeds 1996, 72-73). However, the Tillian framework was criticized because criminal governance does not happen in a state-power vacuum. Rather, the state is very much present in that it helps shape the context in which criminal groups move (Lessing and Willis 2019) and enables criminal activity (or tries to stop it in ineffective ways) and include criminal groups in the political realm (Desmond 2006).

Subsequently, the literature recognizes that criminal governance assumes a political feature. Criminal groups do not merely insert themselves where state's control is lacking, but through enacting (or performing) state-like activities and 'privatizing' the provision of services, criminal actors acquire political power (Desmond 2006). Desmond focuses on traffickers and claims that they 'are a new type of political actor that is part of a wider privatization of violence whose political position in poor communities stems from an appropriation of state power' (Desmond 2006, 298). Economically empowered by the drug trade, criminal groups have the capacity to grow local support and ensure a degree of collaboration by (corrupted) state officials and, as mentioned above, pave their way in the political realm (Desmond 2006, 298). In this way, criminal governance does not 'arise' from state absence, but rather from state presence 'in the service of criminal interests' (Desmond 2006, 323).

Barnes (2017) agrees with Desmond and suggests that the violent practices of criminal groups have often state-building qualities and the 'accumulation of the means of violence' should be regarded as a 'political project' in itself (Barnes 2017, 968, 972). He calls the political aspect of criminal groups's violence 'criminal politics' (Barnes 2017, 973). Criminal politics builds on Staniland's concept of 'armed politics,' which aims to categorize collaborative and competitive arrangements made between the state and the non-state armed groups (Barnes 2017, 972). Barnes, then, takes this approach and develops a typology to categorize criminal groups relations with the state (and not with the citizens).

He identifies four categories. (1) Confrontation, in which state and criminal groups are openly in war, using hardline approaches and directly aiming to kill members of the opposite party. According to Magaloni et al. (2019), this is the case for Comando Vermelho and Brazilian police. (2) Enforcement-evasion, in which state and criminal groups do not collaborate but also do not use harsher coercive methods against each other. Usually the state relies on public security methods to try to undermine the criminal group. (3) Alliance, in which state and criminal groups both benefit from formal or informal agreements; and (4) Integration, in which criminals are integrated in the formal state structure, for example by participating in politics, and therefore criminal organizations act with impunity (Barnes 2017, 973).

Throughout the literature there is consensus on the presence of the state in these criminal arrangements, rather than its total absence (Leeds 1996; Desmond 2006; Barnes 2017; Lessing and Willis 2019). This presence, however, can be different in methods and results, needing further clarity. For example, state actors can engage in corruption and clientelism relations with the gangs ‘behind the scenes’ but engaging in an open confrontation publicly. This is why typologies such as Barnes’ (2017) sometimes fall short, as criminal actors and the state are involved in more than one type of relationship (Barnes 2017, 974). Leeds (1996, 49) states that this creates an environment in which the state is ‘selectively’ present and absent, depending on state’s interests.

Additionally, the state can shape criminal governance in a ‘structural’ form, perpetrating discriminatory practices and violence against the poorer sectors of society, leading criminal groups to help the discriminated population. For example, given the heightened violence perpetrated by police forces on the members of favelas (which goes on today as well, see Alves 2020), the local criminals take up the role of protectors of the citizens, using the same Tillian state-making logic applied by the state (Leeds 1996).

Another example of this ‘structural’ interaction between the state and criminal groups is found by Jaffe (2012). She finds that in Jamaica the state actively helped shape urban spaces of segregation by normalizing the privatization of the security sector, echoing Desmond’s (2006) argument on the privatization of violence. Outsourcing protection to private companies at higher socio-economic levels (e.g. rich gated communities) re-shaped and ‘legitimized’ the privatization of service provision by the criminal lords at lower socio-economic levels. ‘This has led to criminal organ-based organizations moving in as providers or brokers of essential services—paradoxically, with security as a top priority’ (Jaffe 2012, 195).

Lastly, criminal groups enact their governance with a narrow focus at the local level, which is what distinguishes them from rebels or guerrilla groups, which instead aim at governing a state or region (Lessing and Willis 2019, 586). The empirical research on the phenomenon investigates, in fact, specific localities, usually in urban settings in Latin America (Desmond 2019; Jaffe 2012) and especially Brazil (Leeds 1996; Desmond 2006, 2019; Lessing and Willis 2019).

Overall, criminal governance literature makes clear that state and organized criminal groups cannot be studied separately. This thesis will in fact study the present situation observing the actions of both state and criminal groups. As entities sharing and fighting for monopoly of power over the same space, they constantly compete. The context created by the most recent health crisis is not different. It provided both criminal and state opportunities to capitalize on protection and strengthen their state-building processes.

Nevertheless, there is a flaw to the Tillyan model which theories of criminal governance build upon. Tilly defines legitimacy of a political order as ‘the probability that other authorities will act to confirm the decisions of a given authority’ (Tilly 1985 in Lessing and Willis 2019, 605). Lessing and Willis observe that this notion does work when speaking of states (e.g. states recognizing other states by welcoming them in the international community), but it falls short when speaking of organized criminal groups. Clearly, as they are ‘criminal’ in nature, the state cannot claim criminal groups to be legitimate authorities (Lessing and Willis 2019, 605). Lessing and Willis argue that legitimacy must be cultivated ‘bottom-up.’ Especially as criminal governance is spatially bounded, legitimacy of criminal rule can be observed in the trust the local community has for them. However, even Lessing and Willis (2019) discuss this topic very marginally, in a concluding note, showing once again how this is not much discussed in the criminal governance literature. The concept of contested legitimacy (discussed in the next section on hybrid governance) will be used to balance this ‘flaw’ of the Tillyan model.

Lessing and Willis (2019) by studying the local and prison governance of the Primeiro Comando da Capital (First Command of the Capital, PCC), the biggest criminal organization in Brazil, with headquarters in Sao Paulo, find that the fairer and less harsh the type of governance a group implements, the more impactful their expansion can be (Lessing and Willis 2019, 604). They find, specifically, that since the PCC stopped using coercive methods, the group expanded rapidly, even reaching neighboring countries. This is what the authors call ‘Weberian efficiency,’ or the efficiency of the ‘legality of enacted rules’ (Weber 1968 in Lessing and Willis 2019, 604), which

is in contrast with the more ‘chaotic’ Tillyan vision of war-making as state building. This is crucial for understanding the dangers of criminal exploitation of the opportunities brought by the current crisis. Portraying themselves as benefactors and imposing ‘fair’ rules for the good of the community, criminal organizations are creating potential for future growth and expansion. Therefore, including and studying the local perception of criminal groups’ action is crucial for understanding possible further criminal development.

Such shift to the needs and opinions of the people who are ruled by non-state actors is missing from studies on criminal governance (only recently civil society played a larger role in the field; see Desmond 2019), yet it is very much represented in the recent literature on hybrid governance. To understand if a system works or not, policy makers should keep in mind who will ultimately benefit from such governance. In other words, when approaching issues of criminal governance, researchers should keep in mind ‘governance for whom?’ This is better addressed in the literature on hybrid governance (Bagayoko et al. 2016; Stel and Ndayiragije 2014; Jaffe 2013).

2.2 Hybrid Governance

To describe the entanglement of formal and informal (criminal) actors, Boege et al. (2008, 10) speak of ‘hybrid political orders’, or ‘diverse and competing claims to power and logics of an order [that] co-exist, overlap and intertwine.’ Previously, Raeymaekers et al. (2008, 8) had described the phenomena as ‘governance without government,’ where a range of governance activities are taken up by the civil and traditional society sectors to deal with conflict and uncertainty. Hagmann and Péclard (2010) also argue in favor of the recognition and inclusion of non-state forms of governance in the state-building process of African states. They contend the very essence of ‘Weberian state’ positioning themselves as proponents of the shift defined by Meagher (2012, 1073) and speak about statehood as a ‘negotiation’ between a large pool of stakeholders. If Tilly (1985) proposed that states are built as a result of war and violence, Hagmann and Péclard (2010) posit that statehood must be built through negotiation in the post-conflict; and that negotiation supposes the involvement of all actors which have ‘little to do with the “modern state”’ (Hagmann & Péclard 2010, 549). Again, Jaffe speaks of ‘hybrid state,’ meaning a state where a multiplicity of new institutions ‘share control over urban spaces and populations’ with state institutions (Jaffe 2013, 735). These authors, therefore, refuse the framework of state failure and argue it is too ‘short-

sighted,' as the countries in which it should be implemented do not adhere to the 'ideal-typical' western state model (Hagmann & Péclard 2010, 541; Boege et al. 2008, 2).

Despite the 'positive' turn towards non-state governance in the state-building literature, not all responses have been positive. In a review published in 2014, Meagher, De Herdt & Titeca (2014) voiced concerns on the capacity, legitimacy, and accountability of hybrid governance orders and warn against various risks, such as the actual legitimacy of coercive local actors or the exclusion of international actors in the 'negotiation' of local arrangements (Meagher et al. 2014, 8). Critiques on the exclusion of international actors as part of the hybrid orders are supported by Albrecht and Moe (2016, 13-15). Meagher had already argued for the problematization of the hybrid governance framework in previous work (Meagher 2012). She disputes that, while previous frameworks 'condemned' non-state orders, hybrid governance proponents 'celebrated' non-state actors instead (Meagher 2012, 1074). She calls for a comparative approach which is 'historically and empirically informed' (Meagher 2012, 1073) to ultimately distinguish 'constructive and corrosive' actors in 'informal governance' settings (Meagher 2012, 1074). Meagher ultimately argues for a problematizing approach that comes from empirical exploration of the problem at hand. She warns against normative approaches. After the first wave of hybrid governance literature, the critiques moved by Meagher (2012, 2014) have been welcomed in academia.

Within more recent literature that responds to Meagher's critiques, two different approaches to the concept of 'hybridity' in non-state governance can be identified. One sees hybridity as representing the 'merging' of formal and informal, and the other focuses on the contested relation between state and non-state, which more closely reflects criminal governance literature (see the four type of relationships by Barnes discussed above). Whereas Meagher (2012) calls for distinction, other authors argue for overcoming the duality between state and non-state (Colona and Jaffe 2016; Albrecht and Moe 2016). Albrecht and Moe (2016) review the critiques to the study of hybridity, and they argue that hybridity, despite being portrayed as a positive turn from old paradigms, 'gets stuck in a dichotomous approach' which only emphasizes the colonizer-colonized, state-non state, public-private dichotomy it was set to neutralize (Albrecht and Moe 2016, 5). Whereas this is an important theoretical and analytical distinction, it might not work for analyzing organized crime. Criminal groups' contraposition to state institutions is more evident than with other forms of informal actors and their relationship with state officials ought to be distinguished rather than merged. To overcome analytical shortcomings, Albrecht and Moe

introduce the notion of ‘simultaneity of discourses and practices’ in the enactment of authority (Albrecht and Moe 2016, 7). This does not only mean that there are multiple subjects or entities which can effectively enact authority and bring order, rather this ‘simultaneity’ is drawn from different formal and informal backgrounds and comes to play in one single subject. In other words, the traditional leaders can internalize and use authority discourses and practices from different sources, such as state officials, traditions, or simply knowledge of the community, rendering one subject the ‘holder’ of true hybridity (Albrecht and Moe 2016, 9).

Colona and Jaffe (2016) advocate for a more analytical approach and a focus on the blurred line of ‘everyday practices’ between state and non-state actors. According to them, the strength of hybridity lays exactly in the ‘entanglement’ between formal and informal, ‘to the extent that it is difficult to make a clear distinction between state and non-state’ (Colona and Jaffe 2016, 2, 8). They claim that ‘the boundaries between legal and illegal, formal and informal, state and non-state have become very hard to discern’ making the relationship between the state and other forms of governance ‘complementary, or even symbiotic’, a conclusion reached also by previous fieldwork conducted in Jamaica by Jaffe (2013; Colona & Jaffe 2016, 8).

Jaffe’s research in Jamaica shows that so-called ‘dons,’ or criminal leaders, can successfully manage almost all duties, related especially to security and justice. For the services they are unable to provide, they ‘partner up’ with the state and ‘only’ provide financial help for those who are unable to make use of state’s services (Jaffe 2013). In this way, the state’s outsourcing of service provision to dons becomes effective, and if criminal entities were not so violent, it would even be considered a ‘success’ (Jaffe 2013, 737). Violence related to the presence of criminal groups, however, is the reason why frameworks that call for merging formal and informal are not fit for analyzing criminal governance. In line with Leeds (1996), Desmond (2006), and Lessing and Willis (2019), Colona and Jaffe (2016) also invite to rethink the role of the state, as not so much ‘absent’ to a meaningful actor in the relationship with non-state forms of governance, view also supported by Bagayoko et al. (2016).

On the other hand, the purely relational approaches focus on state and non-state relationship and influence on each other. Stel and Ndayiragije (2014) focus on the relationship between the multiplicity of stakeholders (state and non-state) and its volatility in time and space. The authors more accurately focus on the relationship between non-state service provision and state’s legitimacy, in order to find if the latter is influenced by non-state service provision. They

argue that ‘de jure’ and ‘de facto’ statehood must be distinguished (Stel and Ndayiragije 2014, 17) and they find that images and narratives have more weight than practical actions. What is important for the state’s legitimacy is not what non-state actors are doing, rather what they are perceived to be doing (Stel and Ndayiragije 2014, 6).

Importantly, Stel and Ndayiragije (2014) also find that different people expect different things from the government, depending on localities and previous experience with the state (Stel and Ndayiragije 2014, 15-16). Therefore, they agree that ‘legitimacy has to do with people’s norms, beliefs and everyday interactions’ (Hoffman & Kirk 2013 in Stel and Ndayiragije 2014, 20). It is shown in the literature that legitimacy is ‘constructed and contested in the state’s interaction with other societal actors’ (Lund 2006 in Stel and Ndayiragije 2014, 22) and it is a variable which changes in extent in different spatial and temporal contexts. It is always a ‘bargain between the ruler and the ruled’ (Gilley 2006 & Lake 2007 in Stel and Ndayiragije 2014, 22). Therefore, the authors heavily focus on the ‘relational’ aspect of governance, and especially of legitimacy, in that the latter is constructed through a process of contestation between two or more actors (Stel and Ndayiragije 2014, 22).

Similarly, Bagayoko, Hutchful and Luckham (2016, 2) agree that authority in certain areas is ‘contested’ between the state and other actors. They intend ‘hybridity’ as the interplay of formality and informality. Bagayoko et al. would consider ‘hybrid governance’ also authority enacted by actors who are solely ‘active within the formal arenas of the state; [or solely active] in informal arenas outside the state’ (Bagayoko et al. 2016, 2), what creates the hybrid order lays in the nature of their relationship with each other (Bagayoko et al. 2016, 6). Whether this relationship works must be empirically verified, and cannot be assumed beforehand, and therefore agree with Meagher’s critique (2012; Meagher et al. 2014).

Overall, there seems to be a consensus in the more recent literature on hybrid governance over two key characteristic. First, that public authority and political institutions (and their legitimacy) are constructed over time and through dynamic relationships of formal and informal actors. They are the result of past political choices and the result of a historically bounded process, and therefore ought to be understood in such context (Colona and Jaffe 2016; Bagayoko et al 2016; Stel and Ndayiragije 2014; Meagher 2012). Stel and Ndayiragije (2014) and Jaffe (2013) also stress the spatial character of public authority, arguing that people’s needs vary depending on the

where and when (Stel and Ndayiragije 2014) and that the urban poor have been spatially segregated in communities in which state authority is handed over to informal service providers (Jaffe 2013)

Second, hybrid governance should keep in mind the local communities' needs. Or in other words, governance for whom? This view puts the local citizens at the center of the framework. From their work on security governance, Bagayoko et al. (2016, 15) suggest that security provision has to be useful to the local population, even though they may not align with the international community's desires. From their work on Burundi, Stel and Ndayiragije (2014, 15-16) find that expectations, in terms of legitimacy, are different depending on communities and localities and past experience with state institutions. Since (state) legitimacy is 'constructed and contested,' as previously mentioned, in time and space, they conclude that legitimacy is indeed 'in the eye of the beholder.' (Stel and Ndayiragije 2014, 23).

Building on the work of Bagayoko et al. (2016) on hybrid security governance, Luckham (2017) also agrees on a 'bottom-up' approach. He focuses on security provision and observes it from what society wants and needs, and not from what a state considers to be a just security system. He speaks about 'security in the vernacular,' meaning 'an entitlement of citizens [...] to social peace and protection from violence, [...] along with other existential risks.' (Luckham 2017, 110). A viral pandemic such as coronavirus falls under the category of 'existential risks.' Luckham also distinguishes between legitimate and illegitimate forms of violence, depending on their implementation of effective security measures. The 'legitimate force' is driven by the provision of security and justice, which makes citizens feel secure, whereas 'illegitimate' or 'unjust' violence is driven by profit and power (Luckham 2017, 106). Differences between legitimate and illegitimate have to take into consideration the receiver of such security provision and ultimately be a 'positive sum game' between all sectors of society (Luckham 2017, 117).

Jaffe (2013) takes a different approach in responding to the 'governance for who?' question. She develops the concept of 'hybrid citizenship,' not to put locals at the center of the governance policy making process, but rather to acknowledge their role in accepting or disputing a certain authority. As citizens, people engage in politics, they have rights and responsibilities to which they abide. Such citizenship 'duty' can be referred to the state as well as the non-state actors, as Jaffe individuates 'multiple, overlapping forms of political participation' (2013, 740). For a system to work, it has to be 'used' and therefore legitimized by the same citizens who benefit from it. In this way, Jaffe also approaches hybrid governance 'from the ground up' (Jaffe 2013, 735).

2.3 Criminal and Hybrid Orders

One could argue that criminal governance, though having developed beforehand, is a 'branch' of hybrid governance literature. Hybrid governance, in fact, is a more comprehensive framework that includes various types of public authorities co-existing in society, and not necessarily only criminal entities. However, the two bodies of literature have different origins and premises. While they both depart from issues of weak (or absent) formal state control and Tillian ideas of statehood, they take different approaches to the issue of governance.

First, hybrid governance develops from studies on state-building practices in Africa (Boege et al. 2008), whereas criminal governance develops from parallel politics practices in Latin America (Leeds 1996). Second, the hybrid governance concept challenges more directly the Weberian conception of the state as a central 'rational bureaucratic authority' (Meagher 2012, 1076) and leaves space to traditional and informal forms of governance to be recognized in both the academic and policymaking world. In the beginning, this shift from 'Weberian to Tillian' state conceptions (Meagher 2012, 1075) was welcomed as a positive step towards more effective and more informed state-building practices in the African continent (Boege et al. 2008). This shift establishes a new vision on the nature of the state and its conception in, especially, developing countries. It acknowledges the different traditions and customs of such countries and proposes a positive and constructive outlook on (new) possibilities for peace and state-building. Positive approaches to criminal governance, as mentioned by Lessing and Willis (2019, 605), do fall short as the main task of formal states at the national and international level is to dismantle criminal organizations.

However, the strengths of hybrid governance compared with criminal governance are multiple. Namely, (1) whereas criminal governance is often referred to the empirical act of governing a territory by a criminal entity, hybrid governance gives a broader theoretical approach to the concept of 'governance,' questioning various aspects of the phenomenon and providing a larger conceptual pool from where to start analyzing the empirical reality; (2) the framework is generally 'open minded' and tends to not condemn informal entities prior inquiry. This does not mean that criminal presence in urban areas should not be problematized, rather understood given the context in which it has developed; and (3) the framework is more inclusive of 'the people' and who, ultimately, will benefit from a certain type of governance.

2.4 Theoretical Considerations in the Context of the Covid-19 Pandemic

Since this thesis is focusing on how the phenomenon of criminal governance during the Covid-19 pandemic in the favelas of Rio de Janeiro affected the dynamics between crime, state, and citizens, a few considerations regarding theory and empirical case must be discussed. First, this thesis will not aim at highlighting the ‘merge’ between formal and informal, because a formal union between state forces and criminal factions, i.e. a publicly endorsed agreement between such parties, is unlikely to happen anytime soon in Brazil and anywhere else in the world. ‘Deals’ with criminals are usually made behind the scenes (see van der Borgh and Savenije 2019). This does not mean that legal and illegal do not converge, but rather that any analysis should reason on where they do so and do not assume a priori that such convergence could yield positive results for the community (Meagher et al. 2014; Meagher 2012).

Second, this thesis argues that informal forms of governance are the result of specific historical developments and political decisions. Therefore, they ought to be historically contextualized if one aims to (a) to understand its presence as a political institution having ‘historically unique initial conditions’ (Bagayoko et al. 2016, 5); and (b) when and why they could help the community and when it would harm it. An historical section will be then present in the thesis, following Meagher (2012), Stel and Ndayiragije (2014) and Bagayoko et al. (2016) approaches, to understand the development of Rio’s criminal orders and favor comparison between past and present situation. The difference between the two bodies of literature is that criminal governance uses the historical overview to present the case and layout facts, rather than to understand the nature of the evolution of the phenomenon in relation to its context. Generally, this approach can observe criminal presence in the territory not as negative *per se* but as a result of specific historical conditions and interactions between state, criminal organizations and the civil society.

Third, the historicity of a system also helps understanding its legitimacy. This thesis will adopt a combination between the Weberian legitimacy (as in Demmers 2017, 141; and in Lessing and Willis 2019, 605) and legitimacy as proposed by Stel and Ndayiragije (2014). Therefore, legitimacy will be intended as a combination of historicity, fairness, and instrumentality (Weber in Demmer 2017, 141; Weber in Lessing and Willis 2019, 605) of a given social order. However, the legitimacy of a social order will be intended also as a contested phenomenon (contested legitimacy) which shifts through time and space depending on the needs of the community at a

given moment (Stel and Ndayiragije 2014). This is particularly important during Covid-19, as the legitimacy of criminal orders may vary significantly because the needs of people change drastically in crises.

Fourth, few considerations must be made also about security and what it entails for people. As expressed in the introduction, threats have shifted during the recent pandemic, adding one more element which produces insecurity among the population, which is the virus. Therefore, this analysis will consider this shift and use the term ‘security’ as intended by Luckham (2017). The author speaks of ‘security in the vernacular,’ which puts citizens wants and needs at the center of the framework. Does society (or certain segments of it) feel secure? In this context, who is going to effectively protect the citizens during this pandemic? Who is taking care of them? If formal institutions fail to address such feelings of insecurity caused by the virus, they risk leaving open a ‘security gap’ which is too easily filled by criminal groups. There is to note that this thesis will identify ‘security’ as a component of governance, rather than a stand-alone framework.

Keeping in mind these considerations, the next chapters will approach the case study of Comando Vermelho in Rio de Janeiro. The historical analysis will be presented in the following chapter, and in chapter four the present situation dealing with the coronavirus crisis will be discussed.

3. Comando Vermelho as Criminal Order: a Historical Analysis

To understand the phenomenon of governance in unstable regions, we must look at the events that shaped ‘diverse institutional trajectories’ (Barnes 2017, 977). As seen in the previous chapter, the proponents of this ‘contextual’ focus are mainly observed in the literature on hybrid governance (Colona and Jaffe 2016; Bagayoko et al. 2016; Stel and Ndayiragije 2014; Meagher 2012). However, the historical analysis, even if less theorized, is present in the literature about criminal governance too (Lessing and Willis 2019; Magaloni et al. 2019; Desmond 2006; Leeds 1996).

Historical analysis also helps developing critical thinking on the nature of the state in the territories under examination. Statehood in such areas, as argued by Hagmann and Péclard (2010), differs from its Western conception and acknowledging this through analyzing the institutional development helps understanding why these (criminal) models of governance can work, and how

they are legitimized and became embedded in society. Meagher (2012) argues that ‘embeddedness’ does not always equal to the legitimacy of a particular formal or informal institution, yet the history of the relations of the informal group with the population and the state should be analyzed carefully if one wishes to understand the social context and come to conclusions on the actual power of these orders. To understand if Comando Vermelho’s governance can bring, in the context of the Covid-19 crisis, ‘beneficial outcomes for the community,’ (Meagher 2012, 1081) this chapter will further explore the historical context.

3.1 The State and its Influence on the Development of Criminal Orders

This section demonstrates what authors in both criminal (Lessing and Willis 2019; Desmond 2006; Leeds 1996) and hybrid (Colona and Jaffe 2016; Bagayoko et al. 2016) governance meant when they observed that informal (criminal) orders do not develop in a context of state absence. Whereas Tillian models argue that informal orders are strong in ‘stateless’ areas, formal institutions actively help shaping the context in which such orders develop (Lessing and Willis 2019, 604). Thus, this section deals with the state-criminal groups relationship dynamic and shows that there are three main ways in which the former impacted the development of the latter, ways generally recognized by the literature on criminal governance in Rio de Janeiro (see Magaloni, Vivanco and Melo 2019; Gay 2017; Desmond 2006; Leeds 1996). Namely, (1) (Mis)management of prison systems; (2) Harsh security measures put in place after a period of relatively undisturbed criminal expansion; and (3) widespread impunity for police violence on the civilian population.

The military regime which ruled Brazil for around twenty years, from 1964 until 1985, provided particularly favorable conditions for Rio’s criminal gangs to originate (Leeds 1996, 52). The regime started to imprison political opponents and common criminals together in the same penitentiary of Ilha Grande, in Rio de Janeiro. This allowed tight contact between the two groups, and the political prisoners were able to share their ideology, education, and organizational structure with the common criminals, who assimilated the anti-state narrative and organization and formed groups called ‘colectivos.’ These colectivos were later called ‘law of security,’ because they represented the only entity able to keep order within the prisons, starting to operate their governance within the walls of the penitentiary (Leeds 1996, 53). This was the origin of Comando Vermelho (CV).

This mix originated in the prisons formed a ‘hybrid’ order, in which politics and criminality merged in one entity, the criminal groups. This reflects the work of Albrecht and Moe (2016), who recognize the multiplicity of authority of informal institutions (see Chapter 2.2). In their conception of hybridity, one institution ‘borrows’ authority or is bestowed upon authority from different existing orders. In this case, the criminal and the political orders merged in the entity of the *colectivos*. This hybridity aspect of the origins of Comando Vermelho is not explicitly referred to in the literature on criminal governance. However, it is in this element of hybridity that the development of CV can be fully understood. In fact, the political militants in the prisons were arrested because a right-wing military regime was governing at the time, making simple political opposition illegal. These militants, however, were not criminals in the common sense of the word but were labeled as such given the particular historical circumstances.

This exchange between political and common criminals was firstly finalized to protest against the appalling conditioning of the Brazilian prison system but later evolved in what we would call ‘organized crime’ once it left the penitentiary’s walls (Leeds 1996, 52). Once again, the state contributed to its spread. During the 1970s, authorities transferred the members of these ‘*colectivos*’ in various prisons to dismantle the newly formed criminal groups. This move, however, only strengthened the criminal groups, which then managed to control other prisons of the country. Of these *colectivos*, Comando Vermelho was the best-organized group that managed to expand the furthest (Gay 2017, 77; Leeds 1996, 54).

As CV moved outside the prison system, gang leaders decided to switch from bank robberies and kidnappings to cocaine as the main source of income for the organization (Gay 2017, 77). Drug dealing expanded naturally throughout the favelas, in which CV started to have some degree of community support and started to accumulate means of violence, as traffickers occupying favelas near the airport and ports supplied CV with weapons (Leeds 1996, 55). For Barnes (2017), CV would already constitute a political entity at this point in history, as he perceives the accumulation of the means of violence a ‘political project’ in itself.

The accumulation of the means of violence, the realization of the power of cocaine and the fact that Comando Vermelho split apart and two other factions arose, Terceiro Comando Puro and Amigos dos Amigos, led to a war between gangs for the control of strategic territories for the distribution and sale of drugs. However, what distinguished CV from the others was the strong ties that every cell of the organization had to the local communities, as many leaders were residents of

such communities before entering prison, and they started to provide various social and ‘legal’ services (Gay 2017, 78-80). For example, they would finance public works, organize cultural events, provide transport to hospitals, designate a body of law, and punish who did not follow it (Gay 2017, 78-79). This shows the degree of service provision CV organized since its early days, putting the group in direct competition with who should be providing such services in the first place, i.e. the state. According to Stel and Ndayiragije’s findings, these practices put in place by the non-state (criminal) group are likely to erode state’s legitimacy among the local population, who then will turn to criminal groups for help (2014).

Once the country transitioned to democracy, at the beginning of the 1980s, Comando Vermelho’s presence was largely ignored. In order to move past the repressive methods that the Brazilian police used during the dictatorship, the first elected president of Brazil, Leonel Brizola, made an effort to reduce police powers and promoted citizens’ rights for the inhabitants of favelas, taking a softer approach toward criminal groups too (Gay 2017, 79). This objective, however noble, brought about the expansion of CV in the favelas (or at least its expansion is ascribed to Brizola’s rule; Gay 2017, 80).

During the 1990s, however, the situation changed. As the security situation deteriorated, ‘mano dura’ or harsh approaches were favored to fight criminal expansion (Gay 2017, 80). Despite being directed to criminal actors, such harsh approaches affected the relationship between citizens and state too. Given that legitimacy of a certain actor is influenced by the past experiences of the population with such actor (Stel and Ndayiragije 2014, 15-16) this period has influenced today’s state legitimacy in the favelas. For instance, in 1995, the governor of Rio instituted a ‘police bravery’ bonus which granted pay raises to police officers for killing members of criminal groups (Mangaloni, Vivanco, and Melo 2019, 7; Gay 2017, 80). As a result of these bonuses, police violence was ‘institutionalized’ and normalized. With that practice, levels of violence against the citizens increased.

Since the 1990s, the police have killed an average of 1000 civilians each year, with a decrease in the early 2010s and an increase afterward, with 1.127 civilian deaths in 2017 (Mangaloni et al. 2019, 7-8; Gay 2017, 80). To add to these staggering high levels of violence against the civilian population, the justice system seldom investigates acts of violence perpetrated by the police, who justifies the killings as self-defense or resistance to arrest, making it almost impossible to give justice to the victims (Mangaloni et al. 2019, 8).

In the late 2000s, a deadly event made the government take a step back on the ‘mano dura’ approaches applied until then. In June 2007, police forces invaded Complexo do Alemão, an agglomerate of favelas situated in the north of Rio, and historically a stronghold of CV. The police entered the favela with 1.350 soldiers and engaged in a street battle that would last for eight hours and leave up to 24 people dead, though locals say the figure is much higher (Phillips 2007). Among these victims there were several CV leaders, but also civilians (Phillips 2007). This is only one of the many instances of shootouts between police and criminals, but it is one of the most important nevertheless. The episode has been compared to a civil war and said it was influenced by the strong anti-terrorism rhetoric used by the US at that time (Phillips 2007). Authorities then decided to shift to a less violent, more long-term solution: the Unidades de Policia Pacificadoras (UPPs).

The UPPs are based on the concept of ‘pacific’ invasion and community-oriented policing in the favelas (Magaloni et al. 2019, 2; Gay 2017, 84). This ‘pacific’ intervention was not only the result of the intolerable levels of violence, but also part of a political plan in the anticipation of the 2016 Olympic Games in Rio, further proving Leeds’ (1996) theory on how the needs of the communities are not at the center of the attention of the central government, but they rather serve a political function (Gay 2017). Now UPPs are not active anymore.

3.2 The Citizens and the Spatial Settings of the Favelas

The neighborhoods called ‘favelas’ developed in Rio de Janeiro at the end of the nineteenth century, when slavery was finally abolished in Brazil and, usually black, slaves went to inhabit the hills surrounding the city (Leeds 1996, 58). Favelas have developed in the recent years, but they still lack basic social services (or the services are limited). Employment opportunities are often informal in the favela and can be both legal or illegal, and ‘[feeding] off and [being] fed by social-economic inequities’ (Leeds 1996, 59).

3.2.1 Citizens and Formal Institutions

In the political arena of the city, favelas have always been a ‘commodity’ for Rio’s politicians. In the decades previous the dictatorship, clientelist relationships and exchanges of votes were the only way for the favelas to be recognized and granted favors at the political level. Therefore, the relationship between the favelas and the ‘outside world’ was based on a few limited channels and did not operate through a formal and democratic political system (Leeds 1996, 73).

To this regard, Leeds (1996) argues that the poorer segments of society are often neglected, unless valuable for exchange of favors with votes. Similarly, the involvement of the police in these communities, as previously seen, is purely instrumental, finalized to give a sense of state action against the criminal groups, but more often than not resulting in innumerable civilian deaths. These mechanisms create marginalized and 'dependent' areas. They often have to rely on clientelist relationship, whether involving state officials or criminals, to make sure the needs of the favelas are met.

Police violence and repression also comes a long way in Rio de Janeiro. There are mainly two state entities that are active in the favelas, namely the Military Police and the Civil Police. The Policia Militar (PM) has been active for the past 150 years. During the dictatorship, it was given the task of protecting national security and searching for internal enemies of the regime, incorporating military and counter-guerrilla tactics (Gay 2017, 79; Leeds 1996, 63). Once the political threat diminished, in the 1970s, the PM was redirected to the fight against common crime, though lacking structural reforms it continues to use the same repressive methods it used against political opponents (Gay 2017, 79). So it is common for the PM to enter the favela and arbitrarily arrest, shoot, and extort the residents while searching for criminals and drugs.

On the other hand, the Policia Civil (PC) has investigatory functions. Interestingly, the same police officers recognize the involvement of the police in criminal activities. The lower classes, however, are the ones suffering the most from police corruption and there has been proof of police being involved in drug trafficking and even escorting packages of drugs and weapons. PC would behave as a full-fledged criminal group, even engaging in fights and retaliation against other criminal groups if cheated or cut out of drug deals (Leeds 1996, 65-66). Due to these practices, Leeds (1996) states that 'the boundary between police and criminal activity is eliminated,' and the residents remain caught between them and the criminal groups, without knowing whom to trust (Leeds 1996, 64).

This leaves the citizens without effective protection. As Colona and Jaffe (2016) and Jaffe (2013) mention, sometimes borders between state and non-state are hard to discern. However, in the case of Rio a distinction should be made. It is formal actors who engage in criminal activity and violent tactics, rather than criminal orders who institutionally 'move in' the formal stage, such as in the case of Jaffe's (2013) research on Jamaican criminal 'dons' (see Chapter 2.2). The former is more corrosive for society and favors the development of the criminal groups-citizens

relationship at the expenses of the state-citizens relationship. In fact, a survey conducted by Instituto Promundo in 2016, in which 1.151 people were interviewed, shows that people reported they fear more the police than the criminal group that inhabit the favela (Madeiro 2016). This then will leave larger space for illegal orders to operate, as they are more likely to be trusted than the police themselves.

3.2.2 Citizens and Criminal Institutions

The relationship between the community and the criminal groups usually depends on the leader's 'personality, leadership style and personal philosophy' (Leeds 1996, 60). 'Good' illegal leaders promote welfare, reduce violence, and discourage drug consumption within the community (Leeds 1996, 60). They want to secure the community's support and loyalty to discourage them from talking to the police. At the same time, the high violence and discrimination the police engages in against inhabitants of the favela brings the community to search for different ways to ensure the provision of security and other services, which pushes people in the arms of criminal groups.

Already in the 1980s residents of the favelas often considered the security system put in place by the drug groups as legitimate (Leeds 1996, 62). A study conducted in 1987 showed that residents of favelas felt 'alienated' from the formal justice system and preferred an 'autonomous,' informal, way of solving conflicts. An informal law of the favela developed parallel to the law of the state, called 'lei do fumo' or 'law of smoke.' This code of law was implemented by the drug group to keep order within the favela and had a system of punishments that went from home detention to death sentence (Leeds 1996, 62). This criminal order-making invites re-thinking of the nature of institutions in Rio de Janeiro, as certain urban settings lean (and have been leaning for a long time) towards a 'hybrid state' or a state where governance is not enacted by the government, and different forms of order co-exist (see Jaffe 2013; Reaymeakers et al. 2008; Boege et. al 2008; Chapter 2.2).

It is important to remember, however, that drug lords use the 'physical space' of the favela for conducting their illegal businesses. To ensure the residents' cooperation, they have to provide a range of services that are valuable since the state does not provide them, and worst, engages in repressive acts and corruption (Leeds 1996, 63). Ultimately, the relationship between community and criminal group is an exchange: the community gives 'anonymity' to the drug group, and the

latter in exchange provides services, such as money for medicines, soup kitchens, daycare centers, parties, security and as seen in the previous paragraph, justice (Leeds 1996, 60-61).

Often the community is, however, politically active and there is a 'residents association' with elected officials who represent the community at the local political level. This is an opportunity for the favela to be listened to, but also for the criminal orders to infiltrate the legal world. Drug leaders would try to pressure local community organizations to their will, which creates tensions in the criminal-civil society relationship. An especially delicate matter in this relationship is the stance of the community leaders vis-a-vis the police, which is an 'enemy' not only for the criminal group but also to the inhabitants of the favelas, given the oppression and discriminations of the police in their regards. Therefore, community leaders run the risk to be labeled either with the police or with the drug group, which both bring their consequences for their safety and that of the communities (Leeds 1996, 71).

In this context, the community and civil society's exponents are literally caught between two fires and cannot trust either one of such forces. This makes so that 'working-class people feel paralyzed between the fear of the police, the fear of the criminal's vengeance, and [the idea] that the justice system is unable to provide any justice' (Caldeira 1992 in Leeds 1996, 72 footnote).

3.3 The Criminal Groups: Confrontational Yet Cooperative Orders

Of all the organized criminal groups present in Rio, *Commando Vermelho* is the most organized and most confrontational group in the regards of the state (Magaloni et al. 2019, 13). As it originated from the contact with political prisoners of *Ilha Grande* penitentiary, CV unifies criminal activities with a political message which emphasizes social justice and criticizes the state. Despite its political inclination, it is important to mention that CV is not a guerrilla group, or a politically motivated armed group. Rather, the criminal group uses the language of the social struggle against (state) oppression to justify their presence in the favelas and secure their criminal activities (Magaloni et al. 2019, 13). Their political 'message' is nevertheless important because it puts the group in direct opposition to the state government. According to Magaloni et al. (2019, 13) the group offers money (between 3.000 and 5.000 reais, which is a range of 500-800 euros) to who assassinates police officers. One could argue that these practices mirror more or less those of the state that institutionalized the 'police bravery bonuses' in 1995.

On the other hand, CV's approach toward the community is opposed to its approach to the state. The criminal group aims for a cooperative kind of relationship with the residents of the favelas and provides them help through a series of services (Magaloni 2019, 14). CV can offer loans, transportation to hospitals, 'healthcare,' and security. They monitor who enters and exits the favela and they even regulate businesses' permits (Leeds 1996; Magaloni et al. 2019, 14). The most important service is, however, the provision of a 'justice system' to help the residents deal with common crimes and violence. Magaloni et al. go as far as suggesting that police intervention in such cooperative environments is not beneficial for the residents, as curtaining criminal security systems allows common criminality to increase (2019, 18).

The strength of this justice system is its rapidity and effectiveness, though its fairness is volatile. Being an informal institution, it is not regulated by external bodies, hence it heavily depends on the personality of the leader of the moment. As Magaloni et al (2019) observe, there have been tyrannical drug lords who cared little or nothing about providing justice to the community, and ones who established informal hearing councils to help settle disputes between CV's members and also between members and the community (Magaloni et al. 2019, 15).

That criminal groups members negotiate with civil society is not rare. The tighter a community is, the harder for the criminal group to exercise their power over them (Arjona 2017 in Magaloni et al. 2019, 15). In Brazil, the areas with higher homicide rates are also the areas in which community ties are stronger (Murray, Cerqueira, Kahn, 2013). In fact, the older favelas, such as Rocinha and Complexo do Alemão, have tight social relationships and community associations are widely present in the territory. This pushes the criminal group, in this case the CV, to grant a degree of autonomy to the community and consider their opinion on favela's matters. The drug lord who established hearing councils, in fact, did so in Rocinha (Magaloni et al. 2019, 15).

Overall, Comando Vermelho engages in a confrontational relationship with the state but a generally cooperative one with the community. The relationship with the community ultimately depends on the leadership style of the drug lord in command, which makes it a volatile system (Magaloni et al. 2019; Leeds 1996). Nevertheless, the criminal group informally provides a number of services that the state is unable to give to the citizens. The 'structure' of a hybrid (Jaffe 2013) or parallel (Leeds 1996) informal governance system is therefore already in place and it has been for decades. The next section will explore how such informal governance system has been

used to provide services during the current coronavirus crisis and how this impacted the CSC relationship.

4. Covid-19 and Criminal Governance: A Present Analysis

4.1 State and Criminal Crisis Management and Contested Legitimacy

Crises change the way in which criminal groups operate. A study conducted in Italy on the adaptivity of criminal organizations during the 2008 financial crisis shows that mafia-like organizations are advantaged to deal with a crisis due to their economic liquidity (Lavorgna and Sergi 2014). Thus, they can ‘afford’ to offer help to the local population, for instance offering low interest loans (Lavorgna and Sergi 2014, 28). In fact, during crises, mafia-like organizations tend to be lenient in their home territories, where maximizing profit is not their main objective and popular support becomes a more valuable currency (Lavorgna and Sergi 2014, 29). By providing help, criminal groups may have a larger pool of ‘supporters’ who can contribute to their illegal businesses once the crises are over. Criminal groups are therefore playing a political game. The authors define mafia-like organizations as ‘functionally diffused entities, which claim to exercise a political dominion over their areas of settlement.’ This means that in certain areas, mafias are in competition with the state for territorial control (Lavorgna and Sargi 2014, 24). This paper sees Comando Vermelho as a mafia-like organization.

This political game has also possibly long-term implications. As previously mentioned, crises are not necessarily breakdowns, but can help to build new forms of ‘normal’ through presenting different opportunities (Raeymaekers et al. 2008, 10). In other words, crises are ‘open situation[s] in which the result is not known in advance’ (Spittler 2004 in Raeymaekers et al. 2008, 10). In such an uncertain context, Raeymaekers et al. theorize that ‘emergent orders’ can develop after a moment of crisis or conflict, bringing about ‘new ways of defining authority and regulation’ (Raeymaekers et al. 2008, 12). This is what we see happening right now. This is not to say that service provision in some areas of Rio were not previously controlled by criminal groups, but the current situation may help consolidate these criminal forms of power, grow their (political) consensus, and re-shape the ‘triangle’ of criminal groups, state, and citizens (CSC) relationships.

The crisis entails a whole new set of needs for the inhabitants of the favelas. Specifically, two shifts are visible: (1) as the economic situation of the country deteriorates, more people will need access to a wider set of social services, such as food and medical supplies. Therefore, the first shift is in the number of people and the level of necessity of these people for basic welfare. The second shift (2), more theoretical in nature, can be observed in the redefinition of the meaning of

threat and the subsequent redefinition of the security measures to address it. Whereas once security only meant protection from police or criminal violence, now it also means protection from a possibly deadly virus. As one of Comando Vermelho's leaders in the state of Mato Grosso said, 'Essa doença agora é mais um de nossos inimigos,' meaning 'this disease is now one of our enemies too' (Ramires, 2020). Here Covid-19 assumes the role of 'threat,' an enemy in the Tillyian meaning of the word, in that it represents a peril from which the governing institution must protect the citizens. In the Tillyian sense, driving coronavirus outside of the communities and instituting protection measures against it would equal to state-making process (see Tilly 1985, 181). In that case, a long-term impact of this crisis will be a reinforced governance structure, depending on who (criminal groups or the state) will be able to fight the virus more successfully.

Therefore, it is extremely important to observe how formal institutions take matters in their hands to understand how informal institutions can react. As a matter of facts, the Brazilian government had a slow and not efficient response to coronavirus. In mid-March, state governors in Brazil started to apply some measures to contain the spread of the virus. Nevertheless, the stance of the federal government remained a 'business first approach.' President Bolsonaro continued to downplay the threat of the virus declaring that an economic slowdown of the country would bring more victims than the virus itself (Charner, Darlington, Hu and Barnes 2020).

The most significant action 'against' coronavirus measures taken by the president of Brazil was on April 16, when he fired the country's health minister due to his agreement on social distancing and shutdowns rules. By then, the country was not at its peak of coronavirus cases, yet the president kept asking governors to start relaxing isolation rules for the sake of economic growth. For allowing more shops to remain open, or reopen, president Bolsonaro also expanded the definition of 'essential businesses,' at the end of April and at the beginning of May, including salons, gyms and other business activities (Charner et al. 2020).

Rules relaxation would not be so wrong if it were not for the still growing coronavirus cases in the country. Bolsonaro suggested to start relaxing rules at more or less the same time as when Italy did, i.e. at the beginning of May. The difference between the two countries, though, is that Italy had already reached the peak of cases and went through a very strict lockdown that helped contain the spread of the disease, whereas Brazil did not such thing and the cases of Covid-19 were still on the rise. In fact, on May 9, Brazil registered 10.000 deaths due to coronavirus. Less than a month later, on May 21, the cases doubled (Charner et al. 2020). This is confirmed by an

epidemiologist interviewed by BBC, who states ‘isolation started to be relaxed in the most crucial moment’ (BBC, 2020). The Brazilian medical infrastructure and the high conglomeration of people living in certain urban areas of the country also cannot be compared with European countries. Infrastructure is poor and the risk of contagion in the slums, where sometimes people do not even have running water, is staggering (Cheatham 2020; Moraes, Moreira and Gaier 2020).

After Bolsonaro called for relaxing of the rules, the newly appointed health minister resigned due to differences with the president about the use of chloroquine as a medicine treatment for coronavirus and his decision to widen the definition of essential businesses (Charner et al. 2020). After his resignation, Bolsonaro appointed a military general with no prior medical background as a health minister. In the meantime, the president continued to join rallies against lockdown rules and take photos and have face to face contacts with his supporters (Charner et al. 2020). The difficult decisions on lockdowns and social distance have been left in the hand of state’s governors, while Bolsonaro focuses on economic strategies and cash injections into the country to prevent economic breakdown and openly rallies against strict lockdowns. This, however, puts the governors in a difficult position as they have to go against the will and wishes of the president to implement the necessary health rules (Charner et al. 2020).

The situation in Brazil regarding coronavirus is, therefore, chaotic. There is no shared policy in place at the federal level and major decisions have been left in the hands of governors. Specifically, in the state of Rio de Janeiro, the governor Wilson Witzel decided to implement social isolation rules and he is openly in disaccord with the president of the country (Berti 2020). The same president, who indeed agreed on some restrictions and allocated emergency funds for Brazilian workers at the beginning of the pandemic (see Jair Bolsonaro on Twitter, on 22 March 2020) also gave confusing signals by celebrating anti-lockdown protests and openly disobeying social distancing rules (BBC 2020). These actions send a confusing message to the Brazilian population creating an ‘unclear national governance’ (BBC 2020), once again shaping the context in which other forms of other may take advantage of the inefficiency of the state.

In fact, criminal groups are giving clear-cut directions on how to deal with the crisis. One of the first criminal organizations to react to COVID-19 around the world was Comando Vermelho. On the 24th of March 2020, they announced they would implement certain measures to contain the spread of the virus, such as canceling open-air parties, suspending some drug dealing

activities, and imposing curfews on the inhabitants of the favelas. This was not an act of CV alone: many gangs and militias present in Rio have done the same (Moraes, Moreira and Gaier 2020).

The most interesting element, however, is that Comando Vermelho has kept its hostile narrative toward the state. They ‘opposed’ the government saying that ‘nobody is taking this seriously’ and therefore they have to intervene to protect the citizens (once again). According to an article from Reuters, in the favela called ‘Cidade de Deus,’ home to about 40.000 people, the gang announced their message from a car speaker (Moraes, Moreira and Gaier 2020). They imposed a curfew on the citizens, which is not much different from what many European states decided to do in the first stages of the coronavirus pandemic.

This is an instance that shows how coronavirus was yet another opportunity to reinforce old narratives and conception of the ‘state.’ Through publicly announcing they (the traffickers) will take the matter in their hands and protect their citizens from an incumbent peril (the virus), while the state is not taking enough measures to protect its citizens, they reenact the old story of government neglect and criminal groups’ protection, which is widely known among the citizens of certain territories. This story is however true.

Not only CV members ‘work’ as protectors, but also as enforcers of rules regarding price inflation, sanitary regulations, such as wearing a mask, and circulation rules² (see Fig. 2; Leitão and Martins 2020b).

² Fig. 2. Reproduction of social media announcement in which criminal groups announce that parties are banned, masks are mandatory, and staying at bars is forbidden. They also announce that if the governors are not able to make people respect orders, they will. The message invites citizens to ‘respect others.’ May 2020, in G1 Rio, “Tráfico impõe toque de recolher e uso obrigatório de máscaras em favelas do Rio durante a pandemia.” *Globo*. Accessed July 22, 2020, <https://g1.globo.com/rj/rio-de-janeiro/noticia/2020/05/08/trafico-impo-e-toque-de-recolher-em-favelas-do-rio-durante-a-pandemia.ghtml>



Fig 2.

There had been evidence of traffickers regulating the prices of alcohol gel in the favelas of Complexo da Maré, which contested between CV, Terceiro Comando Puro and the militias. Criminal organizations (is not clear which one) acted as formal regulatory body to avoid price inflation and keep the price of sanitary products as stable as possible (Leitão and Martins 2020a). Similarly, in the favela called Jacaré, which is situated in the north of Rio and commanded mainly by Comando Vermelho, ‘abusive prices’ on alcohol gel were also strictly banned. Lastly, in Rocinha, also a CV stronghold, organized crime has requested shop owners to lower gasoline prices, given that the majority of the residents had stopped working due to coronavirus measures put in place by the state and could no longer afford high gasoline prices (Leitão and Martins 2020a).

All these ‘added services’ implemented in a ‘gap’ of clear state response are likely to erode state’s legitimacy, as CV is expanding their service provision practices accommodating *specific* community’s needs. Following the concept of contested legitimacy (Stel and Ndayiragije 2014), increased service provision of criminal orders will erode state legitimacy and will do so more now than ever, since the needs of the community have been heightened by the coronavirus crisis. This shows how legitimacy is indeed relational and is affected by the interaction of all the points of the CSC triangle.

4.2 ‘Coronavirus’ Security and Legitimacy

As Leeds (1996) eloquently put, the inhabitants of Rio’s favelas are indeed ‘caught between two fires,’ or between the violence of the police and the violence of the criminals. For example, in Complexo do Alemão, CV’s stronghold, inhabitants complain about the incursions of the police in the neighborhood, saying that coronavirus and the police killed the same amount of people in the favela (thirteen at the time of the article; UOL, 2020). On the other hand, criminal groups have threatened the population with physical violence if they broke social isolation rules and continue to fight for territory between different factions (Mello 2020).

Yet, criminal factions have an advantage over police forces, which is the positive contribution of the measures put in place. For example, containing alcohol gel or gasoline prices can be much welcomed by the citizens. Curfews, masks rules, and circulation restrictions such as forbidding people to stay at bars can also be perceived as the criminal group protecting the population from the virus. Especially since during this crisis, the communities have been ‘abandoned’ by the state. A citizen living in Complexo do Alemão says to UOL reporters that ‘the state’s prevention of coronavirus is nonexistent in the favelas’ and they have to organize ways to raise awareness on social distancing rules and even distribute water for the habitants to be able to wash their hands (de Melo 2020). Therefore, whereas police entering favelas is seen as an ‘invasion,’ in which often people are wounded or assassinated, the presence of criminality can take the form of positive contribution through service provision and implementation of security measures. The violence perpetrated by the criminal group is a response to disobedience or aggression from the police or other factions, and not deliberate as police violence.

Applying Luckham’s distinction of legitimate and illegitimate violence on this case (2017; see Chapter 2.2) we can observe that criminal orders can be both legitimate and illegitimate orders, depending on which actions they perform. When imposing a curfew, restricting circulation and forcing people to wear a mask, for example, criminal orders’ violence can be perceived serving a security need of the community. Therefore, their presence (violent or not) may be more welcomed. On the other hand, when criminal groups engage in gang wars between other criminal rivals, their use of force and their overall presence in the territory can be perceived as illegitimate because motivated by ‘profit and power’ rather than justice and security (Luckham 2017, 106).

However, state legitimacy is different. In the favelas the state has been perceived as not helpful in fighting Covid-19, both by the citizens (de Melo 2020) and by the criminals themselves

(Moraes, Moreira and Gaier 2020). The police are so unwelcome in the favelas that they have been described ‘as fatal as’ Covid-19 itself (UOL 2020). The police thus become a ‘virus’ itself, something disruptive to daily life. Through media analysis, one could conclude that their use of force appears to be illegitimate and driven by profit. Luckham (2017, 106) would call such illegitimate presence of the state as ‘state repression,’ in which human rights of the civilian population are constantly breached.

Indeed, the state of Rio de Janeiro did implement lockdown rules during the pandemic. However, state reserves are heavily underfunded and president Bolsonaro publicly underestimates the risks linked to coronavirus (Moraes, Moreira and Gaier 2020). This makes so that (1) if state’s governors have little funds available, help will delay, and communities will once again feel abandoned. And (2) the confused communication at the federal level and the contrasting messages arriving from the president, can portray the image of an unorganized country, incapable of caring for its citizens. Adding criminals providing services the state failed to deliver makes for a dramatic image of the state’s response to the crisis. Therefore, this context, together with past grievances towards the state police, creates a ‘lesser of two evils’ situation.

This means that the crisis management implemented by criminal orders may be favored if compared to state’s crisis management. Even though both implement force, the criminal group is also providing services that the state fails to give to citizens. Additionally, the violence implemented by the criminal group is a response to either police violence and invasions, other criminal attacks (from opposing gangs), or is finalized to punish who does not support lockdown rules. The latter can be seen again as a security measure put in place to keep people safe from the virus. Following Tilly (1985), criminal crisis management may be the perfect opportunity to strengthen (criminal) state-making processes through protection and security enactment.

In this context, the criminal crisis management reinforced previous CSC dynamics and granted a wider array of services on which criminal orders capitalize and further expand their own state-making practices and legitimacy. It is likely that this crisis will not ultimately create new orders (see Raeymaekers et al. 2008), rather consolidate the already existing ones. This is shown also by the fact that the hostile behaviors and narratives used by the CV from its beginnings, categorized by Magaloni et al. (2019) to be ‘confrontational’, as intended by Barnes (2017), did not change during the pandemic. Comando Vermelho could then develop into a more powerful

institution and constitute a bigger obstacle for state's power consolidation in poorer neighborhoods of Rio de Janeiro after implementing its crisis management plan.

5. Discussion and Conclusions

This thesis studied criminal governance enacted by Comando Vermelho in the form of Covid-19 crisis management in Rio de Janeiro and how this impacted the crime-state-citizen dynamic. First and foremost, the thesis introduced the problem at hand, namely the opportunity structure provided by the coronavirus crisis to non-state actors to consolidate their authority and legitimacy and thereby impacting the CSC relationship. Criminal groups are implementing a wide array of tools to cope with the crisis, from simple food distribution (e.g. El Chapo's daughter in Guadalajara), to more intricate crisis management 'plans' (e.g. the case of Comando Vermelho in Rio de Janeiro). In countries where state-citizens relationships are already precarious, such crisis management plans may have a relevant impact on the future of not only state and citizens relationship but also on the criminal group and citizens relationship. This crisis may strengthen the legitimacy of criminal orders among the population and decrease state legitimacy in defined spatial settings. This thesis added to the academic debate by (1) adding the 'crisis' variable, not intended as war or post-war societies, but as health crisis, and applying relevant theoretical concepts in such context; and (2) debating the CSC relationship as a 'whole' in which changes in one point affect the (relationship with) others.

Then, the thesis laid out the theoretical framework and academic literature on the phenomenon of non-state governance (criminal and hybrid). Criminal orders, as intended throughout this work, enclose elements of both criminal and hybrid governance, as they will seldom be recognized with ease by national formal institutions as legitimate actors due to their criminal nature. Nevertheless, they do enjoy a degree of legitimacy and authority within the narrow spatial settings they operate (i.e. favelas) and, if rid of their violence, sometimes provide an efficient governance structure to the local population. Hybrid governance was predominantly applied to the empirical section of this thesis, though criminal governance was used to gather the required empirical knowledge to develop the historical analysis. I found that hybrid governance conceptual pool was more fitted for the analysis of the criminal Covid-19 crisis response as its considerations on authority, legitimacy, and power of informal actors are more theoretically developed than its criminal counterpart.

Criminal governance body of literature was nevertheless useful for the third chapter. Following Meagher's (2012) claim on the importance of an historically and empirically informed

approach, the third chapter of this thesis focused on painting the historical context in which diverse institutions in Rio de Janeiro developed, becoming an integral part of the city's social landscape. Given that criminal governance literature is empirically rich, the chapter could draw an exhaustive picture of the 'past,' or pre-coronavirus period, of the city. The most relevant feature highlighted in this chapter is the strong presence of the state, both as a (violent) physical actor embodied in the repressive police force, and as a structural force, which shaped the inequalities, poor living conditions, and systematic discrimination of the neglected sectors of society, i.e. the favelas. This 'behavior' of the state as structural actor eroded the trust of the neglected population in the formal institutions of the country and inadvertently paved the way for criminal groups to efficiently govern and enjoy a degree of trust among the population. Importantly, as noted already by Magaloni et al. (2019), Comando Vermelho takes a confrontational stance towards the government, as intended by Barnes (2017). Since its early days, CV implemented an anti-government rhetoric, influenced by its vicinity to political criminals. This allowed for the establishment of a 'hybrid' order (as intended by Albrecht and Moe 2016) in which the group not only draws its authority from their criminal power (enriched by illegal trades and activities) but also by the political 'message' adopted from the anti-regime political prisoners. The political message is then instrumentalized to excuse the violence against other criminal groups and, mostly, against the state.

After having investigated the past, the fourth chapter exposed the state and the criminal crisis management plans. Overall, three main findings that can be highlighted. First, the Covid-19 crisis re-enacted the old power dynamics between state, criminal groups, and citizens. The state neglected some areas and criminal groups swiftly filled the provision gap by selling protection against coronavirus to the local population, echoing the national lockdowns that were happening around the world. The state (at the federal level) had a chaotic and confused response to the pandemic, whereas the criminal groups reacted with fast and clear-cut instructions. Just as their consolidated 'justice' system (See Chapter 3.3), their crisis management arrived efficiently where the state could not.

Second, coronavirus crisis is likely to have given more legitimacy to the criminal orders. That is if legitimacy depends on the needs of the community in a defined time and space and is contested between state and non-state (Stel and Ndayiragije 2014). This due to (a) state's service provision in the favelas is poor (if not nonexistent), yet police incursions and violence did not

decrease during the pandemic (people do not receive help, only police armed invasion, and by logic that is not desirable); (b) In impoverished areas the needs have shifted. For example, water is needed now more than ever, as keeping good hygiene is essential in this crisis – CV imposing a non-lucrative price on alcohol gel, for example, quickly addresses resident’s needs to hygiene and protection from the virus; and (c) Violence did not stop – it goes in many directions and shows how a criminal order can be both legitimate and illegitimate. Criminal orders are legitimate in that they ‘help’ the local population, but illegitimate as they continue to use force against other criminal groups and the police. On the other hand, the state (identified here with the police) runs the risk to be perceived as illegitimate at all times, as they continue perpetrating violent acts but do not provide help, making this a ‘lesser of two evils’ situation.

Additionally, as discussed in Chapter 2.2, Stel and Ndayiragije (2014) also find that the perception of service provision is more important when it comes to local legitimacy than the real service provision. Albeit this research was not so focused on studying narratives and perceptions, through the media analysis performed no positive comment towards the state was found. The only service provision that was highlighted and discussed in the newspapers was the one of the criminal orders. This means that criminal crisis management is more easily perceived as being effective and as more responsive than the one of the state. If that is the case, criminal crisis management will not only re-confirm old patterns in the CSC relationship but also widely impact the legitimacy of criminal orders among the population, making them seem more effective than the state’s formal governance

Lastly, my findings echo Leeds (1996)’s view that is the state the main responsible for majorly shaping the ‘triangle.’ It is the actor who has the larger reach and the larger structural power over the other two. Criminals and citizens live ‘under the umbrella’ of the state. Therefore, as seen in Chapter 3.1, is the state that can influence the development of criminal orders and only to a lesser extent the contrary holds true. The concept of contested legitimacy shows that criminal orders can shape the CSC relationship dynamic, in that they do have an impact on state legitimacy vis-à-vis the citizens. Though, it is the state who sets the stage in which criminal orders gain the power to act. Lack of infrastructure, social neglect, and police violence that characterize life in the favelas are representative of state’s structural inability (or unwillingness) to take care certain segments of society. These structural gaps, therefore, are natural hotbeds for informal actors to consolidate. In the context of Brazil, sharing borders with major cocaine producing countries,

having an advanced exports infrastructure, and a high rate of urbanization, these informal actors ‘happened’ to be drug trafficking groups. In other contexts, informal actors may be of different nature.

5.1 Limitations and Further Research

This research had a few constraints. First, I was not able to verify my impressions through fieldwork interviews and observations. Empirically verifying citizens’ impression on criminal crisis management would help confirming if indeed state legitimacy was further eroded by criminal service provision. Moreover, power dynamics can be better understood by first-hand observation of criminal, citizens’ and state behavior in response to the crisis. Further research may implement empirical evidence attained from fieldwork instead of from media analysis.

Second, my findings are not generalizable to other parts of the world or other parts of Brazil. The analysis presented was specific to the social and historical context of Rio de Janeiro. Any other analysis that wishes to study the dynamics between formal, informal, and citizens must start from the contextualization of the specific case. However, this research can present a theoretical starting point from which to observe other criminal crisis management cases. Its focus on legitimacy, security, and protection can help making theoretical inferences on how the situation will develop in other parts of the world. In a few months, more concrete results of this criminal crisis management may also be available.

Further research may focus also on the situation in other parts of Brazil, such as Sao Paulo. There, the criminal organization PCC is active and provides a solid, semi-bureaucratic, governance structure to the members of the organization and to the citizens inhabiting their territories. PCC is also the strongest and most organized criminal organization of Latin America, yet not nearly the most violent. Studies on legitimacy and power dynamics would benefit greatly from such an empirical case. Similarly, comparison between crisis management of criminal orders in Rio and that of militia forces would add an informal layer into the CSC relationship and help to further disaggregate the power dynamics of the triangle (or square, at that point).

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Appendix

Declaration of Originality/Plagiarism Declaration

MA Thesis in Conflict Studies & Human Rights

Utrecht University

(course module GKMV 16028)

I hereby declare:

- that the content of this submission is entirely my own work, except for quotations from published and unpublished sources. These are clearly indicated and acknowledged as such, with a reference to their sources provided in the thesis text, and a full reference provided in the bibliography;
- that the sources of all paraphrased texts, pictures, maps, or other illustrations not resulting from my own experimentation, observation, or data collection have been correctly referenced in the thesis, and in the bibliography;
- that this Master of Arts thesis in Conflict Studies & Human Rights does not contain material from unreferenced external sources (including the work of other students, academic personnel, or professional agencies);
- that this thesis, in whole or in part, has never been submitted elsewhere for academic credit;
- that I have read and understood Utrecht University's definition of plagiarism, as stated on the University's information website on "Fraud and Plagiarism":

"Plagiarism is the appropriation of another author's works, thoughts, or ideas and the representation of such as one's own work." (Emphasis added.)³

Similarly, the University of Cambridge defines "plagiarism" as "*... submitting as one's own work, irrespective of intent to deceive, that which derives in part or in its entirety from the work of others without due acknowledgement. It is both poor scholarship and a breach of academic integrity.*" (Emphasis added.)⁴

- that I am aware of the sanction applied by the Examination Committee when instances of plagiarism have been detected;

³ <https://students.uu.nl/en/practical-information/policies-and-procedures/fraud-and-plagiarism>

⁴ <http://www.plagiarism.admin.cam.ac.uk/what-plagiarism/universitys-definition-plagiarism>

- that I am aware that every effort will be made to detect plagiarism in my thesis, including the standard use of plagiarism detection software such as Turnitin.

Name and Surname of Student: Alessia Cappelletti

Title of MA thesis in Conflict Studies & Human Rights:

Between Curfews and Confrontation: Coronavirus Criminal Crisis Management in Rio de Janeiro's Favelas

Signature	Date of Submission 30 July 2020
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