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The Expansion of Milícias in Rio de Janeiro. Political and Economic Advantages

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RESEARCH

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ABSTRACT

This study addresses the political and economic basis of milícias in the city of Rio de Janeiro and the effects of government regulation of legal and illegal markets on their expansion. The period under study was 2007–2020 – of remarkable expansion of milícias – and the information analyzed were accessed from three different databases: 1) the *Map of Armed Groups in Rio de Janeiro*; 2) Data on police raids between 2007 and 2019 from the GENI/UFF database; 3) data from the City of Rio de Janeiro Secretariat of Urbanism (SMU) database in the period between 2009–2019.

The objectives were: 1) to verify the distribution of police raids among territories controlled by each of the known criminal armed groups that operate in Rio de Janeiro; 2) and to verify the relation between the intensity of real estate activity at city districts and the type of predominant armed group in each district. The research results indicated that, in comparison to other armed criminal groups from Rio de Janeiro, milícias were subject to reduced police repression and the territories they control show an increased real estate activity. The data obtained support the initial research hypothesis that *the targeting of use of force by state government and the regulation and inspection of real estate markets have favored the expansion of milícias*.

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INTRODUCTION

In the last couple of decades, the armed power of the so-called *milícias* over territories, populations and markets have expanded in the city of Rio de Janeiro. Since the mid 1980's the issue of crime in Rio focused on the territorial disputes between well-armed drug factions (*facções*) or *comandos* and their clashes with the police. However, the phenomena of racketeering *milícias* seems to have grown in importance. According to the *Map of Armed Groups in Rio de Janeiro*, in 2019, *milícias* controlled 58.6% of the territories under armed groups' dominion. To understand the processes that led *milícias* to expand their domains and rackets, this study developed analytical instruments aimed at addressing the political and economic basis of these groups in the city of Rio de Janeiro.

The territorial control exerted by armed criminal groups over poor neighborhoods has been a crucial public problem in Rio de Janeiro, Brazil, a city of 6.7 million people, where 81904 violent deaths have been registered by the police from 1991 to 2020. The perception of increasing threats to personal and property security is at the center of the social representation of 'urban violence' (Machado da Silva 1999), whose reproduction and persistence is often attributed to the armed power of drug distribution groups that run their business in low-income residence areas. The drug business represents an attractive employment option for the poor youth contributing to the increase of the criminal labor force, and arming their employees with firearms that are often used in violent crimes. Drug factions dispute the control over drug-selling territories, impose their local rule by force and engage in armed clashes with the police amid densely populated areas. In response to intermittent police raids and invasions from rival traffickers, local drug traffic enterprises have developed defense tactics, spending a large share of their profits in firearms purchases and allocating most of their staff-members on exclusively defensive functions. The armed conflicts in Rio' *favelas* stem from socio-historical processes of accumulation of drug distribution networks (Misse 2006) and law enforcement policies focused on police raids in favelas.

Milícias, on the other hand, were praised by several public authorities in the early and mid-2000's as a novel community policing model to be replicated in squatter settlements – called *favelas* – and poor neighborhoods that were under control of armed groups of drug traffickers. Since the mid-1980's. Although known to be criminal groups involved in extortion, protection rackets and death squads, milícias were portrayed by local press as a viable and less violent alternative to the territorial control exerted by drug factions. Back in 2006, the current Rio de Janeiro's mayor Eduardo Paes stated that the so-called *polícia mineira* – how the first milícias were named – had brought 'tranquility' to dwellers in some neighborhoods (O Globo 2006).[1] In the same year, the former Rio de Janeiro mayor César Maia called milícias 'community self-defenses' and claimed they represented a 'lesser evil' than drug trafficking (O Globo 2006).[2]

However, the 'myth of primitive pacification' (Werneck 2015: 434) that characterized the first accounts on milícias was left aside after the kidnapping and torture of a team of reporters from the daily newspaper O Dia by milícia members in 2008. This episode caused a significant turning point in press coverage on the theme and provided the opportunity for installing a Legislative Investigation Committee (CPI) in the Rio de Janeiro State Legislature Assembly (ALERJ) to inquire on the participation of state legislators in milícias. The 'CPI das milícias' had been solicited in 2007 by the former state legislator Marcelo Freixo but was formed only after the reporters were kidnapped and tortured.

Thereafter, the participation of law enforcement officers and local politicians in milícias became widely known and their rackets unveiled. These armed criminal groups illegally control and/or extort the essential services markets in poor neighborhoods such as the supply of water, electric energy, cooking gas and cable TV, public transport, security, and housing. It is now widespread known that milícias exercise their control over territories, markets, and populations through coercive practices like threats, beatings, torture, and murder. It is also known that milícias violently dispute territories among themselves and against drug factions, and that they profit from drug sales. As stated by Rio de Janeiro Civil Police deputy Marcos Vinícius Braga,

1 https://oglobo.globo.com/brasil/eleicoes-2006/eduardo-paes-elogia-acoes-de-milicias-de-pms-em-jacarepagua-5000337?GLBID (accessed in 30/01/2021).

2 Milícias avançam pelo corredor do Pan 2007 – Jornal O Globo (accessed in 08/02/2021).

milícia members sell drugs and steal cars and cargos as much as drug traffickers do (Agência Brasil 2019).[3]

The main difference between milícias and drug factions no longer resides in the rackets that constitute the economical basis for their reproduction[4] – since they have become practically the same – but the type of actors that integrate these organizations. The peculiarity of milícias is mainly the participation of government officials – from both civil and military police agencies, elected representatives, municipal guards, military firefighters etc. – as board and staff members, which hardly happens in drug factions. As will be further demonstrated, this ambiguous relation between *milícias* and government favors the ability of these racketeering groups to increase and spread their influence, occupying vast territories and electing representatives of their choosing for important political offices.

The research conducted by Cano and Duarte (2012) on the evolution of milícias in the years that followed the *CPI* (2009–2011) concluded that their earnings and capacity for social control were in decline and that they were adopting more discrete and low-profile modes of operation. Ten years later, milícias have demonstrated an augmented capacity for generating income. As stated above, the Map of Armed Groups in Rio de Janeiro – jointly elaborated by the Group of Studies of New Illegalisms from Fluminense Federal University, Brazil (GENI/UFF), Fogo Cruzado RJ, Disque-Denúncia, NEV/USP and Pista News – revealed that milícias control most of Rio's territory and that 2,178,620 people (33.9% of total population) dwell under their dominion.

It is well known that government officials' participation in milícias constitute an advantage for these groups in comparison to other armed criminal groups and an obstacle for fighting them. Investigations conducted by Rio de Janeiro State Civil Police (PCERJ) have incriminated police officers and legislators and often incurred in political interferences, as the replacement of police chiefs and deputies or other forms of obstructing investigations.[5] However, this study is aimed at furthering these assertions and analyzing *how* milícias benefit from the government action through selective military operations in the territory, against rival groups that dispute their control. Instead of identifying individuals or groups that usurp their public assignments to favor milícias, we targeted the public policies and governmental practices that have been used by milícias to broaden their political and economic power.

The period under study was 2007–2020 – of remarkable expansion of milícias – and the information analyzed were accessed from three different databases: the Map of Armed Groups in Rio de Janeiro; the police raids database from the Group of Studies of New Illegalisms from Fluminense Federal University, Brazil (GENI/UFF); and real estate permit and legalization data from the City of Rio de Janeiro's Secretariat of Urbanism (SMU). This research article results from the articulation between different research groups aimed at producing qualified knowledge about the effects of government regulation of legal and illegal markets on the phenomena of milícia rackets' expansion and therefore, subsidize public debate over law enforcement policies and urban planning. We have been moved by the perspective of the data activism or statactivism, named as such in France, and according to which data production is a way to permanently (re)build the public space, especially when such data result from initiatives that challenge the state monopoly of the production of numbers and question the official forms of classification and quantification under scientific or 'artistic' support (Bruno, Didier & Previeux 2014).

To assess the political and economic basis of milícia expansion, this study was based on the mapping of criminal armed groups and used as key variables: (1) police raids; (2) real estate activity. As will be further demonstrated, our research results indicate that, in comparison to other criminal groups from Rio de Janeiro, milícias were subject to reduced police repression and the territories they control show an increased real estate activity. Data presented below sustain the hypothesis that *the targeting of use of force by state government and the regulation and inspection of real estate markets have favored the expansion of milícias*.

3 https://agenciabrasil.ebc.com.br/geral/noticia/2019-11/trafico-e-milicia-sao-mesma-coisa-diz-secretario-de-policia-do-rio (accessed in 01/02/2021).

4 On the importance of racketeering practices in criminal groups economics activities, among others, see: Gambetta, D. 1993. *The Sicilian mafia: the business of private protection*. Cambridge: Harvard university Press. Volkov, V. 2002. *Violent entrepreneurs: the use of force in the making of Russian capitalism*. Ithaca and London: Cornell University Press. Beckert, J. and Dewey, M. 2017. *The architecture of illegal markets: towards an economic sociology of illegality in the economy*. Oxford: Oxford University Press.

5 See for instance report from 26/04/2018: https://oglobo.globo.com/rio/delegados-que-investigam-grupos-de-milicianos-teriam-sofrido-ameacas-22628326 (accessed in 02/02/2021).

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Our reflection seeks to contribute to the debate on the State-crime nexus from a perspective that rejects a binary vision and seeks to explore the folds that interconnect them. These folds and connections are materialized in the governance structure of cities and have great impacts on everyday life in grassroots territories. Local private protection schemes, control over access and the provision of urban services, police, and military operations, milícias and drug trafficking interrelate to make up explosive and unstable arrangements that are in permanent reconfiguration. In this context, legal and illegal, formal, and informal binarisms are inadequate to explain this process, as it is manifested in Rio de Janeiro and in other cities in Brazil.

1. METHODOLOGY

Aimed at testing our research hypothesis and qualifying the supposed double advantage of milícias over drug factions, quantitative and qualitative techniques were applied in this study. The quantitative analysis presented below were drawn from the following three databases:

1) The Map of Armed Groups in Rio de Janeiro, – jointly elaborated by GENI/UFF, the Fogo Cruzado – RJ, Disque-Denúncia, NEV/USP and Pista News –, that resulted from the collect, analysis and georeferencing of 10206 valid complaints about criminal activity registered at the much larger Disque-Denúncia database in the year of 2019.

2) Data on police raids between 2007 and 2019 from the GENI/UFF[6] database, that gathers information from secondary sources – press and social networks – about the frequency of police raids and their date, location, agency, motivation, deaths, wounded, arrests, and seizures.

3) And data organized by Observatório das Metrópoles from the City of Rio de Janeiro Secretariat of Urbanism (SMU) database, concerning the permits and legalizations conceded for real estate activity in the period between 2009–2019.

Based on the Map of Armed Groups in Rio de Janeiro, we proceeded to the georeferencing of information from the other two databases on: 1) police raids; 2) real estate unitary permits (construction, subdivision etc.); 3) location of housing projects from the Minha Casa, Minha Vida (MCMV) federal housing program; 4) and legalized real estate units. The objectives were: 1) to verify how the frequency of police raids is distributed among territories controlled by each of the known criminal armed groups that operate in Rio de Janeiro – milícias, Comando Vermelho (CV), Amigos dos Amigos (ADA) and Terceiro Comando Puro (TCP); 2) and to verify the relation between the intensity of real estate activity at the city districts and the type of predominant armed group in each district.

For interpreting the obtained results and qualifying the implicated dynamics, we resorted to the experience of reading 8000 complaints about milícias from anonymous civilians, selected from the 37,883 registered complaints that constitute the Disque-Denúncia database on milícias and drug traffic for the year of 2019. This was the phase of research that preceded the elaboration of a dictionary of variables used to generate the Map of Armed Groups in Rio de Janeiro. The qualitative analysis of the complaints were aimed at establishing the criteria for validating territorial control adopted in the production of the map. The complaints were divided into valid and non-valid for attesting territorial control, and a list of key-words was extracted from the valid ones. By contract, we are forbidden to cite the content of complaints because of their confidentiality, but the process of reading them has modeled our perspective for interpreting the quantitative data presented ahead.

2. ARMED GROUPS AND POLICE RAIDS

Rio de Janeiro State polices' strategy for controlling crime has been based on the routinization of police special operations – their main *instrument of public action* (Lascoumes and Les Galés 2004) – aimed at seizing drugs, arms and killing or arresting crime suspects in favelas and poor neighborhoods. Armed with assault rifles and on-board armored vehicles (including helicopters),

6 The GENI/UFF database on police raids is aimed at filling the gaps left by official statistics regarding police use of lethal force in favelas. It allows access to information that official statistics do not account for, and this data has been consulted for instructing court decisions in Brazil, including the Supreme Court case that addresses police raids in favelas – the ADPF 635 or the Favelas' ADPF.

police officers engage in unpredictable urban battles against armed criminals, who often resist the police offensives. The sudden shootouts that result from police raids in favelas disrupt the dwellers' routines by exposing them to the crossed fire. Schools and healthcare facilities are urged to paralyze service (Rede de Desenvolvimento da Maré 2020), favela dwellers are unable to attend work and entire families are forced to lie on the floor seeking refuge from 'stray bullets' that pierce the walls of their houses. Part of these operations result in arrests and/or seizure of drugs, weapons, money, stolen goods etc., but at the cost of lives and the disruption of daily routine in the afflicted areas.

These clashes between police and drug traffickers very often result in either intentional or accidental deaths of suspects, innocent people – including children – and, less often, police officers. The centrality of police raids for the control of crime in Rio de Janeiro collaborates for the exorbitant records of deaths due to police action (Cano 2008; Misse et al. 2013; Plataforma Dhesca 2017; Musumeci 2020) in Rio de Janeiro. According to official data, only in 2019, 1814 people were killed by police officers on duty in the state of Rio de Janeiro. These homicides are registered with 'unlawfulness exclusion' because allegedly committed in legitimate defense. As stated in a research report by NECVU/UFRJ (Misse et alli 2013), no significant effort is deployed by authorities on examining the murder circumstances of such cases, so the death perpetrator's account prevails on investigations, mostly resulting on case dismissals.

This law enforcement method depends on the absence of regular policing in certain areas of the city – labeled as 'risk areas' or 'sensible territories' – where police only enter during intermittent and relatively unpredictable raids. State authorities argue that it is not safe for police officers to attend incidents and patrol these areas in the same way they do in the rest of the city, therefore relegating the control of large portions of urban territory to the control exerted by armed criminal groups.

Regarding territories controlled by the drug faction Comando Vermelho, Misse (1999, 2006), Barbosa (1998, 2005) and Grillo (2013, 2016) have argued that police use of lethal force is one of the facets of spurious negotiations in illegal protection rackets. It is well known that Rio de Janeiro State Military Police (PMERJ) squads or Civil Police departments often engage in systematic bribery/extortion relations with favelas' drug dealers, demanding payment of an illegal 'drug business license' named *arrego* (Barbosa 1998, 2005; Misse 1999, 2006). Such payments are intended for avoiding police raids and their price depends on the ratio between the estimated earnings of local traffic and their vulnerability to police operations. In view of such diverse forms of converting political empowerments into private economic or political gains, Misse (1999, 2006) developed the concept of political merchandise.' This concept addresses these political empowerments as commodities produced in asymmetrical exchanges, derived from either the privatizing of state attributions by a government official (known as 'corruption'), or the possession of enough power to require an individual or social group to engage in exchange (known as 'extortion').[7]

In territories controlled by milícias, despite the various collected accounts of extortion and violence, dwellers describe their neighborhood as *tranquilo* (Araújo Silva 2017a), meaning peaceful and quiet. However, official homicide statistics indicate that neighborhoods known to be controlled by milícias, Santa Cruz and Campo Grande, are the most violent in the city of Rio de Janeiro (Borges et al. 2016). Our hypothesis for interpreting the perception of tranquility regardless of high homicide rates is that it alludes to the low incidence of armed clashes with the police. The awarded report by Igor Mello and Lola Ferreira called 'The Invisible hands of the milícia' (UOL 2020)[8] used data from Fogo Cruzado to conclude that, in three years of monitoring, only 88 firefights involving police force (2.97% of the total) happened in areas controlled by milícias, while 2.333 occurred in areas controlled by drug factions, 78.8% of total shootouts

7 Concerning the importance of illegal and informal markets in Latin America, among others, see: Misse, M. 2006. *Crime e Violência no Brasil Contemporâneo: Estudos de sociologia do crime e da violência*. Rio de Janeiro: Lumen Juris. Ramírez, JG (org). 2013. *Economía criminal y poder político*. Medellín: Universidad EAFIT, Colciencias. Péres, F. 2013. *Historias de polvo y sangre: génesis y evolución del tráfico de drogas en el estado de Tamaulipas*. D.F México: Publicaciones de la casa chata. Arias, ED. 2017. *Criminal enterprises and governance in Latin America and the Caribbean*. Cambridge: Cambridge University Press. Hirata, D. 2018. *Sobreviver na adversidade: mercados e formas de vida*. São Carlos: Edufscar. Pires, L., Hirata, D., Maldonado, S. 2022. *Apresentação: Mercados Populares, Ilegalismos e suas Regulações pela Violência*. Antropolítica, 50. Feltran, G. 2022. *Stolen cars: a journey in São Paulo's urban conflict*. Oxford: Wiley.

8 https://noticias.uol.com.br/reportagens-especiais/com-milicia-em-expansao-confrontos-policiais-no-rio-miram-trafico-e-somam-so-3-em-areas-de-milicianos/ (accessed in 20/06/2022).

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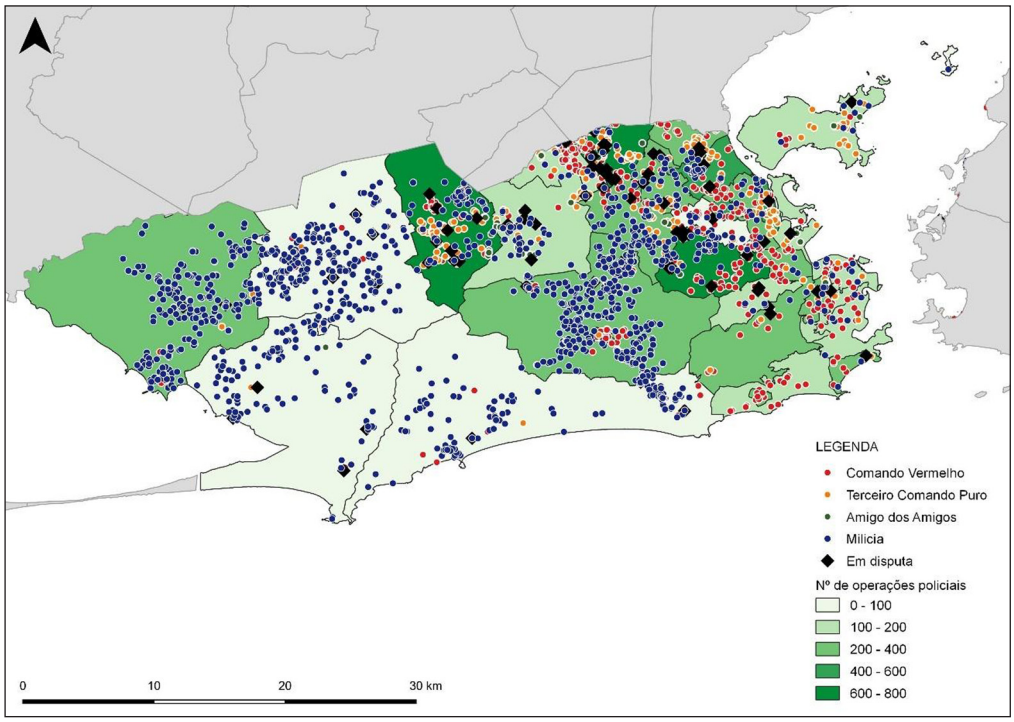
involving police force. Therefore, the perception of tranquility may be understood as an indicator of stable agreements between the police and milícias. Even though there are more homicides in areas controlled by milícias, fewer are the armed clashes with the police. These data lead us to believe that crime rates are not the criteria for choosing the targets of police raids.

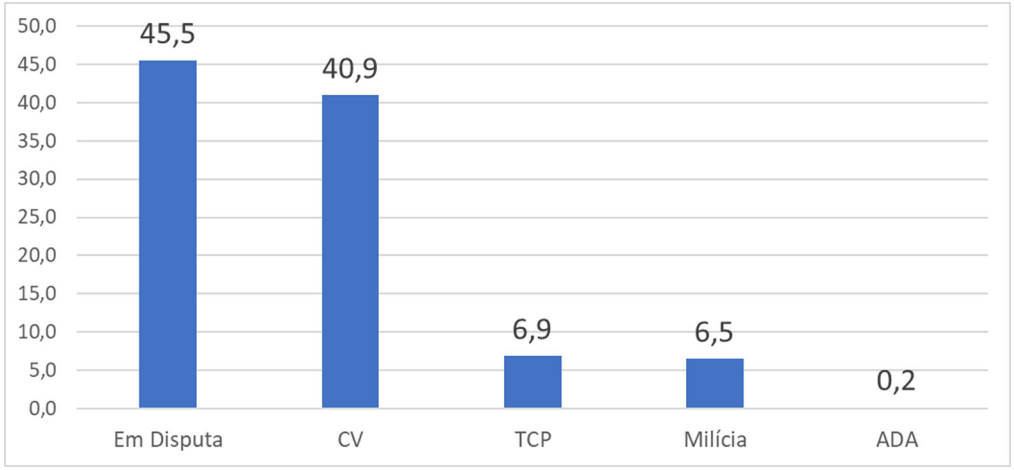
The comparison between the GENI/UFF police raids database and the Map of Armed Groups allows us to have a better measure of the unequal distribution of police use of force among territories controlled by different criminal armed groups. We have used police raids as an indicator for distinguishing between *groups in political advantage*, less targeted by law enforcement, and *groups in political disadvantage*, that are the preferential targets of law enforcement. In Map 1, the city districts (*região administrativa*) are colored in accordance with the total number of police raids conducted between 2007 and 2019 and the dots refer to groups of verified complaints from Disque-Denúncia that attest the territorial control exerted by criminal armed groups.



Map 1 Number of police raids per district in the city Rio de Janeiro (2007–2019) and criminal armed groups.

Source: GENI/UFF and Disque-Denúncia.

The map above shows that in districts where fewer police raids were conducted – like Guaratiba, Barra da Tijuca and Campo Grande –, milícias are the predominant armed group. The districts with the highest frequency of police raids – Bangu, Méier and Pavuna – are those with disputed territories and important presence of drug *comandos*. The political advantage of milícias can also be observed in Graph 1, which displays the distribution of police raids registered in 2019 per predominant armed group in each neighborhood. This graph should be analyzed in contrast to Table 1 that summarizes the data on the number of neighborhoods, territorial extension, and population under control of armed groups in the city of Rio de Janeiro.



Graph 1 Number of police raids per type of predominant criminal group in each neighborhood in the city of Rio de Janeiro (2019, percentage).

Source: GENI/UFF and Disque-Denúncia.

	NEIGHBOHOODS UNDER CONTROL	TERRITORIAL EXTENSION UNDER CONTROL (KM²)	POPULATION SUBJECT TO CONTROL
Milícias	41 (27,7%)	686,75 (58,6%)	2.178.620 (33,9%)
Comando Vermelho	39 (26,4%)	136,20 (11,6%)	1.198.691 (18,7%)
Terceiro Comando	13 (8,8%)	43,76 (3,7%)	337.298 (5,3%)
Amigos dos Amigos	3 (2,0%)	3,82 (0,3%)	48.218 (0,8%)
Disputed territory	52 (35,1%)	300,69 (25,7%)	2659597 (41,4%)

Table 1 Neighborhoods, extension, and population under control of armed groups in the city of Rio de Janeiro (2019, absolute numbers, percentage).

Source: Disque-Denúncia (Elaboração Fogo Cruzado, GENI/UFF, NEV-USP, Pista News).

Neighborhoods with disputed territories represent 35.1% of total neighborhoods and concentrate 45.5% of police raids. Comando Vermelho is the predominant group in 26.4% of neighborhoods, where 40.9% of police raids were conducted. However, *milícias* are the predominant group in 27.7% of neighborhoods, in which only 6.5% of police raids happened. In summary, the frequency of police raids is higher in territories controlled by drug factions – particularly, Comando Vermelho – and lower in territories controlled by milícias. Hence, the data presented above allow us to conclude that milícias are groups in political advantage and Comando Vermelho is the main group in political disadvantage.

The political coercive favoring of milícias expressed by the low effort of enforcing the law in territories they control can be explained by the active participation of public officials (police officers, elected politicians etc.) in these groups, as was proved in the final report of Rio de Janeiro State Legislative Assembly's investigation, the CPI das Milícias (ALERJ 2008). There is also evidence that the use of police force for benefiting milícias has a severe impact in the dynamics of armed conflict between drug factions. According to Manso (2020) – and several others research and press reports –, *milícias* and Terceiro Comando Puro (TCP) formed an alliance against Comando Vermelho (CV) and have counted with police support for invading CV's territories.

The human rights violations perpetrated by the State of Rio de Janeiro during police raids in favelas and poor neighborhoods have been the object of the Allegation of Non-compliance with Fundamental Precept number 635 (ADPF 635) at the Brazilian Supreme Court, filled by the Brazilian Socialist Party (PSB) in November 2019. This judicial process has counted with support from the Rio de Janeiro State Public Defendants Office, human rights NGOs, and several social movements. The Group of Studies of New Illegalisms has collaborated with the instruction of the ADPF 635 by elaborating research reports evaluating the impacts of police raids. One of the most striking research results obtained was that of correlation tests between official crime statistics and police raids data from 2007 to 2019 (Hirata et al. 2020). It was found a strong positive correlation (R=7.1) between police raids and intentional homicides, indicating that police raids incite violent conflicts instead of appeasing them.

The present study has aimed to verify the hypothesis that police raids play a crucial role in territorial disputes between armed groups, while favoring one part of the conflict in detriment of the other. The low incidence of police raids in milícia areas is an objective indicator of political coercive advantage, but many are the ways in which police force has been used for picking sides in disputes among criminals. Dozens of the anonymous complaints analyzed depicted the participation of police on the invasion of territories by milícias. For instance, by reporting police raids immediately followed by milícia invasions. In this sense, it is important to note that we are not demanding more police raids in milícias' domains. Quite the opposite, this research study shows that the Rio de Janeiro State law enforcement policies' focus on police raids is ineffective for reducing violence and propitiates the cooptation of State officials by organized crime.

3. ARMED GROUPS AND REAL ESTATE ACTIVITY: THE MILÍCIAS' URBANISM

Besides the political advantages provided to milícias by law enforcement agencies, this study has also identified a prosperous real estate market, both legal and illegal, in neighborhoods controlled by milícias, supporting our hypothesis on the economic advantages experienced by these groups. As will be further argued, there is strong evidence that milícias have taken control of real estate markets in the low-income territories they control, also benefiting from lenient

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soil occupation regulation laws and housing policies aimed at mitigating the persistent housing deficit that afflict the Brazilian urban poor.

Latin American cities have historically shown a structural incapacity for providing access to land and housing to the poorest. Faced with difficulties in establishing consistent and sustainable development processes, with large population contingents living in extreme poverty, and government policies often controlled by the interests of the elites, informality has been the predominant means to access housing by the poor. As a result, informal settlements were formed by spontaneous or organized squatting through self-help building of dwellings and of precarious infrastructure in areas called as *favelas*, *invasões*, *villas miserias*, *campamentos*; or through the action of economic agents, by the squatting of vacant grabbed land (process called in Brazil as *grilagem*), followed by the sale of parcels in the informal market, producing the so-called *loteamentos clandestinos*, *loteos* or *barrios piratas*.

This process can be explained by the fact that, in Brazil as well as in other Latin-American countries, neither the market nor the State take responsibility for the production of affordable housing to the lower income tiers. On the other hand, the State often tolerates land invasions, particularly in the cases of land that has some kind of physical or legal limitation for occupation or seams presently unappealing to the formal market, making invasion and illegal parceling and building customary practices. Therefore, the 'illegal' occupation of vacant land is quite usual in Brazilian cities, a process spawned by the structural lack of State capacity for enforcing ownership land use regulations, and which favors the practice of building without permits throughout the city. In face of this situation, local governments created mechanisms for the legalization of illegal occupation of land and illegal constructions. These practices are usually legitimated by the fact that illegal settlements or buildings are mainly occupied by the urban poor.

Brazil has experienced three great cycles of Federal Government housing policies aimed at reducing the housing deficit and producing affordable and available housing for the urban poor. From 1934 to 1964, there was an initiative of building large housing projects, with resources from the welfare institutions created in 1934. Targeting only workers within the formal economy, this policy could not significantly attend the majority of those in need. The National Housing Bank (NHB) and the Financial Housing System (FHS) were created by the new military government in 1964[9][1]. Throughout its 22 years of existence, the NHB promoted the construction of several housing projects all over the country, but could not attend to the low-income population that continued to live in *favelas* and in *loteamentos clandestinos*. In 2009, the government created the Minha Casa Minha Vida program, the greatest subsidized housing program in Brazil's history, providing access to home ownership for 0–3 minimum wages income groups with 90% of direct subsidy, and with subsidies also for groups up to 10 minimum wages of income[10] [2]. This program was highly affected by the economic and political crisis of 2014–2016, and has significantly reduced in scale, entirely suppressing initiatives for the lowest income group.

Real estate markets in squatter settlements and subsidized housing projects have long been exploited by groups that Machado da Silva (2011 [1967]) called the 'favelas' bourgeoisie' (*burguesia favelada*), referring to locals that monopolize the access, control and manipulation of economic resources and political connections. However, milícias seem to be exerting an unprecedented control over these markets in the areas under their domain. As will be further explained they have also expanded their control over MCMV condos, extracting profits from this subsidized housing program.

The pioneering studies on milícias (Burgos 2002; Zaluar and Conceição 2007; Cano 2008; Cano and Duarte 2012) considered protection rackets to be their main activity. More recently, milícias' legal and illegal real estate activities have been referred to by investigative journalism reports as one of their most important sources of income. Silva, Fernandes and Braga (2008) had already mentioned that milícias' growth accompanied the expansion of urban frontiers in Rio' west side and neighboring cities, where land grabbing and subdivisions were coordinated by milícia members. Current ethnographies have highlighted the participation of milícias in housing markets of construction, sales, and rental, besides taking over the condo management

9 The National Housing Bank was extinct in 1986, but the FHS has continued and still is the main source of funding for housing.

10 The program was largely inspired by the Chilean model and presents some of the same shortcomings of its model.

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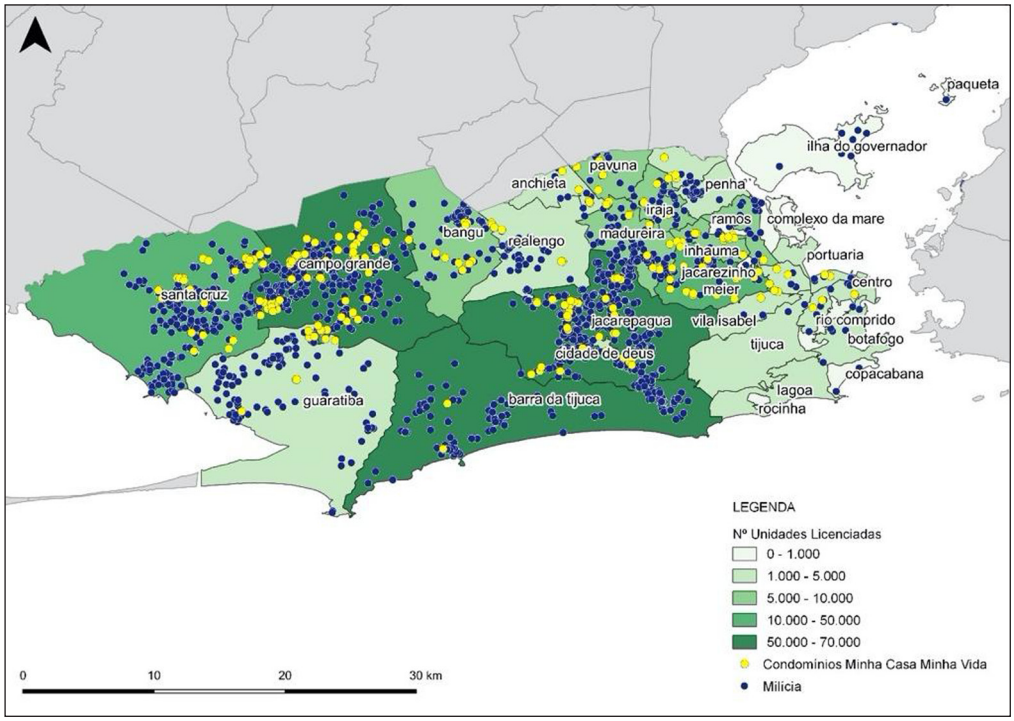
of subsidized housing complexes from the Minha Casa, Minha Vida (MCMV) program (Araújo Silva 2017a; Petti 2020).

According to Benmergui and Gonçalves (2019):

> (...)We use the concept urbanismo miliciano to describe this kind of urban intervention, which includes the illegal appropriation of public land and its allotment, mass construction of buildings, and real estate and financing operations through informal credit. Shielded by impunity or tacit consent, milícias avoid municipal controls to appropriate land and erect buildings without any supervision and without even having development plans endorsed by the relevant authorities. (...) The milícia controls real estate activities and ultimately resolves conflicts between neighbors. Not all builders and sellers are necessarily members of the milícia, but they must respect the rules imposed and pay the required fees. It is very common that any and all real estate transactions be registered in the residents' association, controlled by the milícias, through the payment of a percentage of the property value, in addition to the usual monthly rate for security services. (Benmergui and Gonçalves, 2019)

This statement is based on the authors' ethnographic research in a specific territory and their in-depth analysis of social practices allow to elucidate how militia practices can trigger legal and illegal processes aimed at controlling grassroots territories. The specific contribution of the Benmergui and Gonçalves above quoted research is that the practices of illegal occupation of vacant land and building without permits have been easily appropriated by milícia groups and express a new kind of development of their economic portfolio of activities. These activities are much facilitated considering the close connections of milícia members with political authorities and also their capacity of intimidating law enforcement officials, and, as so, can also express a type of 'tacit consent' on the part of State agents.

Differently from protection rackets, that are not quantified by official statistics, real estate activity is mostly accounted for in the Rio de Janeiro City Secretariat of Urbanism (SMU) database, where all types of real estate permits and legalization processes are registered. Rio de Janeiro City government maintains lenient laws intended for facilitating the legalization of irregular constructions, usually associated with the payment of a compensation fee called 'surplus value.' Thus, to estimate the spatial distribution of both legal and illegal real estate activities, we used the SMU data on granted unitary permits for commercial and residential edification and land subdivision and data on legalization applications approved, from 2009 to 2019. In Map 2, the colors of districts indicate the number of unitary permits conceded and



Map 2 Number of permits (2009–2020) per district, MCMV condos, and milícias in the city of Rio de Janeiro.

Source: SMU and Mapa dos Grupos Armados do Rio de Janeiro.

(Elaborated by Observatório das Metrópoles).

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the yellow dots are the Minha Casa Minha Vida housing condos. The blue dots indicate milícia presence detected from verified and repeated anonymous complaints from Disque Denúncia database.

In Map 2 we can observe that the districts of Jacarepagua and Campo Grande, where the number of permits granted was higher, were districts where large territorial portions are under control of milícias. Although milícias are also the predominant armed group in Barra da Tijuca, the legal real estate activity in this district occurs mainly in areas that are not under any armed group control. In the analyzed period, local government defined Campo Grande, Santa Cruz and Guaratiba as areas assigned for subsidized housing construction, therefore concentrating most of the MCMV project for low-income families in areas controlled by milícias (Ribeiro 2016). As shown in Map 2, there is a significant superposition between milícias and MCMV condos, suggesting that milícias are taking advantage of this subsidized housing program in order to expand their rackets, as is also confirmed by ethnographic research.

The MCMV Program was the greatest subsidized housing program in Brazil's history and, in most metropolitan areas, adopted the model of housing projects composed of a complex of buildings with four or five floors that assumed the juridical form of a condominium. Differing from former programs that adopted the alternative of land subdivisions with private house constructions and public common areas, in the MCMV projects, common areas are private shared property of apartment owners. This model entails troublesome consequences for low-income dwellers that must jointly afford the maintenance of common areas, sharing the costs of cleaning, illumination, conservation, collective management of water consumption etc. All these services implicate costs that cannot be afforded by most joint-owners, causing indebtment, deterioration of common areas and internal conflicts among dwellers (Hellich 2017). The MCMV condos create groupings of up to 500 low-income families (average 2,000 people), overburdening the elected housing managers, and predisposing them for cooptation by milícias.

The MCMV condos offer diverse business opportunities for criminal armed groups and their associates. Araújo Silva (2017b) argues that the MCMV program offered an unforeseen opportunity for expanding milícias' protection rackets. More than just charging security fees, the MCMV program provided milícias with new sources of income from the booming informal real estate markets that often unfold from social housing policies (Valladares 1980). Milícias' control of MCMV condos allows them to collect extorsive administration taxes of 10% to 50% over apartment sales and rents. Many apartments become property of milícia members through expulsion or murder of legitimate owners. Essential urban services like water, electric energy, cable TV, internet and kitchen gas are overtaxed and/or monopolized by enterprises associated with milícias. In the common areas of MCMV condos, milícias build small houses and shops for rental, illegally privatizing them.

From the complaints analyzed, we were able to identify that the power exerted by milícias over MCMV condominiums originates from either *State-milícia coercion*, *territorial takeover*, or *internal cooptation*. In the first case, milícias organize the housing policy from the first stages of registration of beneficiaries of the program and count on political support from local elected representatives for maintaining their control over the condos. The territorial takeover refers to episodes of armed invasion of MCMV condos formerly controlled by drug factions. Police aid has been reported in most complaints that describe this type of situation. At last, internal cooptation refers to the process of integrating legitimate elected housing managers to the milícias, by offering them support for collecting debts and mediating conflicts.

The spurious interaction between State power and/or public policies with milícia racketeering groups is even more evident in the market of irregular constructions. We have considered the data on approved applications of legalization of constructions as a proxy of illegal real estate activity because it refers to subdivisions and edifications conducted irregularly that were later legalized, benefitting from lenient real estate laws. In Map 3, the color of districts represents the number of legalized units, and the blue dots represent the distribution of milícias in the city of Rio de Janeiro.

The map shows a superposition of milícia presence and districts with a higher number of legalized units, again emphasizing the districts of Campo Grande and Jacarepagua. Among the districts with more than 1,000 legalizations in the period, only in Complexo da Maré milícias

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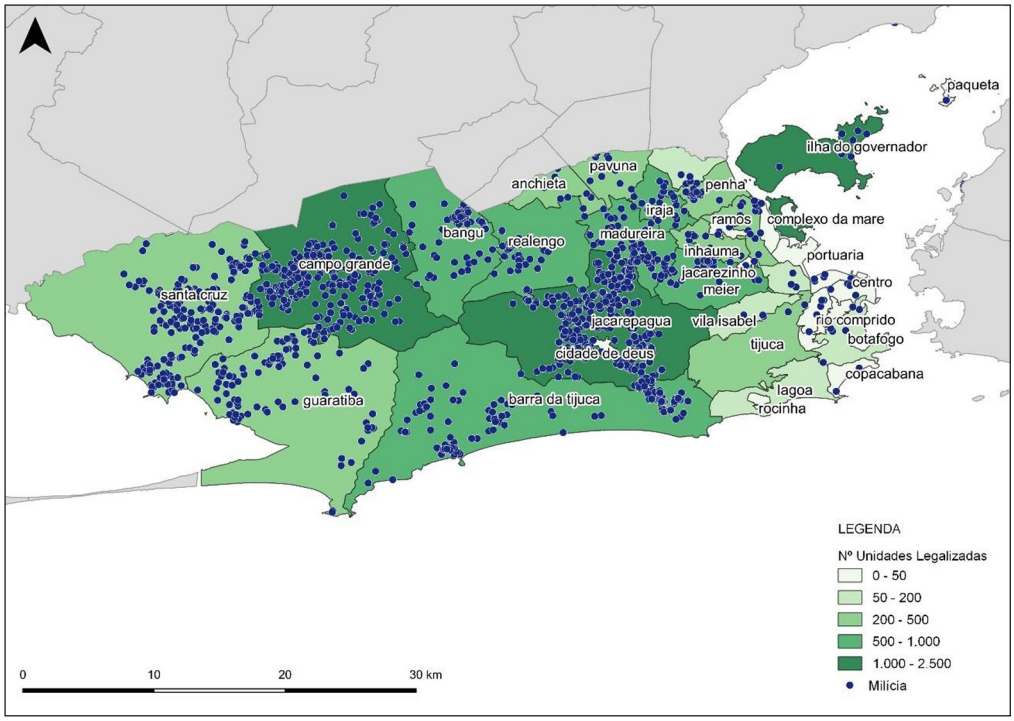

Map 3 Number of legalized units (2009–2020) per district and milícias in the city of Rio de Janeiro.

Source: SMU and Mapa dos Grupos Armados do Rio de Janeiro.

(Elaborated by Observatório das Metrópoles).

are not the predominant group.[11] This map seems to indicate that legal mechanisms offered by local government for legalizing irregular constructions might have been used by milícias for expanding their real estate market activities, a hypothesis that should be confirmed by further research.

In general, the milícias' urbanism takes advantage from the complicity of local government, bribery, cooptation and violent threats to inspectors and the political influence of milícia members that integrate legislative houses and executive offices, besides the support from both civil and military police. Several different types of real estate enterprises of various scales may benefit from above mentioned illegal means of influence. Condos, buildings, houses, shops, restaurants, bars etc. are built in private and public grabbed land, in sidewalks and public squares, in environmental protection areas and even in land that belongs to the Navy or the Army.

Despite the variety of such ventures, the greatest profits of milícias come from the verticalization of favelas. The vertical expansion of milícias' domains results in the irregular construction of up to ten-story buildings. Some are built after demolishing old residences and some depend on advancing into environmental protection areas and/or land that is unsuitable for construction (like swamps and slopes).[12] Two are the indispensable partners of milícias in these ventures: the government and the residents' associations. The residents' associations invariably become a subsidiary entity of milícias in the areas they control, either through consensual agreement with community leaders or by force. This assertion, perhaps somewhat speculative, is based on several ethnographic works already mentioned throughout this article. In this same perspective, the article by Müller (2020) demonstrates militias' involvement in resettlement processes, its effect on the livelihood of residents when they become part of political bargaining, and that is also supporting the argument that we are making further down about the necessity for open display of militias' work.

In order to play this role, residents' associations depend on instruments that allow for breaches in the land regulation system. An example of this relationship is in the episode of approval of Complementary Law 188 of June 12, 2018, authored by councilors Chiquinho Brazão and Willian Coelho, which provided for the partial regulation of the land, followed by its immediate legalization, in cases where there were buildings already occupied. This bill was vetoed by the mayor and had the veto overturned in the plenary of the Chamber, requiring the Court of Justice of the State of Rio de Janeiro (TJRJ) to declare the law unconstitutional. Many councilors also appropriate the instrument of Special Social Interest Areas (AEIS), distorting its meaning,

11 In this case, local government promoted the regularization process.

12 On this issue there are strong evidences from the 'case' of Muzema, a community where one building built by the milicia collapsed in 2020. See https://g1.globo.com/rj/rio-de-janeiro/noticia/2020/03/03/prefeitura-do-rio-comeca-a-demolir-predios-na-muzema.ghtml.

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aiming to promote land title regularization and the legalization of properties illegally occupied and constructed by the milícias.

Another instrument of land grabbing regularization, this time at the federal level, is the registration of occupation. This is an administrative instrument relating to the rules for the management of the Union's assets, which is based on proof of effective use of the land by the occupant. The registration of occupation, as described by Moreira (2018: 132), 'is considered a mere instrument of support, proved to be an efficient mechanism, with a privatist bias, of misappropriation of federal public lands for the exclusive benefit of private individuals.'

Land grabbing followed by legalization is an appropriation mechanism closely linked to the modus operandi of the milícias, on which their urbanization project largely depends. However, its implementation via dubious provisions of land regulation is an outcome that, necessarily, must be preceded by more silent interaction mechanisms with the public authorities, in particular, the local government. For objective reasons, land grabbing, as practiced by milícia groups, is not a discrete task. Since it is necessary, under any of the land regulation instruments mentioned above, to prove the effective use of the area so that, later, it can be legalized, it is necessary to use heavy machinery, working at a daytime pace, aiming at preparation from land to buildings, with the aim of immediate occupation. In many cases, trees are uprooted, slopes are dug and leveled, large amounts of earth, clay and sand transported in trucks, and, of course, a considerable number of workers. In this sense, it is possible to state that the city government and their inspection bodies simply pretend to ignore these projects.

The real estate activity data that we present reinforce the analysis by Ribeiro and Santos Jr. (2011) regarding 'urban clientelism,' as one of the particularist political logics present in the urban administration of the city of Rio de Janeiro. According to the authors, this 'is fueled by perverse practices of protection from a series of urban illegalities that serve the interests of underground economy circuits in our cities' and 'this logic has been reconfigured by the presence, in the City Councils, of representatives of the interests of criminality, as is the case with the phenomenon of milícias in Rio de Janeiro' (Ribeiro & Santos Jr. 2011: 13). The capillarization of the milícia city project is an unprecedented phenomenon in the history of Brazilian urban centers, whether in terms of its territorial extension, in the varied breadth of its markets, but, above all, in terms of its penetration in the most diverse instances of government, from local public servants to the highest levels of the Executive, Legislative and Judiciary. In face of this penetration, innumerable schemes are possible in the backbone of this vast network of alliances, causing the allotment of the State as a whole and the subsumption of individual freedoms to the purest view of the market.

CONCLUSION

The data presented above supports the research hypothesis that milícias have benefited from a double advantage, political and economic, over rival criminal factions (CV, TCP and ADA): 1) on one side, the low incidence of police raids in the neighborhoods they control; 2) on the other side, the increase of their profits from real estate activity, obtained from occupying public lands, offering protection to illegal construction and mediating real estate transactions in neighborhoods that show intense real estate activity. As demonstrated above, there is consistent evidence that milícias have been favored by government policies and practices concerning either police raids – Rio de Janeiro State main law enforcement method –, and real estate regulation policies – licenses and legalizations – whose competent authority is the Rio de Janeiro City Municipality.

After comparing the GENI/UFF police raids database and the Map of Armed Groups, we found that, although milícias control more territories than drug factions, few were the police raids conducted in the neighborhoods they control. By adopting police raids as an indicator of political-coercive favoring, we identified the milícias as *groups in political advantage* and the Comando Vermelho as the main *group in political disadvantage*. This leads us to argue that low police repression to milícias constitute the main cause of the perception of tranquility described by Araújo Silva (2017a) in dwellers' discourse. Our data also supports the narrative presented by Manso (2020) that milícias, Terceiro Comando Puro, illegal gambling organizations (jogo do bicho) and the police have formed an alliance to confront Comando Vermelho. The strong positive association between police raids and homicides (Hirata et al. 2021) might be explained

by the illegal use of police force as a means for favoring one criminal group to the detriment of another, therefore inciting violent disputes among such groups.

As for the economical basis of milícias' power, this research identified a prosperous real estate market, both legal and illegal, in neighborhoods controlled by milícias. The available data on licenses conceded by the Municipal Secretariat of Urbanism (SMU), used as *proxy* of legal real estate activity, show an elevated number of licensed units in the regions where the predominant criminal group is a milícia. The Minha Casa, Minha Vida (MCMV) housing projects stand out as an important variable that have propelled legal real estate activity in these areas. In the MCMV condominiums controlled by milícias, they extract income from condo administration, overtaxing of real estate transactions, expropriation of private apartments, appropriation of common areas for illegal construction, charging of security fees and the extortion of essential services.

The SMU data on legalizations, used as *proxy* for illegal real estate activity – characterized by land grabbing and illegal constructions that are legalized afterwards –, have also indicated a booming illegal housing market in neighborhoods controlled by milícias. In these areas, building inspection by local public authorities is averted by force, therefore enabling irregular land subdivisions and constructions that count on the possibility of further legalization allowed by lenient laws at the municipal level. This was precisely what lead to the tragedy in Muzema.

The evidence exposed above reinforces the concern with the expansion of the political and economic power of milícias as a threat to democracy, security, and the production of urban space in the city of Rio de Janeiro. As argued, Law enforcement policies based on police raids are not only inefficient for fighting milícias but also resorted to foster the expansion of these armed groups. Regulatory measures, police support for inspection services, transparency, and accountability of public policies could be more effective in undermining milícias than the focus on police armed repression has been. The regulation of markets that constitute the basis of milícia power is indispensable for deterring State actors from favoring milícias in exchange for political and economic benefits.

The connections between milícias and government officials from local, state, and federal spheres of the executive and legislative powers has been widely known for over a decade. And yet, the continued presence of milícias' representatives in all spheres of government, despite the indictment and imprisonment of politicians for involvement in milícias, reveals the depth and strength of their plan of power. The political alternatives for fighting milícias are quite clear, but it is still uncertain if political conditions will allow them to be implemented.

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COMPETING INTERESTS

The authors have no competing interests to declare.

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