

Challenging the Weak States Hypothesis: Vigilantism in South Africa and Brazil

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Abstract

The aim of this article is to reveal the underlying processes and factors which facilitate the emergence of vigilante groups as informal providers of social control within neglected urban settings in Brazil and South Africa. As both countries are strong and viable modern states, this approach challenges the common belief that the occurrence of informal security structures can best be explained with state weakness. The evolution of vigilante groups is not presented as the inevitable product of given conditions, but rather as the direct and indirect outcome of deliberate policy choices. It is argued that Brazilian and South African societies are polarized, that the black lower class is marginalized, that poverty is criminalized by the white upper class and that lower class crime is securitized. As a result of these processes, the black lower class has to rely on vigilantism as an informal local mechanism of social control. Moreover, it is shown that Vigilante groups, partly initiated and sustained by the government, often develop their own political agenda and turn into lawless organizations terrorizing citizens and the state itself.

Keywords: Brazil, South Africa, vigilantism.

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Shock of Peace. This conflicting name of a joint police-military operation raiding and occupying the infamous Rocinha favela in Rio de Janeiro ahead of the World Cup in 2014 and the Rio Olympics in 2016 exemplifies the contradiction inherent in the holding of global events in Brazil and South Africa.¹ On one hand, placing the responsibility to host prestigious sport events upon the two emerging countries can be seen as a symbol for deep confidence within the international community in the strength, viability and modernity of the concerned states. On the other hand, international media draw attention to social inequality and crime, the most frequently criticized aspects of contemporary South Africa and

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¹ BBC News (2011). *Brazil police occupy Rio favela in World Cup operation*. Available at: <http://www.bbc.co.uk/news/world-latin-america-13833037> [accessed 12 Dec. 11]; Werman, Marco & Phillips, Tom (2011). *Ahead of the 2014 World Cup, Crackdown in Brazilian Favelas*. Available at: <http://www.theworld.org/2011/11/ahead-of-the-2014-world-cup-crackdown-in-brazilian-favelas> [accessed 12 Dec. 11].

Brazil. This is why both the residing middle class² and international visitors³ are affected by a perceived increase in insecurity. Last year, South Africa experienced the same scenario Brazil is going through right now: Visitors were afraid that criminals from neglected neighborhoods might prey on foreigners, and many observers doubted the country's capability to host secure games.⁴ First and foremost, however, the aforementioned operation 'Shock of Peace' in Rio stands for the contradictory position of authorities towards non-state security mechanisms that have evolved within favelas and townships, as well as for the incapability or unwillingness to address its root causes instead of superficially fighting its symptoms.⁵

This study attempts to reveal the underlying processes and factors which enable the emergence of vigilante groups as informal providers of social control within neglected urban settings in South Africa and Brazil. Methodologically, similar processes within the contemporary socio-political environment in both countries are compared and analyzed in order to present a general explanation of the phenomenon that can later on be scrutinized in the context of other relevant case studies. By contemporary scholars, it is referred to as the period since 1994 in which both countries emerged to be accepted as strong and viable modern states in the sense of supporters of free-market democracy.⁶ This approach challenges the common belief that the occurrence of informal security structures can best be explained by concepts of weak or failing states. The evolution of vigilante groups is not presented as the inevitable product of given conditions, but rather as the direct and indirect outcomes of deliberate policy choices. In the first section of this article, the term 'vigilantism' is defined. Second, the weak states hypothesis as an explanatory concept for the emergence of vigilantism is challenged. Subsequently, it is argued that the polarization of the Brazilian and South African societies has led to the marginalization of the black lower class, criminalization of poverty, and securitization of lower class crime. As a result of these processes, it is suggested that the white upper class – possessing the required financial means – increasingly hires private security providers; whereas the black lower class has to rely on informal local mechanisms of social control, including vigilantism. In the last section, it is shown that vigilante groups, partly initiated and sustained by the government, often develop their own political agenda and turn into lawless organizations terrorizing citizens and the state itself.

² Romero, Simon (2011). *Rio Slum Is 'Pacified' in Advance of Games*. Available at: http://www.nytimes.com/2011/11/14/world/americas/authorities-take-control-of-rios-largest-slum.html?_r=1 [accessed 12 Dec. 11].

³ Associated Press. (2010). *Brazil police addresses WCup security*. Available at http://espn.go.com/sports/soccer/news/_id/7246453/brazil-police-chief-roberto-troncon-filho-preparing-2014-world-cup-threats [accessed 12 Dec. 11].

⁴ Owens, Alyssa (2010). *South Africa confident in its police, security measures*. Available at: http://www.usatoday.com/sports/soccer/worldcup/2010-06-01-south-africa-preparation_N.htm [accessed 12 Dec. 11].

⁵ Bénit-Gbaffou, Claire (2008). Community Policing and Disputed Norms for Local Social Control in Post-Apartheid Johannesburg. *Journal of Southern African Studies*. Vol. 34, No. 1, pp. 93-109: p. 95.

⁶ 1994 marks both the end of the apartheid regime in South Africa and the beginning of a period of perceived political and economic stability with the election of President Cardoso in Brazil.

Definition of Vigilantism

Vigilantism is often mentioned as part of a broader category of informal security phenomena described as non-state policing,⁷ community policing,⁸ popular justice,⁹ civil militia,¹⁰ or collective justice or non-state justice systems.¹¹ Although each category is characterized by distinct features, they also share similarities and are therefore often used indiscriminately. According to Brown, vigilante groups are, "organized extra-legal movements the members of which take the law into their own hands" and, "associations in which citizens have joined together for self-protection under conditions of disorder."¹² Taking a similar stance, Jensen describes vigilantism as, "activities performed by citizens who organize themselves into groups to take the law into their own hands in order to reprimand criminals and protect their community."¹³ This idealized definition conforms to, "crime control vigilantism," according to Rosenbaum and Sederberg the first of three ideal types of vigilante action– which is, "directed against people believed to be committing acts proscribed by the formal legal system."¹⁴ When instrumentalized, this classical type can evolve into two more politicized forms of vigilantism, "vigilantism for control of a regime" and "vigilantism for control of social groups".¹⁵ This underlines the fluidity of the three theoretical variables; many vigilante groups which start with the intention to control both social groups and crime change towards regime control at a later stage. Consequently, Huggins proposes to position vigilante acts on a continuum between a formal and an informal pole according to their degree of state involvement, organization and spontaneity.¹⁶ Besides classical vigilante groups, this study is interested in a number of other actors involved in vigilantism – militias, drug gangs and death squads. However, the boundary drawn between these categories is often blurred, as most non-state groups transform from one type to another and/or fulfill criteria of different ideal types at the same time. While drug gangs are often involved in vigilante activities, militias and death squads tend to enforce their rule through lethal violence and get entangled in drug trafficking and in other illegal businesses themselves.¹⁷ On the one hand, drug gangs present themselves as vigilantes by establishing a,

⁷ Baker, Bruce (2002). Living with non-state policing in South Africa: the issues and dilemmas. *Journal of Modern African Studies*. Vol. 40, No. 1, pp. 29-53.

⁸ Bénit-Gbaffou (2008).

⁹ Monaghan, Rachel (1999). "Popular Justice" in South Africa. *Fortnight*. Vol. 378, pp. 15-16.

¹⁰ Francis, David (2005). *Civil Militia: Africa's Intractable Security Menace*. Aldershot: Ashgate.

¹¹ Schärf, Wilfried (2005). *The Challenges Facing Non-State Justice Systems in Southern Africa: How do, and How Should Governments Respond?* Available at: <http://www.csvr.org.za/wits/confpaps/scharf.htm> [accessed 14 Nov. 11].

¹² Brown, Richard Maxwell (1975). *Strain of violence: Historical studies of American violence and vigilantism*. New York: Oxford University Press, p.130.

¹³ Jensen, Steffen (2008). Policing Nkomazi: Crime, Masculinity and Generational Conflicts. In: Pratten, David & Sen, Atreyee (eds.) (2008). *Global Vigilantes*. New York: Columbia University Press, p. 47.

¹⁴ Rosenbaum, Jon & Sederberg, Peter (1976). *Vigilante Politics*. Philadelphia: University of Pennsylvania University Press, pp. 10-11.

¹⁵ Rosenbaum & Sederberg (1976), p. 12.

¹⁶ Huggins, Martha (1991). *Vigilantism and the State in Modern Latin America: Essays on Extralegal Violence*. New York: Praeger Publishers.

¹⁷ Human Rights Watch (2009). *Lethal Force: Police Violence and Public Security in Rio de Janeiro and São Paulo*. Available at: <http://www.hrw.org/sites/default/files/reports/brazil1209webwcover.pdf> [accessed 11 Nov. 11]; Ribeira, Jorge & Oliveira, Rosane (2010). *The Impact of Militia Actions on Public Security Policies in Rio de Janeiro*. Amsterdam: Transnational Institute. Available at: <http://www.tni.org/sites/www.tni.org/files/download/CrimeGlobalization-paper.pdf> [accessed 01 Nov. 11], p. 10.

"simulacrum of governmental control" in poor neighborhoods,¹⁸ a phenomenon Dowdney coined, "narcocracy."¹⁹ Likewise, Goldstein observes that, "gangs provide an alternative justice system- a parallel state, if you will- among the poorest, who [...] seek some organized entity that can administer 'justice' in the local arena."²⁰ On the other hand, the number of militias who take over control of Rio's favelas increased dramatically in the last decade.²¹ Militias have been defined as "well-organised private vigilante groups made up of rogue, dismissed or retired police officers, firemen and prison guards."²² Although ostensibly established to fight lawlessness caused by drug gangs, they proved to be just another type of armed criminal groups fighting over territorial control and over market share of the lucrative drug trade.²³ In this sense, Ribeiro and Oliveira, drawing on Gambetta's analysis of *The Sicilian Mafia*,²⁴ describe militias in Rio de Janeiro as strictly business-oriented "violent entrepreneurs" in the "local market of violence."²⁵ Often linked to militias, death squads have been defined as, "clandestine and usually irregular organizations [...] which carry out extrajudicial executions and other violent acts [...] against clearly defined individuals or groups of people."²⁶ A recent Human Rights Watch study reveals that "almost all" so-called resistance killings by police –in Rio alone more than 1000 cases in 2005–²⁷ were in fact point-blank executions afterwards covered up as acts of self-defence by planting false evidence.²⁸ As the struggle over the power of definition of such groups suggests, the use of the label "vigilante" can be highly political itself.²⁹ During apartheid South Africa, the term "vigilantes" was used exclusively to denounce right-wing conservatives that were opposed by anti-vigilante groups made up of "comrades" in support of the ANC.³⁰

Weak State Hypothesis Revised

The common explanation for the emergence of vigilante groups or associated phenomena such as civil militias is framed within the context of war-torn, conflict-prone or post-conflict societies,

¹⁸ Penglase, Ben (2005). The shutdown of Rio de Janeiro: The poetics of drug trafficker violence. *Anthropology Today*. Vol. 21, No. 5, pp. 3-6.

¹⁹ Dowdney, Luke (2003). *Children of the Drug Trade: A Case Study of Children in Organised Armed Violence in Rio de Janeiro*. Rio de Janeiro: 7 Letras.

²⁰ Goldstein, Donna (2003). *Laughter out of Place: Race, Class, Violence, and Sexuality in a Rio Shantytown*. Berkeley and Los Angeles: University of California Press.

²¹ Perlman, Janice (2009). Megacity's violence and its consequences in Rio de Janeiro. In: Koonings, Kees & Kruijt, Dirk (eds.) (2009). *Megacities: The politics of urban exclusion and violence in the global South*. London: Zed Books, p. 61.

²² Ribeira & Oliveira (2010), p. 3.

²³ Souza e Silva, Jailson de; Fernandes, Fernando Lannes & Braga, Raquel Willadino (2008). Grupos Criminosos Armados com Domínio de Território - Reflexões sobre a Territorialidade do Crime na Região Metropolitana do Rio de Janeiro. In: *Segurança, tráfico e milícias no Rio de Janeiro*. Rio de Janeiro: Justiça Global /Fundação Heinrich Böll, Perlman (2009), p. 53.

²⁴ Gambetta, D. (1993). *The Sicilian Mafia: The Business of Private Protection*. Cambridge: Harvard University Press.

²⁵ Ribeira & Oliveira (2010), p. 4.

²⁶ Campbell, Bruce (2000). Death Squads: Definition, Problems, and Historical Context. In: Campbell, Bruce & Brenner, Arthur. *Death Squads in Global Perspective: Murder with Deniability*. New York: St. Martin's Press, pp. 1-2.

²⁷ Gay, Robert (2009). From popular movements to drug gangs to militias: an anatomy of violence in Rio de Janeiro. In: Koonings, Kees & Kruijt, Dirk. *Megacities: The politics of urban exclusion and violence in the global South*. London: Zed Books, p. 48.

²⁸ Human Rights Watch (2009), p. 30.

²⁹ Pratten, David & Sen, Atreyee (2008). Global Vigilantes: Perspectives on Justice and Violence. In: Pratten, David & Sen, Atreyee. *Global Vigilantes*. New York: Columbia University Press, p. 8.

³⁰ Abrahams, Ray (1998). *Vigilant Citizens: Vigilantism and the State*. Cambridge: Polity Press, p. 90.

where "governments are forced, by their inability to provide security, to outsource security provisions to private agencies [and] armed vigilante groups."³¹ In this respect, Zartman claims that state collapse – described as, "the breakdown of good governance, law and order" – leads to a situation in which basic state responsibilities such as the provision of security, "fall into the hands of those who will fight for it – warlords and gang leaders."³² In a similar approach, Rotberg interprets increasing criminal violence and vigilantism – two widespread phenomena in Brazil and South Africa – as, "indicator[s] of state failure. [...] As state authority weakens and fails, [...] c]riminal gangs take over the streets of the cities. [...] For protection, citizens naturally turn to warlords and other strong figures [...] offering the possibility of security at a time when all else, including the state itself, is crumbling."³³ In the same edited volume, Lyons confirms that non-state institutions, "such as militia organizations [...] develop and even thrive in the context of state failure."³⁴ State weakness has been described as, "the erosion of state capacity – a condition characterized by gradations of a regime's ability to govern effectively, which, in its most extreme form, results in the complete collapse of state power and function."³⁵ However, it is maintained that, "weak and failing states tend to be among the least-developed and most underperforming states in the world"³⁶ – a criteria that certainly does not correspond to the conditions in Brazil and South Africa. Accordingly, state weakness may be an adequate approach to explain the emergence of certain vigilante groups such as Anti-Gang Movements in Cameroon³⁷ or the Bakassi Boys in Nigeria.³⁸ However, this reasoning is hard to maintain for strong, viable and modern states such as Brazil and South Africa. Being part of the BRICS³⁹ group of emerging powers, the two countries share relative economic strength and strong statehood within their respective regions, but suffer from a high level of racial inequalities. While South Africa was ranked on a strong 117th position in the 2011 Failed States Index, Brazil was placed even higher on rank 123.⁴⁰ Likewise, Brazil and South Africa achieve decent results – 6 and 8 out of 25 fragility points respectively – in the State Fragility Index, generated by the Centre for Systemic Peace.⁴¹ At the same time, Tulchin and Bland list both countries as the most unequal in the world according to the Gini coefficient.⁴² It is in this context of strong but unequal states that pockets of state absence evolve within neglected areas where the marginalized and criminalized population turns to

³¹ Francis (2004), p. 5.

³² Zartman, William (1995). *Collapsed States: The Disintegration and Restoration of Legitimate Authority*. Boulder: Lynne Rienner Publishers, pp. 7-8.

³³ Rotberg, Robert (2004). The Failure and Collapse of Nation-States: Breakdown, Prevention, and Repair. In: Rotberg, Robert (ed.) (2004). *When States Fail: Causes and Consequences*. Princeton: Princeton University Press, p. 6.

³⁴ Lyons, Terrence (2004). Transforming the Institutions of War: Postconflict Elections and the Reconstruction of Failed States. In: Rotberg, Robert (ed.) (2004). *When States Fail: Causes and Consequences*. Princeton: Princeton University Press, p. 269.

³⁵ Wyler, Liana Sun (2008). *Weak and Failing States: Evolving Security Threats and U.S. Policy*. Washington, DC: Congressional Research Service, p. 4.

³⁶ Wyler (2008), p. 4.

³⁷ Banseka, Cage (2005). The 'Anti-Gang' Civil Militias in Cameroon and the Threat to National and Human Security. In: Francis, David (ed.) (2005). *Civil Militia: Africa's Intractable Security Menace?* Aldershot: Ashgate.

³⁸ Harnischfeger, Johannes (2003). The Bakassi Boys: Fighting Crime in Nigeria. *The Journal of Modern African Studies*. Vol. 41, No. 1, pp. 23-49.

³⁹ "BRICS" stands for Brazil, Russia, India, China and South Africa.

⁴⁰ The Fund for Peace (2011). *The Failed States Index 2011*. Available at: <http://www.fundforpeace.org/global/?q=fsi> [accessed 18 Nov. 2011].

⁴¹ Marshall, Monty & Cole, Benjamin (2011). *State Fragility Index and Matrix 2010*. Available at: <http://www.systemicpeace.org/SFImatrix2010c.pdf> [accessed 18 Nov. 2011].

⁴² Tulchin, Joseph & Bland, Gary (2005). *Getting Globalization Right*. Boulder: Lynne Rienner, p. 14.

alternative systems of justice and security.⁴³ Likewise, Abrahams attributes the emergence of vigilantes in modern and complex states to a lack of authority in socially remote areas caused by detachment from the ruling elite.⁴⁴ Additionally, other authors claim that vigilantes "do more than simply take over functions of the state"⁴⁵ and explicitly reject the view that state weakness causes the spread of vigilantism.⁴⁶ Stanislawski (2008, 368-369) provides an alternative explanation for the nature of non-state governed areas with his concept of Black Spots, "area[s] in which the state is no longer the dominant actor, but in which illicit organizations control what has become a criminal enclave."⁴⁷ As this concept acknowledges the existence of such, "'out of control' areas"⁴⁸ "on the streets of modern cities [...] as in the gang-controlled areas of Los Angeles or New York and the favelas [sic] of Rio de Janeiro",⁴⁹ it seems to be more appropriate in the context of strong and viable modern states. Moreover, proponents of the concept of Black Spots recognize the explanatory significance of societal factors such as social inequality, as, "marginalized people are particularly prone to being mobilized and attracted by alternative authority structures."⁵⁰ However, the concept focuses on the consequences of criminal activities that flourish in Black Spots for international security, not on domestic socio-political dynamics. According to Buzan, statehood is a social construct that needs to be, "planted in the minds of the population" and in the, "'minds' of other states" in order to provide the state with internal and external security.⁵¹ From this point of view, marginalization and weak statehood reinforce one another and contribute to the emergence of vigilante groups; marginalized slum dwellers become frustrated with a state that is perceived as preying upon its own people and inflicting insecurity on them instead of providing security and welfare. Instead of focusing on the institutional capacity of the state, I argue that the absence of the state in stigmatized parts of town is the direct outcome of the political decision to deny certain parts of the population their right to state provision of security. All in all, it appears that general state weakness is not a universally applicable explanation for the emergence of vigilantism and it is the intention of this essay to present an alternative interpretation.

Polarization of the Society

The aforementioned deep-rooted social inequalities that characterize both South African and Brazilian societies are deeply intertwined with an historically grounded moral conception that divides

⁴³ Schärf (2005), p. 2.

⁴⁴ Abrahams (1998), pp. 169-170.

⁴⁵ Buur, Lars & Jensen, Steffen (2004). Introduction: Vigilantism and the Policing of Everyday Life in South Africa. *African Studies*. Vol. 63, No. 2, pp. 139-152: p. 148.

⁴⁶ Buur, Lars (2008a). Democracy and its Discontents: Vigilantism, Sovereignty and Human Rights in South Africa. *Review of African Political Economy*. Vol. 35, No. 118, pp. 571-584: p. 573.

⁴⁷ Stanislawski, Bartosz (2008). Para-States, Quasi-States, and Black Spots: Perhaps Not States, But Not "Ungoverned Territories," Either. *International Studies Review*. Vol. 10, No. 2, pp. 366-396: pp. 368-369.

⁴⁸ Stanislawski (2008), p. 368.

⁴⁹ Levitsky, Melvyn (2008). Dealing with Black Spots of Crime and Terror: Conclusions and Recommendations. *International Studies Review*. Vol. 10, No. 2, pp. 392-396: p. 392.

⁵⁰ Levitsky (2008), p. 393.

⁵¹ Buzan, Barry (1983). *People, States, and Fear: The National Security Problem in International Relations*. Brighton: Wheatsheaf Books, pp. 49-50.

society into good and bad.⁵² This division finds its expression not only on a national scale where it is reinforced by official policy choices, but also on a community level. Despite impressive macroeconomic figures⁵³, poverty is widespread and has a racial dimension in both Brazil⁵⁴ and South Africa.⁵⁵ The South African government systematically deepened racial segregation and socio-economic divisions during apartheid rule.⁵⁶ In Brazil, the attempted, "whitening of the society" was followed by racist repression during military dictatorship.⁵⁷ In the beginning of the twentieth century, colour discrimination was widespread within the Brazilian justice system and the establishment of separate legal codes for different racial groups was justified by attributing to black people, "a natural proclivity toward criminal offending."⁵⁸ In Brazil, favelas are constructed in a moralizing discourse as a, "threat to the city's moral, hygienic, and 'civilizational' order," and the South African elite presents township dwellers as, "undesirable elements [...] who act in a 'sub-human' way" and, "must be 'cleansed' from society."⁵⁹ As a result of this polarizing morality and its official support by public policies,⁶⁰ society is divided into de facto citizens and noncitizens lacking protection by the state.⁶¹ With the emergence of the drug trade and drug-related violence, the lives of the poor, which have long been seen as less valuable, "have been devalued even more."⁶² Brazil's military police has a history of giving incentives to kill rather than to arrest suspected criminals justified by the economic reasoning that, "it's cheaper to kill than to capture."⁶³ After it was revealed that police killings accounted for the majority of intentional homicides in one of Rio's favelas in 2007, the city's top military police commander praised his troops as, "best social insecticide," comparing poor slum dwellers to vermin that has to be extinguished.⁶⁴ On community level, Arias and Rodriguez (2006, 55) observe, "selective marginalization" within deprived neighborhoods;⁶⁵ sentences by quasi-courts in South African townships define the status of the defendant as either, "human being" or, "outlaw,"⁶⁶ and fear-infused residents in Brazilian favelas

⁵² Fernandes, Heloísa Rodrigues (1991). Authoritarian Society: Breeding Ground for Justiceiros. In: Huggins, Martha (ed.) (1991). *Vigilantism and the State in Modern Latin America: Essays on Extralegal Violence*. New York: Praeger Publishers, p. 65.

⁵³ Both countries had the highest Gross Domestic Product in 2010 within their respective regions (Brazil in Latin America and South Africa in Africa). See the online database of the World Bank: http://data.worldbank.org/indicator/NY.GDP.MKTP.CD?order=wbapi_data_value_2010+wbapi_data_value+wbapi_data_value-last&sort=asc [accessed 12 Dec. 2011].

⁵⁴ Wacquant, Loïc (2008). The Militarization of Urban Marginality: Lessons from the Brazilian Metropolis. *International Political Sociology*. Vol. 2, pp. 56-74.

⁵⁵ Tulchin & Bland (2005), p. 16.

⁵⁶ Abrahams (1998), p. 89.

⁵⁷ Amar, Paul (2009). Operation Princess in Rio de Janeiro: Policing "Sex Trafficking", Strengthening Worker Citizenship, and the Urban Geopolitics of Security in Brazil. *Security Dialogue*. Vol. 40, No. 4-5, pp. 513-541; p. 514.

⁵⁸ Wacquant (2008), pp. 60-61.

⁵⁹ Baker (2002), p. 50.

⁶⁰ Bénit-Gbaffou (2008), p. 108.

⁶¹ Huggins, M. (2000). Urban Violence and Police Privatization in Brazil: Blended Invisibility. *Social Justice*. Vol. 27, No. 2, pp. 113-135; Brinks, Daniel (2008). *The Judicial Response to Police Killings in Latin America: Inequality and the Rule of Law*. Cambridge: Cambridge University Press.

⁶² Perlman (2009), p. 54.

⁶³ Brinks (2008), p. 232.

⁶⁴ Colonel Marcus Jardim, cited in Human Rights Watch (2009), p. 38.

⁶⁵ Arias, Enrique Desmond & Rodrigues, Corinne Davis (2006). The Myth of Personal Security. Criminal Gangs, Dispute Resolution, and Identity in Rio de Janeiro's Favelas. *Latin American Politics and Society*. Vol. 48, No. 4, pp. 53-81; p. 55.

⁶⁶ Buur, Lars. (2008b). Fluctuating Personhood: Vigilantism and Citizenship in Port Elizabeth's Townships. In: Pratten, David & Sen, Atreyee (eds.) (2008). *Global Vigilantes*. New York: Columbia University Press, p. 141.

support the elimination of presumed criminals as, "a positive social function."⁶⁷ Even drug traffickers – who maintain order in favelas by creating a supposedly save environment for critical parts of its population – are classified by their protégés as either, "good traffickers" or, "bad traffickers."⁶⁸ Scholars have not always been able to escape this black-and-white thinking: Abrahams rhetorically divides society by conceptualizing the phenomena of vigilantism in terms of a, "triangular structure of connections between 'good citizens, criminals and the state'."⁶⁹ According to his concept, "good citizens" normally depend on the state to deal with "criminals," but take action on their own in case the state does not help satisfactorily. It is against this background of polarized society and community that vigilantism emerges as a tool for the more privileged members of society and within deprived communities to maintain at least an illusion of order.

Racial and Social Marginalization

As a result of this polarization of the society, Huggins observes that a more and more isolated and segmented population of "true citizens" is walling-off itself from the population that is, "marginalized and delegitimized as 'dangerous criminals'."⁷⁰ In this sense, efforts to address crime do not focus on social welfare and education in order to prevent 'precriminals' at one end of the social stratum from becoming criminals, but rather try to prevent crime from spreading into privileged areas where citizens at the other end of the social stratum are living.⁷¹ Likewise, Wacquant argues that the more sustainable "social treatment" of poverty and its causes is falling prey to the "penal treatment"⁷² of the most vulnerable fractions of society, focusing on short-term electoral gains rather than complying with values of justice and solidarity.⁷³ While the well-offs who live in the white areas in the city enjoy functioning protection by the police and private security firms, those living in neglected areas need to take care of their own security, which often takes on the form of vigilante groups.⁷⁴ Even though police personnel was redistributed from former white neighborhoods to former black areas after the end of apartheid, police structures themselves were not changed.⁷⁵ Baker observes increasing spatial and social isolation in South Africa, which leads to the establishment of no-go areas within largely black townships and the rise of gated communities in mainly white suburbs.⁷⁶ Correspondingly, the provision and accessibility of state services in Brazil depends on a citizen's economic and political standing.⁷⁷ As a consequence, urban dwellers within the favelas are largely neglected. It is important to note, however, that spatial segregation and state absence in marginalized urban areas have to be interpreted as the legacy of the deliberate political decision to neglect stigmatized segments of the population. During apartheid, the South African Police Force abandoned township residents to their

⁶⁷ Brinks (2008), p. 231.

⁶⁸ Arias & Rodriguez (2006), p. 64.

⁶⁹ Abrahams (1998), p. 9.

⁷⁰ Huggins (2000), p. 117.

⁷¹ Béni-Gbaffou (2008), p. 95.

⁷² Wacquant refers herewith to the increasing number of incarcerated persons who belong to the lower class.

⁷³ Wacquant (2008), p. 57.

⁷⁴ Buur (2008a), p. 579.

⁷⁵ Béni-Gbaffou (2008), p. 96.

⁷⁶ Baker (2002), p. 48.

⁷⁷ Huggins (2000), p. 120.

fate while focusing on preventing crime from spreading into well-guarded white neighborhoods.⁷⁸ In Brazil, by contrast, it was after the return to democracy that elected governors, "made a deal with the police according to which they were not to enter the favelas."⁷⁹ As the Brazilian police are simply executing alleged criminals in the streets instead of taking them to the court, former criminal courts were converted into civil courts for the benefit of middle-class citizens, leaving the space of criminal justice to vigilante groups and pseudo-vigilante death squads.⁸⁰ Considered as a whole, it appears that in both countries, a predominantly white upper class relies on public and private security mechanisms to separate themselves from a marginalized lower class of mainly poor blacks living in neglected areas where they are deprived of access to the formal security systems and therefore are forced to resort to vigilantism.

Criminalization of Poverty and Race

Within this context of polarization and marginalization, the construction of an intrinsic connection between poverty, crime and violence leads to the stigmatization of the poor as criminals.⁸¹ This criminalization of poverty deepens the already existing social and racial cleavages and opens the door for discriminatory policies and practices. Democratic governments in both countries are willfully reinforcing spatial segregation in the name of progress. On the one side, black urban poor found within the boundaries of the neoliberal flagship project, "Cape Town Central City Improvement District" are chased away, back to the townships, "where they belong."⁸² In Rio, on the other side, the government is cementing social boundaries by separating a number of favelas from the city centre through the construction of walls.⁸³ Moreover, Bénit-Gbaffou observes that both the inhabitants of former white upper class neighbourhoods as well as many lower-middle class residents within South African townships use the criminalization of poverty as a tool to demonstrate their distinction and their social separation from the poor.⁸⁴ Likewise, by advocating policing methods and penal practices that are criminalizing the lower class, the Brazilian upper class distances itself from marginalized sections and offers the police a blueprint for using violent means against the poor.⁸⁵ This carte blanche has extensively been used by death squads, whose state-sponsored murders accounted for almost four times more deaths in democratic Brazil than during military dictatorship.⁸⁶ As a means of social control predominantly deployed among or against the marginalized lower class, both death squads and militias are endorsed

⁷⁸ Brewer, John (1994). *Black and Blue: Policing in South Africa*. Oxford: Clarendon Press; Shaw, Mark (2002). *Crime and Policing in Post-Apartheid South Africa: Transforming under Fire*. Bloomington: Indiana University Press; Glaser, Clive (2008). *Violent Crime in South Africa: Historical Perspectives*. *South African Historical Journal*. Vol. 60, No. 3, pp. 334-352.

⁷⁹ Perlman (2009), p. 57.

⁸⁰ Amar (2009), p. 521.

⁸¹ Ribeiro & Oliveira (2010).

⁸² Samara, Tony Roshan (2010). "Order and security in the city: producing race and policing neoliberal spaces in South Africa." *Ethnic and Racial Studies*. Vol. 33, No. 4, p. 651.

⁸³ Aguirre, Mariano (2009). Crisis of the state, violence in the city. In: Koonings, Kees & Kruijt, Dirk (eds.) (2009). *Megacities: The politics of urban exclusion and violence in the global South*. London: Zed Books, p. 151.

⁸⁴ Bénit-Gbaffou (2008), p. 105.

⁸⁵ Arias & Rodriguez (2006), p. 59.

⁸⁶ Gay (2009), p. 29.

by many of Brazil's upper and middle class as well as by the political elite.⁸⁷ All in all, it becomes evident that the economically strong and mostly white population is criminalizing the economically weaker and mainly black segments of the population that are living in neglected parts of Brazilian and South African cities. This further encourages and 'justifies' the formation of and support for vigilante-style extermination groups as a cheap and effective form of protection from the supposedly dangerous parts of the population.

Securitization of Crime

The criminalization of poor blacks combined with the securitization of urban violent crime increases fear within society and encourages state officials to adopt a more repressive security policy. This enabled vigilante groups to operate largely without interruption and even with public and official support. Though developed in the context of International Relations, securitization theory provides a suitable framework in order to better understand scapegoating as part of a political strategy, be it on international or on domestic level. According to Buzan, Wæver and De Wilde, securitization is the use of the notion of a security threat in order to proclaim a state of emergency which justifies extraordinary measures to counter the menace.⁸⁸ In this respect, Rumford suggests that, "[t]he practice of labeling something dangerous is at the same time a strategy to mobilize discourses of security."⁸⁹ Concerning highly unequal and polarized countries like South Africa and Brazil, securitization of lower class crime is a convenient tool for the politico-economic elite to justify discriminatory and extralegal measures, which in turn increase the spread of vigilantism. For South Africans from all walks of life, crime has become the single most important explanation for all kinds of obstacles and problems arising in the post-apartheid era.⁹⁰ In this respect, Buur underlines how crime functions as a unifying factor for parts of society after the end of the struggle against apartheid, which nevertheless creates its own social cleavages and exclusions.⁹¹ Similarly, the extrajudicial killings of supposed criminals in Brazil⁹² can be understood as the attempt to eradicate what is seen as the embodiment of crime, which in turn is perceived as the evil underlying all social problems. The use of metaphors of war is a common tool of securitization; Rio's governor declared that his state was, "at war with criminal elements, a war that could not be won without bloodshed."⁹³ Similarly, politicians and the media are justifying the, "war on the poor" by fusing images of *favelados* (favela residents) and *bandidos* (criminals).⁹⁴ As a result of the combination of marginalization, criminalization and securitization, "fear takes the form of systematic defiance" against black and poor people.⁹⁵ In reality, however, poor young black males and not wealthy whites are most

⁸⁷ Ribeiro & Oliveira (2010), p. 13.

⁸⁸ Buzan, Barry; Wæver, Ole; Wilde, Jaap de (1998). *Security: A New Framework for Analysis*. London: Lynne Rienner Publishers.

⁸⁹ Rumford, Chris (2008). Social Policy beyond Fear: The Globalization of Strangeness, the 'War on Terror', and 'Spaces of Wonder'. *Social Policy and Administration*. Vol. 42, No. 6, pp. 630-644: p. 638.

⁹⁰ Buur (2008a), p. 572.

⁹¹ Buur (2008b), p. 148.

⁹² Human Rights Watch (2009).

⁹³ Gay (2009), p. 29.

⁹⁴ Perlman (2009), p. 64.

⁹⁵ Bénit-Gbaffou (2008), p. 98.

likely to be victims of violence in South Africa⁹⁶ as well as in Brazil.⁹⁷ Moreover, independent sources estimate that only between one per cent and three per cent of favelados are involved in drug trafficking or other crime.⁹⁸ For instance, it was calculated that only one per cent of residents in Rio's *Cidade de Deus* (City of God) are somewhat connected to the drug trade.⁹⁹ As most victims of police killings have neither a criminal record nor any connection to crime, Gay seems to have a point when stating that they are, "simply the wrong type of person [...] caught at the wrong place and the wrong time."¹⁰⁰ Similarly, doubting the credibility of many post-apartheid crime data in South Africa, Shaw argues that crime rates are actually stable but have been exaggerated for the most part by white citizens.¹⁰¹ This can be explained with the securitization of crime by white parties during the campaign for the 1999 elections. However, Baker holds the opinion that no matter how high the true crime rate may be, what is important is that the perceived personal insecurity increased without doubt.¹⁰² As a result, the feeling of insecurity in combination with the marginalization and criminalization of the poor encourages political leaders to adopt Draconian measures to fight the universally disdained scapegoat called crime. Although proven inefficient and at times even counterproductive,¹⁰³ both Brazil¹⁰⁴ and South Africa¹⁰⁵ adopted former New York mayor Rudolph Giuliani's zero tolerance approach. Its strictness might have been interpreted by vigilantes as a blueprint for making extensive use of violence without being prosecuted according to the law. In a nutshell, by fueling fear within the society and inciting governments to resort to repressive means of social control, the securitization of urban lower class crime further contributes to the emergence of vigilante groups in securitized areas and ensures widespread public support for their often Draconian punishments.

Politicization of Vigilantes

Vigilantism and politics appear to be deeply interwoven phenomena that should not be analyzed separately. In a threefold analysis of this connection, I argue that the appearance of vigilantism has intentionally been caused by policy choices, vigilantes are collaborating with the political elite, and they often develop their own political agenda. First of all, as outlined above, the emergence of vigilantism can be analyzed as the outcome of socio-political processes such as polarization, marginalization, criminalization and securitization. These processes themselves are triggered by policy choices, or at least, governments are not preventing them from occurring – which can be interpreted as a policy choice as well. From an historical perspective, the targets of vigilante

⁹⁶ Shaw (2002), p. 91.

⁹⁷ Ribeiro & Oliveira (2010), p. 9; Zaluar, Alba (2010). Youth, drug traffic and hypermasculinity in Rio de Janeiro. *Vibrant*. Vol. 7, No. 2, pp. 7-27: p. 14.

⁹⁸ Huguet, Clarissa (2009). *Drug Trafficking, Militias, Police Violence and State Absence – Is there a way to build citizenship in cities like Rio de Janeiro?* Paper presented at 10th Berlin Roundtables on Transnationality, March 2009.

⁹⁹ Zaluar (2010), p. 20.

¹⁰⁰ Gay (2009), p. 35.

¹⁰¹ Shaw (2002), pp. 84-85.

¹⁰² Baker (2002), p. 31.

¹⁰³ Eck, John & Maguire, Edward (2000). Have Changes in Policing Reduced Violent Crime? In: Blumstein, Alfred & Wallman, Joel (eds.) (2000). *The Crime Drop in America*. New York: Cambridge University Press, pp. 245-246.

¹⁰⁴ Wacquant (2008), p. 57.

¹⁰⁵ Bénit-Gbaffou (2008), p. 102.

groups as tools of the elite changed during the period of democratization. With the transition from strong authoritarian regimes that controlled large parts of the countries' economies to free-market democracies, the victims of state-encouraged vigilantism also changed from politically to socio-economically 'undesirable' elements of the population. While South African authorities during apartheid used death squads and private vigilante groups as a weapon against political enemies,¹⁰⁶ their contemporary counterparts encouraged the formation of informal street patrols in order to transform Johannesburg into a clean and crime-free global city.¹⁰⁷ Likewise, Brazil's authoritarian regime has driven the emergence of pseudo-vigilante death squads to carry out murders in order to send a message to political "subversives",¹⁰⁸ while the victims of today's death squads are the poor rather than the politically dangerous classes.¹⁰⁹ Second, though involved in illegal activities, vigilante groups and political elites regularly work together— in the pursuit of their own interest, but to the detriment of the poor. As Abrahams points out, "the 'frontier' between vigilantes and the state [...] may be more fictional than one is invited to assume."¹¹⁰ In this respect, governments are using vigilantes as, "a cheap form of law enforcement",¹¹¹ as happened with vigilante groups in South Africa that are not only accepted and encouraged by the state, but even incorporated into official security mechanisms.¹¹² In the case of Brazil, Arias and Rodrigues argue that rather than constituting a parallel form of governance conflicting with the state, drug gangs involved in vigilantism are part of the existing political system and are actually supporting its persistence.¹¹³ Building on Agamben's (2005) notion of a, "permanent state of emergency",¹¹⁴ Penglase makes a case for the collaboration of traffickers and state actors in creating a, "state of (in)security," in which drug gangs depend on the collapse of the official criminal justice systems in order to be able to present themselves as alternative providers of law and order.¹¹⁵ Moreover, many militia leaders in Rio de Janeiro simultaneously hold legislative mandates.¹¹⁶ Third, vigilantes tend to develop their own political agenda, to turn criminal and to challenge the very state that has formerly promoted their formation. Yoroms and Shaw observe that most vigilante groups turn into lawless criminal organizations that impose 'jungle justice' upon the community they are supposed to keep safe.¹¹⁷ An example, par excellence, is the People Against Gangsterism and Drugs (PAGAD) vigilante group in the Western Cape. The group was formed by a group largely made up of Muslims in 1995 as a response to racist police practices and murders caused by street gangs.¹¹⁸ When PAGAD started to punish and kill gang leaders, South African authorities first did not intervene and some

¹⁰⁶ Gottschalk, Keith (2000). The Rise and Fall of Apartheid's Death Squads, 1969-93. In: Campbell, Bruce & Brenner, Arthur (eds.) (2000). *Death Squads in Global Perspective: Murder with Deniability*. New York: St. Martin's Press.

¹⁰⁷ Bénit-Gbaffou (2008), pp. 105-106.

¹⁰⁸ Perlman (2009), p. 56.

¹⁰⁹ Brinks (2008).

¹¹⁰ Abrahams (1998), p. 95.

¹¹¹ Pratten & Sen (2008), p. 3.

¹¹² Buur (2008a), p. 582.

¹¹³ Arias & Rodrigues (2006).

¹¹⁴ Agamben, Giorgio (2005). *State of Exception*. Chicago: University of Chicago Press.

¹¹⁵ Penglase (2009).

¹¹⁶ Ribeiro & Oliveira (2010), p. 12.

¹¹⁷ Shaw (2002), p. 95; Yoroms, Gani Joses (2005). Militias as a Social Phenomenon: Towards a Theoretical Construction. In: Francis, David (ed.) (2005). *Civil Militia: Africa's Intractable Security Menace?* Aldershot: Ashgate, p. 40.

¹¹⁸ Shaw (2002), p. 97.

government members openly supported their activities.¹¹⁹ Soon however, with the adaptation of a more radical religious and political agenda, the attacks switched against police officers and Western capitalist targets. Subsequently, PAGAD lost all initial state, media and business support.¹²⁰ A comparable development can be observed in the case of Comando Vermelho (CV) in Brazil. CV has been established as a prison gang that provides a certain degree of security behind bars. When many of its members returned to Rio's favelas after having finished their sentence, they kept the network alive and continued to maintain law and order in their neighbourhoods.¹²¹ Becoming the dominant force behind Rio's drug trade, CV set up a policy of "neighborliness," described by Penglase as, "a system of forced reciprocity in which traffickers provided security [...] in exchange for the silence or complicity of favela residents."¹²² However, once the group split into strictly profit-oriented factions such as Terceiro Comando and Amigos dos Amigos, the initial pretension to maintain law and order was completely spoiled.¹²³ When CV unleashed a, "wave of violence" over Rio in 2006, including attacks on public targets such as police stations and an interstate bus, many commentators suspected specific political motives behind the actions.¹²⁴ These incidents exemplify the ambiguous relationship between the state and vigilante groups, which on one side are politicized and cooperate with authorities, but on the other side politicize and radicalize their own agenda. In summary, vigilantism is an inherently political phenomenon, both penetrated by external policy choices and developing internal political objectives and positions.

Conclusion

The thesis that state weakness is responsible for the formation of vigilante groups is proven wrong in the context of strong, viable and modern states such as Brazil and South Africa. An alternative explanation is presented that focuses on political and social processes within the concerned countries and emphasizes the role of social as well as racial inequalities. The analytical chain of thought for this interpretation is a deeply polarized society in which a mostly black lower class is marginalized by a mainly white upper class. Deprived of formal security structures, inhabitants of neglected urban areas tend to rely on informal institutions of social control, such as mob lynching or vigilantism, in order to maintain a certain degree of order for the less deprived parts of the community. By deploying private security companies (PSCs) and establishing gated communities, more privileged neighbourhoods tend to increasingly barricade themselves against the perceived threat posed by marginalized parts of the population. In a collective speech act, poor black urban dwellers in Brazilian favelas and South African townships are criminalized on the basis of their poverty. Similarly, the socially and politically constructed image of criminal and violent poor blacks is securitized in another collective speech act that fuels

¹¹⁹ Dixon, Bill & Johns, Lisa-Marie (2001). *Gangs, Pagad & the State: Vigilantism and Revenge Violence in the Western Cape*. Johannesburg: Centre for the Study of Crime and Reconciliation.

¹²⁰ Baker (2002), p. 36.

¹²¹ Dowdney (2003); Penglase, Ben (2008). The Bastard Child of the Dictatorship: The Comando Vermelho and the Birth of "Narco-culture" in Rio de Janeiro. *Luso-Brazilian Review*. Vol. 45, No. 1, pp. 118 - 145.

¹²² Penglase (2008), p. 129.

¹²³ Dowdney (2003); Gay (2009).

¹²⁴ McCann, Bryan (2007). Criminal Networks in Urban Brazil. *Georgetown Journal of International Affairs*. Vol. 8, No. 2, pp. 13-20: p. 15.

societal fears and serves as justification for extraordinary security measures such as the acceptance and promotion of vigilantism and pseudo-vigilante death squads. Accordingly, the spread of vigilantism is caused by state complicity and unwillingness to address security needs of the poor rather than by the inability of the state to meet these needs – as proposed by the weak states hypothesis. However, vigilante groups are not simply a useful and cheap tool for governments; rather they tend to develop their own political agendas and can easily challenge the state as such, just as they threaten the constitutionally guaranteed rights of inhabitants within the communities they are supposed to keep safe. It becomes apparent that vigilantism is deeply penetrated by politics and therefore should be analyzed as a political phenomenon which certainly cannot analytically be separated from the state, notably not within the context of strong, viable and modern states. Most importantly, it becomes evident that short-term measures such as the temporary military ‘pacification’ of townships and favelas do not address the root causes of informal security structures such as racial inequality, deeply rooted cleavages, prejudices and fears within the society and communities. As long as those crucial issues are not granted priority over prestige events such as hosting the World Cup, crime and vigilantism will not be under control in the long term. In this sense, operation ‘Shock of Peace’ is appropriately termed – it will bring nothing but a short-lived ‘shock’ of militarily imposed negative ‘peace.’