Order and Crime: Criminal Groups´ Political Legitimacy in Michoacán and Sicily

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Chapter 2.
The Ghost of Robin Hood: Tracking Legitimate Crime

Among many violent non-state actors (including rebels/social bandits such as militias, guerrillas, and those labelled as terrorists), it is common to find interest in and concern about achieving legitimacy. For them, the primary motivation is often characterized as political, based on their discourses and narratives. Others, such as those we're calling criminal groups, who's interests are ostensibly economic, may in fact also pursue courses toward legitimacy. Behind many violent non-state actors' activities, pragmatic economic explanations often overlap with political goals, as when illicit profiting is made easier by obtaining social recognition or corrupting official authorities. But when criminal groups take part in complex legitimation processes, they begin to influence formal political processes as well as the local social order, and their effects on society are as much social and political as they are economic. By seeking legitimacy, these groups contest who, what, and how authorities previously portrayed them as illegal and, consequently, illegitimate. Hence, this becomes a social order contestation.

But are all criminal groups, in fact, rebels or social bandits? Are all illegal agents rebels? To answer, this chapter guides the analysis through four questions involving crime and legitimacy: *what*, *who*, *why* and *how*. *What* refers to the concepts of crime and illegality in terms of political legitimacy. Limits and analytical possibilities for both normative and descriptive perspectives of legitimacy are reviewed in this section, together with the relation of crime with social (dis)order. The second part critically answers *who* are the criminals by understanding crime as social phenomena rather than the activities of anti-social individuals and groups. The third part addresses *why* criminal groups and illegality may become interested in legitimacy. Finally, by incorporating analyses from the chapter 1, the fourth and final section deals with *how* criminals attempt to become legitimate.

With this general analysis established, we proceed to the specific research cases in the following chapters. This last section is used as well to synthesize the methods and epistemology behind the data collection for this research. It recovers past discussions to explore how legitimate attempts empirically take place. In other words, the methodological design prepared for this research is briefly explained –which intends to be useful to conduct research that specifically studies criminal groups seeking legitimacy. First, we examine the sources and resources of legitimacy and how they are used in order to achieve goals. This section ends with a relevant discussion for this research: What happens with legitimacy in contesting contexts? That is a specific interest in understanding if it is possible or not for two or more political actors to simultaneously share political legitimacy, this is, within same time and space. Answers and particularities around these questions synthesize both richness and relevance of the research.

2.1. Crime and Illegality as Social Phenomena

This first section digs into what criminality is, and shows how the so-called underworld often seamlessly meshes with the world. By understanding the social basis of crime, the extent to which it is part of the social order becomes clear. In that respect, we will keep an eye on the transformation of the criminal, the informal sovereign, into "a law unto himself" (Hansen and Stepputat, 2005, 32). This is an exploration of a specific kind of criminal behavior that endeavors to produce legitimacy through performing the sovereignty that is supposedly exclusively a state capability. That could mean producing or reproducing the experience of government, but not only that. Many sources or resources of legitimacy could be used. In this regard, the idea of criminality will be understood as that "zone of darkness" and "[...] the perennial outside, an unruly and originary source of sovereign life, and thus a necessary condition for any claim to establish and defend a social order" (Hansen and Stepputat, 2005, 32).

This analysis focuses on the legitimacy endeavors, and not necessarily on determining if they were successful or not. After a political actor becomes legitimate, the literature tends to separate the governance process into three aspects: output (about governing for the people), input (about governing by the people), and throughput (about ruling with the people) (Mazepus, 2017, 4-5; see also Schmidt, 2013). However, here our focus is on the legitimacy attempts made by criminal groups in contemporary times. That discussion needs to take into account how illegality shifts its interest into becoming legitimate, including the specific efforts, and not in what happened in a hypothetical case in which those attempts were successful.

The discussion is guided by the concept of political legitimacy to do so. Following the same literature categorization made in the first chapter, the first section locates how criminality is understood from a normative perspective of legitimacy. The second part turns to the descriptive perspective and makes the same analysis to argue how this latter perspective offers a better analytical opportunity for studying criminality linked to political legitimacy processes. Finally, this section ends making considerations around illegality becoming the heart of the social order, rather than a source of disorder. What happens when violence, insecurity, and lawlessness are not part of a contextual crisis but the context itself? Is crime always a sign of disruptive social behavior? How does political legitimacy help to explain scenarios without legality but with a determined social order? Answers to these questions are elaborated in this section as well.

2.1.1. Illegal Is Illegitimate: Limits of the Normative Perspective

From a normative perspective of political legitimacy, illegality is illegitimate by definition. Not only the legal approaches but also the philosophical perspectives around political legitimacy do not leave space for considering crime or its perpetrators as legitimate. Moreover, these two perspectives (philosophy and legal approaches) usually go together when analyzing illegality. The power of this link comes from the fact that the spirit of the legitimacy consensus resides in the current law. Following Duff: "[...] the criminal law purports to declare and enforce authoritative standards of value, in particular of moral value: it claims the authority to tell us how we should live, and to enforce its demands on us if we disagree or disobey" (2013). The normative perspective links legality with legitimacy by assuming that law is created with the people's general set of moral beliefs. Thus, people know they should act following the rule of law and that officials are legitimate who promote that behavior above all (Tyler, 1990, 19-20).

Following this understanding, when the law stops being a legitimate reflection of that consensus (often materialized toward a social contract), democracy offers mechanisms through which changes or updates are made. Therefore, what is outside of the law is illegal, thus illegitimate, and it always will be. The only possible change happens within the law. Moreover, this angle does not focus on the political dimension of lawmaking and law-enforcement, that is, when the law is the consensus of those with political power, rather than a broader population, which is closer to what the social contract pretends. The role of authority within this perspective is sharply associated to the one who followed the legal paths to achieve power. Consequently, no criminal can become a legitimate ruler, simply because the sole condition of being illegal disables any legit condition. Classic legal, ethical, and moral definitions of crime and illegality fit in this perspective. Together with punishment, here illicit behaviors are attached to measure and identify actions that damaged the public together with options to restore damages (Lamond, 2007). Therefore, no criminal can give benefits to the people except when he or she is already punished or as part of that punishment.

Additionally, because of the rigid role that ideal-type notions play in these perspectives, crime and criminals tend to look like fixed entities. However, while the former opens a bit of space for change, the latter reinforces the illusion of being perpetually illegal. In the case of crime, the illicit behavior, possible social changes affecting how an illegal practice transforms into a socially accepted one, is reconsidered through legal paths that legitimize it and, consequently, it becomes legalized. However, in the case of criminals, the story is different. It is not possible to "legalize" a criminal, only to make them recognized as a liability, and pay the punishment. Hence, criminal actors are merely a source of social disorder (by reaffirming and validating current law), but they could never create social order while illegal, since they are perpetually illegitimate (more ideas about crime and order come later in this chapter).

Finally, it is necessary to consider that law is not enough for this analysis but takes part in it. Cases of political legitimacy concerning illegality, even when they cannot be explained exclusively from a normative perspective, need to take into account how legality works in the big picture. In the end, criminals attempting legitimacy are constantly dealing with a narrative that helps to justify their illegality. Given that the law is not a big enough blanket to cover illegal actions, fairness and justice beyond the law will help to do this job. In other words, given that criminal actors cannot claim or look for legality as a source of legitimacy, they need to look for new or renewed sources and resources of legitimacy (Duyvesteyn, 2017, 673). Resorting to legal paths does not mean forgetting the interest in legitimacy. However, even then, it is necessary to insist that the law remains relevant as an analytical element. These elements continue being considered on the descriptive grounds of legitimacy, which is the basis on which this research is developed.

2.1.2. Illegal But Legitimate: Towards Descriptive Grounds

The descriptive grounds of political legitimacy open possibilities for making illegality legitimate. A fundamental reason for this is that every disciplinary angle included in this perspective works with change. Even when some disciplines may work as well with ideal-types, an ongoing empirical debate suggests certain conditions in which a crime or criminal could be considered legitimate. Moreover, exploring actual cases gives an opportunity to include particularities that could go against the idea of the law as the main source of legitimacy. This is especially relevant for unlawful contexts, where corruption and mistrust in official authorities could undermine obedience to the law. In the short and medium term, interdisciplinary approaches combining anthropology, sociology, and political science allow for a conceptualization of criminals becoming legitimate without taking into account changes in the law or dominant morality. In the long term, social flux between legal and illegal can be studied through historical analysis.

This perspective identifies variations in people´s decisions towards legitimacy. As a relevant audience for legitimacy, it is not possible to argue that people always consider legitimate what (or who) is legal. Many reasons can be working around each decision; however, a descriptive perspective of legitimacy opens the door for these phenomena. In the words of Arjona: "Insofar as people make choices considering the alternatives available to them, identifying the range of those options is an essential step toward theory building. Yet for the most part, the literature on civil war and organized crime are mute about this" (2017, 756). That could also be said for legitimacy literature outside the descriptive viewpoint. Regarding legitimacy as well as criminality, to look at regular citizens' behavior in contexts where criminal groups have a presence, may suggest that there is space for being legitimate without being legal.

Following the idea, the descriptive angle of legitimacy opens space to recognize different ways in which legitimacy is materialized. This idea is especially relevant when talking about crime, because violence, coercion, and fear can also shape how legitimacy becomes useful for the criminal groups. People cooperating (or not) with criminal groups are the two possibilities; however, following the debate on legitimacy, here we focus on the cooperating options as expressions of this descriptive viewpoint. These actions range from support, collaboration, and assistance, to participation, or even omissions, when discussing crimes with official authorities. All of them might be happening, and possibly more than one at the same time. For instance, Arjona said that obedience is a central form of collaboration (2017, 757), but in the meantime, people might be collaborating with the group as well. Again, fear and violence could be the trigger this. In any case, these possible behaviors enable the creation and maintenance of local orders that criminal groups tend to create and from which they gain benefits. Related to this outcome, "the order" is explained in the following section.

2.1.3. From Illegal to Legal: Changes in Social Order

After explaining how crime is understood from both perspectives, in this section links between crime and social order are explained. Is criminality a component that increases social disorder and vice-versa? Moreover, is social order possible in contexts of high criminality? From a normative perspective, the answer is clear: crime always goes against the social order – the only one, inserted into the current legal frame. Moreover, criminals are seen as destabilizing agents that put at risk any possibility of order. On the other hand, the descriptive perspective can explain possible social order scenarios in which legality is even wholly absent. The idea of social disorder (i.e., the hypothesis of social order's absence) brings other relevant questions. How should we understand contexts where violence, conflict, and chaos are not temporary periods of crisis, but are normal? This task points to the study of places where crisis are not context, but crisis acts as context (Vigh, 2008).

The starting point is to consider the changing power of criminals and their activities in their contexts. Often in these circumstances, crime stops being the exception and becomes part of daily life, followed by rules, living standards, and social exchanges. They are all ingredients in the complex social order in which a paradox happens, namely, crime becomes the rule. These hypothetical scenarios again are not fixed and require constant legitimacy in an attempt to maintain the status quo. Social order is both an input and an outcome of these struggles. Following Arjona:

> NSAGs [non-state armed groups] often transform the daily lives of those living in areas where they operate. Their coercion, violence, and disruption of formal and informal institutions can give rise to disorder, where locals experience high levels of uncertainty. However, these groups also bring about new forms of social order, where civilians and combatants tend to follow clear rules of conduct allowing for stable patterns of behavior and interaction to emerge (2017, 756).

Among these rules, criminal groups might tend to create regulations in political, economic, and social functioning. By doing so, these groups could set the basis for 1) establishing the dominant order, and 2) expecting obedience from people in the local area. In the long run, establishing this sort of local order becomes more convenient than coercive measures, even when there is no definitive formula on how to balance carrots and sticks. In the end, criminal groups will always be dealing with the task of justifying illegality. Furthermore, through this order, the groups will be able to obtain "[...] resources, accessing political and social networks, putting into practice their ideology, and gaining the recognition and reciprocity of local residents" (Arjona, 2017, 760). This idea explains why the social order is possible in contexts of criminality – even when it is not the desirable one concerning peaceful coexistence and democracy.

It is not possible to say that every criminal group, in every case, will make attempts to build and maintain its order; however, those who do not do so run the risk of resistance coming either from locals or official authority. In the end, the decision to establish a particular social order (or at least participate in its definition), is what enables us to distinguish criminal groups involved in political legitimacy struggles. Thus, the link between crime and social order is defined by political legitimacy. Criminal activities, as an illicit behavior defined by a specific legal code (approved, spread, and validated through official mechanisms following its legitimacy settings), may become a source of social order through the interest of a group in doing so. Those groups organize and concentrate the criminal activities within a defined time and space, and their boundaries tend to be blurred. Hence, when a criminal group participates in the definition of social order, it gets involved in a discussion of legitimacy, and these phenomena can only be explained from that perspective.

2.2. The Fiction of Counter-Society Actors

A possible heritage from the descriptive perspective is the fallacy of thinking of criminals as agents against society (unable to live in society or to create social order). After almost fifty years, Hobsbawm's "social banditry" concept was revisited. Dutch anthropologist Anton Blok pointed a lacuna in this sociological category: "What seems wrong with Hobsbawm's perception of brigandage is that it pays too much attention to the peasants and the bandits themselves. Before looking at them, it is necessary to look at the larger society within which peasant communities are contained […] Given the specific conditions of outlawry, bandits have to rely very strongly on other people" (2001, 18). Blok's critique reconsiders the criminal's role in society while upgrading society's influence on criminals. This statement needs attention given that, as stated earlier, illegality is a sociological output. In the end, societies define legal and illegal through their established rules, institutions, and mechanisms. Moreover, if bands or criminals are not isolated characters but social agents, then this needs to be taken into account when analyzing criminal phenomena.

Following this perspective, as counter-society agents or counter-state actors, criminals destroy society rather than create it, and break the rules without creating others. Therefore, illegality seeds chaos and needs crisis to exist. That is part of the reasoning of why criminals should be separate from the rest in jails and prisons (Foucault, 1995, 257). How true is this statement? This section answers that question using two analytical angles. First, by translating the blurred boundaries idea fully into a crime and illegality perspective. And second, by understanding the social circuits in which illegality works, involving many actors that do not enable to always strictly separate legal from illegal. However, despite the difficulties of grasping criminals as counter-society actors, some criminal groups make explicit and rational efforts in order to distinguish themselves from the rest. This feature helps maintain the discussion on political legitimacy.

2.2.1. Blurred Boundaries: Crime and Illegality

As discussed in the last chapter, boundaries between state and non-state actors tend to be blurry. However, when talking about criminal actors, this may become even more confusing. Law and illegality may become an obsession within "disordered societies", even a fetish (Commaroff and Commaroff, 2006, viii). For instance, several governments around the world have declared wars against crime (including drug-traffickers, piracy, smugglers, etc.). Within those wars, the discourse tends to portray the idea of people acting against society, considering them enemies that should be eliminated (the specific case of Mexico will be explored in the following chapter as part of the first research case). By considering the criminals as "them" (as opposed to "us") the idea of the social contract is destroyed, and with it, any notion of a social collectivity (Matravers, 2011, 81). People can play different roles in society: a citizen can simultaneously be a taxpayer, public officer, and a criminal. Acknowledging this simple fact exposes the myth of criminals as hypothetical outsiders to society.

The original context of Gupta´s blurred boundaries concept was developed to identify difficulties in recognizing the border between state and society in specific contexts. How is this idea helpful for a crime and legitimacy discussion? In the first place, it suggests where crime begins and ends, that is, the extent to which criminals are apart from society, expelled from the current social order, and capable or not of creating a new one. In the end, this debate recognizes, in the last section of this chapter, that some criminal groups will be interested in portraying the myth of separate social agents from the rest as a legitimacy strategy. Maybe, in this case, counter-society is not the precise description, but "outside agent" could work. Thus, it is necessary to consider that, despite the narrative efforts and other symbolic representations of criminal groups, there is no such criminal agent as a counter-state actor. That is precisely because society and its codes (legal, moral, ethical) are what give crime its condition (Bottoms and Tankebe, 2012, 125). Moreover, criminals' efforts to justify or

change the current codes, and attempts to become legitimate, should be understood as a social change, but not as an activity against society.

2.2.2. The Myth of the Counter-Society: Circuits of Illegality

The second element to argue against understanding criminals as agents against society is to examine how crime works – especially the crime that requires organization. The expansion of crime during the post-cold-war era coincides with market liberalization, telecommunications improvements, and the sophistication of financial services. These processes are linked. Following Andreas, the promotion of free-market reforms and the prohibitions of the illicit drug market are based on an opposite philosophy (2013). While the ultimate goal of the free market is to maximize trade and avoid state intervention, the prohibitionist frame developed by several governments around the world aims precisely to the contrary, that is, to suppress the market through state intervention. Both projects theoretically cannot work together, but in practice they do. The state supposedly avoids direct market interventions, it takes an active part in controlling and stopping illicit trafficking. A similar apparent paradox happens with mafias and criminal organizations around the world: on the one hand, these groups operate flexibly, often copying the operations of legal corporations, and looking for the benefits of trade liberalization and new types of financial instruments.

However, on the other hand, these same groups tend to play the role of the state by carrying out services that the government no longer performs (Commaroff and Commaroff, 2006, 16), and at the same time function in some ways as traditional enterprises. From a criminological viewpoint, the economic perspective needs to be discussed. Based on a *homo-economicus* and rational choice perspective, it suggests that crime is just an option or kind of decision made within a wider economic context. For instance, inspired by utilitarian sociological elements, Becker worked on an economic approach to crime and punishment to develop his ideas. According to Becker, crime operates in a context in which everyone counts with enough information to decide. Thus, to commit crime becomes a rational choice based on the analysis of all available information (Becker, 1968). His findings seem closer to an economic model than a criminal behavioral approach; moreover, political and social implications remain relegated to a second level of importance. Legitimacy, of course, does not play a significant role from this point of view.

It is certainly common to study both illegal activities and criminal groups (i.e., organized crime) as an exclusively economic activity. Following ideas close to Becker´s work, prioritizing rational choice perspectives, this understanding assumes that profits (as the variable) and economy (as the discipline) are the analytical tools par excellence to comprehend it fully. Following this logic suggests that current illegal drug production may become lawful without changes except for the chief controlling the business (Wainwright,

2016, 266-267). Of course, economics matter. The financial stakes involved are enormous, and certainly motivate the business and what happens in between (Wainwright, 2016). Illegality makes the business increase across borders, for instance. However, economics are neither the last nor the only variable involved. Political interests are involved and are also analytical variables, as the legitimacy perspective suggests. An answer to apparent conflict lies in the circuits of illegality. It helps to recall the notion of blurred boundaries while explaining how criminal organizations function.

Empirically, despite the efforts to separate criminal members or groups from "the rest" of society, both criminals and non-criminals are embedded in social circuits in which certain legal actors also enable illegality. Within these circuits, social interactions take place, including legal and illegal behavior. Goods and benefits circulate through these channels but a wide variety of social expressions, as well. Thus, a non-criminal individual can be in touch with a criminal one, and form a circuit, as when an illicit drug consumer buys substances with the local dealer in a context in which consumption is not punished but sale is. Another example that draws this complexity is corruption. Often, corruption works as the tool that keeps illegality flowing (Ackerman, 1999). Is that corrupt public officer acting somehow outside of the state? The answer is no, and even more, that officer still forms part of the circuit of illegality, creating society rather than going against it. In any case, neither criminals nor non-criminals stop being part of the social circuit and, as a result, neither stops being part of society. That is why crime and illegality are more usefully understood as social circuits of illegality, despite certain political actors' efforts to draw a contrasting group or counter-society actor toward its own agenda, identity, and features (Escalante, 2012, 80-86). More on this perspective on crime will be elaborated in the following section as part of a discussion on the importance of criminal agendas.

2.3. Criminal Agendas and the Performance of Legitimacy

Why do criminal groups become interested in political legitimacy? Despite the complexity of drawing a sharp line between legal and illegal, specific criminal groups and individuals might portray themselves as either or both, depending on the circumstances and their specific goals. That is the first step towards legitimizing criminality, namely, to promote the idea that despite illegality, there is a higher cause that deserves attention and social respect. Not all illegal actors take this approach: legitimate-crime-circumstance seems to be more an exception than a rule. Even those criminal groups that indeed are dealing with political legitimacy dilemmas are unlikely to do so perpetually. Therefore, both criminals and illegality need to be understood as social phenomena, and the question of why a criminal group becomes interested in achieving political legitimacy deserves an answer centered on the specific social conditions (i.e., spatial, historical, and political) that enable this possibility in the first place, and then to consider the criminal actor's particular features.

This section explores why criminals seek political legitimacy while referring to previous arguments. Next, the analysis focuses on the role of criminal groups' justifications. Is crime always objectionable or punishable? When actors seek to cover crime and violence with the blanket of legitimacy, how is this defense constructed? This section elaborates on this perspective to understand why these groups may or may not become interested in legitimacy. Finally, the discussion explains the relevance of the agenda to understand why criminal groups seek legitimacy. That explanation helps to guide the next section (which discusses how to do research and look for criminal groups' attempts at legitimacy in the field) and to promote a general reflection useful when going deep into the following research cases.

2.3.1. Lessons from Diverse Scenarios

As part of an in-depth comparative study, Wolff asked himself why two different drug gangs in two different Brazilian cities developed such different authority functions towards local people (2015). Both gangs, one in Recife and the other one in Rio de Janeiro, were developing similar activities for a long time inherently related to drug trafficking and extortion. However, the Rio gang did develop sophisticated techniques, structures, and practices with the local population. This gang also developed a "[…] territorial monopolization […] that these groups could credibly offer protection to residents who […] sought them out to perform the most basic functions associated with the Weberian state" (Wolff, 2015, 22). On the contrary, Recife´s criminal gangs remained underdeveloped from the organizational perspective due to the lack of necessity to do so. That was because, in Recife, police presence has been much less violent than in Rio, in addition to a lack of people´s confidence in putting local gangs in charge of local security. Wolff´s research becomes useful from several perspectives. However, to answer why criminal groups may look for political legitimacy, context matters in terms of the relation between criminal groups and locals, legal authorities, and especially territory (i.e. geographical and spatial issues). The territorial monopolization of crime generates the needed conditions for these groups in order to expand and deepen their social and political functions with locals (Wolff, 2015, 23).

This perspective certainly offers a rational perspective in which both criminal groups and locals make deals and exchanges with expectations on both sides, although a certain level of uncertainty regarding these expectations should be acknowledged. Nevertheless, this angle underlines the radical differences in how criminal groups interact with both locals and official authorities, either in terms of developing authoritative structures or effectively providing public goods. In Recife real threats to criminal gangs' activities and business seemed not to exist, while in Rio local gangs have extensive experience of doing so in order to preserve profits. In this regard, the role of the official authority becomes relevant. Given the previously explained conceptual complication on defining who the illegal party is when analyzing criminal and legal authority struggles, rather than just look for the presence or absence of the idea of the state, it becomes important to focus on what kind of state is making or not presence

together with how these criminal groups react to this while relating to the space and to locals. As Wolff explains:

> […] Populations have a preference for both social order and material welfare over disorder and destitution, and they will tolerate or attempt to seek out some form of political authority to provide such benefits where they are lacking […] Criminal enterprises will seek to establish political and social control of territory in the absence of an effective authority that can mitigate the costs of illicit market competition […] Specifically, where the state is incapable or unwilling to effectively investigate and punish homicide, criminal groups will attempt to protect themselves by securing territorial sovereignty, which serves as a safe zone for market activity as well as physical survival. To the extent they achieve this, they may resemble primitive forms of predatory states […] Criminal groups will invest in improving their relationships with their host communities in order to reduce the cost of that control […] which by coercion alone may be exorbitant (Wolff, 2015, 22-23).

Every society develops mechanisms and mediations to resolve conflicts, enforce contracts, and administer scarce resources. Seeing how they work helps to understand the criminal's interest in legitimation. Wolff showed that criminal groups would not always develop an interest in legitimacy, including creating strong authoritative functions, providing public goods, etc. Context matters when developing an effective control of those mechanisms and mediations in the long-term run. Because boundaries between legal and illegal often blur, this process will not be completely "criminal" or completely "legal", and may be legitimate or not – as we would expect from the descriptive perspective.

Another example comes in the case of Jamaica, where an authority´s functions and personnel overlapping process produces what Jaffe called the hybrid State, i.e., "[…] an emergent form of statehood in which different governmental actors [including criminal organizations] are entangled in a relationship of collusion and divestment as they share control over urban spaces and populations" (2013, 735). She explains how several political formations emerged on the island and shared authoritative and administrative functions together with the official and legal authorities. Jaffe described how, from time to time, collaborations between local gang leaders and the police became the practical way to negotiate peace and order at the local level in Jamaica. Especially in marginalized urban areas, in order to shape and develop the authority, bureaucrats and illegal actors used both state functions and symbols. By doing so, these actors often worked together with the legitimacy of the so-called *dons*, local gang leaders that operate as brokers between legal authorities (i.e., the police) and local citizens. As a result, this hybrid state also produces and normalizes a hybrid citizenship (Jaffe, 2013, 740). This case confirms not only that certain concepts become reconfigured as a consequence, but also that the blurred boundaries can also outline the current political legitimacy structure.

2.3.2. Legitimate Justification: Does Crime Always Need to Be Justified?

Usually, the question of why lawbreakers attempt to become legitimate is closely related to a justification discourse. However, especially criminal groups with an interest in political legitimacy often deal as well with difficulties in managing and justifying violence. But violence can also be deeply productive in legitimizing a figure or organization by defining the limits of order and supplanting representation (Commaroff and Comaroff, 2006). Usually, the use of violence is not indiscriminate and instead has real objectives: “More violence then leads to less legitimacy; less legitimacy leads to even more violence and so on” (Schneckener, 2017, 805). And as Gambetta stated, “Being violent does not make one generally credible […] [and] The smart criminals must seek alternatives to violence” (2009, 123 and 125).

Peaceful means toward legitimacy such as criminal diplomacy, corruption, and alternative non-violent methods offer possible alternatives in this regard. When there is an interest in legitimation, any violence must be rationalized, as Arendt has argued, and the narratives justifying and rationalizing that violence will relate to how the criminal group understands its goals as well as the (legal and social) context (Schneckener, 2017, 803). Typically, these strategies involve both incentives and punishments, threats and promises, or ‘carrots and sticks’ in colloquial terms. The success or failure of adequately explaining rewards and punishments among the different publics may make or break a campaign for legitimacy.

When analyzing criminal justifications, social conditions are fundamental. The criminals’ justifications may come together with certain forms of social order restorations and material benefits for locals such as alternative policing and regulation instauration (Commaroff, 2010, 134). Behind the possibility for a criminal to justify himself, herself, or their actions, there is a pluralist democratic specter that gives space for alternative visions of truth and justice. Following Nivette´s idea on how democracy and crime come together, “[…] democracies face the constant challenge of balancing principles of individualism and inclusion with tensions brought by weak ties and self-expression” (2014, 99). In the end, even atrocity discourses need room for developing alternative visions of life and politics –and citizens need to respond with critical understanding. In this regard, these processes also reshape ideas about citizenship by redesigning how locals experience their rights in relationship to criminal groups. These groups may not only control (or seek to control) public life, but also develop a speech of belonging and generate new responsibilities, sometimes including citizen support (Arjona, 2017; Nivette, 2014, 94; Jaffe, 2013, 745).

If violence is always rational, then it needs to be justified even when it is not explicitly explained. This is equally true for crime and legitimacy. Common to all are binary explanations of social contexts codified into "friend" and "enemy", "us" and “them", and indeed this is common to governments around the world when facing criminal threats. Armed groups talk about "[...] 'defense' or [acting as a] 'guardian' of an established political and social order and claim to protect it from internal to external threats and enemies" (Schneckener, 2017, 799). However, justification does not automatically lead to legitimation:

it is only a step. The discourse needs to be coherent, convenient, and convincing, as well as consistently developed. Dagher has argued that non-state actors in post-conflict contexts seize state legitimacy. This scholar uses the concept of performance legitimacy, and says it is as a by-product of delivered governance outputs (2018, 91). His proposal is attractive on descriptive grounds of legitimacy, in which no legitimacy is perpetually granted. However, it is necessary to recognize that this phenomenon could be dialogical (Bottoms and Tankebe, 2012): the official authorities can lose performance legitimacy in favor of criminal groups; illegal agents may also lose it to any other state or non-state agent.[13]

Criminality often works as the "[…] imaginative prism around which people [try to] figure out the problem of social dis/order" (Comaroff, 2010, 135). Behind that discourse, especially at the local level, there is a crisis in how authority is exercised that affects how security and law enforcement is understood and expected. Ironically, some criminal groups (among others) take advantage of this crisis in order to develop their own criminal rule in order to reduce this uncertainty. The key concept to understand is sovereignty, since it can justify crime. Stepputat proposed "formations of sovereignty" to conceptualize those political landscapes in which several sovereign claims coexist and overlap (2015). This concept developed with Hansen pushes beyond the idea of sovereignty as a practice, challenging the notion that legality is the only valid way to define social order. Extralegal practices can also promote alternatives of social order, and provide fertile grounds for criminal groups interested in political legitimacy to find room to justify their actions and themselves. The relevance of this concept resides in its flexibility to recognize different claims continually struggling against each other. Legitimacy is what finally locates one of them above the rest. In the end, any justification of crime is tacitly accepted and conforms to criminal agendas, and every claim is articulated and empirically materialized.

2.3.3. On the Importance of Criminal Agendas

Criminal agendas are usually positioned in relation to the current social order. This could be explicit or implicit, physically located or developed through symbols, speeches, songs, codes, or done in other ways. Through their agenda, criminal groups strive to justify their actions, point to a social renovation, or target specific or general issues or groups or regions. Criminal agendas are not exclusively attached to violence or coercion; violence will be involved in a justification when legitimacy is sought. In these cases, selective violence becomes a convenient method for administrating power and, consequently, this defines the limits and possibilities for other forms of obedience. If violence is indiscriminately used or becomes the only or exclusive source of order, obstacles quickly appear for the criminal group. Their

[13] Together with Bottoms and Tankebe (2012), Nivette (2014, 96) also underlined Weber´s usage of the word "cultivate" when talking about establishing a dominant legitimacy (1964). Weber used it as part of the establishing process of legitimacy, and suggests the non-perpetual condition of the concept, together with its necessity to constantly reinforce political legitimacy.

criminal activities not only become harder to realize or just impossible, but also people and other authorities (including the official one) can easily create resistance by decrying the lethal force used (Arjona, 2017, 764). The risk, in that case, is non-cooperation from local people and, consequently, the criminal group´s social order project disruption. In this case, legitimacy aspirations will be dropped.

The relevance of the agenda also explains why groups may look for legitimacy. As a political instrument, the agenda draws lines towards a political justification where crime and violence may be discursively situated as a secondary consequence. Within the agenda, economic profits, violence, and harm are subordinated to a political project in which the general will commands the cause, rather than a private interest or individual´s benefit. The agenda is always discourse. Thus, the expectations of completion are not as relevant as the means, symbols, and practices through which it is spread. The detection of the agenda will depend specifically on each case. It will not always be written. Speeches, symbols, anthems and songs, rituals, and other means are essential resources to detect, rationalize, and study it (as it will be explored in the next and last section of this chapter). Indeed, not all the criminal groups' legitimacy interests will be into the agenda –even when this one is explicit or implicit. Possible interests may be outside the agenda itself. Each case will define each of these possibilities, but within all of them, the agenda may become functional in order to carry out this kind of research.

Some criminal agendas not only present groups as trustworthy but also inspire trust among locals, as well.[14] This practice tends to improve success in illegal business by developing local civilian control. Some criminal groups have adopted that practice and started relying on local people, whose obedience could be due to fear, real loyalty, rational convenience, or a complex mixture of these reactions. On the other hand, criminal groups in this scenario may recognize that, by having confidence in locals and establishing trustful relations with them, the former can achieve supplies, intelligence, shelter, and recruits (Valentino, 2014, 94). In these cases, criminal groups act similarly to some insurgencies and rebels. However, unlike them, criminal groups do not often face limited resources troubles. Thus, it becomes interesting to see that material resources or violence may not be enough legitimacy sources. Some scholars have conducted research focused in Mexico and Colombia on how trust is not always or automatically a positive feature to promote peaceful societies. By comparing Italy´s North and South, Putnam initially said that social capital is always a positive societies´ feature towards a democratic consolidation (1993). He explained the mafia´s presence as a result of a lack of social capital in Southern Italy. Conversely, these scholars argue, the

[14] Trust Exchange between criminal groups and legal authorities offers a criminal agenda possibility as well. However, in this case, this relation is more precisely defined by concepts such as corruption or the blurred boundaries mentioned before.

question of whom the people trust and why is more relevant than the presence or absence of trust and social capital.

By borrowing the concept of social capital (also developed by Pierre Bourdieu and James Coleman), Aguayo stated that social capital might vary into a positive or negative shape. In the first one, people support democratic values including the rule of law, and in the second one, the support goes for crime and criminals (Aguayo, 2014). On the other hand, Rubio observed how social capital might turn "perverse" by rewarding criminality practices that promote, protect, and preserve both crime and criminals (Rubio, 1997). From another perspective but on the same topic, Zizumbo-Columba proposed that high levels of trust within given communities do not always signal positive legitimacy for the dominant ruler (2010). By studying the case of vigilante groups in Mexico, he observed that high levels of cohesion might imply obstacles to cooperating with the ruler. Conversely, in this case, locals will find more incentive to trust and cooperate with vigilantes because these vigilantes are often more in touch with local welfare than the legal authority.

After reviewing specific experiences, the role of justifying, and criminal agendas relevance, this section closes by briefly summarizing a full explanation of why criminal groups become interested in political legitimacy. That answer is threefold. In the first place, because of a historical and political context that enables and allows it. Part of the answer of why criminal groups look for legitimacy is simply because they can do so. Hence, it becomes relevant to explain what enables that by looking into local politics and history. Criminal groups may also become interested in political legitimacy because achieving it is essential to guarantee domination or social control by granting access to resources. Finally, crime (even more than criminals themselves) will always need a justification when the perpetrator explains it. Criminals, in general, always have the option of preserving them as regular criminals by not challenging the status quo; this is, by respecting the established social order in which criminals are mostly explained as a consequence of deviant behaviors that deserve punishment. On the other hand, by justifying their actions, these actors indeed challenge the established order. This fact locates them under political specter and, when conveying aspirations to legitimacy, criminal groups contest who, what, and how previously pointed and pictured them as illegal. Hence, this becomes a social order contestation. That last point is remarkably relevant and takes to the ideas previously elaborated within this research, namely, the idea of violence as an instrument to achieve specific goals.

2.4. Sources and Resources of Legitimacy

The study of criminal groups attempting to become legitimate needs multi-disciplinary and trans-disciplinary investigation. However, how to track the footsteps of these Robin Hood-like figures? How does one collect this kind of data within contexts of criminality? Depending on the case, sociological, political, and anthropological elements might be

involved. Researchers might face two problems. The first one concerns the data collection process (what and where is the source); secondly, how to analyze them (which involves two tasks: how to understand it as a single piece and, later on, as a part of the big picture). The methodology proposed here is threefold. First, a theoretical and conceptual approach is presented. How can we combine social and political concepts regarding criminal actors and its legitimacy interest, with anthropological tools for the detection of practical and symbolic elements? The second component focuses on the audiences of the legitimacy claims. Who are the spectators for these claims to legitimacy? The third and last element refers to the sources and resources of legitimacy detection.

This dissertation has argued that there is not a single way to become politically legitimate. However, this argument brings a new question: Which sources and resources grant legitimacy? How a violent non-state actor becomes legitimate needs to be understood as a social process. But it will be always expressed and attached to specific symbols (Schlichte and Schneckener, 2015, 417), and practices (Förster, 2015, 204) embedded in social contexts. In order to make this phenomenon academically legible, these expressions will need to be systematically categorized and empirically recognized. This final section keeps those thoughts in mind. This analysis addresses the problem of the origins of legitimacy, particularly its sources and resources. In other words, here we are interested in categorizing what produces legitimacy. What sources and resources matter for violent non-state actors (in general) and criminal groups (in particular) to become legitimate?

2.4.1. Anthropology of the State and Legitimacy for Research on Crime

Before exploring the sources and resources of legitimacy, I discuss the methods. What is argued here is that state-idea and its outcomes are 1) profitable sources and resources to achieve legitimacy and 2) a useful analytical method to follow up this phenomenon. By state-idea we will understand the reification of the state´s institutionalized practices that take on "[...] an overt symbolic identity progressively divorced from practice as an illusory account of practice" (Abrams, 1988; quoted by Mitchell, 2006). This method can be employed for all those who pursue political legitimacy (including violent non-state actors), and even for the state itself. Hence, state outcomes may be profitable for those actors, even when they do not want to become official governmental entities or legal authorities (sometimes more legitimacy can be collected outside the rules than within them). This method proposes to look at the reproduction, emulation, or simulation of the state in legitimacy´s quests among political actors (including the state itself, which needs to reaffirm itself, even when this is not the interest of this research).

To do so, two key concepts will be used: the "state effect" (Mitchell, 2006), and "statehood practices" (Aretxaga, 2005; Maldonado, 2014). The former recognizes that the state is defined by a set of practices, processes, and their effects (Trouillot, 2001; Krohn-Hansen and

Nustad, 2005).[15] On the other hand, the latter refers to too many players competing to perform as small states within same time and space. Both fit into the scope of practices of sovereigns discussed earlier, by enabling the understanding of this behavior within non-state actors. States, as social processes, are constantly being remade, even in its absence. In this constant flux, the state does not necessarily disappear or weaken. A hypothetical state collapse does not necessarily means the end of all state outcomes. Here is useful a brief example. Criminal groups defy the state´s legality, but while doing so, they make use of state resource (for instance, local currency) in order to achieve profits from their activities. Thus, that criminal group is reinforcing the state's authority by making valid its currency. Simultaneously, the criminal group is challenging and reinforcing the state. This becomes even more complex when violence is involved – further chapters will come back to this theme.

As stated earlier, investigations on legitimacy have been discussed with an eye on the state. Either by being the legally valid guarantor or acting as the formal procedure endorser (just to mention two of many reasonable arguments), the state shapes the usual path through which the legitimacy process happens. That might indeed be a heritage of European political modernity, but nowadays this can be found within political configurations all around the world. How to deal with that concept in an investigation where the core is neither the state nor its components? The proposed solution addresses the state image as an analytical component when looking for legitimacy attempts. In other words, this proposal does not throw away the state element when talking about criminals attempting to become legitimate. On the contrary, the idea is included and considered, but from a "practices and images" perspective.

In the first place, we follow state in society idea explained earlier (Migdal, 2005). This concept leads us to observe that a) the state is a field marked by the use or threat of violence and b) that there are potentially many agencies participating in each state-building process. In this case, the "who" and "what" of the state means several actors operating simultaneously as the "real" authority. The methods to do so (i.e., the "how") involve legitimacy attempts in which practices, symbols, images, and performance matter as sources to analyze the process. In this case, criminal groups pretending to become a sort of local Robin Hood is one of those

[15] It is valuable to recover and keep in mind Mitchell´s own words on s*tate effect*: "We should address the state as an effect of mundane processes of spatial organization, temporal arrangement, functional specification, supervision and surveillance, and representation […] These processes create the effect of the state not only as an entity set apart from economy or society, but as a distinct dimension of structure, framework, codification, expertise, information, planning, and intentionality. The state appears as an abstraction in relation to the concreteness of the social, a sphere of representation in relation to the reality of the economic, and a subjective ideality in relation to the objectness of the material world. The distinctions between abstract and concrete, ideal and material, representation and reality, and subjective and objective, on which most political theorizing is built, are themselves partly constructed in those mundane social processes we recognize and name as the State" (2006, 185).

agencies acting in the field marked by the use or threat of violence, i.e., the state. Once the criminal group gets defined as one of those agencies, the second step consists of looking in the field for de facto sovereign practices (Hansen and Stepputat, 2005). That is the second conceptual tool. When many actors are playing and performing state functions, the monopoly of violence may collapse.

In that case, sovereignty becomes a practice that could be exercised or withheld by the legal authority (Krasner, 2001). Thus, it might be employed simultaneously by many actors. This might happen with high possibilities of violence. Non-state actors, especially violent ones such as the rebels mentioned earlier, may fit into the possible scenario of a fragmented sovereignty and try to exercise it. This does not necessarily mean that criminals will entirely sidestep legal authority. While some of them could look for legitimacy through the state (like Pablo Escobar in Colombia), some others might do so outside of it. With rebels in general, this is particularly important because their distance from legal and formal authorities often marks their course to legitimacy. The final possibility is the already mentioned set of concepts (state effect and statehood practices) and helps to illustrate those de facto sovereign practices. Even in the absence of the state, populations can reproduce the experience of it based on previous experiences (Förster, 2015, 204). Criminal groups in particular, as an organized part of these societies, can do so as well. By doing so, these actors start thinking in legitimacy terms, and their activities, goals, and relations become shaped by this interest.

The use of this methodology does not mean to automatically study criminal groups (or any other rebel group nor non-state actor) as if they were the state. On the contrary, this takes into consideration that, through a legitimacy review, 1) there might be scenarios in which non-legal and non-official agents could perform as the state. Moreover, 2) in those situations, criminals will not always act as purely economic and rational agents. That challenges the economic oriented explanations of criminal behavior (Becker, 1968) by taking them to political and sociological analytical stages. Finally, this 3) enables the possibility of scenarios with legitimacy without legality. For research purposes, it does not matter as a first concern if criminality is illegitimate, but if the illegality may attempt or succeed to become legitimate. To do this analysis, we take three conceptual tools from the anthropology of the state, all of them relevant to conduct this kind of legitimacy research.

Therefore, the state is directly and indirectly a valuable source and resource of legitimacy either by a) statehood practices and b) state effects. But, why is the state´s image still powerful when pointing to sources and resources within current legitimacy disputes? This leads us to disaggregate the state´s success in its historical process of consolidation, its role in symbolic and legal disputes, and in successful concentration of the use of violence. Charles Tilly´s thoughts are helpful for keep thinking on this. According to him, war making, extraction, and capital accumulation, were elements that shaped European modern state formation. However, none of those elements would have been possible without successfully

monopolizing the use of violence within their territory. In the beginning, this violence was one source among many, recognized Tilly. He distinguishes between the state's use of force and anyone else's (use or threat of) violence. However, the taming of the latter was essential for the former´s success.

That was the first step in making the state´s claim to violence credible (1985, 172-173). In this regard, at least two signs of the success of European states are: 1) massive pacification and 2) the monopolization of coercion means. Tilly draws a political entity, challenging with other political forms and authority claims, and looking for it makes its own violence credible for others. What is the difference between those first European states and current violent non-state actors looking for legitimacy? The answer recognizes that nowadays, the state´s image often acts as the hypothetical legitimate, a sort of phantom with implicit legitimacy. Violent groups, when looking for legitimacy, may borrow, steal, withdraw, emulate or simulate that image by producing state effects. In brief, the understanding of sovereignty as a practice will enable this method. This research takes the ethnographic understanding of the state, including both its practical and symbolic settings, towards building upon how criminal groups, in particular, might make use of the state image when pursuing political legitimacy.

By making power exercise objective, this anthropological perspective of the state helps to research and understand how authority becomes established in the local context. Moreover, it highlights a complex vision of the ruler and the ruled by recognizing it as a non-definitive process. In other words, just as the state-building process varies from case to case, so do the type and features of the actors involved in it. This includes, indeed, those non-formal and non-legal actors. This is the niche in which this research builds upon previous works, i.e., by taking this methodological instrument to the field of criminal groups particularly interested in becoming legitimate. Violent phenomena within societies are especially helpful for clarifying this, but there are other areas in which it may happen, including taxation, justice, and identity, among others. But this will be the main topic of next section, which categorizes proposals of the audiences of legitimacy, and the sources and resources of legitimacy. Both are presented in the following sections in order to make them recognizable in specific empirical circumstances.

2.4.2. The Audiences of Legitimacy: Four Types

Given that legitimacy is a relational concept (especially from a descriptive perspective) – someone has to give or withdraw it; thus, someone may win or lose it – there will always be audiences. This section aims to address the question of who they are and how to classify them. This task becomes essential especially for fieldwork as these audiences could work as robust sources of information. By categorizing them, the researcher cannot only recognize them but also collect valuable data by conducting interviews. Audiences of legitimacy (legal or not) often distribute their credits to several authorities simultaneously (Hansen and

Stepputat, 2005, 4). Moreover, they evaluate them and participate in local political processes by giving, withdrawing, or transforming legitimacy.

However, it is not necessarily the case when violence, threats, and fear define the outputs of legitimacy attempts (as is usual when talking about criminal groups). After all, these audiences have not only witnessed the legitimacy struggle (as a captive audience) but also participated in it (by giving or withdrawing it). In this regard, we follow the Schlichte and Schneckener proposal. Initially, they proposed it thinking of rebels. However, this classification fits into criminal studies because it responds to the legitimacy problem. They identified four types of audiences (2016, 419 and 2009, 248). Below they are listed and explained in the context of researching criminal groups:

a) Inner legitimacy audience inside the group. This is the hardest audience to reach for a researcher. Commonly, journalists, or NGO works and recently social media outputs on them are the easiest way to approach them. In this case, any self-expression from the group becomes of the first importance for the data collection. In the case of Michoacán, for instance, there is an editorial legitimacy attempt. By the publication and spread of many books, the local mafias pretended to present themselves as the actual legitimate power, a sort of local savior from the other powers and authorities. In this case, the criminal group members are the core example of this audience.

b) Supporters and followers within the local population, some of whom might eventually join the fighting ranks. In this case, the difficulty for a researcher to establish direct contact increases. Especially when the criminal groups are still active or influential in the local context, risks become higher, but their role is still crucial in order to explain the case. Another complication with this audience is to legitimately recognize if they are honestly supporting the criminal group or just responding to fear or threats. In any case, with this audience, it is possible to indirectly detect legitimacy features through secondary sources such as media or virtual expressions in social media. Other secondary sources include codes, moral beliefs, behavior, practices, rituals and other elements from which this audience may be part of (the last section of this paper take a broad look into this). Local supporters and adherents, too, are examples of this audience.

c) Specific local communities or a broader national audience. Particularly the locals become a robust source of information. However, contextual elements can inhibit or promote their willingness to talk. As said earlier, fear, insecurity or local codes linked to these emotions could impede the flow of information. However, these passions can originate into the exact contrary scenario; this is, promoting people to talk about this. Trusting the researcher is fundamental. Local religious members, local merchants, and peasants are representative members of this kind of audience.

d) The international arena, comprising of states, international organizations, transnational NGOs, foreign media, and spontaneous supporters either groups or individuals (but necessarily outside the conflict zone). Except for media and the supporters, this audience becomes the most institutional audiences, often expressing their positions through official statements. The relative distance from local phenomena usually makes this audience the easiest to approach for a researcher. Media, on the other hand, could oscillate between direct and indirect sources. Often, locality is what defines this. Any representative of those national or international institutions, such as the journalists themselves, are examples of this audience type of audience.

The four audiences may help to obtain empirical data on how criminal actors developed themselves in a legitimacy code. However, those audiences are not fixed. The reason is that legitimacy status invariably changes as part of numerous contingent social processes. This "never definitive victory" in their legitimating process (including the state), take actors to reinforce and recreate their legitimacy over time. To conduct this research, we got access to at least one informant from every audience type for each case. In total, this research obtained access to eighteen interviews (see Interviews Appendix). All of them should be considered audiences, in their local contexts, of the criminal groups' political legitimacy attempts. They are audiences since they were directly exposed to one or several sources and resources of legitimacy (see Table 1 explained below). In some cases (such as journalists, magistrates, churchmen, and activists), they also had experience working with victims of criminal groups in their localities, and even working to fight the criminal groups.

That makes them valuable information sources, not only as the previously mentioned legitimacy audiences, but also as knowledgeable citizens in their context. A semi-structured interview was conducted with each participant. These interviews were codified later through the Atlas.ti software guided by the referred Table 1, which provided the analytical tags that also made operational the sources and resources of political legitimacy. The priority in every testimony and interview was detecting, understanding, and analyzing the local narrative habits around the matter of interest for this research, and locating them in the analytical frame explained earlier to offer an original and in-depth explanation of the phenomenon. Finally, in order to implement the comparative perspective analysis, the same methodological criteria, conceptual apparatus, and theoretical frame were applied to both research cases to maintain the comparability of the research.

2.4.3. Sources and Resources of Legitimacy: Where to Watch

The sources and resources of legitimacy usually make sense in very local dimensions. For the effects of this research, one might understand a source of legitimacy as the point of supply

from which emerge the actual legitimacy resources. In other words, a source of legitimacy acts as a semantic field from which specific legitimacy resources can emerge. Thus, each resource links to a source category. For the definition of sources, here we follow Schlichte and Schneckener again. For them, resources might subcategorize into three types: a) symbolic (what they say), b) performance-centered (what they do), and c) portrayal of the enemy (outside threats and established enemy images) (2015, 417-418). Those types work as semantic fields from where precise legitimacy elements may emerge, i.e., the resources. Therefore, each resource operates as a singular piece of material or non-material display through which sources of legitimacy and general attempts to become legitimate become visible and analytically operative.[16]

Each of the three sources of legitimacy, conceptually created by Schlichte and Schneckener, work as semantic fields. However, this research builds on their work by developing the idea of resources of legitimacy, i.e., material and immaterial legitimacy efforts that concretely objectify every source of legitimacy. The result of this work is Table 1, presented below. This table is an original contribution of this research specifically designed to research criminal groups interested in political legitimacy. For instance, both material as well as non-material resources of legitimacy in Table 1, result from an original research design taking the discussion of the anthropology of the state, towards the criminal groups' legitimacy phenomena. Seen from that perspective, all of these resources result from condensing the understanding of sovereignty and statehood as practices, but explicitly applied to the characteristics of a particular violent non-state actor, i.e., the criminal groups. Finally, the intention of expanding the sources of legitimacy idea into a broader spectrum of resources helps to make concrete, operationalized, researchable indicators for every resource.

Usually, given their scarcity, both sources and resources need correct management. This statement works for almost any political actor interested in becoming legitimate, but even more for violent non-state actors. Especially for them, those resources are not assured through time. Thus, they might have to pursue them continually. Table 1 below, presents a systematized proposal for studying criminal groups seeking legitimacy. All of them match with perspectives of statehood practices, state-effect, and sovereign practices. For rebels in general and criminal groups in particular, former state experiences build and shape direction of legitimacy sources and resources (Förster, 2015, 204). This may happen either by imitating or changing how violence was used or misused, how population was or was not listened to in their claims, providing or denying public services in opposition to what happened with legal authority or how cultural identities were or were not taken into account within formal governmental exercise. Moreover, these groups can be conscious of previous ignored

[16] According to Schneckener, "During the formation period of a group symbolic sources seem to be essential; in the long run, however, performance-based sources gain more importance for an armed group´s legitimacy" (2017, 807).

opportunities for cooperating with population or other informal authorities, and work together in order to achieve legitimacy. All of these possibilities, of course, are consistent with state-effect and statehood practices, ideas explored in the earlier section. This section is an operative exercise to identify, categorize, and describe sources and resources of legitimacy. In order to comply with the operative exercise mentioned earlier, Table 1 presented below shows a systematized proposal to study criminal groups' legitimacy cases.

Table 1. Operative Distribution of Legitimacy Sources and Resources for Criminal Groups

Main Source	Subtype Source	Material Resources	Non-Material Resources
Symbolic	Social Contract Offer	Granting Public services	Promote belonging and cohesiveness / Trustworthy mandate
	Agenda´s Spread and/or Justification	Publications / Written Codes	Founding narratives / Songs / Anthems / Public messages
	Symbol's Spread	Identity Symbols in Ornaments and Documents	Rituals / Values, Moral Beliefs / Religiosity
Performance -centered	Provision of Governing Institutions	Taxation and Economy	Security and Justice Managing (courts, sanctions, and judges) / Labor Regulations
	Philanthropy (Carrots)	Gifting	Promises and Hope Generation
	Coercion (Sticks)	Weapons and Ammo Control	Fear / Use or Threat of Violence
Portray of the Enemy	Expressions against Formal Authorities	Documents	Negotiations / Confrontations
	Expressions against Other (non-formal) authorities		
	Stance towards current law		

Together with the conceptual approach and the audience category, this table intends to offer the possibility of identify, treat, and systematize their data, but to compare between cases as well. For instance, by recognizing which of the sources or resources have greater or fewer legitimacy efforts, it is possible to draw a criminal group profile, which has to be inserted later into a broad historical explanation. Finally, this research needs to address violence from an academic perspective, since the legitimation process for criminal groups often involves violence. Violence act as a means rather than an end, an instrument to achieve goals (Arendt, 1970). Its employment might be regularly understood concerning those actors´ goals and codified into a legitimacy language. Many variations and mixes between how this table may work are possible because these groups are neither completely part of nor foreign to the social environment in which they are inserted:

> No matter how radical the political vision of a rebel group, its practices are always embedded in historically contingent values, norms, beliefs, and forms of governance. Thus, a rebel organization, which is endogenous to the political order within which it rebels, cannot avoid drawing on common cultural and political values (…) Indeed, rebels who fail to cultivate legitimacy among the civilian population act at their own peril, since they must rely on civilians for recruitment, intelligence, taxes, supplies, and labor (Hoffmann, 2015, 159).

Thus, in a way, attempts to deny legitimacy claims to these groups may be like trying to detach them from their own social contexts, an impossible mission. Relations between the ruler and the ruled consistently redefine their settings. Thus, social sciences studies can raise interesting questions. Is it possible to share legitimacy within same time and space? If so, does this sharing happen by peaceful or violent means? What does it depend on? Furthermore, these enable another subject, the hypothetical "without-legitimate actors scenario". In other words, is a social context without legitimate political actors possible? Specifically when referring to criminal contexts looking for legitimacy, it does not seem to be empty spaces. This is because formal and legal authority will always literally exist on the ground by symbolic, practical, and/or legal paths. Its presence/absence will always distinguish legal from illegal and, hypothetically, punish the illegal.

That is why certain criminal groups become deeply profitable – the following chapters will go deep into this discussion through empirical references. A criminal group or individual will a) contest this potentially lost legitimacy; b) share the same legitimacy, or c) create new spaces to claim and win legitimacy. In any case, this deactivates situations in which formal-legal authorities´ legitimacy is lost and no other actors can claim it. Violent non-state actors in general and criminal groups in particular, often or even never count on with legality; however, on the other hand, there are specific efforts of these groups looking and/or achieving legitimacy for themselves of their activities. Addressing this problem requires a combination of epistemological efforts and descriptive paths, i.e., specific cases with

empirical references. That is the philosophy behind the following case chapters analysis. They are briefly presented below.

2.4.4. The Michoacán-Sicily Connection: Towards Two Criminal Legitimation Processes

After reviewing the theoretical and conceptual dilemmas around legitimacy, crime, and social order, now comes the case analyses. The next two chapters analyze Michoacán social and political context, followed by the criminal legitimacy´s local context. In this regard, the criminal groups that appeared in the last two decades in Michoacán, a Southwestern state in Mexico, are the central research case within this comparative study. The following chapter exposes both context and criminal legitimacy´s local context in Sicily, a southern island in Italy in which a long-term mafia group has existed for centuries. Thus, Sicilian mafia works here as the second case that enables the comparison. That is why the sixth and last chapter of this research thoroughly discusses a comparison between both cases in order to expand the horizon of these phenomena, both conceptually and empirically.

Antonio Mazzitelli, a former representative of the Mexican branch of the United Nations Office on Drug and Crime, published an academic text entitled "Mafias in Mexico?" (2016). Mazitelli argued that, despite the proliferation and expansion of Mexican criminal groups within the war on drugs, most of these groups are still far from the success and maturity of Italian mafia groups. According to him, the international fight against organized crime "speaks Italian", thanks to and as a consequence of these criminal organizations' success (2016, 29). Moreover, the author suggested that Mexican authorities need to understand that criminal threats are not as developed and organized, neither has the long-run history as for how the Italian mafia is and has. After this statement, Mazzitelli analyzed, described, and compared each of the biggest criminal groups in Mexico against the Italian mafias. After doing so, he recognized that only the Michoacán criminal group developed proto-mafia behaviors. Moreover, these groups received "high" and "mid-high" qualifications when analyzing the "mafia features" of each Mexican criminal group (2016, 52).

Even when Mazzitelli recognized a huge gap between both criminal groups' national scenarios (i.e., Mexico and Italy), he also stated that the Italian experience might be helpful for Mexican authorities and scholars in order to prevent the formation of similar structures as it happened in Italy (Interview in field no. 2, 2017). This idea is academically borrowed here; thus, the Sicilian case as a long run case study is recovered to compare with the closest case, i.e., Michoacán criminal groups. By doing so, the following pages delve into both cases offering original data recovered from primary sources (and secondary in some instances), and are analyzed in terms of political legitimacy. This pushes the discussion towards improving the understanding of how political legitimacy is reshaped by criminal groups around the world in specific social and political situations. Naturally, the previous concept and theory discussion guides the following chapters and shape the analysis.

2.5. Closing Remarks: Chapter II Summary

After elaborating how crime, criminal groups, and illegality come together with political legitimacy, the following are closing remarks thoughts derived from this second chapter. This chapter argued how, despite the criminal groups' efforts to portray themselves as separate social groups, they are embedded in a social context. As politically active social constructions, they influence the local social order. Not all criminals or criminal behaviors achieve, gain, or produce legitimacy. However, when this is the case, the descriptive perspective of political legitimacy is what enables us to carry out research. As political actors, when a criminal group deals with legitimacy, it will consequently deal with the sum of 1) illegal activities, but also the effort of 2) creating the image of a cohesive, unitary identity organization, 3) acting or performing like it, and looking for 4) achieving or preserving legitimacy. Under this conception, participation in the local definition of political legitimacy, criminal groups´ illegal behavior does not mean abandoning efforts at legitimacy.

This chapter argued why criminal groups are not counter-society or counter-state actors. Empirically, criminals and non-criminals are embedded and interacting in social circuits in which certain legal actors also enable illegality and vice-versa. Within those circuits, certain crimes and specific perpetrators will seek to justify it. Indeed, behind the intention of justifying crimes and lawlessness, there will be a pluralist democratic specter that gives space for alternative visions of truth and justice. In the case of criminal groups, the agenda plays a fundamental role. As a political instrument, it draws lines towards a political justification where crime and violence may be discursively situated as a secondary consequence of crime and illegality. Regarding the question of how criminal groups become interested in political legitimacy, this chapter offered a threefold answer. First, it develops from a historical and political context that enables and allows it. Second, achieving legitimacy is essential for the specific criminal group to guarantee domination or social control by granting access to resources. Finally, to become justified, crime needs to be explained.

Finally, this chapter made two methodological contributions for collecting data in contexts like those analyzed in this research – but which could also be used to research other cases. The first is the audiences of legitimacy. This idea was developed thinking about how to collect data in the field from criminal groups interested in political legitimacy. Given that legitimacy is a relational concept between the ruler (real or potential) and the ruled, therefore there will always be audiences, which become potent sources to approach to collect data in the field. On the other hand, this research proposed the operative distribution of sources and resources of political legitimacy for studying criminal groups. This table works across this research as a point of supply from which emerge the actual legitimacy resources. Each source makes sense in the local context as a semantic field from which specific legitimacy resources

can emerge. Insisting, both methodological propositions rest on understanding legitimacy as a relational concept from a descriptive perspective.