PART I

RESISTANCE TO CRIMINAL EXTORTION
I

Introduction

In the southwestern Mexican state of Michoacán, Raul recounted the procedures that he and other members of the avocado sector in the municipality of Tancítaro followed at the stone barricade they constructed in 2013 on the road leading into their community:

One rifle shot meant everyone should grab their guns and be alert for anything. Two rifle shots meant come with your weapons to the barricade because the Templarios [referring to the Knights Templar drug trafficking organization, or DTO] were coming. And three shots meant that everyone, even kids, had to come to the barricade. But this was only if the [municipal] police were approaching. Because imagine what things were like before we rose up in arms: the [municipal] police had a checkpoint down the road from us, and two kilometers down from that one there was a checkpoint run by the Templarios! And the Templarios could just walk through the police checkpoint—like they were common citizens, without a worry—and into our community to insult us and demand money from us.

Armed autodefensas (self-defense groups) appeared in dozens of municipalities across Michoacán starting in 2013 (Fuentes Díaz and Paleta Pérez 2015). Raul and several hundred avocado sector actors formed one such self-defense group to stop the Knights Templar’s extortion, popularly referred to as derecho or cuota. Collectively they planned, coordinated, and enacted lethal and nonlethal practices of collective vigilantism against the DTO. As a local journalist explained to me: “The most important thing was for there to be organization in

1 I use pseudonyms for all of the individuals who were interviewed or participated in focus groups for this project. With the exclusion of Tancítaro in Mexico and Medellín in Colombia, I also use pseudonyms for the localities where I conducted field research. I discuss the security protocol that I followed in more detail in both Chapter 2 and the Appendix.

2 Interview with Raul (MCN950), avocado producer, Tancítaro, July 2018.

3 DTOs are not cartels because they do not control the pricing market for their products through collusion with each other (Thoumi 2003, 6). Additionally, because the term “cartel” itself is politically contentious (Grillo 2011), I refer to them as DTOs except where the term appears in the
the communities. There was no other group of persons in Tancítaro that was more organized than the *aguacateros* (avocado producers). So they had the advantage that they could organize people very quickly once things began here." But in the municipality of La Unión also in Michoacán, mobilization to end criminal extortion looked very different.

In La Unión, producers and exporters in the municipality’s lucrative berry sector had also been extorted by the Knights Templar and, as in Tancítaro, the municipal police force was captured by the criminal organization. Berry producers repeatedly shared stories of local police looking the other way as trucks of armed men from the Knights Templar cruised the municipality’s streets, or of police who “arrested” berry producers and delivered them to the DTO for failure to pay the criminal tax. Moreover, it was widely known in both Tancítaro and La Unión that municipal presidents were handing over money from the municipal budgets to the DTO every year in order for the criminals to allow the local government to continue operating. Yet, despite these similarities in the two cases, collective mobilization to end extortion unfolded in very different ways. Unlike the centralized nature of collective vigilantism in Tancítaro’s avocado sector, where victims of extortion coordinated with each other, victims in La Unión’s berry sector fragmented into several autonomous armed groups, used varying practices to contest their victimization that often functioned at cross-purposes, and struggled to coordinate with each other. The multiple groups of victims in La Unión engaged in violence against the DTO to end extortion, but strikingly also against each other, including armed clashes in the streets as well as targeted violence against each other’s members.

But while collective mobilization in Michoacán took place in settings where police were actively complicit with criminals and governing authorities were providing criminals with public resources, state actors are not always threats to victims’ extralegal efforts against criminal actors. In El Salvador, the country’s two main gangs, the Mara Salvatrucha (MS-13) and the Barrio 18 (Eighteenth Street Gang),5 are infamous for extortion in which they force victims to regularly pay informal taxes called *la renta* (the rent). In two municipalities – El Pilar in the country’s western region near the capital of San Salvador and Cienfuegos in the hot and humid eastern Pacific coast – small groups of victims of extortion in rural communities located within municipalities called *cantones* (cantons) assassinated several gang members from 2014 through 2016. These groups consisted of handfuls of small-scale farmers from the dominant agricultural economies of basic grains and vegetables in each municipality. But both groups also included a few individual local police from the lower

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4 Esperanza (MCN201), journalist, Tancítaro, electronic communications, May 2018.

5 In 2005 the Barrio 18 gang split into two factions: the Revolucionarios (Revolutionaries) and Sureños (Southerners).
ranks of the country’s Nacional Civil Police (Polícia Nacional Civil, PNC). The farmers and police agents shared weapons, information, and other resources to target and kill individual gang members in periodic acts of what I term *piecemeal vigilantism*. For example, in 2014 several farmers wore police uniforms lent to them by a local police officer as they shot an MS-13 gang member who oversaw the local collection of extortion rents. While the farmers killed the gang member in a house, another police officer kept watch outside in case police that was not privy to the group’s extralegal activities happened to pass by. Unlike the military and police death squads that methodically disappeared and killed political opponents under the direction and with the support of El Salvador’s government during the civil war (Arnson 2000), the two groups engaging in piecemeal vigilantism were founded and directed by civilian victims of crime who enlisted individual police to support their occasional acts of violence in part to help them evade elements of the state that attempted to enforce the rule of law.

Yet, confronting criminals does not always entail victims carrying out extralegal violence. In the localities in Michoacán as well as in western and eastern El Salvador where I conducted field work, before pursuing extralegal violence, victims used rhetorical tricks and other subtle subversive tactics when interacting with the criminals that were extorting them. This strategy was particularly evident in another one of my field sites: a large informal market in Medellín, Colombia, where several hundred *recicladores* (recyclers) – informal vendors who scour trash bins and landfills for goods to clean, repair, and sell – paid the criminal tax known there as the *vacuna* (vaccination). The criminal group that taxed the recyclers, called a Convivir, worked for a powerful criminal organization that was based in one of the city’s peripheral neighborhoods and which coordinated a range of criminal markets, including drug trafficking. The vendors – who faced both local police captured by the Convivir and municipal authorities who they perceived as tolerant of extortion in the city center – did not mobilize collectively to end their victimization. Instead, they relied on individual and sporadic acts of *everyday resistance* (Scott 1985, 1990) that entailed calibrated, but contentious, verbal jousting with members of the Convivir. Although this repertoire of practices did not end extortion and only offered vendors marginal reductions in material taxation, it did enable them to reclaim a sense of dignity as workers and citizens despite ongoing victimization at the hands of a powerful criminal group.

Finally, victims’ resistance to extortion can remarkably extend beyond verbal sparring and extralegal violence to include the threat and use of violence to shape electoral outcomes and governance. In the wake of collective vigilantism in Tancítaro and La Unión in Michoacán, victims mobilized to influence local elections in 2015 and 2018. This mobilization

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6 Case M, El Pilar, judicial files. See the Appendix for a description of the individual legal cases that I analyze in El Salvador.
was part of what I call the coproduction of order wherein victims, governing authorities, and police jointly build order in ways that strengthen parts of the rule of law while weakening others. The coproduction of order accomplishes this by strengthening the ability of local governments and police to enforce the law, while also enabling victims to retain informal privileges that violate the law, ranging from carrying restricted firearms in public to infringing on the authority of local police.

These contrasting cases of resistance to criminal victimization are puzzling. Popular media depicts victims of organized crime as being resigned to their fates at the hands of the powerful armed criminal groups that operate in Latin America and other parts of the developing world. The violence that criminal groups generate is undoubtedly substantial and tragic with long-lasting effects. But victims are not always helpless, even when at first glance they seem submissive in the face of armed criminal actors. Sometimes victims use indirect tactics that are difficult for observers to discern without first comprehending how victims understand criminal victimization and the power dynamics it entails, as in the case of everyday resistance by the recyclers in Medellín. At other times, victims resist in clearly observable ways, using forms of violence that mimic those they experience at the hands of organized crime, including beatings, disappearances, and lethal violence. Moreover, the manner in which extralegal violence by victims against criminals unfolds can range from occasional acts of violence that take place across months to weeks-long waves of intense coordinated violence. Thus, in contesting their victimization, civilians can contribute to the very violence and insecurity that we normally attribute only to organized crime or state–criminal conflict.

Growing academic research shows that crime influences the political behavior of victims in contrasting ways, including effects on whether and how they vote (Ley 2018; Trelles and Carreras 2012) as well as civic engagement (Bateson 2012; Dorff 2017). But this tells us little about the ways in which victims engage and confront armed criminal groups. In shifting the focus to precisely this phenomenon, this book joins with and extends an emerging line of study on the political origins and consequences of victims’ responses to crime (Bateson 2013; Curry 2020; Jung and Cohen 2020; Mattiace, Ley, and Trejo 2019; Moncada 2017; Osorio, Schubiger, and Weintraub 2021; Phillips 2017; Smith 2019).

In settings where the state is unable or unwilling to enforce the rule of law, why do victims resist similar forms of criminal victimization in contrasting ways? By resistance I mean observable strategies outside of the rule of law that victims direct at criminals to negotiate, end, or prevent their victimization. I use the widespread, but understudied, phenomenon of criminal extortion in Latin America to introduce resistance to criminal victimization as a novel phenomenon in the emerging research on the politics of crime. To explain the different ways in which victims resist criminal extortion, my argument centers on three variables: the time horizons of criminals; the nature of local
political economies; and the criminal capture of the police. Using ethnographic data collected during field research in Colombia, El Salvador, and Mexico, I identify and trace pathways and mechanisms to the following strategies of resistance: individual-level acts of everyday resistance; the sporadic killings by ad hoc groups of victims and police that characterize piecemeal vigilantism; institutionalized and sustained forms of collective vigilantism; and coordinated efforts between victims and states to co-produce order in ways that both fortify and undermine the rule of law.

1.1 Key Contributions

Latin America provides fertile terrain in which to analyze resistance to criminal extortion. Criminal violence in the region threatens economies, institutional stability, and social development (Moncada 2013). As shown in Figure 1.1, levels of lethal violence in both Central and South America tower above those in other world regions, with average intentional homicide rates between 2003 and 2018 of 22.1 and 22.7 per 100,000 population, respectively. Today Latin America accounts for 8 percent of the world’s population, but nearly one-third of the

**Figure 1.1** Homicide rates for select world regions (2003–18)

Note: Central America refers to Belize, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, and Panama. South America refers to Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, French Guiana, Guyana, Paraguay, Peru, Uruguay, and Venezuela.


world’s annual homicides. This violence prematurely ends lives; inflicts lasting psychological and emotional scars on victims, families, and communities; and constrains development.

The intense criminal violence in Latin America has catalyzed a growing body of research that provides valuable insights into the dynamics of the illicit drug trade (Arias 2006; Durán-Martínez 2017; Lessing 2017; Snyder and Durán-Martínez 2009; Trejo and Ley 2020). But most people in the region experience organized crime not through spectacular and lethal acts of drug violence, but instead through the everyday victimization associated with criminal extortion. As Magaloni et al. (2020, 1165) state: “Lethal violence is not the only or most pervasive danger for the general population. Citizens are trapped in networks of extortion and coercion where DTOs prey on them, often with the acquiescence or direct collaboration of local states and law enforcement agents.” Criminal groups in the region oversee a range of lucrative illicit markets beyond the drug trade that have been insufficiently scrutinized empirically or theoretically. Extortion is one such illicit market wherein criminal actors extract rents by threatening and/or using force in exchange for the promise of protection from others and themselves. One of this book’s main contributions is therefore to broaden our understanding of the politics of crime by shifting the analytical focus onto criminal extortion.

Figure 1.2 provides a comparison of rates of extortion as documented in official government statistics in the three countries where I conducted research for this book. Because extortion often goes underreported (Del Fratte 2004, 151–152), however, the figures in Figure 1.2 most certainly underestimate the prevalence of extortion in the region. In Mexico alone, for example, an estimated 97.4 percent of extortion cases are never reported to government authorities. Whereas it is difficult – though not impossible – to hide the bodies of the people killed in drug-related violence, accurately tallying extortion places the responsibility on victims to report the crime to authorities. But fear of punishment by criminals or the state – or sometimes both – provides strong disincentives for doing so. Moreover, the available evidence indicates that extortion disproportionately affects businesses

8 During the first decade of the twentieth century, for example, sharp growth in homicides in Mexico reversed the trend of the previous six decades of increased life expectancy (Aburto et al. 2016).
10 I am not implying that researchers have exhausted the study of the illicit drug trade. To the contrary, studies continue to unpack important dimensions of the drug trade that we are only just beginning to understand, including the nature and strategic use of lethal violence (Durán-Martínez 2017; Lessing 2017; Osorio 2014; Ríos 2013; Shirk 2010; Snyder and Durán-Martínez 2009; Trejo and Ley 2018) and the complex relations between criminal actors involved in different aspects of the drug trade, the state, and social groups (Arias 2017; Leeds 1996; Penglase 2014; Willis 2015; Wolff 2015).
relative to the general population. Based on a unique victimization survey of businesses in Mexico conducted by the Instituto Nacional de Estadística y Geografía (National Institute of Statistics and Geography), Figure 1.3 shows that the rate of extortion for Mexican business firms is much higher than for the general population. Remarkably, across the five waves of victimization surveys represented in Figure 1.3, an average of 95 percent of the cases of extortion of business firms were not reported to public authorities.12

Yet, extortion generates both direct and indirect costs for victims, societies, and states (Frye and Zhuravskaya 2000; Gambetta 1996; Varese 2014). Rough estimates suggest that the economic consequences of extortion in Latin America are substantial. In El Salvador extortion by gangs costs the country’s economy at least USD 4 billion annually, or approximately 15 percent of the national annual gross domestic product.13 In downtown Medellín alone criminal extortion

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generates nearly USD 250,000 every month for criminal actors. However, when we conceive of criminal extortion as a one-time physical act rather than a dynamic relational process that includes but extends beyond its material costs, we risk overlooking its important social and political dimensions. My focus on the process of criminal extortion therefore invites us to complicate how we study the nature and consequences of relations between criminals and victims.

Research often shifts from victims experiencing criminal acts to assessing whether this makes it more or less likely that the victims will either engage with or disengage from the state via conventional channels of participation. This makes it difficult to see and study the iterative nature of relations between victims and criminals. Not all crimes are one-time acts. Victimization can consist of a series of acts and reactions that together shape the process of victimization. The nature of victim–criminal relations can thus vary across different types of crimes as well as across space and time. I find that the extraction of criminal rents is embedded within contentious power relations between victims and criminals that are analogous to those between subordinate and dominant actors. I detail and build on this finding to bridge the study of the politics of crime and broader research on relations between the ruled and rulers (Migdal 1988; Migdal, Kohli, and Shue 1994; Scott 1990). For example, scholars of state–society relations (Migdal, Kohli, and Shue 1994), state–

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building (Boone 2003), authoritarianism (Blaydes 2018; Wedeen 1999), capital–labor relations (Scott 1977), and colonization (Lawrence 2013) show that seemingly asymmetric power relations are often more contested than we suspect. Recent civil war studies similarly complicate the assumption of civilian submission to rebels and other armed political actors (Arjona 2017; Kaplan 2017a; Krause 2018; Mampilly 2012; Masullo 2020; Metelits 2009). I find analogous dynamics in my research on criminal extortion showing that it is more than a material transaction and instead a relationship in which victims and criminals contest material and non-material forms of power. This insight gleaned through in-depth fieldwork in multiple localities enables us to extend research on relations between subordinate and dominant actors into a new empirical terrain.

This book also brings business into the study of the politics of crime. Scholars analyze how economic actors shape the trajectories of civil wars (Wood 2000) and post-conflict peace-building (Rettberg 2008). But the role of business in the growing literature on crime is comparatively underdeveloped. 15 Meanwhile scholars analyze how crime affects productivity and capital investment (BenYishay and Pearlman 2014; Gaviria 2002), while others assess how businesses’ demands for order fuel the private security industry (Abrahamsen and Williams 2010; Ungar 2007) or preferential treatment by police (Becker and Müller 2013; Davis 2013; Samara 2011). These studies are partly motivated by the fact that businesses are often disproportionately the victims of crimes relative to individuals and households. But our understanding of the victimization of business is limited given that with rare exceptions, such as that presented in Figure 1.3, victimization surveys disproportionately focus on individuals and households (Mugellini 2013). 16

I tackle this empirical gap not by enumerating the incidence of criminal extortion, but by collecting and analyzing ground-level data to generate a fresh analytical perspective into how business firms experience and react to criminal extortion. This approach provides a powerful vantage point from which to study the repeated, face-to-face interactions between business owners and the criminals who extort them. By doing so, this book reveals the ways in which criminal actors not only extract money, but also strategically use other aspects of the identities of business owners to facilitate victimization, including offending victims’ status as entrepreneurs and citizens of the state. Throughout my fieldwork business owners highlighted these nonmaterial dimensions of extortion in discussing how they both experience and resist criminal victimization. 17 Discovering this led me to approach victimization under extortion as a more complex phenomenon than a coerced transaction...

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15 See Flores-Macías (2014) on how insecurity shapes the tax preferences of the private sector.

16 A business is defined as “a company, public corporation, partnership or individual which sells goods and/or services with the intention of generating a surplus from its trading activities for its owners” (Grant 1987, 3).

17 This aligns partially with Loveman’s (1998) argument that collective action against repressive actors is driven by a combination of material incentives and “purposive motivations.” See also Wood (2003) on how “pleasure in agency” drives participation in rebellion.