Violent Governance, Identity and the Production of Legitimacy: Autodefensas in Latin America

Alexander Curry and Leonie Ansems de Vries

Abstract

This article examines the intersections of violence, governance, identity and legitimacy in relation to autodefensas (self-defence groups) in Latin America, focusing on Mexico and Colombia. By shifting focus from the question of where legitimacy lies to how it is produced and contested by a range of groups, we challenge the often presumed link between the state and legitimacy. We develop the idea of a field of negotiation and contestation, firstly, to discuss and critique the concept of state failure as not merely a Western hegemonic claim but also a strategic means of producing legitimacy by autodefensas. Secondly, we employ and enrich the notion of violent pluralism to discuss the pervasiveness of violence and the role of neoliberalism, and to address the question of non-violent practices of governance. We argue that the idea of a field of contestation and negotiation helps to understand the complexity of relationships that encompass the production of legitimacy and identity through (non)violent governance, whereby lines between (non)state, (non)violence, and (il)legitimacy blur and transform. Yet, we do not simply dismiss (binary) distinctions as these continue to be employed by groups in their efforts to produce, justify, challenge, contest and negotiate their own and others' legitimacy and identity.

Keywords

Colombia, Mexico, autodefensas, state failure, violent pluralism

Biographies

Alexander Curry is a PhD candidate at the Institute of Latin American Studies, School of Advanced Studies, University of London. His research focuses on ideas and practices of citizenship in Mexico and Colombia, specifically on what the emergence and development of autodefensas (self-defence groups) reveal about concepts of citizenship, state-society relations, and alternative legal cultures in these countries.

Leonie Ansems de Vries is a Lecturer in International Relations at King's College London and author of Re-Imagining a Politics of Life: From Governance of Order to Politics of Movement (Rowman and Littlefield International, 2014). Her research on practices of governance-resistance, migration struggles and migration management, and the politics of life has appeared in journals such as *Review of International Studies*, *International Political Sociology* and *Environment and Planning D: Society and Space*.

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1. Introduction

On 24th February 2013 armed groups took control of the towns of Felipe Carrillo Puerto (known as 'La Ruana') and Tepalcatepec in the Tierra Caliente region of the Mexican state of Michoacán. Describing themselves as autodefensas (self-defence groups), they declared that they had risen up against the rule of the local cartel, Los Caballeros Templarios (The Knights Templar). The level of media attention that these groups have subsequently garnered in their struggle against the cartel may indicate that this phenomenon is somehow unique. In fact, neither the occurrence of self-defence groups, nor their deployment of the term 'autodefensa' is novel in Latin America. Such groups have emerged periodically in the region's history, perhaps the most famous recent example being those that emerged in Colombia in the early 1980s. The term 'autodefensa', and its deployment by such groups, has produced debates around the degree of difference between ideas of self-defence and paramilitarism, often focusing on the degree to which such groups are defensive/offensive in their outlook and capabilities (Romero 2003: 36-37). Whilst such debates are interesting, this article is not concerned with adding to that literature, and simply acknowledges and indeed demonstrates, that the term autodefensa is deployed by a wide range of groups whose composition and aims vary. Instead, the focus here is on the relationship between violence, governance, legitimacy and identity in the context of autodefensas in Colombia and Mexico. More specifically, we ask how violence and governance are employed by the state, autodefensas and other groups to construct (legitimate) identities.

Subsequent to their emergence in February 2013, the autodefensas of Michoacán went on to gain control over much of the territory of the state of Michoacán. They often set up their own

citizen councils to take over the government of the towns that they controlled, and disarmed much of the local municipal police who they perceived as having been corrupted by the cartel. Their growing power eventually prompted a Federal response in January 2014, and an agreement was reached for many of the autodefensas to be subsumed into a Rural Defence Force, armed by and under the aegis of the state. When the time came to demobilise in May 2014, some of the autodefensas refused and many of their members were subsequently jailed, whilst others became part of the Rural Defence Force, some of which later were institutionalised into the Michoacán State police.

The autodefensas in Colombia emerged in the early to mid-1980s initially in the Magdalena Medio region of central Colombia. They were a direct response to the actions of the guerrillas of FARC (Fuerzas Armadas Revolucionarias de Colombia). Despite the autodefensas being declared illegal in 1989, they continued to grow in line with the expansion of the guerrilla movements, and also spread to other regions of Colombia (Avilés 2006: 380). In 1997, disparate groups of autodefensas and paramilitaries came together to form the Autodefensas Unidas de Colombia (AUC) which was an explicitly nationwide umbrella organisation that sought to co-ordinate and further the aims of the groups which formed its membership (Romero 2003: 151-152). The AUC went on to become a major violent actor within Colombia, controlling municipalities, fighting against the guerrillas of FARC and the ELN (Ejército de Liberación Nacional), and conducting social cleansing operations against suspected guerrilla sympathisers within the civilian population. The AUC eventually demobilised, from 2004 to 2006, after the election of Alvaro Uribe as President in 2002 signalled a major military crackdown against the guerrilla forces. Whilst many of the groups that had formed the AUC demobilised, others continued as before and were henceforth described as criminal groups (Inkster and Comolli 2012: 65).

We examine the autodefensas in Mexico and Colombia to make sense of the production of legitimacy and identity through violent governance. Our aim is therefore not to compare the two cases or to argue they are the same or arise from similar contexts, as Mexico and Colombia clearly have their own histories and socio-political settings. Rather, we employ these cases to ask broader questions about violence, governance, legitimacy and identity, and the blurring of lines between state and non-state, violence and non-violence, legitimate and illegitimate. In other words, the article explores the ways in which autodefensas employ violence to establish governance networks, interact with other groups and seek to produce legitimate identities. In this context, governance refers to processes of ordering and regulating things, people and relations that can be undertaken by a range of groups (not necessarily related to the state); that might have disordering effects; and, that involve processes of both negotiation and contestation.

By shifting focus from the question of where legitimacy lies to how it is produced through violence by different groups, we suggest that autodefensas challenge the often presumed link between the state and legitimacy, as well as the (binary) distinction between legitimacy and violence. We contextualise this question through an engagement with and critique of two notions: state failure and violent pluralism (Arias and Goldstein 2010). We argue that engaging autodefensas in Mexico and Colombia through the question of violence, governance, identity and legitimacy highlights several aspects that state failure literature mostly fails to address, and which the notion of violent pluralism can help to examine. We develop the notion of a field of contestation and negotiation, firstly, to show that state failure is not merely a Western hegemonic claim but also a tool employed by autodefensas in their efforts to legitimatise violent governance. Secondly, the idea of a field of contestation and negotiation serves to enrich the notion of violent pluralism by addressing the intricacy of violence and non-violence in these practices of governance.

Thus, we employ the concept of state failure not only because both Colombia and Mexico have been subject to both state failure literature and its critiques but also, and more interestingly, because the leaders of autodefensas themselves have employed the discourse of state failure. We are interested in how state failure operates as part of a field of contestation and negotiation productive of different claims to identity and legitimacy. The autodefensas' instrumental utilisation of state failure discourse means it becomes a strategic means of making a claim to, or producing, legitimacy through violence by various groups. This means that the relationship between the state, autodefensas and other groups is one of opposition, tension and co-constitution simultaneously. To make sense of this complex field of relations, we employ the notion of violent pluralism, which offers a conception of politics as violent struggle constitutive of political (dis)ordering and identity in the Latin American context. In addition, we enrich this notion with the idea of a field of contestation and negotiation in order to make sense of non-violent practices and to highlight the inextricability of violence and non-violence. We argue that, in the context of autodefensas in Latin America, the idea of a field of contestation and negotiation helps to understand the complexity of relationships that encompass the production of legitimacy and identity through (non)violent governance, whereby lines between (non)state, (non)violence, and (il)legitimacy blur and transform. Yet, we do not simply dismiss (binary) distinctions as these continue to be employed by groups in their discursive and material efforts to produce, justify, challenge, contest and negotiate their own and others' legitimacy and identity.

2. State Failure: Institutions, relations and the production of knowledge

In 2010, then US Secretary of State Hillary Clinton commented that Mexico is 'looking more and more like Colombia 20 years ago' (BBC 2010; see also: Morton 2011). Her comments resonate with a frequently asked question among scholars and commentators: Will Mexico 'become Colombia' of the 1990s with respect to the proliferation of non-state armed groups and the high incidence of violence, and in doing so exhibit characteristics of a failed state (e.g. Escalante Gonzalbo 2009: 84-96; Pansters 2012: 6)? This perceived risk of state failure seems to be supported by Colombia and Mexico's listing in the 'elevated warning' category of the Fragile State Index, ranking 69th and 88th respectively (out of 188 countries)[1]. The Index, a collaboration between *Foreign Policy* and The Fund for Peace, ranks countries based on a wide range of (sub-)indicators – including 'corruption', 'internal conflict', 'protests and demonstrations', 'youth unemployment', 'powerlessness', 'internet access', 'sanctions' – whereby the link to state 'failure' or 'fragility' is not necessarily self-evident.

These rankings and concerns reflect, we argue, a particular conception and production of state legitimacy and identity more than objective strength/fragility. This becomes clear by mapping the development of the concept of 'failed state'. The notion first appeared in a 1992 *Foreign Policy* article, in which Gerald Helman and Steven Ratner argued that 'From Haiti in the Western Hemisphere to the remnants of Yugoslavia in Europe, from Somalia, Sudan, and Liberia in Africa to Cambodia in Southeast Asia, a disturbing new phenomenon is emerging: the failed nation-state, utterly incapable of sustaining itself as a member of the international community.' The roots of the problem, they note, lie in the 'vast proliferation of nation-states' due to decolonisation in the post-WWII period. At this time, the right to self-determination took precedence over 'long-term survivability'. The problem of the failed state did not, however, surface during the Cold War as states were propped up through 'hefty infusions of aid' (Ibid.) from former colonial masters and superpowers due to their strategic importance.

Of interest in their analysis is, firstly, the connection of very diverse types of states into a single 'problem' (Call 2008: 1494). Later state failure scholars are equally guilty of this, e.g. William Zartman's *Collapsed States*, which defines 'collapsed' (1995: 5) as the non-performance of basic state functions, aggregating a diversity of states and phenomena. Secondly, they ascribe a catalysing effect to the end of the Cold War – another interpretation is that it was more a case of a shift in scholarly attention from superpower rivalry towards internal conflicts and crises. Thirdly, and equally significant, is the break established between the colonial and post-colonial periods, thus cutting off the functioning and effects of colonisation from the frame of analysis (cf. Call 2008: 1499-1500; Pureza et al 2006:1). Hence, it becomes possible to argue that states that gained independence after 1945 attach too much importance to sovereignty, whereas (humanitarian) intervention, would be

the best – read: most cost-effective – solution to the problem of failed states (Helman and Ratner 1992).

The notion of failed states attracted relatively little scholarly interest during much of the 1990s, although it did become a concern for policy makers, as demonstrated by the US intervention in Somalia, seen by many scholars as *the* collapsed state *par excellence* (e.g. Call 2008: 1492; Gros 1996: 464; Pham 2009: 84; Rotberg 2002). The subsequent development of the notion and its broadening to include a range of situations from 'fragility' to 'collapse' (e.g. Acemoglu and Robinson 2012: 8-9, 398, 429; Chesterman, Ignatieff and Thakur 2005: 8; Etsy et al 1998; Grayson 2010: 3-4; Helman and Ratner 1992), continued to rely on vague definitions and arbitrary aggregations. A shift occurred towards the end of the 1990s, when international financial institutions became increasingly interested in questions of governance and state-building – their Cold War 'neutrality' had prevented broaching such issues – thus forging a link between governance and development (Call 2008: 1493). Another decisive shift occurred in the aftermath of the 11 September 2001 attacks, when failed states became cast as safe havens for terrorists and launchpads for terrorism, which could have dire consequences both regionally and globally (e.g. Crocker 2003; Fukuyama 2004; Hamre and Sullivan 2002; Litwak 2007: 43; Rotberg 2002; Siegle et al 2004 – for critiques, see: Hehir 2007; Manjikian 2008). The Failed States Index emerges in this context, first published in 2005 and renamed Fragile State Index in 2014.

The perceived risk of Mexico and Colombia being or becoming failed or fragile states is therefore the result of a particular conception of how a modern state should operate and what makes it 'strong', 'developed', 'legitimate', etc. In this context, the ascription of failed state status can be seen as a Western hegemonic claim that enables intervention. Such claims rely on the logic of modernisation and a particular linking of development and governance, whereby both Colombia and Mexico are regarded as cases of under- or regressive development. As Adam Morton (2012: 1634) points out, traditional understandings of Colombia in the failed state literature suggest that the country fails to measure up to an ideal-type conception of the modern state. Failed states are represented in pathological terms of 'deviance, aberration and breakdown'. Scholars such as Fukuyama, Huntington and Kaplan paint a picture of the postcolonial world reminiscent of *The Heart of Darkness*, as a place of 'danger and darkness, anarchy and disorder' (Ibid: 1635). Such conceptions became expressed amongst policy makers, especially in the US, as a fear that a historically weak state such as Colombia, plagued by internal violence, would descend into a failed state (Ibid: 1634). Moreover, it paved the way for US intervention in the form of a joint Colombia-US initiative known as Plan Colombia, which began in 2001 and lasted until 2006 (though other aid/assistance packages remain in place)[2].

This 'pathological' thinking has also informed US policymaking towards Mexico: for instance, the 2008 US Joint Forces Command paper outlines the dangers of Mexico failing due to the upsurge of violence in the context of the war on drugs. Moreover, fearing that such problems will spread, Mexico, a neighbouring country, is conceived as a security threat to the USA (Ibid.: 1635; US Joint Forces Command 2008: 36; see also: US Joint Forces Command 2010: 47). Whilst the Mexican government rejected the need for a 'Plan Mexico', and academics such as Morton (2012: 1635) have described the portrayal of Mexico as a failed state as a caricature and a misunderstanding of the social and economic factors at play, it is clear that the notion of 'failed' or 'failing' state has had far-reaching discursive *and* material effects in both Mexico and Colombia.

Morton offers an important critique of the failed state literature as well as the ascription of failed state status to Mexico and Colombia, however, his is certainly not the only criticism levelled at this body of scholarship. Failed state literature has been the subject of sustained critiques over a number of years. These critiques can be roughly divided into 'soft' critiques, which point to the socially constructed and therefore changing character of institutions and identities, but which ultimately seek to save the concept by improving it (e.g. Frödin 2012: 278; Romero 2000: 53-54), and more profound critiques which question the discourse of 'failed', 'collapsed', 'fragile', etc. states as such. These latter critiques challenge the binary distinctions the softer critiques ultimately rely upon – legitimate vs illegitimate; civil vs uncivil; rule of law vs unrule of law (e.g. see: Koonings and Kruijt 2004: 1-2; Kruijt 2011).

These scholars argue that, not only is there no accepted definition of what a 'failed' or 'weak' state is, grouping together a wide variety of states, contexts and situations (Call 2008: 1942; Hehir 2007: 212-213), the concept of state failure is an effect of particular relations of power, and of the production of knowledge. The question is therefore not whether or not, or to what extent, states are failing but rather how states come to be seen as failing; on what basis and according to which, and whose, criteria (e.g. see: Pureza et al 2006: 2). Here we come back to Morton's point regarding 'pathologisation', whereby the Western production of a particular idea of the liberal state, regarded as universally valid, is set against the 'Third World State'. The effect is a conception of democratic states as strong and legitimate versus weak or failing states, characterised by sickness, illegitimacy and violence (Bilgin and Morton 2002; Morton 2012: 1634; Morton 2005: 377), and in need of intervention. States with 'objectionable features' are thus too readily conflated with those that are in crisis as is the case in Colombia, which has been marked as failing despite its record of relatively stable state institutions over several decades (Call 2008: 1500).

These critiques usefully illustrate how the ascription of failed state status to Colombia and Mexico involves the *production* of a particular (Western) conception of state development, identity and legitimacy. Yet, in the context of autodefensas, the idea of state failure functions not only as a Western imposition but also, we argue, as a strategic tool employed by non-state groups seeking to legitimise their (violent) governance. For instance, Dr Mireles, a key autodefensa leader in Mexico claimed that; 'the state has offices here but the power of the state doesn't exist here'[3] (our translation throughout unless otherwise stated; see also: De Llano 2013; Martínez 2013: 12). In other statements he has taken this rhetoric further by declaring that the state was in league with organised crime: 'No institution could fulfil its duties because all the authorities – from the municipal, to the State and Federal levels – were part of the cartels, or were being paid off by these cartels'[4]. Another important autodefensa leader, Hipólito Mora, deploring the failure of local government, called directly to the state and the federal government, saying: 'We have been abandoned by the state as if we didn't exist….we ask President Peña Nieto for a little attention, not much, just a little' (Prados 2013).

Thus, from the start of the mobilisations, the language of state failure was an important instrument for the autodefensas to claim the absence and/or corrupted character of the state, thereby legitimising the formation of armed groups by citizens, who were forced to take responsibility for their security into their own hands. By calling themselves 'autodefensas', they made clear their non-state identity – i.e. not failing – whilst constructing an identity that was not directly threatening to the state, and defensive in nature. At the same time, however, the claim of state failure was also aimed at provoking a response that would embarrass the state into action on their behalf. As we will go on to discuss, rather than simply an expression of state failure, the autodefensas can be seen as pursuing a politics of labelling by employing the notion of state failure to delegitimise the state and construct their own identity and legitimacy.

Such labelling of the state as failed continued after the Federal state intervened in Michoacán in 2014 and attempted to institutionalise some of the autodefensas into the state security corps. Indeed, the autodefensa group of San Miguel de Aquila saw this very strategy as evidence that Michoacán was a failed state: 'In the recent declarations of President Enrique Peña Nieto he is recognising that Michoacán is a failed state by proposing the integration of the autodefensas into the security forces of the State, something that we think doesn't resolve the root causes of the problem' (Sin Embargo 2014). And in the aftermath of this strategy such rhetoric continued to be used to counter the idea that it had brought security to the region: 'It's a farce to say the Federal Government has brought peace to Michoacán. We continue to live in a failed state,

in a state where there isn't security, where there is no imparting of justice' (spokesman for 'Por un Coalcomán Libre de CT SDR' statement[5]).

These pronouncements, and the very presence of autodefensas, fed into a wider debate around the question of whether Michoacán could be categorised as a failed state, which included the church, politicians, civil society organisations, journalists and academics (e.g. Becerra-Acosta 2013; Beltrán and Cruz 2013; Seguridad, Justicia y Paz 2013; Camacho and Jiménez 2014; Castellanos 2013; López-Dóriga 2015; Rosen and Zepeda 2016: 84-85). Through their utilisation of the term and indeed their very presence, the autodefensas generated an intense debate around the nature and classification of the term 'failed state' as a means not only of denouncing the state but also of legitimating alternative forms of (violent) governance, which we will discuss in more detail next.

3. Legitimising Violent Governance

The idea that state failure is not merely a violent imposition of Western modernity but also a legitimating claim for (violent) governance on behalf of local non-state groups in a wider field of contestation can be better understood through an engagement with the notion of violent pluralism developed by Arias and Goldstein in their book *Violent Democracies in Latin America* (2010). They coin the term to make sense of the persistence, and intricate entwinement, of violence and democracy in Latin America. Violence, rather than being an outlier or representing a failure to live up to the standards of (a dominant Western notion of) democracy, is a key component of how state and society as a whole function in this region. Seeking to understand how violence operates without blaming it on an illiberal state, they argue that violence is not only crucial to the establishment and maintenance of democratic governance but also to popular challenges to the legitimacy of these.

In the context of this article, the significance of the notion of violent pluralism lies, firstly, in drawing attention to the wider context of social and political relations of violence, rather than focusing on state-society relations only. Secondly, it is grounded in a conceptualisation of politics in terms of struggle and conflict productive of political ordering and subjectivity (Ibid: 19, 23). This enables a conceptualisation of relations – e.g. state/non-state; legitimacy/illegitimacy; governance/resistance – beyond binary terms, whilst acknowledging the important material and discursive power that such binaries continue to have. It helps develop the idea of governance as a field of contestation and negotiation produced by and productive of competing claims to legitimacy and identity by a range of state and non-state groups, whereby the delineation between these blurs.

Legitimacy is thus contested both as concept and in practice. Conceptually, the notion of violent pluralism offers a critique of approaches that identify legitimacy with the state, whereby it is understood as the extent to which state rule is accepted by its people without recourse to fear or favour to encourage endorsement (e.g. Gilley 2006). Bourdieu challenges this Weberian conception of the state's legitimacy as a matter of a 'free act of clear conscience', arguing instead that legitimacy is conditioned by structures that foster a 'pre-reflexive agreement' with the established order (Bourdieu et al. 1994). That is, rule is often not actively but tacitly accepted; structures become normalised. As such, questions of legitimacy only arise during times of crisis; under normal circumstances state legitimacy goes unquestioned. In distinction, the notion of violent pluralism brings to light the 'normality' of the contestation of legitimacy and the centrality of violence to the everyday functioning of governance regimes in the Latin American context, and especially with respect to autodefensas. Legitimacy is accordingly no longer automatically identified with the state and with legality; it is a continuous process of contestation involving discursive and material practices by a range of groups (cf Dowling and Pfeffer 1975). These competing efforts to create and gain recognition for alternative forms of governance are productive of social change insofar as new forms of legitimacy and political subjectivities are created in the process.

In his study of the Knights Templar cartel in Michoacán, Falko Ernst (2015) employs a similar conception of legitimacy, as a process of competition among groups, whereby the state of Michoacán is described in terms of 'fractured sovereignty'. In its efforts to produce legitimacy, the cartel portrayed itself as a local group protecting the people of Michoacán from 'foreign cartels'. They cultivated a quasi-religious identity and presented the cartel as an alternative justice system that represented 'the government' in the areas that they controlled (Ernst 2015: 141; Gil Olmos 2015). Central to this was the ability to utilise violence to repel competing cartels as was the construction of the federal government as an outside aggressor. This built upon feelings of insecurity in populations such as in the Tierra Caliente region, in which the state was seen as corrupt and as the perpetrator of violence against local populations, whilst these people felt stigmatised as criminals by the Federal government (Ernst 2013, 2015; Gledhill 2015).

By setting themselves up as an alternative form of governance, the cartel challenged the state's identity as the legitimate source of law and order, and through their co-optation of parts of the local state helped to blur the line between state and non-state. This took the form of ensuring politicians amenable to their cause were elected into office, using bribery and threats of violence to ensure impunity for their actions, and using state institutions such as the municipal police as a tool for their interests. Therefore, whilst they would at times openly confront parts of the Federal state, such as the Federal Police, they were integrated into the local governance and law enforcement of

other parts of the local and regional state. Allegations of co-operation or at least mutual non-aggression pacts, are also alleged to have been made between the cartel and the army – which is part of the Federal state – in the region (Ernst 2013; Grillo 2016).

In line with the idea of violent pluralism, Ernst's study shows that legitimacy is a process or field of contestation and negotiation whereby violence is employed both to create and undermine the acceptance and recognition of different groups. Similarly, the autodefensas can be seen as a response to the cartel's regime of violent governance. The autodefensas positioned themselves against the violence and extortion of the cartel vis-à-vis the local population – although, importantly they did not present themselves as anti-drugs *per se* (an important source of revenue for many in the region). The autodefensas' efforts at seeking legitimacy mirrored the strategies of the cartel insofar as violence was key to the contestation and establishment of a rival regime of governance. The autodefensas' ability to defend the communities in which they were based was central to their appeal and crucial to the construction of their identity. Being armed and organised enabled them to take over the functions of the municipal police in towns where they were in league with the cartel (Martínez et al 2013). The establishment of a regime of violent governance, and the ability to survive the assaults of the cartel, was central to their appeal to, and ability to negotiate with, the regional and federal governments.

The idea that the production of legitimacy is part of a field of contestation and negotiation suggests, in addition, that state/non-state relations are complex and changing rather than a fixed binary distinction, as is illustrated by the autodefensas' deployment of discourses of state failure. Autodefensas extensively employed these discourses to reflect their perceptions of the way in which the cartel had influenced the local and regional state. In doing so they built upon existing feelings in the region that the cartel had tapped into, but were far more explicit in their rhetoric, claiming that they had no alternative but to take things into their own hands. However, unlike the cartel their criticisms did not extend to the Federal state, whom they called on to intervene and re-establish the rule of law in the region (e.g. Prados 2013). Therefore, despite their rhetoric of state absence and failure they recognised that the Federal state was still an important actor. Autodefensas thus both appealed to the state as a legitimate actor to resolve their problems, and sought to challenge the state's legitimacy by exercising control over territory in Michoacán based on their ability to project violence and protect the local citizenry from the Knights Templar cartel.

The autodefensas became de facto governing entities, both challenging and appealing to different parts of the state, whilst the state simultaneously did and did not recognise and legitimise the autodefensas. One the one hand, the state engaged in prolonged negotiations with the

autodefensas, the Federal Police and army undertook operations alongside them, and, ultimately, the state sought to institutionalise the autodefensas. Yet, on the other hand, and simultaneously, autodefensas were being portrayed as having connections with organised crime, attempts were made to disarm them, and those groups who refused institutionalisation were arrested and jailed. This complex relationship between autodefensa groups and various state institutions – often blurring the lines between the two – illustrates the play of legitimisation and de-legitimisation in the (co)construction of governance regimes.

Similarly in Colombia, the appeal of discourses of state failure was central to the autodefensa groups' legitimation of violent governance. This was true during their initial emergence in the Magdalena Medio region in the early 1980s where they justified their mobilisation with reference to the state's inability or unwillingness to protect the population from the guerrillas (Medina Gallego 1990: 178; Romero 2003: 38-39; Mazzei 2009: 81). It was subsequently made explicit under Carlos Castaño's leadership of the nationwide umbrella group for the autodefensa/paramilitary groups, the AUC, when he claimed that the organisation played an 'important role in keeping this nation from a failed government' (Wilson 2001; Aranguen 2001: 261-263). The AUC thus portrayed itself as safe-guarding the state and seeking to 're-establish its functions' (Rodrigo Tovar Pupo aka Jorge 40, quoted in, Velásquez Rivera 2007: 1410). In doing so, it justified its existence on the basis of anti-subversive principles, by aiding the state to re-establish control of its territory. This included the military, which, according to the leadership of AUC had 'not done their institutional duty of guaranteeing Colombians their lives, property, and honor (sic)', hence it fell to the AUC to do 'a patriotic duty that the military did not want or were not able to do' (Wilson 2001 (their translation)). The autodefensas were thus closely involved with, and their formation was supported by, the army and local and national politicians, whilst simultaneously claiming that these had failed in their duties (Medina Gallego 1990: 185, 197-198). Although the field of contestation and negotiation is produced differently from the Mexican example, the case of Colombia equally presents a set of relations that is both complex and dynamic, in which the state is not 'absent' or 'failing' but part of a field in which different claims to legitimacy and identity are played out. On their part, the autodefensas deploy state failure as a politics of labelling to justify their (legitimate) existence, whilst simultaneously working closely with the state, and especially the army (Medina Gallego 1990: 170-172, 178-180).

For instance, in Magdalena Medio, an important region in the initial development of the autodefensas, and in particular the town of Puerto Boyacá, the army played a direct role in setting up autodefensas, with support from the rural elite, who were primarily wealthy landowners and businessmen, as well as drug traffickers. These seemingly disparate groups had a shared opposition

to both the national dialogue instigated by President Betancur, and the guerrilla movements, primarily in the form of FARC (Medina Gallego 1990: 146, 170-172, 178-180; Romero 2003: 18-18, 24). The armed forces, operating under a national security doctrine premised on the counter-insurgency of the Cold War, felt betrayed by the dialogue with the guerrillas instituted by Betancur, and so turned to the civilian population for help in their fight against FARC. The regional elites of Magdalena Medio also saw the national dialogue as a betrayal by the central government that directly threatened their interests by raising the possibility of land reform. With the growth of the narcotics trade, drug-traffickers had started buying land and by the early 1980s had become major landholders in Magdalena Medio. Both these sections of society came into conflict with the guerrillas who became increasingly aggressive in their implementation of both land taxes- '*vacunas*' (literally- 'vaccinations'), and their tax on the drug trade- *'gramaje'* (literally- 'weight') (Álvaro Rodríguez 2009: 67-68; Mazzei 2009: 79).

The regional elites, including the autodefensas, employed the idea of state failure to mobilise support for their political aims of reversing the policy of national dialogue and guarding against rural reform. In this effort, they formed alliances with other groups disillusioned with these policies, including state institutions such as the armed forces. This seemingly contradictory position of accepting help from parts of the state whilst portraying other sectors of it as failed or failing, illustrates the idea of governance as part of a field of contestation and negotiation, in which the state is multi-faceted and co-constituted with other groups in society, and legitimacy is continuously being produced, contested and negotiated.

4. Neoliberalism, Violence and the Transformation of the State

The idea of violent pluralism helps to reconceptualise the notions and relations of violence, governance, identity and legitimacy in the context of autodefensas. In addition, it situates these processes, and the problem of violence, in relation to the development of neoliberalism, which has reconfigured the state in recent decades. Arias and Goldstein (2010) argue that the violence experienced in contemporary Latin America is a logical result of the unfolding of neoliberal democracy. Therefore, when citizens take matters of justice into their own hands, for example in the lynchings of criminals in Bolivia, this is not a throwback to previous times, but rather a response to insecurity embodied in neoliberal democracy in which individual responsibility is stressed rather than reliance on the state (Ibid; Goldstein 2005). The rise of autodefensas could similarly be understood as a response to insecurity resulting from neoliberal democracy.

Arias and Goldstein are not alone in situating the challenges facing Latin American states, of which the emergence of autodefensas are a symptom, in relation to the development of neoliberalism in the region from the 1980s onwards. Part of this development, and one of the hallmarks of neoliberalism in Latin America, has been a shift towards export-led growth in areas such as agriculture. Yet, the growth of the agricultural export economy has not led to benefits for the wider community and inequality, poverty and feelings of marginalisation remain. In the case of Michoacán, the capital and infrastructure investments required to support the cultivation and exportation of agricultural products, such as limes and avocados, is a factor in explaining how drug cartels have been able to flourish in the region (Malkin 2001). For example the port of Lazaro Cardenas is a major drug transhipment point, both for the import and export of cocaine from Latin America and to the USA, but also for the import of precursor chemicals for the fabrication of methamphetamines. In Colombia, whilst initially protecting land from the guerrillas, the potential for expansion soon became apparent and groups of autodefensa/paramilitaries started to grow and develop in different regions and to accumulate increasing amounts of land. The land, from which local populations were frequently displaced using violence, could subsequently be sold to local and international companies often involved in monoculture agricultural production geared towards export to foreign markets. Corporations also used paramilitary groups to safeguard their lands from guerrillas and to discipline their workforce, preventing strikes and muting wage and benefit demands. For instance, banana companies in the Urabá region, including major international companies such as Chiquita, paid paramilitaries per box of bananas for their services (Gentile 2008; El Espectador 2008; Lobe & Muscara 2011).

For Arias and Goldstein, as for scholars like Morton and Wacquant the relationship between neoliberalism and the transformation of the state is of key significance in this context. In his critique of state failure approaches, Morton argues that the issues facing Mexico are due to transformations of the state resulting from neo-liberal restructuring rather than the failure of the state to develop properly. This was particularly felt in Mexico following the signing of the North American Free Trade Agreement (NAFTA) which, coupled with a reduction in state subsidies, had a significant impact on the competitiveness of the agricultural produce of Michoacán (Aguiar 2012: 166-167; Cavanagh et al 2002: 58-65). The impacts of this transformation of the state, socially and territorially (Maldonado Aranda 2013: 46), are key to understanding how and why autodefensas have emerged. Morton (2012: 1641) argues that neoliberal policies have stimulated the growth of both the drugs industry and levels of money laundering in Mexico, whilst the pretext of the war on drugs helped to protect NAFTA.

Loïc Wacquant (2008; 2009) stresses that neoliberalism is driven less by the market and more by the construction of a particular type of state. The state is increasingly reliant on its punitive and coercive branches to shore up its legitimacy in the face of a reduction in its provision of social services and welfare to its populations. For instance, Mexican state interventions, beginning under Calderón, were characterised by the mass deployment of the Army, Federal Police and Navy. Indeed, the Federal response to the autodefensa groups, when it eventually came, was the deployment of further troops. Whilst this was accompanied by promises of funds to rebuild the social fabric of the region, such programmes were quickly decommissioned whilst the troops often remained. Wacquant (2007) argues that these interventions are characterised by territorial stigmatisation and labelling of certain areas as violent, lawless and as 'black holes', which enables them to be treated differently. For instance, areas such as the Tierra Caliente region have been portrayed as a lawless and violent area, characterised by a violent population and hostile terrain (Maldonado 2012).

In Colombia, President Alvaro Uribe's Democratic Security Policy consisted of a confrontational stance towards the FARC guerrillas, involving the use of the Army to push into areas previously controlled by such groups. The effort to establish state presence in these areas bore out much of the criticisms autodefensa/paramilitary groups had levelled against the state, as it was present primarily through its coercive arms, the Police and the Army. In the case of the 'Push to the South'[6], this involved the support of paramilitary forces, which were transported in from other parts of the country by the Army to assist in the offensive. In this case, too, the production of a (legitimate) presence through violent governance involves a blurring of the distinction between state and non-state. As the presence of the state was limited to the Army and Police, it could co-exist with the violent governance of paramilitary groups and helped spread the neoliberal transformation of the state to other areas (see for example Rodríguez González 2014). These examples illustrate that (violent) governance produces and operates as a field of contestation and negotiation, whereby various groups challenge the legitimacy and identity of other groups whilst simultaneously being implicated in and supporting it in other ways. This has led scholars such as Civico (2015), to claim that far from being a sign of state weakness, and despite their rhetoric of state failure, such groups can in some way be seen to strengthen the state, albeit in a perverse form conditioned by its neoliberal nature and insertion into the world economy.

However, these developments – the entwinement of (non-)state groups; the state's attempts at delegitimising and stigmatising certain groups and regions; and, the perception of the state's violent interventions as creating further violence – are not new and have a long history. It is therefore too simplistic to attribute all such developments to the advent of neoliberalism. Rather, as Arias and Goldstein suggest, these underlying issues and conflicts have been aggravated and brought

to greater prominence under the influence of neoliberal policies, which have exacerbated pre-existing problems and created feelings of abandonment. Therefore, the rhetorical portrayal of the state as failed by the autodefensas can be better understood as voicing people's long-held perception of being abandoned by the state and being side-lined by the national project (e.g. Malkin 2001). The cartel and the autodefensas, have utilised such ideas to gain legitimacy for their alternative governance, and indeed their very presence as sources of governance reflect the ways in which the state and state-society relations have changed under neoliberalism. Therefore, despite the very real presence of the state – especially in the form of the coercive branches – and the investments in infrastructure that has been made, because of the purposes for which such interventions are carried out, and the manner in which they are undertaken, the population does not feel that the state is present in the ways in which they want it to be so.

5. (Non)violent (dis)ordering

The notion of violent pluralism helps to contextualise the role of neoliberalism in the development of relations among and transformations of (non)state groups in Latin America. In addition, and relatedly, it enables a conceptualisation of politics in terms of (violent) struggle and conflict (Arias and Goldstein 2010: 15). We have developed these insights into the idea of governance as a field of contestation and negotiation whereby different groups produce, challenge, contest, enable and negotiate legitimacy and identity through violent means. As illustrated by the autodefensas in Mexico and Colombia, violence can bring into question existing social norms and enable the formation of political order and of new modes of political subjectivity (Ibid: 23-24).

We will develop these insights in two directions. Firstly, whilst violence is often associated with disorder, the case of autodefensas shows is also constitutive of forms of order(ing). We will push this idea further by suggesting that the relationship violence-governance-legitimacy is characterised by the simultaneity and inextricability of ordering and disordering (Ansems de Vries 2014). Secondly, and following this, conceiving of governance as a field of contestation and negotiation constituted by a play of (dis)ordering also raises the question of the role of non-violence, and the relationship between violence and non-violence. We argue that, in this field, (dis)order and (non)violence are continuously produced and reproduced and become difficult to tell apart.

In other words, whilst we argue that violence is highly significant in the autodefensas' production of legitimacy and identity, these processes cannot be reduced to violence alone. Arias and Goldstein's writing underemphasises the idea that non-violence, intricately entangled with

violent practices, plays a constitutive role as well. For example, in Colombia groups such as ACDEGAM (Asociación Campesina de Ganaderos y Agricultores del Magdalena Medio) were set-up by key supporters of the autodefensas in the Magdalena Medio region, drawn from the land owning elites who had a vested interest in countering the threat that the guerrilla groups faced. Such groups were utilised to lobby the local and national governments as well as to drum up support amongst the local populace. Therefore, violence was used to help construct an identity for the autodefensas and define their constituency, but their supporters also tried to build links to civil society and the different levels of the state. Thus, paramilitary and autodefensa groups made widespread use of 'spectacular' violence such as massacres and the *limpieza social* but they also developed other forms of violent and nonviolent governance, for instance through the provision of a form of alternative law and order in the communities they controlled. This involved both the killing of thieves and members of gangs and a graduated system of punishments and the arbitration of social behaviour (Civico 2015). For example, husbands who beat wives or members of gangs would be given warnings to change their behaviour or face more serious consequences (Caraballo Acuña 2010).

Sanford (2004) notes that towns controlled by such groups experienced close to no crime of the common or garden sort. Whilst this does not mitigate the violence these groups committed, in particular when they first took over towns, it does help to explain how they gained legitimacy as some Colombians saw them as providing a form of order (Civico 2015). Other non-violent practices that helped to produce legitimacy consisted in the provision of social goods to communities, which is especially significant in the context of the neo-liberal reforms discussed above. This included the provision of services, investment in infrastructure and the construction of public buildings, such as the school financed by Fidel Castaño in Magdalena Medio (Dudley 2004). Violent and non-violent practices of governance are thus closely entwined and whilst the extent of the latter may well have been overstated by paramilitary leaders in their testimonies, the wide range of scholars referring to such non-violent practices (e.g. Lara 2000; Civico 2015; Aranguen 2001; Romero 2003; Medina Gallego 1990; Dudley 2004; Caraballo Acuña 2010) suggest their significance as part of paramilitary and autodefensa practices of governance. Autodefensas thus challenged the state (and other groups) in some ways, co-operated with them in other ways, and took on state-like activities and appearances through both violent and non-violent practices, or indeed through the blurring of these. These practices of (non)violence thus had both ordering and disordering effects.

In Mexico, various groups employed culture and religion in the production, contestation and negotiation of legitimacy and identity. This plays out, for instance, with respect to the contestation between the Knights Templar cartel and the autodefensas over their respective Michoacán identities. The Knights Templar cartel and their predecessor, La Familia Michoacana, had strongly

emphasised this identity, claiming to protect the local citizenry against the barbarity of 'foreign' cartels from other states, whereby the autodefensas were portrayed as stooges of these 'foreign' cartels. The autodefensas contested these claims by presenting themselves as a popular social movement comprised of ordinary local people (Le Cour Grandmaison 2014: 7; Prados 2013). The autodefensas employed non-violent – or violent non-violent – methods to reinforce their local identity whilst directly challenging the cartel's methods of attracting and cementing social support. In particular, they used *corridos* (traditional ballads from rural Mexico used to tell stories set to folk music) to recount their struggles and exploits. These mirrored the cartels' *narco-corridos*, which are the same kind of ballads, extensively exploited by the cartels to commemorate their actions and attract social support[7] (McGirk 2010). Here, music operates as a field of contestation: song is employed in a battle for both territory and identity, blurring the lines between violence and non-violence as non-violent means are utilised to support, justify and commemorate violent acts.

This (non)violent employment of identity is also visible with respect to religion. Importantly, La Familia Michoacana had portrayed themselves as a quasi-religious sect which promoted family values and whose members were teetotal. The Knights Templar continued this trend, and also portrayed its leaders such as 'El Chayo' (Nazario Moreno González – also a key leader of La Familia Michoacana) as religious figures. In response to this the autodefensas demonstrated their links to established church figures who spoke in support of the autodefensas such as Father Patricio Madrigal[8], priest of Nueva Italia, Miguel Patiño Velásquez, the Bishop of Apatzingan, and José Luis Suárez Barragán, priest of La Ruana (Calderón 2014; Chouza 2013; Prados 2013). By emphasising this link to the established church the autodefensas sought to legitimate themselves in the eyes of the public, whilst challenging the Knights Templar's supposed religious credentials. This was particularly important because the Church was regarded as the only institution in the region that had not been infiltrated and corrupted by the Knights Templar.

The co-operation between members of the church and the autodefensas is also illustrated by their joint announcement of a civil society movement called "Yo soy autodefensa". This group had the objective of calling for the imposition of security and the law across Mexico, and was characterised as an unarmed social movement by its founders (Chouza 2014). The "Yo soy autodefensas" movement provides an interesting meeting point between the autodefensas' construction of the state as having failed, and its identity as a violent actor pursuing non-violent means, in league with the local church, to secure its position and negotiate with the Federal state. Here, too, violence and non-violence are intricately linked in the constitution of legitimacy and identity. Moreover, as in previous examples, socio-political (dis)order, legitimacy and political

identity are continuously produced, negotiated and contested, rather than a state that can be achieved once and for all.

Governance and legitimacy thus continue to operate in a field of contestation and negotiation – and a process of ordering and disordering simultaneously – despite the state's attempts at gaining a monopoly of legitimate control. Given the control of some areas by the autodefensas, and the failure of initial attempts at disarmament, the state's engagement with autodefensas were marked by co-operation and contestation simultaneously. Collaboration was enabled by the perception of the cartel as a shared enemy (at least to some extent) and the fact that the autodefensas had not positioned themselves directly against the state. Yet, such collaboration also undermined the state's legitimacy by working with an 'illegal' armed group. The state's perceived need to position itself 'against' a particular group in order to reinforce the distinction between the 'legal' and 'illegal', the 'legitimate' and the 'illegitimate', and state and non-state, shows the continued importance of producing such binaries in societal imaginings even when the situation is acknowledged to be more complex. Thus, whilst the case of autodefensas shows that socio-political order(ing) is produced through complex processes of contestation, disruption, negotiation and collaboration simultaneously, in which the distinctions between (il)legal, (non)state, (il)legitimate and (non)violence blur, we argue that it also shows that such distinctions continue to be important with respect to the production of legitimacy and identity by various groups.

From May 2014, the Mexican state sought to institutionalise the autodefensa groups through their inclusion in the Fuerza Rural (Rural Defence Force) and criminalise those who refused to either demobilise or join the Fuerza Rural, such as those led by Dr Mireles who had become increasingly critical of the state intervention. Here, too, the distinction between the legal and the illegal is reinforced in order to gain control over a situation in which many lines have become blurred. Yet, the fact that these lines remained blurred and shifting in practice is illustrated by the process of institutionalisation, which consisted of simply swapping weapons for state issued rifles and being given official uniforms and vehicles etc., rather than displacing the regimes of (violent) governance the autodefensas had in place. Whilst an effort to be seen as the only legitimate armed actor, the state's institutionalisation of another armed group helped to legitimise the control and (violent) governance of the autodefensas more than undermine it.

6. Conclusion

The autodefensas of Michoacán and Colombia have been officially disbanded and/or institutionalised, yet the issues that provoked their emergence, their actual presence, and (the effects of) their practices of violent governance have not gone away. In Michoacán, some autodefensas have continued to operate whilst others periodically threaten to remobilise, stating that the problems of insecurity remain unchanged. Likewise, in Colombia the peace deal between the Colombian government and FARC has brought about a renewed focus on paramilitarism and the 'bandas criminales' (ICG 2007) that still operate and indeed are highly active, targeting social, human rights and land reconstitution leaders with renewed vigour.

Through the employment, critique and enrichment of the notions of state failure and violent pluralism we have developed four points regarding the relationship between violence, governance, legitimacy and identity in the context of autodefensas in Mexico and Colombia. Firstly, rather than evaluating in which ways the existence of autodefensas can be seen as an expression of state failure, and rather than merely developing a critique of state failure literature, we have shown that state failure is not merely a problematic 'external' (Western) imposition leading to various forms of intervention, but also a strategic means of making claims by 'internal' groups. The autodefensas have skilfully appropriated the notion of state failure that functioned to delegitimise the context in which they operated, turning it on its head to legitimise their actions. We have developed the notion of a field of contestation and negotiation to show how different groups make claims and counter-claims to both failure and legitimacy. This field of contestation and negotiation is thus constituted by a range of practices of (non)violent governance and a range of (non)state groups – blurring the distinctions between the two – and productive of political order(ing) and identities. Moreover, it is not merely a matter of material and/or territorial practices but also encompasses discursive relations of power/knowledge, such as the ability to make a claim that provokes a reaction that helps to legitimise it.

Secondly, we have employed the notion of violent pluralism, which enables a conceptualisation of politics as a field of struggle constitutive of political order(ing) and identity, to make sense of the violent legitimisation of practices and identities in a way that challenges the linking of state and legitimacy, and violence and disorder. Rather than a state that can be achieved, legitimacy is understood as a continuous process of production, contestation and negotiation, part of a broader field of contestation and negotiation that includes a wide range of practices of governance. Violence, as a form of governance employed to produce legitimacy, has effects of both ordering and disordering: it might establish control over a territory, challenge extant governance practices, create trust and/or distrust among the local population, disrupt and/or establish practices of extortion, etc. In addition, the notion of violent pluralism helps to make sense of the role of

neoliberal restructuring in the functioning and identity of the state, especially in relation to the violent practices of governance and claims to legitimacy by other groups such as autodefensas, but also with respect to the entanglement of state and non-state groups. As we have shown, neoliberal restructuring is not synonymous with the absence of the state per se, however, the employment of failed state discourse by autodefensas suggests that feelings of abandonment and ambivalence towards state presence have provided a fertile ground for such claims.

Thirdly, we have pointed out that, despite its value for understanding the complexity of relations at play, the concept of violent pluralism under-emphasises non-violent practices and fails to address the relationship between violence and non-violence. The idea of a field of contestation and negotiation does enable an examination of these relationships, showing the inextricability of violence and non-violence in the context of autodefensas. Whilst violence is central to practices of governance on behalf of autodefensas, these groups also engage in less violent practices, including the formation of civil society organisations and engagement in cultural and religious traditions and performances, in their efforts to construct, contest and negotiate their legitimacy and identity. Or, indeed, given the simultaneity and co-constitution of these processes, practices of violence and non-violence become blurred and difficult to tell apart. This raises an important and underexplored question: If the threat and deployment of violence seem so pervasive, as is the case in relations between autodefensas and other groups, what kinds of practices and discourse can still be understood as truly non-violent? The present article has begun to address this issue, yet it requires further exploration.

Finally, in addition to challenging the (binary) distinction between violence and non-violence, the article has called into question a number of other binaries. Indeed, our examination of the production and contestation of legitimacy and identity through (violent) governance in the context of autodefensas has shown that political order(ing) is produced through complex processes of contestation, disruption, negotiation and collaboration simultaneously, in which the distinctions between (il)legal, (non)state, (il)legitimate and (non)violence blur and transform. However, this is not a call for dismissal of these binaries as irrelevant, rather we argue that the binary and complex are co-constitutive. In the context of autodefensas, binary distinctions continue to be employed by a range of groups in their discursive and material efforts to produce, justify, challenge, contest and negotiate their own and others' legitimacy and identity.

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[1] Fragile State Index, available at: http://fundforpeace.org/fsi/ (4 November 2017)

[2] The US-backed Plan Colombia begun under Uribe's predecessor and involved the provision of $7.1bn to the army, police and justice sector from 2000-2008. Plan Colombia embodied the remedies prescribed for a failing state, with large amounts of resources targeted at institution-building and increasing security capacity (United States Government Accountability Office 2008, available at: http://www.gao.gov/assets/290/282511.pdf (4 November 2017)). Here, the notion of state failure is deployed to justify external involvement in the internal affairs of a state, including the normally sensitive area of national security. A similar prescription to cure a failing state was instituted in Mexico with the Merida Initiative in 2008. Whilst on a lesser scale, the components of this initiative bear remarkable resemblance to Plan Colombia and are similarly couched in the state failure discourse. Moreover, it has a similar focus on (the further militarisation of) security and has facilitated the enhanced role that the army has played in internal security provision since 2006 (Wolf and Morayta 2011: 671-672).

[3] Rompeviento TV (2013) "Michoacán: una lucha a muerte... por la vida", 7 November, link: https://www.youtube.com/watch?v=R5RafZpdH2E (8 December 2015)

[4] Aristegui Noticias (2013) '"El pueblo que venció al crimen organizado" en Michoacán', 26 July, link: http://aristeguinoticias.com/2607/multimedia/video-el-pueblo-que-vencio-al-crimen-organizado-en-michoacan/ (4 November 2017).

[5] Grillonautas2 (2014) 'Estado fallido en Coalcomán, Michoacán; Falso que ya no existe violencia', 15 July, link: https://www.youtube.com/watch?v=jooVvHcvWTc (4 November 2017).

[6] The 'Push to the South' is a name given to part of the Plan Patriota campaign (implemented by President Uribe in 2003) whereby state security forces moved to push guerrillas out of their traditional heartlands in southern Colombia.

[7] For example: 'Corrido de Nazario Moreno- Banda Juniors de Jorge Aguirre de Huetamo', link: https://www.youtube.com/watch?v=LIimMdDuktA (8 December 2015)

[8] Rompeviento TV (2014) "2a parte de "Michoacán: una lucha a muerte... por la vida", 5 February, link: https://www.youtube.com/watch?v=wSgvSwgi76M.