

Update Briefing

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Justice at the Barrel of a Gun: Vigilante Militias in Mexico

I. Overview

A rapid expansion in 2013 of vigilante militias – civilian armed groups that claim to fight crime – has created a third force in Mexico’s ongoing cartel-related violence. Some of these militias contain well-meaning citizens and have detained hundreds of suspected criminals. However, they challenge the government’s necessary monopoly on the use of force to impart justice. As the militias spread, there is also concern some are being used by criminal groups to fight their rivals and control territory. The Peña Nieto administration needs to develop a coherent policy for dealing with the vigilantes, so that it can work with authentic community policing projects while stopping the continued expansion of unregulated armed groups; this also requires demonstrating that the state has sufficient capacity to restore law and order on its own. If the government fails to deal with this issue, militias could spread across the country, triggering more violence and further damaging the rule of law.

President Peña Nieto had expected to have to cope with the well-armed, ruthless cartels that dominate portions of the country, as well as the problems presented by uncoordinated national, state and municipal law enforcement bodies and a legacy of impunity. The appearance of a growing number of armed groups in at least nine of the 31 states, from close to the U.S. border to the south east, however, has added another dangerous level of complexity to the security challenge. Their epicentre, on which this briefing concentrates, is in the Pacific states of Guerrero and Michoacán, where thousands of armed men participate in a range of vigilante organisations. There have been more than 30 killings there since January 2013, either by or against the vigilantes, and they have become increasingly worrying hotspots of insecurity. While the vigilante killings are still only a fraction of the more than 5,000 cartel-related murders that took place across Mexico in the first five months of Peña Nieto’s administration, the concern is that this new type of violence could expand across the land.

The violence has coincided with protests against government reforms in these states, including road blockades and looting of food trucks that are part of a broader challenge to authority. The government launched a major security offensive in Michoacán in May that has weakened the militia presence there, at least in the short term. In Guerrero, the state government has made agreements with some militia leaders in

an attempt to lessen their impact. However, various vigilante groups are still active, and some of the core problems of insecurity that led to their presence are unresolved.

The vigilantism issue is complicated by the fact that many communities, particularly indigenous, have a centuries-old tradition of community policing. Many groups have shown themselves to be successful and have demonstrated legitimate ways of providing security. However, it is legally ambiguous how far such community groups can go in bearing arms and imparting justice. Furthermore, many of the new militias copy the language and claim the same rights as these community police, even though they do not come from a local tradition or are not even rooted in indigenous communities.

The government needs to work with the authentic and unarmed community police and clearly define the parameters of what they can and cannot do. Some rules can be established on the basis of guidelines that are being developed under state and federal laws or by expanding agreements being worked out between state governments and community leaders. In some cases, the government needs to require the disarmament of vigilante groups; in yet others, it needs to more aggressively detain and prosecute militias with criminal links. But the government also needs to significantly improve security in all the communities where militias have been formed. Many residents have taken up arms because the state has systematically failed to protect them. The clamour for security is legitimate; but justice is better served through functional state institutions than the barrels of private guns.

II. The Shape of the Militia Problem

Armed vigilante groups spread rapidly in the first months of 2013, especially in Michoacán and Guerrero states, where thousands have participated in their activities. People without uniform bearing machetes, shotguns and automatic rifles have been manning checkpoints, searching properties and detaining hundreds of alleged criminals in these states. In firefights they have shot dead suspects and others, while gunmen have killed dozens of vigilantes. The militias say their objective is to fight crimes connected to cartels, including kidnapping, extortion, drug dealing and illegal logging. In many areas, residents support them and say they have reduced crime.¹ In other areas, militias are accused of working with cartels, allowing them to have gunmen openly patrolling roads.²

This briefing focuses on vigilante groups, which have become one of the most important emerging security issues. It supplements Crisis Group's recent background report on the drug violence confronting Mexico but does not examine the most recent developments in the many other areas explored in that paper.³ It looks at the different types of militias and the roots of their operations, the motivations of their members and how the violence connected to them has taken place. Understanding the diverse vigilante scene is crucial for forging a comprehensive approach to restoration of the rule of law in the areas where they are active.

¹ Crisis Group interviews, residents in Chilpancingo, Tierra Colorada and El Mesón, state of Guerrero, 3-5, 10-12 April 2013.

² Rubén Mosso and Francisco García Davish, "Fuerzas militares pegan a 'autodefensas' del Chapo", *Milenio*, 4 May 2013.

³ Crisis Group Latin America Report N° 48, *Peña Nieto's Challenge: Criminal Cartels and the Rule of Law in Mexico*, 19 March 2013.

President Peña Nieto took office in December 2012, returning the Institutional Revolutionary Party (PRI) to power and gaining broad support for a security plan aimed at reducing homicides, extortion and kidnapping. Mexico suffers from devastating violence linked to fighting between rival cartels and security forces that has claimed 47,000 to 70,000 lives over six years.⁴ The bloodshed has continued through the first months of the new presidency, including 5,296 cartel-related murders between 1 December 2012 and 1 May 2013, according to a government count.⁵ Peña Nieto has promised to create a new police force, the gendarmerie, to improve security in rural areas where the militias are active, but formation of an entirely new entity will take considerable time.⁶ For the short term, military units have been deployed to some areas rife with vigilante and cartel activity.⁷

The question at the centre of the debate on the vigilante groups is the extent to which citizens should be allowed to bear arms, make arrests or deliver justice if they feel the state has failed to protect them from heinous crimes. This is complicated by the long history of some indigenous villages being allowed to have their own community policing corps – a highly sensitive subject due to the historic injustices indigenous people have suffered and their continued marginalisation. Several academics and other observers say there must be a clear distinction between traditional community police (*policía comunitaria*) and the new wave of militias (*autodefensas*, self-defence squads). Furthermore, they argue, there must be differentiation between self-defence groups backed by their communities and those that are fronts for criminal cartels.⁸

Such distinctions can be difficult to make at times. Some community police simply perform neighbourhood-watch duties that have broad local support; others use firearms, judge suspects and imprison those they deem guilty, raising serious legal questions. Many of the new self-defence squads use the language and claim the rights of community police. And it can be hard to judge ties to a criminal cartel, especially when the accusations sometimes come from rival criminal cartels.

Vigilantes are now reported in at least nine of Mexico's 31 states, with some sources saying they are in as many as thirteen.⁹ However, outside of Guerrero and Michoacán, they are still a relatively small phenomenon, considering the country's 112-million population. The risk is of unregulated militias spreading much wider if the government fails to forge and execute a coherent policy.

This briefing, while examining the issue in a national context, focuses on the militias in Guerrero and Michoacán states. It is based on field research in Mexico City and the state of Guerrero, including its capital, Chilpancingo, and Tierra Colorada and El Mesón, towns that have had a significant militia presence. Militia members, residents, police officers, government officials, politicians, human rights defenders and academics were interviewed. Sections analyse the roots and history of vigilante

⁴ Ibid.

⁵ "Gobernación: mil 47 ejecutados en abril", *Milenio*, 11 May 2013.

⁶ Crisis Group Report, *Peña Nieto's Challenge*, op. cit.

⁷ Mark Stevenson, "Soldiers flood western Mexico to protect towns", Associated Press, 20 May 2013.

⁸ Crisis Group interviews, Alejandro Hope, security director, Instituto Mexicano para la Competitividad, Mexico City, 9 April 2013; Ernesto López Portillo, executive director, Instituto Para la Seguridad y Democracia, Mexico City, 22 April 2013; Raúl Benítez, professor, North America Research Centre, National Autonomous University of Mexico, and president, Colectivo de Análisis de la Seguridad con Democracia, Mexico City, 30 April 2013.

⁹ Sandra Parra, "Los grupos de autodefensa se extienden a 9 entidades, alentados por inseguridad e ineficiencia del Estado", *DPA*, 27 March 2013; "Autodefensas están en 68 municipios en 13 estados", *Reforma*, 1 March 2013.

militias in Mexico; the activities and violence connected to several that have recently evolved; and both actual and proposed government responses.

III. Roots

Armed groups claiming to protect communities but outside government control have emerged at various times during Mexico's modern history. As the central government struggled with civil war after independence from Spain in the nineteenth century, vigilante groups were active in swathes of the country.¹⁰ Following the 1910 revolution, competing armies held sway in different areas, and their ragtag militias administered rough justice; iconic photos of the period show irregular troops executing bandits by firing squads and hanging.¹¹

The PRI government that held power from 1929 until 2000 claimed as a key achievement the monopoly of legitimate force by a powerful central state.¹² Mexico was largely free of the internal armed conflict and coups that plagued much of Latin America in the period. However, some non-state armed groups claiming the right to administer justice did manifest themselves.

Between 1967 and 1974, a school teacher, Lucio Cabañas, led his Party of the Poor and its armed wing, "The Peasant Justice Brigade", in the mountains of Guerrero state.¹³ The militia fought a guerrilla campaign against the government and said it administered justice in the villages where it operated. Cabañas was a leftist inspired by a revolutionary, Emiliano Zapata, but did not adopt Marxist-Leninist doctrine or renounce his Christian faith. The army waged an anti-insurgency campaign in which hundreds of people are believed to have been tortured, disappeared and murdered.¹⁴ Soldiers shot Cabañas dead in 1974 after he kidnapped PRI Senator Rubén Figueroa (later Guerrero's governor).¹⁵ Cabañas has become an icon for much of the left, especially in Guerrero, where he is hailed as a hero by some of the current vigilantes.¹⁶ "These historical anecdotes go on influencing many political actors from various parties", said Cuauhtémoc Salgado, president of the Guerrero state section of the PRI. "Guerrero has been characterised as a bellicose state".¹⁷

¹⁰ Paul J. Vanderwood, *Disorder and Progress: Bandits, Police and Mexican Development* (Lanham, 1992), p. 32. There was also much vigilantism across the border in the U.S. during this period; see Richard Maxwell, *Strain of Violence: Historical Studies of American Violence and Vigilantism* (Oxford, 1975).

¹¹ "Executing Bandits in Mexico 854" and "Un Bandido colgado en el ed de Nay, Mex", archive photos reproduced in "¡Vámonos a la Bola!", *Proceso*, Edición Especial no. 31, November 2010.

¹² A landmark book on the Mexican Revolution, Enrique Krauze, *Biografía del Poder: Caudillos de la Revolución Mexicana (1910 to 1940)*, 1997, examines the PRI's ability to dominate central authority in Mexico.

¹³ One of the most thorough studies of Lucio Cabañas and The Party of the Poor is the documentary film, "La guerrilla y la esperanza: Lucio Cabañas", directed by Gerardo Tort, 2005.

¹⁴ Mexico's National Human Rights Commission found 532 disappearance cases during a ten-year period of the "dirty war", 332 in Guerrero state. Sergio Ocampo, "Recaban 241 testimonios de la guerra sucia", *La Jornada*, 18 April 2013. In 2000, then-President Vicente Fox (2000-2006) announced creation of a Special Prosecutor's Office to investigate crimes committed in that conflict; reparations for victims; and opening of the state archives. These promises are unfulfilled; the victims still seek truth, reparation and justice. Leopoldo Ayala Guevara, "La guerra sucia en Guerrero: impunidad, guerra sucia y abuso de poder", editorial, Ayala Centre, 2005.

¹⁵ A 2 December 1974 Servicios Informativos Madera news report shows Cabañas's bullet-riddled body and interviews of those who did the autopsy, www.youtube.com/watch?v=_yGv3Yidedg.

¹⁶ Crisis Group interviews, members of vigilante militias, Guerrero state, 4-6, 10-12 April 2013.

¹⁷ Crisis Group interview, Chilpancingo, 11 April 2013.

The uprising of the Zapatista Army of National Liberation (EZLN) in Chiapas state made world headlines in 1994. The Zapatistas adopted an unorthodox position on the left, combining anarchistic elements of their namesake, Emiliano Zapata, with a revival of indigenous Mayan customs and influence from Catholic liberation theology. The armed challenge lasted only twelve days (1-12 January) before the Catholic dioceses of San Cristóbal de las Casas brokered a ceasefire. In the almost two decades since, the Zapatistas have created “Boards of Good Government” that control dozens of communities in which as many as 150,000 people are estimated to live. Following peace accords, the government has largely tolerated these.¹⁸

The Zapatista councils claim “autonomy” from the government and enforce their own justice to a point, including crackdowns against drug and human smugglers. Alcohol is banned in many of the communities. Zapatista justice is seen as an inspiration for some of the militias that have appeared recently. However, the Zapatistas do not openly carry arms and do not make use of corporal punishment or prisons; most punishment consists of community work, such as chopping wood and clearing paths.¹⁹

The practice of autonomous or community policing has also grown in other indigenous villages across the country, including in Oaxaca, Guerrero, Hidalgo and Veracruz states. In some places, the groups resemble neighbourhood-watch schemes, akin to the Guardian Angels volunteer force in some U.S. cities. In others, they inflict punishments, but usually involving community work as in the Zapatista communities. Some academics trace the origins of such community policing as far back as the Spanish conquest, when colonial laws (*Leyes de Indias*) gave indigenous communities certain powers over their own affairs:

From then, the tradition was to organise their own security. On many common farms (*ejidos*), indigenous people organise their own systems of security – without arms. They organise systems of indigenous vigilance that are very democratic, as a kind of primitive democracy.²⁰

Community policing draws a certain legal backing from Article 2 of the 1917 federal constitution that recognises the rights of indigenous peoples and communities to autonomy and self-determination, through laws enacted in the constitutions of each of Mexico’s 31 states and the federal district of Mexico City. The article also grants indigenous communities the right to apply their own normative systems in the resolution of internal conflicts, as long as these do not contravene federal laws.²¹

The Congress, largely in response to the Zapatista uprising and the San Andrés Accords, approved the Law on Rights and Indigenous Culture in 2001.²² It recognises

¹⁸ Crisis Group consultant in previous capacity reporting in Zapatista community La Garrucha, Chiapas, 31 December 2005-1 December 2006; Crisis Group consultant interview in previous capacity, Neil Harvey, assistant government professor, New Mexico State University and author of *The Chiapas Rebellion: The Struggle for Land and Development* (Durham, 1998).

¹⁹ For examples of cases on conflict-resolution in indigenous communities, see Mariana Mora, “Decolonizing Politics: Zapatista Indigenous Autonomy in an Era of Neoliberal Governance and Low Intensity Warfare” (dissertation), University of Texas at Austin, 2008, p. 497. Also, Crisis Group consultant in previous capacity reporting in Zapatista community La Garrucha, Chiapas, 31 December 2005-1 December 2006.

²⁰ Crisis Group interview, Raúl Benítez, professor, North America Research Centre, National Autonomous University of Mexico, Mexico City, 30 April 2013.

²¹ “La Vigencia de los Derechos Indígenas en México”, Comisión Nacional para el Desarrollo de los Pueblos Indígenas, December 2007, p. 15.

²² The San Andrés Accords, signed between the Zapatista EZLN and the government in February 1996, commits the latter to guarantee indigenous rights in the constitution.

the power of certain assemblies in indigenous communities and the rights to enforce certain customs, including community work, but does not provide for amendment of the Federal Law on Firearms and Explosives to allow the use of such weapons within indigenous communities without official permits. Many of the armed vigilante militias that have emerged recently, nevertheless, refer to themselves as community police, indicating they believe they should benefit from the recognition afforded by the indigenous law.²³

The scope indigenous peoples enjoy to apply their own laws and customs is particularly ambiguous regarding their legal capacity to enforce punishments beyond community work, and also regarding their right to bear arms. Although the convention of the International Labour Organisation (ILO) on indigenous and tribal peoples to which Mexico is a party and some domestic laws clearly allow the co-existence of different legal standards – federal, state, municipal and indigenous – this legal pluralism has not been regulated in these crucial aspects. A human rights lawyer in Guerrero explained that community police (such as the Regional Coordination of Community Authorities, CRAC, discussed below) can impose penalties including imprisonment, but that “prison” in indigenous traditions differs substantially from the “Western” concept; the former is intended to facilitate community work and subsequent reintegration into the community, while the latter is based mainly on retribution for a crime.²⁴

Regarding the right to bear arms, the lawyer said, some members of local communities (ejidos), have official permits from the defence ministry to carry weapons, or “collective licences” in connection with the municipalities.²⁵ Nevertheless, the army has arrested members of community police such as CRAC for carrying weapons.²⁶

Armed groups have also appeared fighting against the Zapatistas in Chiapas under the claim they are serving justice against an illegal uprising and defending land ownership against squatters.²⁷ They resemble some elements of the Colombian paramilitaries: armed groups fighting leftist guerrillas.²⁸ Shady squads of masked gunmen, known in Chiapas under names including “Peace and Justice” and the “Red Mask”, have been linked to dozens of attacks, murders and disappearances, most notoriously the 1997 massacre of 45 indigenous people who were part of a group sympathetic to the Zapatistas in the village of Acteal.²⁹ Attacks have been reported as recently as September 2012, when 55 masked men struck a Zapatista community in the municipality of Sabanilla.³⁰

The Zapatistas allege these armed groups are made up or supported by active and former government officials and ex-soldiers.³¹ Some of those arrested for involvement in the attacks in the 1990s were connected to local political organisations and village

²³ Crisis Group interviews, members of vigilante militias, Guerrero state, 4-6, 10-12 April 2013.

²⁴ Crisis Group phone interview, Santiago Aguirre, member of the Human Rights Centre of the Mountain (Tlachinollan), 22 May 2013.

²⁵ Ibid.

²⁶ “Libera la PGR a los seis policías de la Crac detenidos en Acapulco”, *La Jornada*, 8 May 2013.

²⁷ Crisis Group consultant in previous capacity, reporting in Chiapas state, 30 December 2005 to 4 January 2006.

²⁸ Extensive reporting on Colombia’s paramilitaries can be found at www.crisisgroup.org.

²⁹ Mark Lacey, “10 years later, Chiapas Massacre Still Haunts Mexico”, *The New York Times*, 23 December 2007.

³⁰ Paris Martínez, “El grupo paramilitar ‘Paz y Justicia’ arrebató un pueblo zapatista a balazos”, *Animal Político*, 19 September 2012.

³¹ “Funcionarios y exfuncionarios, militares y exmilitares impulsan grupo paramilitar paz y justicia en la zona de Sabanilla, Chiapas”, statement by Zapatista council “Nueva Semilla”, 20 September 2012, <http://radiozapatista.org/?p=6867>.

councils.³² However, federal government officials have repeatedly denied involvement with these paramilitary groups.³³

As well as these armed groups, Mexico has long experienced vigilantism carried out by civilians not in any organisation.³⁴ These include moments when crowds have seized alleged criminals and handed them to police or carried out executions themselves, by lynching, fire or beatings. Police have intervened to thwart such killings in many cases, though not always successfully. In one of the most high-profile incidents, in November 2004, a crowd in the Mexico City borough of Tláhuac burned to death two men it thought were kidnappers but were actually undercover police, while police rescuers were delayed in traffic.³⁵

Though lynching and other vigilante actions have a long history in Mexico, they appear to have increased at the same time as cartel-related violence and crimes have shot up. Between 2005 and 2010, cartel-related homicides quadrupled, according to government figures, while vigilante actions such as lynching rose from four in 2005 to 23 in 2010, according to a study.³⁶

IV. The New Wave

Men bearing assault rifles, shotguns and machetes took defensive positions on a hillside neighbourhood of the mountain town of Tierra Colorada in Guerrero and gathered residents from their homes. The leader told the crowd they had suffered too much at the hands of criminals, and it was time to fight back. He asked anyone in favour of forming a militia in the neighbourhood to step forward. The residents first stood in silence; then a middle-aged man walked forward, followed by a young man barely out of his teens. Finally, nine men stood at the front with their hands raised to the crowd's applause. A new squad of vigilantes was born.³⁷

That scene in April in the southern Sierra Madre Mountains is typical of the formation of many new vigilante militias. Some of their defining features, as illustrated in Tierra Colorada, are that they were created quickly, with an ambiguous mandate and arsenals including high-powered rifles. While in some cases, members say their weapons had been in households for many years, albeit illegally, for hunting or protection, new rifles have also been seized.³⁸ Some militias emerged in solidly indigenous communities, others in largely non-indigenous villages, towns and city slums.

The neighbouring states of Guerrero and Michoacán, in the southern half of Mexico on the Pacific Ocean, are at the epicentre of this wave. Both states are poor – 28th and 25th of 31 respectively in GDP per capita.³⁹ Both have significant numbers of

³² News Release, Federal Attorney General's Office, no. 569/00, 28 October 2000, www.pgr.gob.mx/cmsocial/bol00/oct/b56900.html.

³³ "Madrazo Cuéllar niega fabricación de pruebas", *El Universal*, 14 August 2009.

³⁴ George Grayson, "Threat Posed By Mounting Vigilantism In Mexico", Strategic Studies Institute, September 2011.

³⁵ "Turba quema vivos a dos agentes de la PFP; otro en estado grave", *La Jornada*, 24 November 2004; Alejandra Noguez, "México: linchan a dos policías", BBC Mundo, 24 November 2004.

³⁶ Crisis Group Report, *Peña Nieto's Challenge*, op. cit.; George Grayson, "Threat", op. cit., p. 35.

³⁷ Crisis Group observations, Tierra Colorada, 3 April 2013; also, Ioan Grillo, "The Rise of Mexico's Vigilante Militias: Will They Help or Hurt the Drug War?", *Time*, 11 April 2013.

³⁸ Crisis Group interviews, vigilantes, Tierra Colorada and El Mesón, 3-5 April; Rubén Mosso and Francisco García Davish, op. cit.

³⁹ Figures from Instituto Nacional de Estadística y Geografía (INEGI), under Producto Interno Bruto por Entidad Federativa, 2012

people who speak indigenous languages, including Náhuatl (the language of the Aztecs or Mexica), Mixteca, Purépecha, Tlapaneco and Amuzgo; many live in traditional indigenous villages. Both also have important cities, ports and resorts, including Acapulco and Chilpancingo (Guerrero) and Lázaro Cardenas and Morelia (Michoacán).

Both states, but particularly Guerrero, have a history of armed groups in resistance to the central government. During the revolution, Michoacán was home to revolutionary/bandit José Inés Chávez García, notorious for brutal violence.⁴⁰ Guerrero claims a long line of independence fighters and revolutionaries from its namesake, Vicente Guerrero, who fought the Spanish in the 1810s, to Cabañas, who fought the PRI in the 1970s.

Guerrero and Michoacán have also been historically linked to the drug trade, with marijuana and opium grown in the mountains, ingredients for crystal meth smuggled into their Pacific ports and various drugs smuggled along their coasts. Michoacán is home to the Knights Templar cartel, which has branched out from drugs into wide-scale extortion of businesses, including iron mines and avocado growers, and also into illegal logging.⁴¹ It is currently in a struggle with the Jalisco New Generation Cartel, triggering a wave of killings.

Guerrero was long the stronghold of the Beltrán Leyva cartel, a major smuggler of cocaine to the U.S. As the Calderón government attacked the cartel, killing its head, Arturo Beltrán Leyva, in 2009, it splintered and lost territory to rivals.⁴² Criminal groups in the state now include La Barredora, the Independent Cartel of Acapulco and Knights Templar, as well as the Beltrán Leyva organisation. Many of these have taken to extortion and kidnapping, even of relatively poor shopkeepers, workers and farmers. Guerrero and Michoacán have paid heavy costs in cartel-related violence: the former suffering more than 1,500 cartel-related killings and the latter more than 300 in 2011, according to media tallies.⁴³

A. *Boiling Point*

This cartel crime and violence created a critical situation in many rural communities that traditionally had little protection from security forces, observers say.⁴⁴ This was particularly acute in Guerrero, 91.5 per cent of whose homicides were unsolved in 2010, compared to a national average of 80.6 per cent, according to a study.⁴⁵ Ernesto López Portillo, director of the Institute for Security and Democracy in Mexico, which has carried out extensive work on security issues in the state, said there were clear signs the situation was reaching boiling point:

In Guerrero, we have an extreme situation, not only of misery, of poverty but of institutional weakness There are no institutions that have the authority, resources and decisiveness to stop organised crime. This means that organised crime can consolidate its power over time This mix of factors put Guerrero in a crisis situation, in which it could be seen that in time it was going to explode.⁴⁶

⁴⁰ Frank McLynn, *Villa and Zapata: A History of the Mexican Revolution* (New York, 2000), pp. 356-357.

⁴¹ Crisis Group Report, *Peña Nieto's Challenge*, op. cit.

⁴² Ibid.

⁴³ "Ejecutómetro", *Reforma*, 1 December 2012

⁴⁴ Crisis Group interview, Ernesto López Portillo, 22 April 2013; Raúl Benítez, 30 April 2013.

⁴⁵ "Seguridad y Justicia en los Estados", México Evalúa, 26 March 2012.

⁴⁶ Crisis Group interview, 22 April 2013.

The first response was an expansion of indigenous community policing forces. Indigenous groups of Mixtecs, Tlapanecos and Amuzgos in the Costa Chica and highlands of Guerrero had created CRAC in 1995 to organise such forces from various villages. The original initiative was partially inspired by the Zapatista uprising in Chiapas, and police were usually unarmed. However, as crime and violence raged, especially in the last three years, more communities joined, and CRAC now claims 1,500 members in 77 communities in the state; most carry firearms, including shotguns and hunting rifles, according to Eliseo Villar, its regional coordinator.⁴⁷

CRAC's militias have brown uniforms and do not wear masks or carry arms beyond the boundaries of their villages. They serve for two years, during which other members of the community provide them and their family with food and other resources. CRAC not only arrests alleged thieves, but also imparts justice, through its own trials, and has prisons in some communities. The convicted can serve up to eighteen years in jail, according to CRAC rules; the facilities reportedly presently hold several prisoners. CRAC took to bearing guns and imprisoning criminals, Villar said, in reaction to the state's failure to provide protection and convict kidnappers and extortionists:

Our project of a community system imparts security, justice and education by bearing arms. Clearly, we have a right to do this, because the government has not attended to our needs. For this we saw the need to organise ourselves, to have our internal rules and identify ourselves with a uniform.⁴⁸

CRAC was strengthened by a 2011 Guerrero state law on indigenous customs that reinforces the federal indigenous customs law, empowering traditional authorities.⁴⁹ Villar argues that the law lends legal legitimacy to CRAC to bear arms and impart justice. The organisation's advocates also cite the UN Declaration on the Rights of Indigenous Peoples⁵⁰ and the ILO convention, both signed by Mexico. Social activists in Guerrero argue that there is a substantial difference between the traditional community police, which can bear arms and enforce penalties in a more general framework of indigenous laws and customs, and self-defence groups, which are formed only due to security concerns.⁵¹

Others, however, dispute these arguments, especially with respect to the right to bear arms or deliver justice. López Portillo calls CRAC "legally ambiguous", while Professor Benítez says it is "illegal but tolerated".⁵² Salgado, the PRI state president, argues that armed community police clearly violate Article 17 of the constitution, which states: "No person can take justice into their own hands, or use violence to reclaim their rights". He adds:

The community police have been governed by customs, but they have been twisting the law and violating it The authorities tell citizens, "you cannot be armed be-

⁴⁷ Crisis Group interview, Chilpancingo, 11 April 2013.

⁴⁸ Ibid. The new federal government has promised to reduce kidnapping, extortion and homicides during its six-year term. Crisis Group Report, *Peña Nieto's Challenge*, op. cit.

⁴⁹ Ley 701 de Reconocimiento de los Derechos y Cultura de Pueblos y Comunidades Indígenas del Estado de Guerrero, 15 January 2011.

⁵⁰ Advocates cite Articles 4, 5, 20 and 34 of the declaration, regarding the rights of indigenous people to self-determination and to their own institutions.

⁵¹ Crisis Group phone interview, Santiago Aguirre, 22 May 2013.

⁵² Crisis Group interviews, Ernesto López Portillo, 22 April 2013; Raúl Benítez, 30 April 2013

cause you are committing a crime". Therefore, the government has to say, "community police and self-defence groups can't exist, and we are going to arrest them".⁵³

Over the state border in Michoacán, a group of Purépecha people gained even more attention in 2011, when they took up arms and set up checkpoints in the community of Cherán. Unlike CRAC, these armed villagers wore masks and did not have uniforms, creating the first images of what the public began to understand as self-defence squads (*autodefensas*). They rose up in response to illegal loggers, allegedly linked to the Knights Templar cartel, who were destroying their livelihood.⁵⁴

Using their own arms and some donations from the community, the Cherán vigilantes set up checkpoints on the major roads to stop armed groups. They interrogated the suspects they detained before handing them over to authorities.⁵⁵ Responding to their call for more federal government protection, the Calderón administration sent the army for a limited period, but this did not stop gunmen from killing several Cherán residents in April 2012;⁵⁶ afterwards, the vigilantes mobilised further, increasing their checkpoints and barricades.

Cherán leaders have defended their legitimacy as a community police force, offering similar arguments as CRAC.⁵⁷ The Michoacán government has expressed sympathy and offered to work to regularise them.⁵⁸ However, in late 2012 and early 2013, self-defence squads appeared in dozens of other communities in the state, including some in which the majority speak Spanish rather than indigenous languages. While many of these squads claim the same rights as the Cherán vigilantes, Michoacán officials have questioned their community backing. Alejandro Avilés, Michoacán's secretary for indigenous peoples, said, "it makes us sad that these people are using this term that does not belong to them, as police providing a social service are exclusively from the indigenous villages. The other villages never had them and so cannot speak of them".⁵⁹

B. *Upheaval in the Highlands*

An even more rapid militia expansion took place in the highland communities in the south east of Guerrero in the first four months of 2013. This began in early January in the municipalities of Ayutla and Tecoanapa, following the kidnapping for ransom of a community delegate (*comisario*) by a criminal gang, seen as a particular provocation by some residents.⁶⁰ "The trigger is the kidnapping of commissars, people with a recognised role in the community", said López Portillo. "They are visible targets, but they are also people who are seen to protect the community".⁶¹ In response, dozens of residents armed themselves with guns and machetes and went house to

⁵³ Crisis Group interview, Chilpancingo, 11 April 2013.

⁵⁴ Jennifer González, "Mexican indigenous community takes on armed gangs", Agence France-Presse, 7 May 2011; Marcela Turati, "Cherán y su rebelión contra la mafia michoacana", *Proceso*, 21 July 2012.

⁵⁵ González, op. cit.

⁵⁶ "Paramilitares nos emboscaron, aclararon comuneros de Cherán", *La Jornada*, 20 April 2012.

⁵⁷ "Se reunirán comunidades indígenas a analizar marco legal de policías comunitarias", En Síntesis agencia informativa, 5 March 2013.

⁵⁸ "Michoacán regulará y capacitará a las policías comunitarias", *Notimex*, 19 February 2013.

⁵⁹ C. Márquez and D. Díaz, "Urge reglamentar ley indígena para frenar proliferación de policías comunitarias: SPI", *La Jornada Michoacán*, 14 March 2013.

⁶⁰ Crisis Group interviews, Tierra Colorada, El Mesón, 3-5 April 2013.

⁶¹ Crisis Group interview, Mexico City, 22 April 2013.

house, finally rescuing the *comisario* from a nearby ranch in a firefight. They also detained and handed over several alleged kidnappers to state authorities.⁶²

From this initial upheaval, the militias spread rapidly through nearby villages. Recruitment often took place along the lines described in Tierra Colorada. Recruits included small farmers, shopkeepers, taxi drivers and mechanics. Among them was a farmer from the village of Ocotillo who joined in January, letting other family members tend to crops so he could serve in the militia. “Things had got really bad with extortion and kidnapping and drug selling. I saw it as a duty to act. We have to change the way we live”, he said. Another recruit rented out his business so he could serve full time. “We have to take action into our own hands, as the government has failed to protect us”, he said. “We have achieved in weeks what police and soldiers could not do in years”.⁶³

Unlike CRAC, the new militias travelled beyond their communities to support other villages in hunting out criminals. They carried a range of weapons, from shot-guns and hunting rifles to AR15 automatic rifles and Uzi submachine guns. Those interviewed said they had owned the guns already for protection, though they did not have permits. They were masked at first but later began showing their faces. The militias detained hundreds of suspects between January and April, some at check-points such as one observed on a road into the village El Mesón. Others were seized from their homes or on the street.⁶⁴ In one operation, the militia was seen gathering and writing up evidence from witnesses about an alleged extortionist. It stormed a market looking for him in vain.⁶⁵

Detainees were kept in makeshift prisons, such as one in an office above a taxi base in downtown Tierra Colorada. Many were held for weeks, with limited access to family and no legal advice; some were put into show trials before hundreds of villagers. Most were eventually handed over to state authorities.⁶⁶ Militia members said the work was voluntary and unpaid, though they received some free food and donations from residents. Several residents interviewed said they approved of the activities, and they had reduced crime. “We used to be scared to go out on the street because of criminals. Now we feel much safer”, said María Castillo, owner of a pastry shop in Tierra Colorada.⁶⁷

Much of this militia movement was organised under the umbrella of the Union of Peoples and Organizations of Guerrero (UPOEG), a group previously involved in other grassroots activism, including a campaign to reduce electricity bills.⁶⁸ Militia members said they formed fourteen-man units under a commander; commanders were organised under municipal commanders, who responded to regional coordinators. The militias were originally known as self-defence squads but later began to describe themselves as community police. UPOEG militiamen said there were thousands of active members by April. While it is hard to verify the exact number, they made large shows of strength, bearing arms in rallies in various communities; 1,600 were reported to march in one event.⁶⁹

⁶² Crisis Group interviews, Tierra Colorada, El Mesón, 3-5 April 2013.

⁶³ Crisis Group interviews, Tierra Colorada, 3 April 2013.

⁶⁴ Crisis Group interview, Tierra Colorada, 3 April 2013.

⁶⁵ Crisis Group interviews, Tierra Colorada, El Mesón, 3-5 April 2013.

⁶⁶ Dudley Althaus, “Can Vigilante Justice Save Mexico?”, *Global Post*, 3 February 2013.

⁶⁷ Crisis Group interview, Tierra Colorada, 3 April 2013.

⁶⁸ Citlal Giles Sánchez, “Detendrán a gente de CFE que les corte la luz: UPOEG”, *La Jornada*, 23 May 2012; Crisis Group interview, Esteban Ramos of UPOEG, Tierra Colorada, 3 April 2013.

⁶⁹ Isaías Pérez, “Policía comunitaria amplía su territorio”, *El Universal*, 22 April 2013.

The most vocal UPOEG figure is its director, Bruno Plácido, from a Mixtec community in Guerrero and formally in a CRAC-affiliated community police project. From the beginning, he said he wanted to reach an agreement with the government to regulate the militias: “Our movement is not against the Mexican state. Our movement wants to contribute to the establishment of the rule of law in Guerrero and look for peace, which is priceless”.⁷⁰ Agreements were eventually forged with the state government (see below).

The militias in Guerrero received national and international coverage. This appeared to inspire a range of people in distant parts of Mexico to form their own vigilante squads. In February, in Amatepec (Mexico state), the leftist Francisco Villa Popular and Campesino Front announced it was organising a militia.⁷¹ In Oaxaca state that month, the mayor of Santos Reyes Nopala openly organised a masked vigilante militia hundreds strong, but dissolved it under pressure from the governor.⁷² In the swampy city of Villahermosa, Tabasco, a group calling itself People United Against Crime (PUCD) announced a campaign to fight criminals, including the Zetas cartel. “Kidnappers, rapists and thieves. You will see that our goal is to clean this fine state”, a message it signed said. “Don’t confuse us with being a cartel. We are people united against crime”.⁷³

C. Escalating Violence

The vigilantes had chased the suspected gang of extortionists into a graveyard in the town of Xaltianguis. When fired at, the vigilantes shot back, they said, letting off more than 100 bullets. After a standoff of more than half an hour, with sporadic shooting, the suspects fled; the vigilantes caught up and detained two.⁷⁴ In that exchange of fire in April in Guerrero nobody was hit, but other confrontations involving militias have been lethal, leaving more than 30 dead in total.

Guerrero militias killed a man at a checkpoint near the town of Tixtla in January and another near Ayutla in February. In both cases, militias said the victims were criminals, but families said they were innocent. In March, a militia leader was killed in Tierra Colorada, leading to massive mobilisation in the city. Militiamen accused extortionists and kidnappers of being behind the murder. Many said they were keen to continue spreading from the mountains of Guerrero into Acapulco, which has a heavy drug-trafficking presence. “We are not scared of the cartels”, said a militia member. “They have guns but we have guns too. And we are many”.⁷⁵

In Tabasco, self-proclaimed vigilantes went further. Five alleged drug sellers were killed, and notes signed by the PUCD were left by their corpses.⁷⁶ State prosecutors alleged the PUCD was really the front for a criminal cartel.⁷⁷ The Zetas also appeared to hit back: a man was tortured and killed in April, and a note signed by the cartel accused him of being a vigilante: “This is how all you dogs from the PUCD will finish”.⁷⁸

⁷⁰ Interview on Libertad Guerrero Noticias, 9 February 2013, www.youtube.com/watch?v=QwacTSb7f08.

⁷¹ “Grupo de Autodefensa en Amatepec”, *Efeko Noticias*, 14 February 2013.

⁷² “Pueblo de Oaxaca arma a 472 civiles para su defensa”, *Informador*, 11 February 2013.

⁷³ “Surge un grupo de autodefensa en Tabasco”, *El Mexicano*, 26 March 2013.

⁷⁴ Crisis Group interviews, militia participants in incident, Xaltianguis, 5 April 2013.

⁷⁵ Rolando Aguilar, “Un muerto más por policía civil; enfrentamiento armado en retén de Ayutla”, *Excelsior*, 20 February 2013. Crisis Group interviews, Tierra Colorada, Guerrero state, 3-5 April 2013.

⁷⁶ “Recrudece PUCD violencia en Tabasco”, *El Correo de Tabasco*, 21 March 2013.

⁷⁷ “El PUCD es delincuencia organizada: PGJ de Tabasco”, *La Crónica*, 27 February 2013.

⁷⁸ “Buscan Zetas a PUCD”, *El Correo de Tabasco*, 4 April 2013.

Even more severe violence hit Michoacán. In early April, shoot-outs between militias and cartel gunmen reportedly left fourteen dead.⁷⁹ The situation intensified when the Knights Templar cartel accused various vigilante militias of being commanded by their rivals, the Jalisco New Generation cartel. This accusation was written on blankets hung from bridges and conveyed in a video message by the Knights Templar leader, Servando Gómez (“La Tuta”). “On the television, we are seeing many people who are not only armed but also masked, in front of the federal police and soldiers. They are coming from the state of Jalisco”, said Gómez, speaking with a gun on each hip on the video posted on the internet.⁸⁰ Days later, gunmen ambushed vigilantes in the municipality of Buenavista Tomatlán with gunfire and grenades, reportedly leaving another fourteen dead in the fighting.⁸¹ Several schools and businesses closed for a few days due to insecurity. In May, state prosecutors accused vigilantes in the municipality of killing the mayor’s brother.⁸²

The Michoacán and Guerrero situations have been exacerbated by protests against ongoing discussion of education reform that teachers and trainee teachers fear will threaten their jobs and wages.⁸³ These have included blocking major highways, vandalising government buildings and looting food from supply trucks.⁸⁴ In Michoacán, the trainee teachers joined militias to block roads and set up checkpoints. In Guerrero, CRAC community police marched beside the teachers, saying they would help defend them if police attacked.⁸⁵ “This is an enormous challenge because it immediately increases the risks of confrontation”, López Portillo said. “Two political movements contaminate each other and increase the risks exponentially”.⁸⁶

V. Government Responses

Mexico’s federal and state government agencies have responded to the vigilante expansion with a mix of statements, meetings, military operations, arrests, and tolerance that at times appears to lack a clear central strategy. The federal government has issued clear condemnations of the militias. President Peña Nieto said, “[w]hatever the denominations of these groups, the practice they have of taking justice into their own hands [is] outside the law, and my government will combat it”.⁸⁷ Interior Minister Miguel Osorio Chong also condemned vigilantes, while differentiating between self-defence squads and community police, for the latter of which, he said, there was some room. “Of course these groups [self-defence squads] should disappear, because in this country this model does not exist, and there is only the recognition of groups that have been around for fifteen or seventeen years ... as assistants of the established police force”.⁸⁸

⁷⁹ “Terror en Tierra Caliente”, *La Policiaca*, 11 April 2013.

⁸⁰ Servando Gómez, YouTube video (5:10), www.youtube.com/watch?v=SCGJpwPpPBI.

⁸¹ Adán García, “Van 14 muertos por tiroteos en Michoacán”, *Reforma*, 29 April 2013.

⁸² “Atribuye alcalde Tomatlán muerte de hermano a policías comunitarias”, *Grupo Fórmula*, 2 May 2013.

⁸³ Crisis Group interviews, teacher protesters, police officer, Chilpancingo, 10-12 April 2013.

⁸⁴ Crisis Group witnessed road blockades and vandalism in Chilpancingo 10-12 April 2013.

⁸⁵ Crisis Group interview, Eliseo Villar, CRAC regional coordinator, Chilpancingo, 11 April 2013.

⁸⁶ Crisis Group interview, Mexico City, 22 April 2013.

⁸⁷ Georgina Olson, “Combatiremos defensa por propia mano: Enrique Peña Nieto”, *Excélsior*, 10 April 2013.

⁸⁸ Lorena López, “No hay justificación para los grupos de autodefensa: Osorio Chong”, *Milenio*, 22 February 2013.

Despite these statements, the federal government has arrested only a limited number of vigilantes. The biggest exceptions were the arrests by soldiers in March in Buenavista Tomatlán, Michoacán, of 34 militia members accused of links to the Jalisco New Generation cartel and in May in Morelia, Michoacán, of twelve militia members.⁸⁹ The first raid also netted 47 guns, including Kalashnikovs and Uzis, bullet-proof vests and 100 grams of marijuana. Arrests have otherwise been sporadic. In an April case, soldiers detained a CRAC member who travelled armed in Guerrero, but after others from CRAC visited the state capital, Chilpancingo, state prosecutors released him on bail.⁹⁰ In May, soldiers detained another six CRAC members, releasing them the following day.⁹¹

That a sizeable section of public opinion is sympathetic to the militias may be a factor restraining more aggressive government action. A poll published in March reported that 57 per cent of respondents said they were in favour of communities creating their own militias to arrest criminals, and only 22 per cent were against, with the rest expressing no opinion.⁹²

Some analysts also point to the fact that the Peña Nieto administration and the leaders of the security forces are very cautious about any crackdowns, for fear of collateral damage and accusations of human rights abuse. When previous President Felipe Calderón deployed large sections of the military and federal police against cartels, they faced allegations from NGOs and others of torture, murder and disappearances.⁹³

In response to the initial lack of government action, federal deputies voted in March for an accord calling on Interior Secretary Osorio Chong and governors of six states to take stronger measures against vigilantes. The document argued that self-defence squads were one of the gravest threats to public security: "Without a doubt, behind the formation of these groups is the abandonment by the Mexican state and the loss of credibility of government authorities. Nevertheless, you cannot think that the weakness of the state should allow drug traffickers and organised crime to manipulate populations". The accord was presented by the small New Alliance Party and supported by the PRI and National Action Party. The leftist Democratic Revolution Party opposed, saying the subject should be examined in more depth and that vigilantes often had community backing.⁹⁴

In May, the federal government responded with more robust action, sending army units into Michoacán communities where there has been a strong cartel and vigilante militia presence.⁹⁵ Many militia members left the streets in response, while not relinquishing their weapons.⁹⁶ The offensive has also been supported by an agreement between the federal and Michoacán governments to place their security forces there

⁸⁹ Rubén Mosso and Francisco García Davish, "Fuerzas militares pegan a 'autodefensas' del Chapo", *Milenio*, 4 May 2013; Francisco García Davish, "Detienen a 12 integrantes del grupo autodefensa en Morelia", *Milenio*, 16 May 2013.

⁹⁰ Crisis Group interview, Eliseo Villar, CRAC regional coordinator, Chilpancingo, 11 April 2013.

⁹¹ "Libera la PGR a los seis policías de la Crac detenidos en Acapulco", *La Jornada*, 8 May 2013.

⁹² "6 de cada 10 aprueba policías comunitarias: Parametría", *Animal Político*, 13 March 2013.

⁹³ Crisis Group Report, *Peña Nieto's Challenge*, op. cit.

⁹⁴ "Diputados piden a Segob medidas urgentes ante grupos de autodefensa", *Excelsior*, 20 March 2013; Enrique Méndez and Roberto Garduño, "Llaman diputados a disuadir a grupos de autodefensa civil", *La Jornada*, 21 March 2013.

⁹⁵ Mark Stevenson, "Soldiers flood western Mexico to protect towns", Associated Press, 20 May 2013.

⁹⁶ "Autodefensas ceden el control de municipios al Ejército en Michoacán", *Univisión*, 21 May 2013.

under a single military command – a mechanism that may be replicated elsewhere in Mexico.⁹⁷

Salvador Cienfuegos, the federal defence secretary general, explained:

The central part of the strategy is to guarantee the security of citizens. And to guarantee citizens' security we have to be present, free them from this cancer that are the criminal organisations that have fortified in the area. At the same time we are liberating the flow of transit and allowing the free flow of people, goods and vehicles.⁹⁸

However, some state governments have also been sympathetic to militias and made significant agreements with them. Michoacán's has expressed support for the Cherán vigilantes but concern about those in other communities because of alleged links to organised crime. The state secretary for indigenous peoples, Alejandro Avilés, has called for the state legislature to take better control over the issue by writing regulations rooted in Michoacán's indigenous law.⁹⁹

Guerrero Governor Ángel Aguirre has openly praised the militias for reducing crime in the state and has a promise pending since March to send the state congress a bill to legalise a section of the militias, beyond what the indigenous law sanctions. On 24 April, he signed an agreement with Plácido of UPOEG to work with its militias.¹⁰⁰ The two said the vigilantes would operate with the state police under a "Citizen Security System" and would stop illegal activities. However, details have yet to be revealed on financing, the limits of the vigilantes' activities and how cooperation will work on the ground. A week after the announcement, a community leader complained that militias were still openly carrying guns at the Acapulco city limits.¹⁰¹

Accords that can disarm militias peacefully are useful, but much more needs to be done about coordination between the federal and state governments, community leaders and NGOs. Rules are needed at state and national level on what legitimate community police can and cannot do. When militias are completely illegal, the authorities should not hold back from enforcing the law against them. Cartels create confusion by working through vigilante militias, but if their operatives openly man checkpoints, they expose themselves, becoming easier to arrest in the process. In the long term, disarmament can only work if the government protects citizens throughout the country. "The first thing to do is to recuperate the moral authority of the state", López Portillo said. "The government has to take exemplary actions to end impunity".¹⁰²

VI. Conclusion

Mexico's cycle of violence has become even more complex with the expansion of vigilante militias in 2013. The images of masked men manning checkpoints with sub-machine guns are a heavy indictment of inability to administer the rule of law. While the vigilantes have stopped some criminals, violence by or against them has turned

⁹⁷ "Llego a Michoacán el mando único", *El Sol de Morelia*, 17 May 2013.

⁹⁸ News conference in Morelia, Michoacán, 21 May, 2013. Video of the statement is at <http://noticieros.televisa.esmas.com/estados/598561/segob-seguiremos-michoacan-hasta-haya-paz/>.

⁹⁹ C. Márquez and D. Díaz, "Urge reglamentar ley indígena", op. cit.

¹⁰⁰ Vania Pigeonutt, "Firman convenio UPOEG-Gobierno", *El Sol de Chilpancingo*, 24 April 2013.

¹⁰¹ "Más de 56 mil inconformes con grupos de autodefensa en Acapulco", *Excélsior*, 2 May 2013.

¹⁰² Crisis Group interview, 23 April 2013.

the states of Guerrero and Michoacán into increased hotspots of insecurity. The spread of these militias in the coming years is a frightening prospect that could lead to chunks of the country existing – as some places already do because of the cartels – outside the control of law enforcement agencies. Rather than addressing the cartel challenge, vigilantism risks compounding it.

Nevertheless, there are signs that the militias may be contained. Many indigenous community police may be prepared to compromise over how they operate and are keen not to be associated with the more violent groups. Agreements between some vigilante leaders and governors show that voluntary disarmament can be achieved. Cartels that operate openly as vigilantes are more vulnerable to arrest. If the government formulates a coherent policy, vigilante militias need not become an integral feature of the national landscape.

Community policing can be a good way to fight insecurity, but the community police need to be legal and work with the government. Groups that take the law into their own hands only add to the human rights abuses and bloodshed.

Mexico City/Bogotá/Brussels, 28 May 2013

Appendix A: Map of Mexico

