



Criminal governance and systems of parallel justice: Practice and implications in Brazilian urban peripheries

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ABSTRACT

This article analyzes the practice and implications of criminal governance through the effective exercise of a system of parallel justice. It is examined the case of the Brazilian gang Primeiro Comando da Capital (PCC), which since 1993 has evolved its scope moving from a powerful prison gang to a complex organization directed to drug trafficking, also having solid governance capacities in deprived urban areas. To examine PCC's judicial function of governance, our methodology is grounded in data triangulation, combining the analysis of documents from the Public Prosecutor's Office of São Paulo state (Brazil), interviews, and literature review. The research confirms empirically earlier conceptual developments on judicial criminal governance by showing a sophisticated parallel justice system by PCC that is operational in three ways. First, PCC manages a trial and punishment system in spaces under their control. Also the gang conducts mechanisms of dispute resolutions for the civilians under their control. Lastly, judicial governance support debt collection and contract enforcement activities. Furthermore, the article innovates by detailing that PCC's judicial function has different purposes depending on the group's hegemony in a given social space, impacting the conditions of peace or violence in these places.

1. Introduction

Created in 1993 in Taubaté penitentiary in São Paulo, the Primeiro Comando da Capital (PCC—First Command of the Capital) is the main criminal organization in Brazil and one of the most important in Latin America (Feltran, 2018; Manso and Dias, 2018). The gang emerged using a discourse advocating to represent the interests of prisoners, in a survival strategy on the violent prison system of São Paulo state. The growth of the PCC in São Paulo is related to the establishment of governance within prisons, a social space structurally abandoned by the government (Dias, 2009; Wacquant, 2008; Lessing, 2020).

The gang was able to impose in São Paulo's prisons a political ordering, establishing rules such as the prohibition of rape, the regulation of homicide, and the prohibition using crack (Feltran, 2012). Over the years, the PCC power extended to the world of crime

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outside the jails, and today the group is active in all Brazilian states and has more than 35,000 enrolled members (Lessing and Willis, 2019; Gortázar and Alessi, 2020). Besides, propagating the ideals of peace and unity in the world of crime, PCC developed over the years a complex organization that reached transnational dimensions in the 2010s (Manso and Dias, 2017; Ferreira, 2019).

Particularly, the literature on PCC often mentions the group's parallel justice system (Dias, 2009; Willis, 2015; Biderman et al., 2019; Lessing and Willis, 2019; Lessing, 2020; Ferreira and Richmond, 2021). Feltran (2010, 2020), for example, mention some cases from his fieldwork that illustrate the functioning of judicial function of governance. However, there is not yet a study focused specifically on PCC's justice system as a central mechanism that the group uses to exercise governance in the places where it operates, which brings implications to social spaces where the group operates.

In order to explore this lacuna, this article aims to analyze the *practice* and *implications* of criminal governance, having as a central issue the system of parallel justice applied by PCC in spaces under its control. Thus, our research innovates by systematically examining the group's justice system from the perspective of criminal governance and its mechanisms, and also the implications that this dimension of governance can generate towards peace or violence dynamics, an aspect not yet addressed by the mainstream literature.

The choice of focusing on the PCC's parallel justice is grounded in the very idea that this governance function is crucial to understanding the other aspects of the group's governance, since the judicial function is central to criminal organization's economic and socio-political activities. Furthermore, thousands of people are under the PCC's judicial system daily, not only in prisons, but also in the suburbs, which makes the study of that system and its implications central to discussion on criminal governance.

In this sense, regarding the *practice* of criminal governance through a system of parallel justice, our research brings as main contribution to empirically confirm earlier conceptual developments on the sophisticated justice system of PCC. The analysis is grounded in the conceptualization suggested by Benjamin Lessing (2020) who affirms that judicial functions of criminal governance involve: 1) providing means for judgment and punishment applied to the universe of crime and beyond; 2) providing a system of civilians dispute resolution; 3) creating mechanisms for debt collection and execution of contracts. As here presented, PCC has a significant degree of governance in the three functions of judicial governance. The group manages a trial and punishment system towards the criminal world, conducts mechanisms of dispute resolutions for the civilians under their control and, at last, debt collection and contract enforcement emerges as central mechanisms to support socioeconomic influence of PCC, also reaching other criminals.

In reference to the *implications* of this dimension of governance, the article shows that the judicial dimension of criminal governance has different approaches depending if the group is hegemonic in a given social space in competition with other criminal organizations, which relates to issues of peace and violence. Where PCC is hegemonic and monopolize illicit markets, pacification is supported by the judicial mechanisms of governance that allows the group to control social behavior. Nonetheless, in contested social spaces, the judicial functions serve to persecute and eliminate gang enemies and competitors, which has direct impact in the rates of violence.

In resume, this article innovates presenting an empirical analysis on justice as a dimension of criminal governance, applying the theoretical framework developed by Lessing (2020). Also, the results advances in the theoretical discussion on the impacts of criminal governance on stability of a given area. About this issue, Biderman et al. (2019) developed the concept of "Pax Monopolista", the idea that the domination of illegal markets by a single powerful criminal organization is conducive to pacification. Our article advance in this discussion demonstrating empirically that where there is no monopoly of illicit markets neither territorial hegemony, emerges a growing level of gang violence regulated by criminal governance, as seen in places outside São Paulo like urban areas of North Brazil (see Ferreira and Framento, 2019). These findings open room to future analysis and comparisons of similar cases examining criminal governance implications to violence levels.

Following, after to explain our methodology, a literature review discusses how organized crime can develop governance dynamics and what are the governance functions. Next, the background and structure of PCC are explained. Subsequently, in section 4, the information on the functioning of the judicial governance of PCC will be examined accordingly to the conceptual framework from Lessing (2020). Finally, we discuss the implications of the growing of PCC judicial governance in Brazil.

2. Methodology

For examining a contemporary complex criminal organization, our methodology is grounded in qualitative data triangulation (Salkind, 2010), combining literature review, interviews with journalists and experts specialized in PCC, and official documents from Special Unit Action to Combating Organized Crime (GAECO) of São Paulo Public Prosecutor's Office of São Paulo state (MPSP). The analysis of the unpublished investigations of MPSP/GAECO is an innovation in the discussion about PCC's governance.

The investigations that empirically support our findings were obtained from an anonymous interviewee during field research in 2019–2020. The 6270 pages of investigation offer details about Operation Echelon carried out between the years 2017 and 2018, which seized information about PCC both through letters thrown in the sewers of Penitentiary of President Venceslau II—where key PCC leaders are imprisoned—and through wiretapping of gang members on the streets. For a thorough analysis, the content was organized and classified as follows: the criminal courts, the structure of the organization, domestic/international action, the relationship with other criminal organizations, and PCC's financing.³

Given we are examining sensitive judicial reports containing personally identifiable information, we adopted some procedures to comply with ethics and methodological concerns. First, given that none PCC members mentioned in the reports could give consent, we anonymized any mention to them. Second, following the literature suggestions on good practices for external validation procedure or

³ We thank here the support of Ana Isadora Meneguetti (Research Fellow, Center for Studies on Ethics, Peace and International Relations, Federal University of Paraíba).

research on criminal organizations (Campana and Varese, 2012; Campana, 2016), topics that were unclear or that generated questions demanding a double-checking were triangulated with data obtained in literature and mainly in the interviews.

Interviews were essential for double-check of the information collected in the literature and, especially, in the official documents. We selected to interview two journalists specialized in covering the PCC's actions for two of the main Brazilian news agencies, with more than 10 years of experience. Also, we interviewed a researcher with significant fieldwork experience in PCC areas. The interviews were conducted between June and July 2020, through recorded video calls on Google Meets due to the restrictions caused by Covid-19 pandemic. For security of interviewees, their names are anonymized.

3. Organized crime and governance

While organized crime initially was defined in narrow terms accordingly to the example of Italian mafia, we can affirm that criminal organizations, in general, 'attempts to regulate and control the production and distribution of a given commodity or service unlawfully' to maximize profits (Varese 2010, 45; see also Schelling 1971). Moreover, criminal organizations 'need to invest resources in activities which reduce the effectiveness of deterrence against them', including, if necessary, the use or 'threat of violence, corruption, protection of secrecy' (Fiorentini, 1996, 274). Trejo and Ley (2020, 38) also add that 'organized crime can only exist when criminal organizations gain some level of state protection to operate illicit markets.'

In addition, defining organized crime demands examining its dynamics, the context in which it occurs, and the forces associated with it, having as central elements an analysis of their activities, structure, and governance (Von Lampe, 2015). Regarding criminal organization *activities*, any illegal activity is of interest to the study of organized crime, such as crimes aimed at the provision of illegal goods and services (e.g. drug and human trafficking) and predatory crimes (e.g. theft and fraud). The second dimension concerns its *structure*. The relationships inside a criminal organization can be structured in independent connections between vendors and buyers, to even hierarchical interactions that are based on common codes of conduct. Finally, the third dimension refers to the establishment of *governance*, a dimension that this work intends to address (Von Lampe, 2015).

The idea of governance, although commonly associated with the state, is not restricted to it. The capacity for governance is linked to the legitimacy of the actor who seeks to exercise it (Rosenau 2000). Regarding criminal governance, the discussion is not new and many studies have already been developed both for the broad understanding of this phenomenon and for its understanding in the Brazilian context, although using different terminologies, such as "criminal politics" or "parallel powers" (Leeds, 1996; Zaluar, 2004; Arias, 2006, 2017; Koonings and Kruijt, 2002; Skarbek, 2011; Barnes, 2017; Willis, 2015; Magaloni et al., 2020). In a broad and simple definition, criminal governance can be defined as '[...] the imposition of rules or restriction on behavior by a criminal organization. This includes governance over members, non-member criminal actors, and non-criminal civilians' (Lessing, 2020: 3).

When the state is absent from the obligation to meet society's demands, whether due to incapacity or irresponsibility—or even because they perversely and deliberately marginalizes segments of their population (Pearce, 2010)—it creates social spaces marked by inequality and social exclusion that allow the emergence of entities as criminal organizations capable of acquiring legitimacy and exercising governance (Clunan and Trinkunas, 2010). Literature defines these marginalized spaces in different ways, like "unprotected spaces" (Leeds, 1996) or "functional holes" (Williams, 2008), or "gray zones" (Trejo and Ley 2020). Broadly speaking, they refer to places where states are absent due to negligence or incapacity, and which are often characterized by profound inequality, social exclusion, and lack of access to basic health, education, and security resources (Ferreira and Richmond 2021).

In those spaces, criminal organizations takes advantage of the structural violence embedded in the reproduction of inequality by actors such as states and the market (Ferreira, 2019). The concentration of income, poverty, unemployment and informal employment are factors capable of driving and strengthening organized crime (Koonings and Kruijt, 2002; Ferreira, 2021), although it is not always the central factor for its organization (Feltran, 2020). In this context, criminal organizations cash in on state negligence and accumulate power, to the point of developing governance models parallel to state (Clunan and Trinkunas, 2010; Villa et al., 2021; Ferreira, 2021; Ferreira and Richmond, 2021).

Lessing (2020) suggests that criminal governance does not take place in a context of complete state absence—not least because, to exist crime, it is necessary that the state define what is a crime or not. Criminal governance would not mean obtaining exclusive control of a given geographic space, but generally it overlaps with state authority and may even benefit from state governance in some areas, such as health and education (Willis, 2015). Therefore, this complementarity allows symbiotic relationships between criminal and state governance (Lessing 2020; Arias, 2006), making emerge a hybrid governance (Villa et al., 2021), which overlaps legal and extra-legal governance (Shortland and Varese, 2016).⁴

The overlapping of state and criminal governance is clearly seen in Brazil. In the country, a cycle of state violence towards segments of the population had been deepened at the end of the 20th century (Ferreira and da Silva, 2021). On one hand, democracy re-established in the 1980s was restricted to the upper classes, with the lower classes being prevented from accessing many aspects of citizenship (Pearce, 2010). On the other hand, the adoption of neoliberal measures as a result of the debt crisis, affected historically vulnerable popular sectors, resulting in a worsening of conditions of poverty, inequality, informality, and exclusion (Leeds, 1996; Koonings and Kruijt, 2002; Pearce, 2010; Ferreira and da Silva, 2021).

Associated with the rapid urbanization, this process resulted in the deepening of divisions between those who would have their citizenship guaranteed by access to health, security, justice, education, and democratic institutions, and those who remained relegated

⁴ Despite the importance of the debate on hybrid governance, this discussion is not the focus of this article, given our main concern is to explain the judicial function of criminal governance. For more on this issue, see Villa et al. (2021).

to a status of sub-citizenship or second-class citizenship (Leeds, 1996; Koonings and Kruijt, 2002). The latter live in suburbs or slums in large cities and receive from the state on one hand policies that aim at criminalizing their experiences and on the other repression by the police forces (Ferreira and da Silva, 2021). When formal ties between these sub-citizens and the state cease, informal relationships emerge between those and criminal organizations (Leeds, 1996; Arias, 2006, 2017; Koonings and Kruijt, 2002; Ferreira and Richmond, 2021; Mantilla and Feldmann, 2021).

In this way, the population's acceptance or even its collaboration with a governance of criminal actors is strongly connected with a "legitimacy crisis" towards the state (Kalyvas, 2006: 92). However, it is not only a setting of a legitimacy crisis that motivate civilians to collaborate with a non-state actors like the organized crime. Kalyvas (2006: 95), mentions that can exist a 'variable and complex sets of heterogeneous and interacting motivations', including threat or use of violence, access to public goods (such as dispute resolution or protection), individual benefits, status issues, among others.

Usually, criminal organizations emerge as entities capable of articulating governance in two main aspects: they would be able to insert into the illicit economy those young people, mostly men, who are unemployed or in informality (Zaluar, 2004), as well as, they would be able to provide parallel citizenship by offering the population rules and codes of conduct, dispute settlement institutions, security and even goods and services (Leeds, 1996; Idler and Forest, 2015; Lessing, 2020). Such dynamics occur with the collusion or even with the association between state and organized crime (Trejo and Ley, 2020; Lessing, 2020).

3.1. Criminal governance and the development of a parallel system of justice

The activities of criminal organizations are primarily based on economic objectives, such as the sale of illegal goods – in Latin America, the drug trafficking emerges as the main issue (Banfield, 2014; Mantilla and Feldmann, 2021). For this reason, organized crime would not have as its primary objective the separation or contestation of the states in which they are inserted (Barnes, 2017). Instead they firstly seek to exercise governance in order to control or monopolize violence in the territories in which they operate to protect and expand their economic interests, while also ensuring the safety of their members (Skarbek, 2011; Barnes, 2017). In other words, Skarbek (2011) argues that the idea of creating mechanisms for resolving disputes between members of a criminal organization or other criminal actors would be related to the economic strategies of criminal governance.

Despite these major motivations, criminal organizations get involved in governance dynamics that expand their role in regulating life in certain territories, as well as in the direction of the provision of goods and services to the civilian population (Mantilla and Feldmann, 2021; Ferreira and Richmond, 2021). Consequently, it is necessary to study not only the economic motivations but also the social and political motivations of criminal governance (Leeds, 1996; Barnes, 2017; Albarracín and Barnes, 2020; Ferreira and Richmond, 2021).

The economic aspects are related to the control of financial profit-making activities for criminal organizations. The social aspect concerns the provision of goods and services. Finally, the political aspect of criminal governance is associated with the imposition of law and order and codes of conduct. In this sense, by offering goods and services and providing law and order to a deprived population, the criminal organizations gain legitimacy that may be translated into power and prestige, but also into territorial control (see Willis, 2015; Skarbek, 2011; Ferreira and Richmond, 2021; Arias, 2017; Magaloni et al., 2020; Ferreira and Framento, 2019).

Therefore, criminal governance can be understood according to different *functions* that can direct conceptually the analysis and that address these economic, social and political aspects. According to Lessing (2020), these *functions* are policing and surveillance, judicial, fiscal, regulatory, and political. Lessing (2020) advances in this discussion and suggests that criminal governance have degrees of intensity that differ depending on the dynamics of the criminal organization studied, and also vary according to who is being governed: members of the criminal organization (low degree), other criminal actors and their markets (medium degree) or the civilian population (high degree) (Lessing, 2020).

As this paper seeks to examine the PCC's parallel system of justice, the judicial function of criminal governance will be specifically analyzed, based on Lessing's conceptualization (2020). According to the author, the judicial function of criminal governance has three *dimensions*: dispute resolution; trial & punishment; debt collection, and contract enforcement, as shown in Table 1. As will be shown below this judicial function is central supporting the three mentioned aspects of governance - economic, social, and political – and also vary according to who is being governed.

Given the illicit nature of drug sales, traffickers do not have access to courts or other institutions to resolve their disagreements. Disputes are resolved through violence, which can result in widespread losses: the demand for drugs falls and the expenses of traffickers increase, as they need to invest in personnel and weapons for their protection (Skarbek, 2011). In addition, violence would also attract greater police attention, which would hinder the smooth conduct of business (Skarbek, 2011). In this way, dispute resolution mechanisms would serve *economically* to pacify relationships so that the business runs as profitable as possible.

Regarding governance exercised over the civilian population, the judicial function can have a social and even political character. There is a lack of confidence in a judicial system that is structurally exclusive, flawed, and slow, causing feelings of injustice and impunity. The segment of the population that suffers from the state's absence—or its repressive presence—often are afflicted with the

Table 1
Dimensions of judicial function of criminal governance.

JUDICIAL FUNCTION		
Dispute resolution	Trial & punishment	Debt collection and contract enforcement

Source: Prepared by authors based on Lessing (2020: 7).

lack of access to formal justice institutions (see Feltran, 2020; Ferreira, 2021).

Consequently, criminal organizations exercise governance with a judicial function not only seeing economic benefits. *Politically and socially* speaking, by efficiently promoting judgment and punishment mechanisms and solving cases of robbery, domestic violence, and homicides, criminal organizations begin to gain the population's legitimacy (Willis, 2015; Skarbek, 2011; Ferreira and Richmond, 2021), to favor the establishment of territorial control and also contribute to gain power and prestige facing other organizations (Arias, 2017; Magaloni et al., 2020; Ferreira and Framento, 2019). As will be demonstrated, PCC judicial function of governance comply all the criteria suggested by Lessing (2020: 7). The group's judicial function supports its economic interests—as already mentioned in the literature (Lessing, 2020; Willis, 2015; Ferreira and Richmond, 2021). Nevertheless, the high degree of sophistication as shown in the data we analyzed, demonstrates a unique case study of how a criminal organization is able to develop effective parallel models of justice, with a high impact not only on the criminal world, but also on society in general. The scope of this judicial function will depend on how hegemonic is the group in a given social area. If PCC is hegemonic, judicial function works to make the group more legitimate to civil population. If PCC is contested in a territory, judicial function serves to brutally eliminate enemies.

Following, it is discussed the background that led the PCC to establish these governance capacities, and then, its judicial function and how it relates to the gang's economic, political and social motivations. By the end it will be addressed the implications of this parallel judicial system on the peace or violence dynamics.

4. PCC background, structure, and governance

The prison system in Brazil presents itself as one of the main examples of a pocket of low state presence and lack of guarantee of basic human rights (Wacquant, 2008; Manso and Dias, 2017). In these spaces, the absence of the rule of law runs hand in hand with a state that "reproduce and transmit violences through socialization spaces" (Pearce, 2010: 301), which is translated into policies of abuse of power and torture. In response to these violations, Brazilian prisoners have historically organized themselves to demand human rights.

In the 1990s, the São Paulo prison system tragically exemplified the context above described. Prisons operated by the law of the strongest in a daily routine of beatings and murders, which reached its peak in the Carandiru massacre in 1992, where 111 prisoners were killed at point-blank range by the police after a rebellion. Months after the massacre, the PCC emerged in the Taubaté Penitentiary in a kind of prison union strategy for survival within Sao Paulo's brutal prison system (Manso and Dias, 2017). The formation of the PCC in 1993 was marked by the creation of a statute⁵ written by one of its founding members, declaring the objective of establishing *peace, justice, and freedom among the irmãos* (brothers), which would be in PCC's words, the 'Crime Party'.

Initially, the gang ideals were propagated as the organization extended power through a war against individuals who were not subjugated in prisons. In addition to physical coercion, the PCC's hegemony and power also developed through a system of governance ordering rules within prisons. This normative regime postulated rules such as the prohibition of rape, the prohibition of homicide, respect for the rules of coexistence, and the prohibition on the use of crack as a way of regulating the use of violence (Feltran, 2012). Thus, the group coordinated a chaotic and abandoned system through the imposition of peace among its members, by defending the idea that any violence should be directed against the state, and not to the *irmãos* (Feltran, 2020).

The state governance vacuum in prisons directly associated with low state legitimacy has given rise to the emergence of criminal governance based on creating an alternative model of justice through 'rule enforcement' and 'behavior restriction' for the pacification of relationships (Lessing, 2020: 3). In other words, by combining the capacity for concentrate violence and the organization of collective actions demanding the need for peace, the PCC was able to acquire the loyalty of the prisoners, bringing together a force that was before pulverized, and becoming legitimate to define norms in a chaotic social space.

The high degree of governance conducted by the PCC in the São Paulo prison system has remained over the years (Feltran, 2020; Lessing, 2020). It is estimated that 90% of the São Paulo penitentiary system is dominated by the organization (Manso and Dias, 2017). Gradually PCC became the source of governance for its members and also for all individuals linked to crime in the São Paulo prison system (Feltran, 2020).

Subsequently, the turnover of prisoners and increasing access to mobile phones allowed the group to arrive in poor neighborhoods. As the brothers were serving their sentences, they returned to the suburbs bringing a whole new system of coordination of social relations which also modified the community living. Likewise, PCC leaders started to manage criminals on the street from inside prisons, starting in managing drug trafficking in Sao Paulo state (Manso and Dias, 2017).

Since the 2000s, the PCC has expanded throughout Brazil, especially after the rise of Marcos Herbas Camacho (alias Marcola) to the leadership, and the establishment of drug trafficking as the main source of income for the gang. He fostered a significant organizational change that relied on depersonalization (Dias, 2009; Manso and Dias, 2017), placing the group's authority arrangement closer to the rational-bureaucratic ideal Weberian type (Lessing, 2020), unlike other criminal organizations (Magaloni et al., 2020). This did not mean the end of the gang's hierarchy, but its rationalization and institutionalization.

Thus, the organization under Marcola's leadership was then meticulously structured in committees called *sintonias*,⁶ which are responsible for two main branches: the financial and the disciplinary, the latter responsible to put in practice the social, economic, and

⁵ PCC Statute is deemed by its members as the "Major Law of Crime", comprising structure, ethics and moral precepts that affiliated individuals must follow (MPSP/GAECO, 2018). The original statute of the PCC can be found in: <https://www1.folha.uol.com.br/fsp/1997/5/25/cotidiano/30.html>. According to the interviewees, PCC leaders also constantly update the Statute.

⁶ In English, *sintonia* means tune, in reference to someone responsible to adjust or adapt—or tuning—the PCC's hierarchy.

political governance of the group (Manso and Dias 2017; Ferreira 2019). The *sintonias* undertake its activities as a managing committee. In this structure, the highest deliberative agency is the *Sintonia Geral e Final* (SGF, general and final tune), which was established in the prison of Presidente Venceslau II with supreme authority over a cascade of lower-level *sintonias* (committees or an individual) replicated at each level of management (e.g. neighborhood, municipality, state) in which the PCC is present (Lessing, 2020: 10). Each of these *sintonias* has autonomy for decision-making, but this cannot be done in isolation, as there must be a consensus among the peers aiming for the collective interest (Lessing, 2020).⁷

Over the years, especially after movements to expand to border regions, PCC leaders observed the need to create a specific cell to manage the presence in other states and countries: the *Sintonia Geral dos Estados e Países* (SGEP, general tune for states and countries) (Ferreira, 2019). However, with the transfer of SGF members to a more restricted prison regime, the SGEP assumed greater autonomy in the decision-making on gang business and administration, thus becoming the main active cell of the group (MPSP/GAECO, 2018).

In summary, it is possible to notice that after establishing itself as a source of governance for its members within São Paulo prisons, the PCC was also able to spillover its rules and codes outside prisons, reaching all states of the federation and including other countries. This expansion was a direct result of the reconfiguration of the gang since the rise of Marcola to the leadership and, more recently, with the creation of SGEP. In the next session, a specific aspect of the PCC's structure will be examined which was central both for the establishment of the group's governance in prisons, for its legitimacy in the criminal world, and the imposition of norms in the suburbs of São Paulo and elsewhere: the establishment of a system of parallel justice.

5. The PCC's practice of a system of parallel justice

An important part of the PCC organization revitalization has to do with the understanding that it would be necessary to reduce conflicts between drug traffickers to increase profits from drug trafficking. This approach would also make it possible to reduce the losses and the repressive presence of the police at drug trade points (Manso and Dias, 2017; Feltran, 2020). In this setting, the reduction in homicides would mean 'predictability, planning capacity, [...] investment and the expansion of power in the fight against the system' (Manso and Dias, 2017: 17).

For this purpose, the most important philosophy of prisons—peace among criminals—started to be adopted in all places where the PCC operates through the operationalization of norms and rules for the control of violence. To make this governance effective, PCC develops all three judicial functions of criminal governance as conceptualized by Lessing (2020: 7): trial and punishment; dispute resolution; debt collection and contract enforcement. A whole system of parallel justice.

5.1. Trial & punishment system in the judicial function of PCC's governance

For effective social control in areas under governance, PCC established along the years a sophisticated *ad hoc* trial and punishment system, the so-called *debates* or *crime courts*.⁸ While debates can serve as a trial and punishment system concerning offenses committed within the world of crime in general and even beyond, they also can work for civil dispute resolution. Moreover, this procedure serves also as a mechanism to enforce political and economic control, in this case, debt collection and contract enforcement.

Before the institution of the debates, any disagreement was a reason for killings in a continuous chain of revenge in the world of crime (Dias, 2009). However, with the arrival of the PCC, the logic of revenge was "stopped" (Telles and Hirata, 2010: 53). The institution of the criminal courts as a system of judgment and punishment started to work in prisons and urban areas controlled by the gang as a way to control violence, also bringing together a legitimacy connected with PCC's power to use the force (Lessing and Willis, 2019).

PCC's debates involve a well-established system of dispute resolution through procedures that emulate traditional state-led trials, reaching both the criminal world and the civilians. In this sense, debates or criminal courts can function as parallel courts, based on meetings between members of the PCC to discuss conflicts related to several topics, and whose decisions are made based on the collective understanding of what would be fair on each occasion, the so-called *proceder*.⁹ To this end, the debates function as courts emulating the formal justice, with the participation of the defendant, the prosecution, a judge (a high-ranking member of the PCC), and witnesses¹⁰. Table 2 summarizes the features that PCC judicial governance assumes when it functions as a system of trial and punishment.

Here we present an illustrative case of the PCC's governance as a trial and punishment system to make clear how this mechanism is developed. In 2007, in Pirassununga, one of these courts had national repercussions. The mason Adriano Mendes, 33, after falling off his motorcycle, began to hear offenses from three boys who were watching the scene in a square. After getting up, Adriano complained harshly against one of the three boys. One of them, Fabrício, was exalted and killed Adriano. The victim's brother, which knew PCC members in the area, demanded justice and a debate to address the brother's death. The debate took place with the killer and other

⁷ For a detailed PCC's organogram, see Manso and Dias (2018: 334) and Lessing (2020: 11).

⁸ The sources for this research do not differentiate the debates and crime courts. However, debate is the term used by PCC members, while crime court was the term used by media.

⁹ In English, to proceed. According to the interviews, the PCC *proceder* refers to the rules of conduct considered as correct by the gang. It relies on a criminal understanding about what is right and wrong. Interview - Journalist 2 with expertise and fieldwork covering PCC (June 2020).

¹⁰ This information is supported by two of our interviewees (journalists with expertise and fieldwork on PCC, June 2020) and also is found in MPSP/GAECO (2018), Ferreira and Richmond (2021) and Willis (2015).

Table 2
Judicial Dimension: trials and punishment.

<i>Trials and Punishment</i>	Institution of sophisticated courts with the presence of jury, judges, witnesses, accused and with permission to defend the accused Judgments valid not only for group members but for the entire criminal world Decisions aimed at restoring justice, preventing revenge that generates more violence
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Source: Prepared by authors based on Lessing (2020: 7) and interviews.

boys involved (the defendants), a member of the PCC in contact with leaders via mobile phone (the judges), the victim's brother, and other witnesses (the prosecution). The institutionalized court, with space for arguments for the parties, was then established.

After arguments were presented and discussed the leaders of the PCC decided on the death of Fabrício, the murderer, and for the preservation of the other two boys. Despite Adriano's brother challenging the decision, the PCC leaders responsible for the sentence argued that, although life is paid with other life, the other boys involved had no direct responsibility for Adriano's death. Adriano's brother accepted the sentence and could kill the person directly responsible for the mason's death (Feltran, 2020).¹¹ Similar situations were heard in interviews,¹² and are also recently presented in the literature (Ferreira and Richmond, 2021).

This event illustrates that the PCC's judicial governance involves not only group members, and can gather around it the legitimacy to apply and manage penalties based on what is considered "right" for the world of crime (Manso and Dias, 2018). In this regard, based on Lessing (2020) conceptualization, it is seen here a high degree of judicial governance. In addition, the courts represented the decreasing of retaliation from people that individually and independently sought justice on the outskirts of São Paulo, an element that used to generate a continuous cycle of violence in the world of crime in which the simple delay in paying a debt could directly result in a homicide (Feltran, 2010; Telles and Hirata, 2010). In turn, such courts had a direct political and social motivation in reducing homicides in the state of São Paulo (see Biderman et al., 2019), a fact that goes beyond the economic objective of pacifying relationships.

5.2. Dispute resolution in the judicial function of PCC's governance

Over time, the debates became increasingly institutionalized and began to be used also for the resolution of conflicts among the civilian population, using public knowledge on social standards and introducing institutionalized processes for resolving everyday disputes, as summarized in Table 3.

For the population in marginalized areas of Brazilian cities controlled by PCC, courts are used to resolve small claims that involve, for example, local thefts or domestic disputes such as domestic violence and infidelity—especially women¹³—which shows also the often underreported gender bias in the gang that privilege and protect men. In most cases, the PCC presents itself immediately and arbitrates on possible measures to repair damages (Feltran, 2010).

Often PCC uses the principles of the law of talion: an eye for an eye, a tooth for a tooth. However, the minimum possible violence is always valued, especially to keep the state away from the areas under PCC control (Feltran, 2020). It is worth mentioning here cases of husbands who are betrayed and are allowed to beat their wives in a form of punishment, but who are prevented, for example, from raping or killing them (Feltran, 2010). In these situations commonly the sentence is defined by *disciplinas* (PCC leader in a territory, being a prison or a neighborhood), without it being necessary to resort to senior members who are usually imprisoned.¹⁴

Furthermore, the decisions of those who judge these cases are not based on personal perceptions of right or wrong, but rather on the *proceder*, the code of conduct that goes beyond the existence of the Command, which is institutionalized in the group's statute.¹⁵ There is a criminal knowledge about what would be right, wrong, and fair in the world of crime, which covers, for example, not mess with the wife of others, do not disrespect a thief, do not steal in the community where you are raised, do not rape, do not murder children, among others. These moral behaviors are called "*andar pelo certo*" (walk in the right way) and are present in the subjectivity of the population and even in the arts. An example is the song *Vida Loka (part I)* of one of the main rap bands in Brazil, Racionais MCs, which explains in their verses what is *andar pelo certo*.¹⁶

These rules, despite belonging to the criminal world, permeate the communities in which organized crime is present and also constitute the understanding of what would be fair for the population not involved in illegal activities (see Willis, 2015). In this sense, the PCC's legitimacy concerning the world of crime and communities is associated with the adoption of these rules that have a social dimension supported by judicial functions of its governance. Moreover, it refers to a gang's ability to systematize these rules by regulating conflicts that can effectively resolve local tensions based on these procedures.¹⁷ However, it is necessary to recognize that the success of judicial governance under the civilian population also depends on variables like the establishment of a territorial monopoly, local social organization, and the collusion between crime and the state agents (see Magaloni et al., 2020).

In short, these dispute resolutions 'deliberate on 'minor infractions' that can be solved by a quick 'chat' between individuals in the

¹¹ The case of Pirassununga in media can be accessed in: <https://www.youtube.com/watch?v=XVs9y11XfZQ>.

¹² Interview – Journalist 2 with expertise and fieldwork on PCC (June 2020).

¹³ Three of our interviewees supports this information. Interviews: journalists 1, journalist 2 and scholar 1 (June 2020).

¹⁴ Interview – Journalist 2 with expertise and fieldwork on PCC (June 2020).

¹⁵ Interview – Journalist 2 with expertise and fieldwork on PCC (June 2020).

¹⁶ This song with lyrics in English can be found in: <https://www.youtube.com/watch?v=UzcNoqWck8A>.

¹⁷ Interview - Journalist 2 with expertise and fieldwork on PCC (June 2020).

Table 3
Judicial Dimension: dispute resolution.

<i>Dispute Resolution</i>	Judgments based on 'public' standards Extensive engagement with civilians Institutionalized process
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Source: Prepared by authors based on Lessing (2020: 7) and interviews.

area where the incident occurred' or 'cases of medium gravity, which have to be arbitrated by consulting other 'brothers' who are more highly respected in the 'world of crime' and who are not present in the locale, via cell phone' (Feltran, 2020: 133).

For the population living in deprived neighborhoods under PCC governance, formal justice is unfair and inefficient, as it is slow, discriminatory and supported on a technical level that takes people away from a sense of justice. On the outskirts of São Paulo and elsewhere, authority was then delegated to those who managed to pacify and those who demonstrate minimal fairness in their actions (Willis, 2015; Feltran, 2020; Lessing, 2020).

Furthermore, the state justice system is flawed concerning the number of criminal cases that are barely investigated, neither solved. There is general disbelief of the population which, in turn, is attracted by the PCC's justice, regarded as fair for claiming to be applied equally to all and for giving sufficient room for argument to those involved. Also, their determinations are fulfilled efficiently, a few days or even a few hours after the definition (see Willis, 2015), even in cases that for formal justice would take years, as the judgment of a home invasion (Ferreira, 2019).¹⁸

Added to this is the lack of confidence of the deprived population towards the police, who eventually should be the legitimate guarantor of justice. The police combine corruption with violent actions, sending only the arm of repression to the margins of society (Ferreira and da Silva, 2021). Thus, efficiency, together with equal treatment, is much better regarded by the population than official justice, which is considered unfair and limited to elites (Feltran, 2020).

However, organized crime has reasons to exercise its governance over civilians who, for the most part, have nothing to do with contesting state governance or with a charitable aspect (Barnes, 2017; Lessing, 2020). In the case of the PCC, the institution of conflict resolution devices, such as debates, and the provision of a sense of justice for everyday problems such as thefts and adultery, are much closer to an attempt to reduce the presence of the police to guarantee a free space for illicit markets. Therefore, the peace resulting from these mechanisms is rather an instrument for the PCC, because when it intervenes in a couple discussion, the group seeks first of all that this discussion does not take the police to the area.¹⁹

Also, it is worth remembering that the PCC is a criminal organization and, therefore, remains strong because of the result of inefficient state dynamics that reproduces violence (Ferreira, 2021). Although gang discourse claims the primacy of equality, in practice the PCC reproduces many of the inequalities that structure society. As an example, it is possible to highlight the fact that there are several cases in which proximity to members of the PCC's top leaders can make you free from gang scrutiny.

Despite these problems, the expansion of judicial governance to the civilian population also has socio-political consequences for the lives of those governed and cannot be analyzed without taking into account other functions of governance that involve, for example, a provision of goods in situations of hunger and pandemic (see Berg and Vasori, 2020). This social-political consequences involve the rising of a parallel legitimacy and confidence from the population towards the gang, which results in more power and prestige and, consequently, into territorial control. Moreover, as discussed by Arjona et al., 2015: 198), extra-legal governance can evolve easily in areas with low institutionalization, which seems to be the case of the areas controlled by PCC. In this case, a whole parallel citizenship can emerge, where the personal and collective expectations of the slums are transferred from the state to the criminal organization.

5.3. Debt collection and execution of contracts in the judicial function of PCC's governance

In addition to a trial and punishment system, as well as conflict resolution initiatives, the PCC has also managed to develop judicial governance by presenting mechanisms for collecting debts and executing contracts that involve both controlling people in debt to the gang and put in motion a punishment system, as seen in Table 4.

While debt collection and execution of contracts may cut across the political and economic controls that organized crime groups attempt to establish as part of their governance strategies, it has specific consequences for the organization of the judicial function of PCC governance. To systematize and institutionalize the punishments for the members of the organization, it was recently discovered that the PCC adopted, in addition to the Statute, a booklet detailing the typologies of infractions that a member needs to avoid and their respective punishments. The booklet specifies, for example, that in an act of extortion, a member is permanently excluded from the group. When there is a lack of interest in contributing to illegal business, like drug trafficking, the *irmão* can be punished with up to 90 days of suspension²⁰. To perform these punishments, the recordings for the execution of contracts and debt collection are key (MPSP/GAECO, 2018).

To make this control operational, sophisticated records are divided into the so-called *Black Book* and *White Book* (MPSP/GAECO,

¹⁸ Interview – Journalist 2 with expertise and fieldwork on PCC (June 2020).

¹⁹ Two of our interviewees supports this information. Interviews - journalists with expertise and fieldwork on PCC (June 2020).

²⁰ For more details of the PCC statute, see: <https://noticias.uol.com.br/cotidiano/ultimas-noticias/2018/07/31/com-ou-sem-retorno-as-regras-e-as-consequencias-estabelecidas-pelo-pcc-na-exclusao-de-um-integrante.htm>.

Table 4
Judicial Dimension: Debt collection and execution of contracts.

<i>Debt collection and execution of contracts</i>	Maintenance of sophisticated records Involves in some extent the vast majority of the Brazilian prison system Detailed system of punishment for people in debt
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Source: Prepared by authors based on Lessing (2020: 7) and interviews.

Table 5
Judicial dimensions of PCC criminal governance and degrees of governance.

JUDICIAL FUNCTION			
Dimension	Degree of governance	Activities	Governance scope
<i>Trial & punishment</i>	High	Active investigation, Recordkeeping	Gang members, other criminals, civil society in PCC-controlled areas
<i>Dispute resolution</i>	High	Multi-juror trials, "legal" precedents, public norms, appeals	Gang members and civil society in PCC-controlled areas
<i>Debt collection and contract enforcement</i>	Medium	Enforce 3rd party debts and contracts	Mainly gang members, but also other imprisoned criminals in PCC-controlled prisons

Source: Prepared by authors from information collected from MPSP/GAECO (2018) and interviews, based on the conceptualization of Lessing (2020: 7).

2018). In the first, the excluded members of the organization are specified, as well as those who are within the *prazo*.²¹ In the second is all the information of the members currently affiliated to the PCC constantly updated by the *cadastreiros* (register officials of the gang). Among the specific information, the records comprise the name of the member, the alias—surname or pseudonym of the member—the ‘baptism’ (when became a member of PCC), local of origin, current address, the registration number within the PCC, the age, the godfather, the last three prison units he passed, the *red phone*²² and the last three functions performed in PCC.

This debt and contract collection system is organized by *Sintonia do Cadastro* (committee for registers), but is directly related to the branches that deal with the financial management of the gang. *Sintonia das Finanças* (committee for PCC finances) is responsible, for example, for the monthly fee that PCC charge their members. This monthly fee can vary between US\$ 20 to US\$ 200 per month, and the control of taxpayers and debtors is carried out precisely through the records of the white and black books (MPSP/GAECO, 2018). Thus, it is clear that the organization of records can serve both economic and social functions, but has also a central role in the judicial function.

Despite being mainly applied for the internal control of its members, the PCC has also expanded this system of debt collection and execution of contracts to other criminals. The increase in incarceration in the country has made it clear that every criminal will be eventually arrested. Consequently, ‘the more likely a criminal is to be arrested, the more important it is for him to obey the rules established by prison leaders. Even for those who are outside, obeying the rules of the leadership starts to function as a ‘prison insurance’ (Manso and Dias, 2017: 19). Taking into account that PCC is currently present in the entire Brazilian prison system, often as a hegemonic gang, the criminal will be eventually subject to its rules and his conduct will be widely depicted.

Besides, criminals and traffickers do not need to be members of the PCC to have some kind of financial relationship with the group and end up becoming indebted to the organization. The drug trafficking consortium system made the PCC the main wholesaler in Brazil, therefore covers traffickers who are not necessarily affiliated with the group, but may be in debt with the organization (Manso and Dias, 2018; Lessing and Willis, 2019). Thus, this dimension not only has economic motivations and consequences but also has powerful effects on the criminal world.

As also shown in Table 5, differently of trial and punishment system and the civil conflict resolution dimensions, based on Lessing (2020) conceptualization on the judicial function of criminal governance and its degrees, there is a medium degree of governance on the dimension of debt collection and execution of contracts, given it not spill over to the civilian population, but covers PCC members and other criminals.

6. The implications of a PCC’s system of parallel justice

The PCC’s development of criminal governance institutionalizing a system of parallel justice has had different results in the different locations in which the group operates. In São Paulo, homicide rates related to gang drug wars for market control have been on an increasing trend since the 1980s, with the peak turning to the 2000s. The 2000s experienced a drastic and continuous reduction of this rate, going from an average of more than 60 intentional deaths per 100,000 people to just under 20 per 100,000 (Willis, 2015).

Literature has demonstrated that the reduction in the homicide rate has as one of its main causes the arrival of the PCC in deprived neighborhoods of São Paulo state since the 2000s (Feltran, 2012; Willis, 2015; Biderman et al., 2019), while other variables like

²¹ Being on *prazo* means being in financial debt with PCC, having a specific deadline for the payment of (MPSP/GAECO, 2018).

²² The *red line* is the phone used for the business of the gang (MPSP/GAECO, 2018).

demographic and public security policies changes were recently examined (Justus et al., 2018).

The argument that the pacification of São Paulo and the reduction of homicides are direct results of the PCC's arrival has to do with the normative prohibition of murders by the organization (Willis, 2015; Biderman et al., 2019). This social control demanded a comprehensive development of governance judicial functions. Arguing that pacification brings economic advantages that benefit their members and also all criminal world, the PCC institutionalized the end of wars between criminals in São Paulo (Manso and Dias, 2017). Hence, the development of the criminal courts was key to end a spillover of retaliation and to concentrate in the gang the use of force through its institutionalization and rationalization (Dias, 2009).

On the other hand, this research found on documents from the Public Prosecutor's Office of São Paulo state (Brazil) that the advancement of the organization to other states was grounded in the brutal use of violence. Besides PCC, other criminal organizations emerged in the last two decades spilling over from prisons to the streets, also working in illicit business (Sampó, 2018). PCC found upon arriving at the other federative units more or less organized local groups that were incorporated or eliminated. But, differently from what happened in São Paulo, the other groups 'grew and became important sources of resistance to the attempt at national hegemony of the São Paulo's gang (Manso and Dias, 2017: 22).

This resistance had 2016 as a turning point. That year the PCC declared war against Comando Vermelho (CV), a second most powerful criminal organization in Brazil, originated in Rio de Janeiro. Disputes over the control of the wholesale drug market in Brazil²³ triggered a conflict, resulting in a polarization of the crime scene in Brazil. Since 2017, rebellions in states where PCC disputed control of penitentiaries against CV and its allies culminated in more than 200 deaths,²⁴ most of them with brutal violence.

Two of these rebellions are noteworthy. The first took place in the Anísio Jobim Penitentiary Complex (COMPAJ) in Manaus, in January 2017, and involved members of the PCC against members of the gang Família do Norte (a.k.a. FDN), allied at that time with CV. This rebellion resulted in 56 deaths, being the third largest prison massacre in the country (Ferreira and Framento, 2019). The second was also held in 2017, but in the state of Rio Grande do Norte. In the rebellion, at least 32 people were killed in the Alcaçuz Penitentiary as a result of the confrontation between the PCC and the Sindicato do Crime – a local faction also associated with the Comando Vermelho (Tavares et al., 2017).

The barbarism of violence is not restricted to prisons and spread to the peripheries of urban areas in Brazil. The number of homicides jumped from an average of close to 60,000 dead to almost 70,000 between 2014 and 2017 (IPEA, 2019). In 2018, among the states highlighted by Manso and Dias (2018) as states in which there is conflict between PCC and CV, three out of five had the highest homicide rates per 100,000 inhabitants in the country: respectively, Rio Grande do Norte (68.0); Acre (63.9); and Ceará (59.1) (Fórum Brasileiro de Segurança Pública, 2018). Thus, differently from what happened in São Paulo, the arrival of the PCC in other states did not result in pacification, but in a significant increase in violence, in which the judicial function of governance served to punish harshly the enemies.

The declared war against the CV and the increasing specialization of the SGEP led the criminal courts to acquire a new configuration and new objectives. Instead of pacification, it was identified that the courts in other states sought first of all the extermination of members of other gangs declared enemies of the PCC, without any care regarding the intensity of violence (MPSP/GAECO, 2018). The courts in these places are mostly aimed at deciding on someone's life or death and are much more like sudden torture, with sessions aimed at extracting information, than with a judgment to decide on the conduct of a particular individual.²⁵ Usually, people in scrutiny are taken captive, and a conference call is held to decide the execution and how this should be done (MPSP/GAECO, 2018). Therefore, the focus is on judgment and punishment against enemies of the gang, and less on mediating human relations as seen in areas where PCC is hegemonic.

In the conflict against CV, authorized deaths are accompanied by dismemberment and beheading, in which the spread of terror serves as a demonstration of the PCC's power. In several wiretaps, it is emphasized that the heads of the accused need to be taken out, that the heart needs to be removed and that everything needs to be recorded and sent via a messaging application like WhatsApp, together with a report with images transmitted to all members. In the more than 6000 pages of Operation Echelon investigation which we analyzed, it is reported several of these graphic images (MPSP/GAECO, 2018). Such images can support the Public Attorney's request for a larger prison sentence for the most violent members of PCC.

An illustrative example of this brutality is presented in the documents we examined in Operation Echelon. In wiretapping, a member from the state of Minas Gerais talks with a resident in São Paulo about the kidnapping of a Comando Vermelho member. This PCC *disciplina*, before giving his sentence, asks for detailed information about the CV member. After receiving a complete report through WhatsApp with all the information about the accused under scrutiny, he declares: 'it is the following brother, few ideas, you can pass the cerol [cutting his neck] [...] and kill him' (MPSP/GAECO, 2018: 389). Furthermore, it is important to mention that the state does not directly oppose PCC's "sovereignty" related to the decision about deaths where it operates, as there is a mutual understanding that whoever died was a criminal and therefore deserved to die. The police normalize these deaths because they agree that, for this individual to have been killed by PCC, he would be a non-citizen, therefore, deserving of death (Willis, 2015). Here is seen a perverse state (see Pearce, 2010), not concerned to apply the rule of law, neglecting the protection of basic human rights in Brazilian poor urban areas and prisons.

²³ Interview – Journalist 1 with expertise and fieldwork on PCC (June 2020).

²⁴ The factions associated with the CV that were involved in the rebellions are the Família do Norte (FDN-Northern Family), in the Amazon area and the Sindicato do Crime (Crime Syndicate), in Rio Grande do Norte. For more information see Manso and Dias (2017), Ferreira and Framento (2019), Ferreira (2021).

²⁵ Two of our interviewees supports this information. Interviews - Journalist 2 and Professor with expertise and fieldwork on PCC (June 2020).

These examples show that in places where the PCC presents itself as the hegemonic criminal organization, these debates contributed to pacification favoring the smooth running of the gang's business, often with support of civil population. However, with the expansion of the criminal organization and the threat of other groups, especially CV and its allies (Ferreira and Framento, 2021), these courts have served to spread violence as a way to reaffirm the PCC's power to advance contract control among enrolled members, appearing with less protagonism the peaceful resolution of disputes.

Thus, the judicial function as a mechanism of criminal governance have different scope depending on the condition of the group's hegemony in a given social space. Where the group became hegemonic, judicial governance move beyond an economic function, working to pacifying social relations in several urban areas and prisons in Brazil, also becoming legitimate in the eyes of the population. However, when there is a contestation to PCC's power, this judicial function serves especially to eliminate adversaries and keep their illicit businesses functioning. When hegemonic, PCC applies more smooth punishments and focus in manage social conflicts. When contested, punishments, disputes and recording is used to brutally crush individuals linked to enemy organizations.

6.1. Final remarks

The paper showed that the judicial function of PCC's governance reaches thousands of people daily not only in the prisons, but also in the Brazilian suburbs. In light of Benjamin Lessing (2020) conceptualization on criminal governance, can be said that the PCC justice function is performed through a high degree of governance in the establishment of dispute resolution mechanisms, the establishment of systems of trial and punishment, as well as by, in medium degree, debt collection and the execution of contracts. These procedures are based on the institutionalization of standard norms between the world of crime and PCC-controlled neighborhoods.

Futhermore, the paper presented that the judicial dimension of the PCC governance has different implications depending on the group's hegemonic condition. Where the organization is hegemonic, pacification is supported by the judicial function of governance that allows the group to control behavior. However, in contested spaces by criminal groups, the judicial functions serve to persecute and eliminate enemies and competitors, impacting the violence rates, as seen in the states where PCC is competing with other gangs like Comando Vermelho (CV) and Família do Norte (FDN). Thus, the article shows that where there is no monopoly of illicit markets neither territorial hegemony, emerges a growing level of gang violence regulated by criminal governance, as seen in places outside São Paulo like urban areas of North Brazil. These findings open room to further analysis of other cases examining criminal governance implications to violence levels depending on competition to illicit market control.

It is still necessary to develop further research to advance the analysis of PCC courts in other regions of Brazil, as well as to compare the Brazilian gang with other similar criminal organizations. It is important to observe, for example, whether other criminal organizations will strengthen to the point of supplanting PCC and develop sophisticated judicial models of governance parallel to the state, or if there will be a pacification of other regions, as was the case in São Paulo, making the PCC an increasingly strong para-state. More importantly, in the face of overlapping parallel governance and justice models, new research is essential to examine how to ensure human rights for the disadvantaged population in a society fragmented by parallel justice systems that, in the end, do not change a setting of socioeconomic inequality.

Declaration of competing interest

No potential conflict of interest was reported by the author(s).

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