



Conflict in Michoacán: Vigilante Groups Present Challenges and Opportunities for the Mexican Government

By Gillian Horton

In January 2014, vigilante groups in the Mexican state of Michoacán made international headlines for their armed opposition to drug traffickers. When they first appeared in early 2013, the *autodefensas* focused primarily on defending their hometowns from extortion and violence by local criminals (Asfura-Heim et al 2013). However, these groups are now on the move, “liberating” additional towns from the drug trafficking organization known as the Caballeros Templarios (Knights Templar). As the vigilantes have grown in strength and numbers, the Federal Government has taken initial steps towards legalizing and regulating the vigilantes, renaming them “Rural Defense Corps.” However, after according the *autodefensas* some degree of legitimacy, the government must now address the political and legal gray areas surrounding the vigilantes, as well as the claims that acceptance of these groups constitutes tacit admission of its failure to protect its citizens. In addition, the government will need to recognize the spectacular failures that have resulted from the use of self-defense groups elsewhere in Latin America, and take steps to properly regulate the *autodefensas* and promptly disarm their members once the groups are no longer necessary. The situation is complex, and the government’s response to the conflict will have a far-reaching impact on the rule of law in Mexico.

Better a gun in the hand than the police on the phone. – Post on a vigilante website (Garsd 2014)

Recently a meme¹ has been making the rounds on Mexico’s social media, another front in the battle between the Knights Templar and the vigilante groups that oppose them. This particular

¹ A meme is a form of internet communication that spreads rapidly between users of social networks, email, or blogs. These graphics are typically created when an internet user takes a photograph, cartoon, or other picture and adds a short amount of text designed to amuse, criticize, or engage in social or political commentary.

meme features an irate Batman scolding Robin. “Thank goodness the army has finally arrived in Michoacán!” Robin exclaims. An aggravated Batman lashes out at his naïve young sidekick. “Quiet you fool, they are only going to help the Templars!” (Garsd 2014).

Such cynicism resonates with many inhabitants of embattled Michoacán. The state is no stranger to violence and drug trafficking, and has witnessed many unfortunate ‘firsts’ over the course of Mexico’s fight against organized crime. In September 2006, the up-and-coming criminal group La Familia Michoacana (The Michoacán Family) announced its presence on the criminal stage by tossing a bag of human heads into the middle of the dance floor in the Sol y Sombra nightclub (McKinley 2006). Just two months later, in December 2006, the state was the first to see federal troops march through its streets when newly-elected President Felipe Calderón launched “Operation Michoacán,” a major military deployment designed to eliminate organized crime in the state. Then came the grenade attack on an Independence Day celebration in the state capital of Morelia, which killed at least eight people and wounded upwards of 100 (El Universal 2008). While these events made it into the international news, the state has experienced almost daily violence as drug traffickers fight their rivals, government forces, and now the *autodefensas*.

“The Family... does not kill innocent people, only those who deserve to die. Know that this is divine justice.” – Narco-message left at the Sol y Sombra nightclub in 2006 (Grayson 2009)

Against the background of a conflict that has claimed upwards of 70,000 lives, Michoacán stands out (Piñeda 2013).² Located in southwestern Mexico, the area has long been active in politics, from Mexico’s War of Independence in the nineteenth century to the 1938 nationalization of the country’s oil reserves by President Cárdenas, a native of the state. History is important here, and many inhabitants feel a strong sense of regional pride. Ironically, both the Knights Templar and the vigilante groups that have risen to oppose them share this pride, with both sides claiming to represent the interests of the state and its populace.

In order to understand the appearance of the *autodefensas*, it is necessary to explore the dynamics of organized crime in the region, including the peculiar ideology of the Knights Templar and their La Familia predecessors.³ While drug traffickers were present in the area long before 2006, the emergence of La Familia represented something new. Led by Nazario Moreno González, “El Más Loco” (The Craziest One), the group derived substantial proceeds from trafficking in methamphetamine and other drugs, as well as kidnapping, money laundering, and widespread extortion of local businesses. The organization survived and thrived in part due to its systematic bribery and intimidation of state and local officials, who helped facilitate the group’s criminal endeavors. However, along with its trafficking activities, La Familia also cultivated “a

² Estimates of drug-related murders differ widely, and typically fall between 50,000 and 100,000 dead from 2006-2012; 70,000 is a frequently cited middle ground based on Mexican government tallies of deaths attributable to “organized crime.” The Justice in Mexico Project at the University of San Diego estimates that 120,000-125,000 murders occurred in Mexico over the course of the Calderón presidency (2006-2012) and that “organized-crime style homicides represent a significant share of homicides.” (Molzahn et al 2012, p. 13).

³ The Knights Templar began as a spinoff group from La Familia in 2011, and ultimately took power from its predecessor. The Knights Templar absorbed many former members of La Familia, and adopted similar tactics and ideology.

primitive, pseudo-religious ideology” and advocated its own brand of social justice, claims that would prove difficult to reconcile with the organization’s brutal tactics (Krauze 2014).

In addition to its use of religious rhetoric, La Familia also employed language reminiscent of a political insurgency, focusing on the “corruption” of Michoacán by external forces including rival traffickers Los Zetas (Insight Crime: La Familia Michoacana 2014). La Familia members also engaged in social work, attempted to promote a regionalist agenda for Michoacán, and meted out their own brand of punishment to those viewed by the group as “anti-social,” such as alcoholics and local dealers. As the effective successors to La Familia, the Knights Templar have utilized similar tactics in order to gain community support. However, like La Familia before them, the Templars have advocated their social agenda while simultaneously perpetrating acts of violence and extortion against the local population.

We Inherited Freedom, We Bequeath Social Justice. – Official Motto of the State of Michoacán

Though many factors contributed to the birth of the *autodefensas*, these groups are ultimately an expression of the state’s failure to protect the local population from the Templars. Against a background of widespread corruption, frustrated community members have embraced the vigilantes in lieu of local government actors who appear unable or unwilling to offer protection. Much of this frustration stems from the Templar’s widespread practice of extortion, which has served as a major catalyst for change and a rallying point for the vigilantes. The group has imposed its “cuota” on a wide range of businesses including avocado growers (Padgett 2013), citrus farmers, mining operators, loggers, taxi drivers, nightclub owners, tortilla sellers and, in some cases, anyone in the community who owns a house or a car (Partlow 2014). Many businesses have closed their doors or moved out of the state, as those who fail to meet extortion payments face retaliatory acts including arson, kidnapping, and execution (Piñeda 2013). While extortion has made life under the Templars extremely difficult, frequent violent occurrences including kidnappings, rapes, disappearances, and murders have also contributed to growing dissatisfaction with the drug traffickers and a groundswell of support for the vigilantes.

When the *autodefensas* first appeared in Michoacán, their numbers were limited and their presence was confined to several towns located in and around the troubled region of Tierra Caliente. However, since its creation the movement has spread across the state and beyond, with self-defense groups now reported in 13 of Mexico’s 31 states (Reforma 2013), though the majority remain concentrated in Michoacán and neighboring Guerrero. While often referred to collectively, these groups possess distinct regional affiliations and operate under autonomous leadership, though several overarching spokespersons have been identified.

Moreover, as they have grown in numbers their membership has diversified, folding in concerned local citizens, businesspeople who have been victims of extortion, and even former members of the Templars who have defected to the vigilantes. Many recruits have spent significant time in the United States, and unconfirmed reports state that some have even served in the military (Marentes 2014). Others, however, were deported for offenses ranging from driving without a license to drug trafficking (Partlow 2014). While the groups admit to obtaining weapons including AR-15s and AK-47s from captured Templar stockpiles as well as smuggling

them from the United States, some groups have also been accused of receiving aid from the New Generation Cartel of Jalisco, rivals of the Knights Templar (Milenio 2014). However, regardless of background and motivation, the *autodefensas* appear to be making significant progress towards breaking the power of Michoacán's top drug trafficking organization, something the government has been unable to accomplish on its own.

The Risks of Self-Defense: Lessons from Colombia and Guatemala

While the extortion and violence perpetrated by the Knights Templar make it easy to embrace the vigilantes' cause, the existence of self-defense groups poses its own set of concerns. Because vigilantism arises from a breakdown or absence of law and order, these groups present an inherent challenge to the authority of the state and its monopoly on the use of force. Even if a group does not deliberately engage in activities that undermine the rule of law, its establishment speaks to the failure of state mechanisms at multiple levels, including both the inability of the state government of Michoacán to provide protection to its citizens and of the Federal Government to provide a functioning and trusted judicial system. While the government of Mexico has adopted a pragmatic approach to the situation by entering into an agreement with the vigilantes, self-defense groups themselves pose a threat to the rule of law and should not form part of a long-term solution.

Beyond the uneasy relationship between state authority and vigilante movements, the *autodefensas* present a number of more tangible risks. There is real danger that these groups, once armed and wielding authority, may be reluctant to turn over their weapons and power to the state, particularly where state actors are viewed with suspicion. Additionally, disarmament is not an easy task to accomplish, and violence can quickly become a cycle. Under these circumstances the temptation to engage in drug trafficking as a means of self-sustainment may be too much to resist, especially when a conflict drags on and the cost of arming and maintaining community defenders begins to mount and exceeds the contributions of supporters.

While the *autodefensas* are often described as opponents of drug trafficking, many appear to take issue with the Knights Templar not for their involvement in trafficking narcotics, but for their widespread extortion of the populace. As vigilante leader Neftali Villagomez observes, "Drug trafficking is always going to continue," and the real issue lies with crimes that affect ordinary Mexicans (Althaus 2014). Some see little wrong with trafficking itself, provided the drugs and associated violence bypass the local community. While such sentiments do not make the vigilantes traffickers themselves, they do highlight the risk that, having displaced the Templars, certain elements of the *autodefensas* could move in to fill the trafficking void.

Though comparisons between Mexico and Colombia are frequently drawn and often exaggerated, the United Self-Defense Forces (AUC) of Colombia demonstrates the ease with which former self-defense forces can transition into drug trafficking (Dudley 2014). Formed in the 1980s in opposition to the left-wing Revolutionary Armed Forces of Colombia (FARC), the right-wing AUC ultimately engaged in the same criminal behavior as its rivals, including drug trafficking, kidnapping, and extortion of local communities. While the group disarmed in 2006, today, many of Colombia's smaller "bandas criminales" (BACRIMs) have their roots in the

AUC and other similar paramilitary factions. Though BACRIMs such as the Urabeños and Rastrojos pale in comparison to their predecessors, they continue to traffic in drugs and perpetrate violence across several areas in Colombia.

Paramilitary forces also present temptations for government actors. These groups may be utilized by government officials to preserve plausible deniability, and have frequently been used to accomplish criminal violence on behalf of the state. This dynamic played out during the conflict in Colombia, and can also be seen in the crimes attributed to Guatemala's Civil Defense Patrols (PACs), which were ultimately accused of participation in more than 300 massacres (Amnesty International 2002). Though Mexico's situation is distinct, if the government is to deal effectively with its self-defense groups and ultimately re-establish the rule of law in Michoacán, it will need to be cognizant of the very real risks that materialize when non-state actors assume powers that are traditionally limited to the state.

Challenges for the Government of Mexico

The government of Mexico faces an extremely difficult situation. It has several choices, but all of them present serious risks. First, it can choose to ignore the vigilantes at the official level while quietly tolerating and even supporting their efforts. However, this approach has become untenable due to the growing strength and popularity of the vigilante groups, as well as escalating tensions between the vigilantes and government actors. Second, it can choose to disarm the vigilantes, many of whom are technically violating the law. However, this approach would likely result in additional conflict between government forces and civilians, and would deprive the local population of its ability to ensure its own security, something the government has failed to provide in Michoacán. Third, the government can officially accord the vigilantes some level of legal recognition and seek to regulate their activities, attempting to turn them into an ally in the struggle to reinstate the rule of law in the region, particularly in Tierra Caliente.

After downplaying the *autodefensas* movement for much of 2013 and then briefly attempting to disarm its members in January 2014 (Malkin et al 2014), the government appears to have settled on the final option, at least with regard to the situation in Michoacán. On January 27, 2014 the Federal Government entered into an agreement with the leaders of several *autodefensas* groups located in the state, effectively legalizing their existence (SEGOB 2014). However, the agreement includes only some of the groups that currently exist, and also makes no provisions for additional groups that will likely form. It is also silent on the situation in Guerrero, where far from tolerating and occasionally supporting the vigilantes, the government has dispatched federal troops to prevent these groups from moving into the city of Chilpancingo (Althaus 2014). While the situations in Michoacán and Guerrero are not identical, the government's disparate treatment of vigilante forces may serve to undermine confidence in its authority and ability to reinstate the rule of law. What is needed instead is a consistent strategy that addresses vigilante groups at the federal level and allows the government to present a united front against organized criminal actors.

While the agreement reached in Michoacán may provide a starting point for addressing the complex policy and legal issues surrounding vigilante groups, it currently falls short of

answering several basic questions. It discusses the justifications for legalizing the *autodefensas*, and describes a preliminary framework under which these groups will become part of the “institutional life” of the nation, but provides only vague details of how this will occur (Dudley 2014). While in many ways this agreement represents a practical response to the crisis in the region, and recognizes the right of the population to defend itself when the government is unable to do so, the government will need to move quickly to address outstanding concerns in order to stabilize the situation.

As it stands, the agreement focuses primarily on establishing a formal relationship between the government and selected groups. Its current eight point structure⁴ renames the *autodefensas* as “Rural Defense Corps,” obliges their leadership to submit lists of members to the government, and commits the groups to registering any weapons that members already possess. It also dictates that members of the *autodefensas* can form part of the Municipal Police, but does not make this a requirement or provide a mechanism through which this should take place (SEGOB 2014). Additionally, the framework fails to address the legal jurisdiction of the *autodefensas* (if any), their accountability for actions taken against other citizens, what types of weapons they will be allowed to carry (Mexican law prohibits anything more powerful than a .38), or the relationship they will have with government authorities at the federal, state, and local levels.

The government will also need to consider issues of accountability, as the current framework lacks a redress mechanism for citizens who may be harmed by members of the *autodefensas*, and is silent on the matter of adjudicating the large amounts of property that have recently been seized from alleged Templars and their family members. While such a mechanism takes time to develop, it is particularly critical that the government take steps to provide redress for grievances against the *autodefensas*, as legal redress mechanisms are necessary in order to avoid self-help and re-establish a sense of accountability. Unfortunately, such grievances will likely be common as the *autodefensas* enter areas where significant portions of the local community support the Templars, and the government must be prepared to exercise its authority in order to prevent community violence.

Also troubling, government support for the vigilantes raises serious concerns about the use of force and extrajudicial violence, which will need to be promptly addressed. Unless the vigilantes come under direct attack from the Knights Templar, traditional claims of self-defense are tenuous at best. While the *autodefensas* initially took a defensive posture and could more easily justify their actions as true “self-defense,” in January and February 2014 they went on the offensive, “liberating” towns previously controlled by the Templars and moving into Apatzingán. An *autodefensas* leader, Estanislao Beltrán, described the situation in Apatzingán as

⁴ The eight point structure includes the following requirements: 1) The *autodefensas* will be incorporated into temporary “Rural Defense Corps” and leaders must submit a list of member names 2) The *autodefensas* can join the municipal police when they meet relevant requirements 3) The *autodefensas* must register the weapons they currently own or carry 4) Municipalities in conflict will be audited regarding their use of public resources 5) Federal and local Public Ministry Agents will be rotated and mobile units will be established 6) The Commission for the Safety and Integral Development of Michoacán will maintain communication with municipal authorities 7) People who were previously arrested for possession of firearms and are currently under provisional liberty will be able to sign in Michoacán and will not have to move to other states 8) Public servants with penal and administrative responsibility who are found guilty of offenses will be prosecuted to the fullest extent of the law.

“a complete cleaning” of the city, with vigilantes and government forces working together to locate Templars remaining in the area. (El Mañana 2014). Such a situation creates a legal gray area fraught with potential for serious human rights abuses, including extrajudicial killings.

If the situation in Michoacán is viewed as an internal armed conflict, and the *autodefensas* are seen as justifiably resorting to force, then certain rules of engagement must be established sooner rather than later.⁵ By legitimizing the *autodefensas*, the government shoulders a degree of responsibility for their future actions, and will need to take affirmative steps to establish a framework under which the vigilantes must operate. Such a framework must articulate rules of engagement and mechanisms for accountability, but could also benefit from training on applicable standards of behavior. While there are few ready solutions, the current lack of clarity and accountability pose unacceptable risks to the government, *autodefensas*, and civilian population alike.

(Re-)Establishing the Rule of Law

Despite the dangers associated with legalizing first and regulating later, it is possible that the initial framework will open the door to a more formal relationship with the *autodefensas* and will give the government more time to address important rule of law issues. The government must begin somewhere, and if treated as a preliminary vehicle for engagement, the initial agreement between the government and the vigilantes may have value as a starting point for working towards a more comprehensive solution. However, achieving oversight and accountability will not be an easy task, and the government will need to carefully navigate its way through a situation that grows more complicated by the day. As Alfredo Castillo, the presidential envoy in charge of security in Michoacán, recently observed, “You can start with a genuine cause, but when you start taking control, making decisions and feeling authority...you run the risk of getting to that point [where abuses of power occur].” (Partlow 2014). Castillo’s comments highlight the risks inherent in legalization, and capture the potential for abuse of power if the government does not take immediate and affirmative steps to uphold the rule of law.

The government of Mexico has made a difficult choice, embracing what is arguably the best of several difficult options. Now, having entered into an agreement with the *autodefensas*, it must take affirmative measures to ensure that the situation in the region does not spiral further out of control, while working to dismantle the Knights Templar and preventing a new or outside organization from replacing it. To do so, it must work alongside the *autodefensas* to identify and arrest key Knights Templar leaders and complicit members of the local government, while strictly limiting the authority of its partners and ensuring that abuses of power do not occur.⁶

⁵ The use of military forces in Michoacán, as well as the organized armed character of both the *autodefensas* and the Knights Templar, suggest the possible existence of an internal armed conflict, as distinct from more minor acts of violence such as internal disturbances, riots, or acts of banditry.

⁶ Identification and arrest of key criminal actors is the first step. However, this must be complemented by functioning and trusted judicial processes capable of providing accountability.

In order to accomplish this, the Federal Government must acknowledge the *autodefensas* as a temporary⁷ necessity specific to the situation in Michoacán, rather than a desirable ally in the government's fight against organized crime that should be replicated elsewhere. It must carefully assess its interactions with the vigilantes, create mechanisms for accountability and redress, and ultimately move to either disarm group members or incorporate them into the law enforcement apparatus of the state once the Knights Templar drug trafficking organization has been dismantled. There are numerous potential pitfalls along the way, but if the Federal Government can successfully reinstate control in Michoacán and develop a viable legal framework capable of mitigating the risks that surround the *autodefensas*, these groups may help break the power of drug traffickers in the region and ultimately contribute to the restoration of rule of law.

⁷ While the initial agreement describes the "Rural Defense Corps" as a temporary measure, the government must specify the conditions under which disarmament will occur.

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