

# *(Il)legal Aspirations: Of Legitimate Crime and Illegitimate Entrepreneurship in Nicaragua*

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## ABSTRACT

Drawing on longitudinal ethnographic research carried out over two-and-a-half decades in barrio Luis Fanor Hernández, a poor neighborhood in Managua, Nicaragua, this article explores how legal and illegal economic activities are socially legitimized, and more specifically, how certain illegal economic activities can end up being seen as legitimate, and certain legal ones perceived as illegitimate. The first part of the article explores the variable morality surrounding different types of criminal activities that local gang members engaged in during the 1990s and 2000s. The second part considers my experiences running a local market stall, describing the contrasting reactions I faced when I resorted to first legal, and then illegal, strategies to boost my revenue levels. Taken together, these examples showcase how the social legitimization of an economic activity has less to do with whether it is legal or illegal, but rather the future aspirations it embodies.

*Keywords:* Nicaragua, gangs, crime, drugs, entrepreneurship, legality, legitimacy, imaginary

Economic exchange inherently presupposes the existence of a common imagination of the future, insofar as such activity involves forward planning and the generation of mutual expectations (Beckert 2016). At the same time, however, not all forms of economic activity are equivalent or have the same consequences, as Polanyi (1982[1957]) famously pointed out. An important distinction in this respect is frequently made between legal and illegal economic activities, with scholars generally arguing that these give rise to distinct types of transactions and therefore imaginaries. But while there is no doubt that “transactions in markets that are outright illegal and illegal transactions in legal markets . . . [often] shape market structures in specific ways” (Beckert and Dewey

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2017, 1), it is not necessarily always the case that they do so in ways that are distinct from those of legal transactions and markets.

This is, however, an issue that is given little attention in the contemporary Latin American context, where debates about “criminal governance” are, more often than not, framed in terms of the existence of “plural orders” (Arias and Barnes 2017), effectively conceiving criminal activity as responding to fundamentally different, competing dynamics compared to “state governance” (Lessing 2020). This is particularly true with regard to the social legitimization of the illegal economic activities associated with crime—such as, perhaps most paradigmatically, drug dealing—which is generally seen to derive from different sources than legal economic activity, including in particular—albeit not solely (Naím 2005)—the deployment of violence (Andreas and Wallman 2009; Rodgers 2006b; Snyder and Durán-Martínez 2009).

While acknowledging that the latter is frequently the case, this article argues that the social legitimacy of an economic activity does not necessarily always have to follow such an either-or logic, and both legal and illegal economic activities can, in fact, be regulated by a common moral framework. This is partly contextually determined, but a key element relates to the social imagination of the future inherent in all economic activity and the disruption that any given economic activity, irrespective of whether it is legal or illegal, is perceived to potentially embody in relation to this.

This article explores this in relation to several different types of legal and illegal activities, but also offers an added longitudinal perspective on the issue. Most studies of economic activities tend to be synchronic in nature, offering static visions of the way they operate and are governed, as well as of the moral frameworks within which they are embedded, when these inevitably evolve and change over time.

Drawing on research carried out over the past two-and-a-half decades in barrio Luis Fanor Hernández, a poor neighborhood in Managua, Nicaragua, this article therefore focuses not only on how the social legitimization of legal and illegal economic activities can be very similar, but also on how such processes can change.<sup>1</sup> It begins by considering contemporary debates about crime and criminal governance in Latin America. It then moves on to contextualize crime in Nicaragua and barrio Luis Fanor Hernández, as well as detailing the methods through which the empirical materials presented in this article were gathered. It then proceeds to explore different facets of gang delinquency, in particular describing how barrio Luis Fanor Hernández inhabitants in the 1990s distinguished between local gang members’ revenue obtained by illegal means and that obtained by legal means, and how this generated a significant disjuncture in gang members’ expected contribution to their household economies. This, in turn, reflected broader notions about the long-term aspirational objectives of youth in the neighborhood.

The discussion moves on to consider how the emergence of a local drug economy in the 2000s led to a major shift in this moral framework, linking it to the exceptional financial rewards associated with drug dealing compared to gang delinquency but also to a change in individuals’ time horizons, including, most notably, the shortening of

aspirational time scales and the promotion of an imagination of the future constituted through a series of potential trade-offs in the present.

The article then recounts my experiences running a local market stall in the 1990s, describing the contrasting reactions I faced when I attempted to boost my revenue levels by undercutting my competitors' prices, compared to when I increased my profit margins by buying discounted stolen goods from gang members and then selling them at set market prices. While the former strategy faced significant opprobrium, the latter did not, for reasons that can be linked to the different ways the two strategies impacted market sellers, and more specifically their imaginations of the future.

Taken together, these different examples showcase how the social legitimacy of both legal and illegal economic activities can be conditioned by the future aspirations they imbue. This happens in ways that do not necessarily conform to predominant ideas about the legality-illegality divide and raise critical questions about the relationship between legality, legitimacy, and future time horizons. The conclusion of the article considers the latter in light of Boggs's 1977 notion of "prefiguration" in order to deliberate on their potential broader significance.

## CRIME IN CONTEMPORARY LATIN AMERICA

As Calderón and Castells (2020, 37) highlight, "a specter has been haunting Latin America for decades, growing in intensity, changing forms, and shifting geographies: the specter of the . . . criminal economy." While criminality is by no means a new feature of the Latin American social panorama, there is widespread agreement that the end of the Cold War and the institutionalization of the Washington Consensus led to a significant upsurge in the phenomenon, to the extent that it has become an overwhelming feature of life in much of the region (Müller 2018). Contrary to initial assumptions associating the rise in crime with an incipient chaos and impunity (de Rivero 1998), debates about the phenomenon have increasingly turned, over the past few years, around questions of "criminal governance," understood as "the regulation of social order, including informal or illegal economies through the establishment of formal and informal institutions that replace, complement, or compete with the state and distribute public goods such as social services, justice, and security" (Mantilla and Feldman 2021, 2).

Most scholars have tended to approach the notion of criminal governance as something intrinsically autonomous. Part of the reason for this is that the social legitimization of illegal economic activities is often perceived as being based on violence (Arias 2017; Lessing 2020; Lessing and Denyer Willis 2019; Snyder and Durán-Martínez 2009). This implicitly positions illegal economic activities in opposition to legal ones that are more commonly regulated through nonviolent means (even if the threat of violence remains fundamental).

At the same time, there also exists a significant literature on crime and illegal economic activity in Latin America that emphasizes the ambiguity and "messiness"

of criminal governance. In particular, many scholars have pointed out that criminal governance operates along a continuum, interlinking with noncriminal forms of state and nonstate governance (Arias 2006; Rodgers 2006b; Auyero and Sobering 2019; Jaffe 2013). This suggests that the moral frameworks associated with the social legitimization of illegal economic activities are not necessarily independent or even self-directing. Indeed, there exists a significant strand of literature on drug dealing in the Americas that highlights how it is an activity that is fundamentally embedded in broader moral and social frameworks; these condition it in ways that are not necessarily different from those conditioning legal economic activities (Auyero and Berti 2015; Bourgois 1995; Contreras 2013; Muehlmann 2014; Rodgers 2017b; Jensen and Rodgers 2021; Venkatesh 2006). In other words, seen from this perspective, not only are legal and illegal economic activities both fundamentally ambiguous and contested in nature, with the dividing line between them frequently blurred and relative, but both types of economic transaction can also be embedded in broader moral frameworks that socially legitimate them in similar ways—and are sometimes one and the same—which is what this article will now seek to demonstrate, drawing on empirical material from Nicaragua.

## STUDYING CRIME IN NICARAGUA

Nicaragua is a small Central American country of six million inhabitants. One of the poorest countries in the Western Hemisphere after Haiti, Nicaragua is best known for the famous Sandinista revolution, which in 1979 overthrew the longest-running dynastic dictatorship in Latin American history, that of the Somoza family, which came to power in 1936. This popular revolution promulgated a whole slew of social programs during the 1980s that made a lot of people dream, both in Nicaragua and elsewhere.

The Sandinistas' accession to power engendered a brutal civil war between the revolutionary regime and the forces of the Contras, supported by the United States, which ended only in 1990, following the electoral defeat of the Sandinistas (who remain the only revolutionary party in Latin America to have left power peacefully following an electoral defeat). Nicaragua subsequently joined the ranks of post-Cold War, Western liberal democracies, diligently applying the neoliberal policies of the Washington Consensus and becoming poorer every year, so much so that it was one of the three Latin American beneficiaries of the World Bank's Heavily Indebted Poor Countries (HIPC) initiative. Despite the Sandinistas' return to power in 2007, the country is today a pseudo-democracy, controlled by an oligarchic elite—which now includes the Sandinista leadership—whose sole objective is to ensure their own well-being and maintain their luxurious lifestyle to the detriment of economic development and of the rest of the population (Collombon and Rodgers 2018).

The only positive element of this dismal developmental panorama is that Nicaragua is widely perceived as being putatively less violent than the rest of Central America, supposedly due to revolutionary legacies of solidarity and

cooperation having infused society and led to the institutionalization of an efficient and neutral police force; the more local, non-transnational nature of its gangs, known as *pandillas* (in contrast to the *maras* of El Salvador, Guatemala, and Honduras); and the fact that the drug trade is generally thought to bypass the country.

This particular vision of Nicaragua is, however, fundamentally flawed. While Nicaragua unquestionably suffers less criminal violence than other Central American countries, its violence level remains several magnitudes higher than generally thought, and moreover responds to dynamics that owe little to any revolutionary legacies of solidarity and cooperation. Rather, the fact that the Sandinista revolution was the only successful revolution in Central America forced the country's traditional oligarchy to agree to the installation of a broad-based elite political settlement that includes the Sandinista leadership, and is thereby more peaceful—or, at least, was, until 2018—than the more contested political settlements underpinning order in countries which experienced failed or no revolutions such as El Salvador, Honduras, or Guatemala (Collombon and Rodgers 2018).

Part of the material underpinnings of the Nicaraguan elite political settlement has been the nationalization of the drug trade—which most certainly does not bypass the country—such that it is now principally state-controlled (Rocha et al. 2022). The Nicaraguan police furthermore showed itself to be highly corrupt and politicized when it savagely repressed the April 2018 popular uprising against the current government, and while there is no doubt that Nicaraguan *pandillas* are very different from the Northern Triangle *maras*, this does not mean that they are not violent or exceptional, as multiple scholars have shown (e.g., Rodgers 2006a, 2017a; Rocha 2007, 2019; Weegels 2018).

Indeed, in this regard, for the past 25 years, I have been following the evolution of successive gang iterations in a specific poor urban neighborhood of Managua, *barrio Luis Fanor Hernández*. Drawing on regular extended visits to this neighborhood, I have explored the dynamics of the neighborhood gang's mutation from a vigilante group in the early and mid-1990s to a predatory drug-dealing organization in the early 2000s, its replacement by a more professional and lethal drug-trafficking *cartelito* in the mid- and late 2000s, its revival as a classic street corner gang in the early 2010s, its transformation from a territorial group to a virtually connected peer network in the mid- and late 2010s, and finally the co-optation of gang members by the Nicaraguan state in order to help repress dissent against the current government in the post-2018 period (for an overview, see Rodgers 2022).

I have written in detail elsewhere about my methodological approach to studying the gang and its activities (Rodgers 2007a, 2019)—including in relation to ethics—but in practical terms this has involved nine bouts of ethnographic fieldwork totaling 23 months over 1996–97, 2002, 2002–03, 2007, 2009, 2012, 2014, 2016, and 2020. During these periods I engaged in a mixture of participant observation and in-depth interviewing—both one-off and repeatedly with the same individuals over an extended period of time—as well as conducting mapping exercises and focus

groups. I have also carried out a household survey of barrio Luis Fanor Hernández, repeatedly photo-documented its infrastructural transformation over time, and researched issues beyond gang dynamics including poverty, gender relations, labor, migration, remittances, history, memory, urban development, politics, and spatiality.

Overall, I have had some form of direct interaction with every single individual who has been a member of the barrio Luis Fanor Hernández gang since 1996, and I have carried out formal, one-off interviews with about half of the total number.<sup>2</sup> This subset of 70 individuals was selected through a combination of serendipity, convenience, and purposeful sampling, and can be said to be generally representative of the population of gang members in barrio Luis Fanor Hernández. From my second visit in 2002, I also engaged in regularly “repeat interviewing” a second, smaller subset of 20 gang members. I began with an initial group of 7 gang members whom I first interviewed in 1996–97, adding two more individuals to this longitudinal sample in 2002, two more in 2003, another two in 2007, three more in 2009, one more in 2012, two more in 2016, and one more in 2020, to reflect evolving gang member generations. I have more or less managed to interview all the individuals in this group every time I have returned to barrio Luis Fanor Hernández (there have been some gaps due to some individuals’ temporarily migrating or being incarcerated). On the basis of my broader contextual knowledge, I believe that these 20 individuals offer a set of “archetypal” barrio Luis Fanor Hernández gang member trajectories that are particularly valuable in relation to providing a dynamic picture of the gang’s evolving social practices, as well as permitting the exploration of the long-term consequences of gang membership across different iterations of the barrio Luis Fanor Hernández gang (Rodgers 2021).

Having said this, one of the hallmarks of ethnographic research is that it aims to collect “theoretically representative”—as opposed to “statistically representative”—data.<sup>3</sup> This is partly due to the fact that the data are rarely replicable, because they are extremely contingent and highly dependent on the ethnographer’s particular skill set (although this is arguably true—but not generally acknowledged—of all research involving the collection of primary data). At the same time, however, among the great strengths of ethnographic research—especially when carried out longitudinally—is that it allows for the collection of particularly fine-grained and often difficult to uncover empirical material that frequently cannot be obtained through other research methods. Moreover, due to its participatory nature, such research explicitly allows for a contextually validated apprehension of causal mechanisms and processes that generally offer greater analytical insight than the simple correlation of phenomena observed independently and in isolation.

## **ILLEGAL ECONOMIC ACTIVITIES OF THE BARRIO LUIS FANOR HERNÁNDEZ GANG**

Even if the central focus of their activities was the vigilante protection of the neighborhood (see Rodgers 2006a), gang members in barrio Luis Fanor

Hernández in the 1990s were also involved in a range of illegal economic activities. Different age groups were involved in different kinds of criminal activities, from low-level pickpocketing and stealing by the youngest (7–12-year-olds), to mugging and shoplifting by the middle group (13–17-year-olds), to armed robbery and assault by the oldest (18–22-year-olds). A cardinal rule of the gang's illegal economic activity, however, was never to prey on local neighborhood inhabitants and only to attack or rob outsiders. Partly because of this, gang members were never denounced but rather often aided and abetted and even feted by the local community—including when they committed criminal acts (Rodgers 2006a).

One afternoon in May 1997, for example, I was engaged in conversation with members of the Gómez family in front of their home when Castaña, a local gang member, came running up to us all excited and out of breath. He launched into a rapid-fire story about how he had spotted an unsuspecting foreigner at the local market wearing a chunky gold necklace, and how he had tailed her until he saw an opportunity to run by her and snatch her jewelry. To a chorus of appreciative whoops and shrieks, he mimed things out, humorously explaining how this had happened in the fish-selling area of the market, and imitating his victim, who had been so surprised that she had fallen face first into one of the stalls, ending up with fish all over her. He then pulled out the necklace, which circulated around our little group, each person expressing their admiration and making suggestions as to how much he should sell it for, as well as, in a couple of cases, offering to buy it from him.<sup>4</sup>

Part of the reason Castaña did not face any opprobrium for his delinquent act was that the victim was an outsider in the neighborhood, and a foreigner to boot, as several of those present made clear with comments such as “stupid foreigner” or “what was she thinking, wandering around the market with that necklace.” During the course of the exchange, I made a comment that led to a moment of conceptual disjuncture for me, however. Castaña came from one of the poorer households in the neighborhood, and his father had recently lost his job. I'd bumped into him a few days previously, and he had complained bitterly to me that they had no food left in the house and he hadn't eaten for 24 hours. When I suggested that he could now use the money from the putative sale of the necklace to buy food for himself and his family, he replied “Nah, I'm going to buy the usual, *maje* [mate], you know—drugs, alcohol, ammunition . . . . If I sell it for a good price, I might also buy a new Nike *gorra* [cap].”

Castaña's reply brought to the fore a significant area of ambiguity regarding gang criminality, more specifically with regard to the way its proceeds were to be used. On average, gang members in the mid-1990s made the equivalent of about US\$50 a month from their criminal activities. Although most gang members in barrio Luis Fanor Hernández in the 1990s lived with their families, on the basis of the interviews I conducted with gang members from this period, it was clear that they never contributed any of their criminality-related revenue to their household economies, spending it instead on personal consumer goods such as cigarettes, alcohol, glue, marijuana, ammunition for their weapons, or designer caps and T-shirts, and they relied on parents and older siblings to provide for them

otherwise. It was something I had never really understood, all the more so as it was clear from the multiple interviews I carried out with non-gang members of neighborhood households during this period that there was no expectation on the part of families to receive any money from gang members' illegal economic activities, even though US\$50 was equivalent to approximately two-thirds of the average household income in barrio Luis Fanor Hernández at the time. On the other hand, there was a clear and definite expectation that local youth—including gang members—would contribute to their household economies when they engaged in legal work, as many of them did on a casual basis in Managua's construction industry.

The existence of this dichotomy suggests that there existed a moral distinction between revenue obtained from illegal and legal activities, but the reasons for this were not immediately clear, especially as people in the neighborhood frequently bought stolen goods at reduced prices from local gang members. However, in discussions that I had with a range of neighborhood inhabitants, a distinction was consistently made between what people called *plata sucia*, dirty money—i.e., the monetary proceeds of illegal economic activity—and stolen goods, which were, at worst, seen as only indirectly “dirty.” More often than not, the latter were an inevitable aspect of life in barrio Luis Fanor Hernández, insofar as buying stolen goods at reduced prices was for many an essential means through which to survive in a context characterized by high levels of poverty and lack of opportunities (see Rodgers 2007b). This distinction could be interpreted as potentially pointing to barrio Luis Fanor Hernández having been characterized by a reversal of the widespread notion that money is something that is close to being amoral while commodities are always socially and morally embedded (Appadurai 1986). An alternative explanation for this, however, is that—following Parry and Bloch (1989)—money is also inevitably moralized, either through the way it is earned or its planned use.

This does not necessarily explain why Castaña suffered no opprobrium for having engaged in stealing, considering that the money he would have obtained for the necklace would have been refused by his family. In this regard, it is important to note that being a gang member in Nicaragua is very much a finite social role. Certainly, there exists a common saying among Nicaraguan gang members that *no hay viejos pandilleros* (there are no old gang members). Consequently, even if the age at which individuals exit from the gang has varied, there has always been an upper limit. In barrio Luis Fanor Hernández, this tended to be around 21–22 years of age during the 1990s, around 24–25 in the early and mid-2000s, around 18–19 in the early and mid-2010s, and 21–22 in the late 2010s.

Generally, individuals' motivations for leaving the gang tend to be highly personal and idiosyncratic. There are a limited number of post-delinquent trajectories open to former gang members (Rodgers 2014), but both gang members and non-gang members in barrio Luis Fanor Hernández in the 1990s agreed that getting a regular, legal job constituted the gold standard, allowing them to settle down, have children, and become the “man of the house”—an important aspiration for young



men in the context of a Nicaraguan society characterized by generalized *machismo* (see Lancaster 1992).<sup>5</sup> Seen from this perspective, there was arguably a shared idealized, aspired-for imagination of the future inherent in the differing expectations that surrounded gang members' criminal earnings and those obtained through legal labor.

While there was no opprobrium against individuals' engaging in illegal activities, it was seen as something transient.<sup>6</sup> Only the proceeds of a legal economic activity—one that might or might not continue into the future, but was certainly the moral template for the future, at least at the time—were perceived as legitimate.<sup>7</sup> In other words, following Jacques Rancière (2017, 12–43), it could be argued that different socioeconomic roles—the legal and the illegal—were considered to have different temporal profiles in barrio Luis Fanor Hernández, and this impacted the way they were perceived in relation to a broader moral framework. This situation would change with the arrival of drug dealing in barrio Luis Fanor Hernández.

## DRUG DEALING

Although drugs were by no means unknown in barrio Luis Fanor Hernández before the turn of the century, they were not a major focus of gang member economic activity in the 1990s. The predominant drugs at the time were marijuana and glue (to sniff), with the latter bought at the local market and the former bought from a local ex-gang member who grew it himself. This changed in 1999, when cocaine began to be brought into barrio Luis Fanor Hernández by a former gang member known as *el Indio Viejo*. His family was originally from the Caribbean coast of Nicaragua, and he initially sourced drugs in an ad hoc manner from extended family members who were fishermen, and who would pick up cocaine bales thrown overboard by drug traffickers as they sought to avoid arrest after being intercepted by the US or Nicaraguan Navy.

As I have described in more detail elsewhere (Rodgers 2018), *el Indio Viejo* initially sold the cocaine himself, in the form of crack.<sup>8</sup> But the labor intensity of the latter's production meant that he rapidly decided to recruit collaborators to share the workload, and the barrio Luis Fanor Hernández drug economy became a three-tiered pyramid as a result. At the apex was *el Indio Viejo*—also known as the *narco*—who brought the cocaine into the neighborhood and mainly wholesaled it, principally—but not exclusively—to half a dozen *púsheres* in the neighborhood. *Púsheres* “cooked” the cocaine they bought from the *narco* into crack, which they then sold from their houses—*expedios*—to a regular clientele which included *muleros*, the bottom rung of the drug-dealing pyramid. *Muleros* sold crack individually in small doses to all comers on barrio street corners, generally in the form of *paquetes* containing two “fixes,” known as *tuquitos*. In total, then, by 2002 the barrio Luis Fanor Hernández drug economy directly involved 29 individuals: 1 *narco*, 9 *púsheres*, and 19 *muleros*. The *narco*, *púsheres*, and *muleros* were, moreover, all gang members or ex-gang members from the barrio.

In contrast to many other parts of the world—including notably Chicago, as reported by Levitt and Venkatesh (2000), for example—drug dealing in Nicaragua

can generate significant amounts of wealth, even for those on the lowest rung of the drug trade. For example, in 2002, *muleros* generally made between US\$350 and \$600 per month from their dealing, while *púsheres* made between US\$1,050 and US\$2,400 (Rodgers 2018). This is obviously significantly higher than the proceeds of gang criminality in the 1990s, in absolute terms but also in relative terms, being 3 to 20 times higher than the median income of those who engaged in more legal economic activities, which was around US\$120 a month at the time. Perhaps not surprisingly, local drug dealers in barrio Luis Fanor Hernández were very enthusiastic about their new wealth. They would often comment in interviews that drug money “had completely turned the neighborhood around,” arresting its seemingly unstoppable downward slide into a cycle of ever-increasing poverty, exclusion, and stagnation, and that the many houses had been infrastructurally improved, and people were better fed. During an interview with a local dealer called Bismarck, I challenged this Panglossian discourse, saying:

“But the drugs aren’t helping everybody, are they, Bismarck? Sure, there are lots of nice, new houses in the barrio now, but some of these new houses are better than others. Yours is much nicer than Kalia’s next door, for example, although he sells drugs too, and there are many houses in the barrio that haven’t changed at all since I was here last. There’s lots of inequality now, which wasn’t the case before, and that can’t be a good thing.”

“Well, you can’t help everybody, you know,” Bismarck countered, before continuing, “life is hard here in Nicaragua, . . . and you’ve got to be clever and try to survive by hook or by crook. Kalia’s just plain dumb, he uses his profits to smoke up, and then loses his head and can’t sell properly. And those who don’t have the drugs to sell, well, that’s just the luck of the draw . . . Everybody had the same chances to start off with. We were all poor.”

Bismarck’s discourse starkly highlights how he saw drug dealing very much as a prosaic, everyday economic activity, in which everybody might participate. In other words, drug dealing was not considered exceptional, which might constitute one explanation why the revenues it generated were not viewed in the same morally ambiguous way as the proceeds of gang criminality in the 1990s. At the same time, however, Bismarck’s pseudo-meritocratic analysis was clearly wrong. First, drug dealing was not an activity in which everyone had the same chances from the start. As I have described in detail elsewhere (Rodgers 2017b), the drug economy in barrio Luis Fanor Hernández was a segmented labor market, with major barriers to entry. All the drug dealers in the early 2000s were current or former gang members, recruited by *el Indio Viejo* because they were “violence specialists” (Tilly 2003).

The illegal nature of the drug trade meant that it did not involve legally enforceable formal contracts or property rights, and violence was the primary tool through which disputes were resolved.<sup>9</sup> Contrary to the gang in the past, the *muleros* also acted collectively to violently impose a climate of terror in the neighborhood, randomly attacking and intimidating inhabitants in order to reduce the risk of denunciation and to ensure that outsiders—as potential clients—could

enter the neighborhood unimpeded. Levels of violence in barrio Luis Fanor Hernández reached their highest levels in the past 25 years during the decade that drug dealing held sway in the neighborhood. They were also fueled by high levels of local addiction, as crack made consumers much more aggressive than marijuana or glue did. As a local inhabitant called Adilia explained: “The problem is that now, anybody could be a potential danger, if they’ve smoked some crack, anytime . . . . You can’t know what they’re going to do, with this drug people become more violent, more aggressive, they don’t care about anything, they don’t recognize you . . . . You don’t know what they’re thinking or even if they’re thinking at all, they could just kill you like that, without a thought.”

The increased violence due to the emergence of the drug trade in barrio Luis Fanor Hernández generated significant moral ambiguities in the local community, not least about the now predatory gang (Rodgers 2007c, 2015). There was also significant moral disapproval of crack consumption, and its negative health consequences were a frequent topic of conversation.<sup>10</sup> Despite this, it was striking that families that had previously refused to accept contributions from gang members’ criminal activities now enthusiastically embraced the resources provided by drug dealing when dealers were willing to share with both their immediate and extended families. Certainly, I know of no individual in barrio Luis Fanor Hernández connected to a drug dealer who ever refused to benefit from the revenues of drug dealing when the said drug dealer deigned to share with them. Indeed, the opposite was arguably true, as I frequently heard complaints from local inhabitants about not being included in the distribution of drug money earned by drug-dealing relatives.

Interestingly, this was even the case among Evangelical Christian families, highlighting the profound nature of this transformation. One of the few consistent factors correlated with not joining the gang in barrio Luis Fanor Hernández over the years was whether a youth came from an Evangelical family or not; no gang member has ever come from an Evangelical Christian family. In many ways, this is hardly surprising, since many of the activities associated with being a gang member—violence, stealing, drinking, smoking, taking drugs—are in contradiction with the tenets of Evangelical Christianity. Yet once drug dealing in barrio Luis Fanor Hernández spread beyond gang members and former gang members in the late 2000s and early 2010s, it was striking that several street dealers came from Evangelical families and that they were sharing the rewards of drug dealing with those families.

I asked one such dealer, called Eliu, whose parents were Evangelical pastors who ran a small church in their home, what they thought of his drug-dealing activities. He told me, “they’re fine with it so long as I don’t sell to other [Evangelical] Christians, that would be bad, but selling it to others is not a problem, they’re going to hell in any case.” (A significant amount of the infrastructure of his parents’ church—chairs, altar, decorations—as well as the refreshments they would serve their flock after services, was, moreover, paid for by drug money.)

Part of the reason for this change in moral standards was clearly contextual, insofar as the Nicaraguan economy was at the time characterized by ever-increasing levels of chronic unemployment and a lack of legal economic opportunities, particularly for unskilled workers who made up the vast majority of the barrio Luis Fanor Hernández workforce. As a result, many households in the neighborhood were clearly on a downward spiral toward destitution. In such a context, the wealth generated by the drug trade was irresistible, particularly when compared to the levels of revenue generated by gang criminality in the past.

The fact that the rewards of illegal economic activity increased from being equivalent to two-thirds of a household's income to anything between 3 and 20 times the household's income meant that these became converted into what Christian Geffray (2002) has termed *manna*. He uses this term to refer to wealth that, when distributed, has the effect that those who receive it "will perhaps never be in a position to reciprocate on a par with what they owe their benefactor" (Geffray 2002, 89). As such, manna "creates debts that are morally impossible to repay . . . . Manna does not allow for reciprocity and . . . the subjective effect of [this] inability . . . subjugates the beneficiary to the wishes of the one to whom he is beholden and confers upon the allocated wealth its providential character" (Geffray 2002, 89). Because morality is fundamentally relational in nature, manna leads to an undermining of conventional moral codes, and the net result is therefore a breakdown of the dominant moral standards, which is one possible explanation for the social legitimacy surrounding the revenue generated by drug dealing in the 2000s compared to the revenue earned from gang criminality in the 1990s.

At the same time, however, this moral transformation can also be related to a change in individuals' imagination of the future in barrio Luis Fanor Hernández. This became clear to me during a conversation in July 2007 with a *mulero* nicknamed *el Gordo Choclo*, after I had observed him narrowly avoiding being caught by a police patrol. The patrol car had come roaring down the neighborhood's main road, stopping by a small park at the end where drug dealers often sat as a group waiting for clients, with the officers piling out and running toward a group of five dealers including *el Gordo Choclo*. I had been buying a *fresco* (juice) at a nearby *pulperia* (corner store), and so was able to see them all immediately run off, with *el Gordo Choclo* hiding in a side street next to the *pulperia*. He watched surreptitiously as the police poked about the park a bit before leaving, after which I approached him and said, "fuck, *maje*, that was close. They almost got you!"

"Not those useless *hijúputas* [sons of bitches], but in any case, even if they had, I would only have gone to prison for a year or two at most, as it would have been my first offense."

"OK, but wouldn't they have confiscated your house and everything?"

"No, the house is in my sister's name, and everything else is in the name of my children, so they wouldn't be able to touch anything."

"All right, that's clever, but you're still running the risk of going to prison, and that's not great, is it?"

“*Pues*, that’s the risk, isn’t it? You sell, sell, sell, as much as you can until you fall, get one or two years, and you do that again when you get out, until you fall again, get five or six years, and then you stop. You think I would have what I have now if I wasn’t dealing drugs? I worked in the market before, loading and unloading, I barely made enough to feed myself, now I’m feeding my whole family. You remember my house, it was just a little *casita de cartón* [cardboard], now it’s made of *bloques de cemento* [cement blocks], that would never have happened if it weren’t for selling drugs. So, I’m going to keep on selling, whatever the risks, until the next potential prison sentence is too big, then I’ll stop and I’ll see what I do.”

This exchange highlights very well the changing temporality surrounding illegal exchange and the divergent sense of aspiration and the future associated with drug dealing as compared to gang criminality. In particular, there is a remarkable temporal inversion, whereby previously gang membership and its associated criminality were effectively seen as a temporary, youthful, and financially inconsequential pursuit that (ideally) gave way to legal employment as a long-term means of earning and investment, to drug dealing being seen as a fast-paced, high-risk–high-gain activity punctuated by prison time, which an individual engaged in as furiously as possible before then “retiring” and using the profits to engage in another, generally legal, economic activity. In other words, gang criminality was very much about instant gratification, while drug dealing was fundamentally future-oriented, about “setting myself up so that my family and I can live comfortably, and so that I can leave something for my children when I die,” as Bismarck explained during an interview in 2009, after he’d stopped drug dealing. In his particular case, he used his earnings from drug dealing to invest in property and became a local slumlord (Rodgers 2016), something that would not have been possible had he engaged in any of the unskilled legal economic options open to him.

The evolving interplay between different temporalities and variable legitimacies is, however, a hallmark not just of illegal but also of legal economic activity. Certainly, this was visibly the case in relation to market selling, in which a clear moral distinction was made between income obtained through means that were considered legitimate and means that were considered illegitimate, despite the fact that the former were formally illegal, and the latter legal. This example highlights how the distinction between legal and illegal and its relationship to the notion of legitimacy are very subjective and contextually determined. At the same time, it also illustrates a different form of temporality and imagination of the future, one linked to the necessity of having a stable environment for collective rather than individual economic activity to prosper.

## MARKET SELLING

Among the various non–gang-related activities that I have engaged in over the course of my quarter-century of longitudinal ethnographic research in Nicaragua was running a market stall in one of Managua’s markets between January and July

1997. This was a small *tramo de granos básicos* (basic grains stall), selling rice, beans, maize, cooking oil, soap, toilet paper, etc. The stall was initially set up by Adilia, a member of the Gómez family with whom I stay whenever I'm in Nicaragua. Following her husband's loss of employment, she decided that she needed to develop an alternative revenue stream, and was able to negotiate buying somebody's stall at the local market, borrowing US\$400 from a neighborhood moneylender at 20 percent interest a month in order to do so. I was away from the neighborhood when she did this, and on my return and finding out about it, I immediately gave her the money to reimburse the debt, on the condition that I was to have full access to the stall and be able to hang out with her whenever I wanted in order to study how it worked.

I quickly ended up running the stall, as Adilia showed little predisposition for market selling and had a tendency to randomly help herself from the till whenever she needed cash. I had to bail the stall out twice between January and July, but I also underwent a crash course in market selling, rapidly coming to grips with the workings of stalls, including being able to observe how they operate with very low profit margins, generally amounting to less than 5 percent of the total capital turnover. A small *granos básicos* stall such as the one I studied could expect to have an average monthly turnover of about 15,000 córdobas (US\$1,750 at the time), yielding a monthly profit of about 700 córdobas after operating expenses (US\$85). Partly because of these low profit margins, *granos básicos* sellers regularly got together to decide on the prices of standard goods, tracking Nicaragua's constantly sliding inflation. But it meant that the prices of goods in the market were very much fixed, whatever stall they were bought from. In March 1997, for example, a pound of *arroz nacional* (national rice) throughout the market was 2.25 córdobas, while *arroz importado* (imported rice) was 3 córdobas per pound, and a pound of *frijoles* (pinto beans) was 4 córdobas.

The profit margins on these prices were very low; e.g., 20 centavos for the *arroz nacional*, 50<sup>a</sup> centavos for *frijoles*. What made a difference to profit margins was the price at which goods were bought wholesale. This effectively occurred by means of a blind auction, with stall sellers going around to different wholesalers (*mayoristas*) who would make a price offer based on their subjective evaluation of the buyer.<sup>11</sup> A stallholder would generally go and see four to five wholesalers and then buy from the one offering the lowest price. (The differences were rarely huge—e.g., in March 1997, I bought a quintal of *arroz nacional* for 205 córdobas, which had also been offered to me by other wholesalers for 210 and 215 córdobas, respectively).

In this respect, it rapidly became clear that the more that was bought from a wholesaler, the better the deal that could be secured from them, and on realizing this, I decided to see if I could trade off my low profit margin for turnover by reducing my prices slightly, in the hope that by going back more regularly to wholesalers, I would be able to negotiate lower wholesale prices to compensate my

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a. OK? Or 2/10 and 1/2 a centavo?

lower sale prices (which I figured I'd eventually increase again at some point once I'd locked in the low wholesale prices).

So, for example, I dropped the price of a pound of *arroz nacional* from 2.25 to 2.10 córdobas and a pound of *frijoles* from 4 to 3.75 córdobas, reducing my profit margin, respectively, by 15 and 25 centavos. The result of this course of action was that I was immediately frozen out by other stall sellers around me. Where previously I had been integrated into an easy, bantering relationship, I was suddenly socially ostracized, nearby food stalls refused to sell me lunch, I was insulted, gossiped about, and malicious rumors about me started to circulate.

I had half expected something like this to happen, based on the way that much of the chatter between sellers was about confirming that everybody was on the same page with regard to prices. What I did not expect, however, was that my clients became suspicious. They would ask me why the price was not the same as usual, buy from other sellers, and my daily sales dropped dramatically by over 50 percent. Part of this was also due to other sellers badmouthing me, but my lower prices were clearly perceived as signalling untrustworthiness by potential clients, who would ask me questions such as “What if I find out afterward that the quality of your rice is not good?” or “How do I know that this is authentic *arroz nacional*?” Within a few days, I threw in the towel and reverted to normal pricing, and things began to pick up again. Although the other sellers remained suspicious for a while longer, within a few weeks we were back to our normal joking and bantering relationship.<sup>12</sup>

A couple of months after this episode, I was approached by some barrio Luis Fanor Hernández gang members who asked me whether I wanted to buy ten bottles of Doral *aceite* (cooking oil), which they had stolen from a warehouse in another market. These were large, 5-gallon bottles, which I would normally buy wholesale for around 145–150 córdobas and resell mostly by the quarter-liter at a fixed price of 2 córdobas. In other words, it was a commodity with a very low profit margin of around 10 centavos per quarter-liter sold. The gang members were offering me the bottles for 50 córdobas each, which was extremely attractive as it would obviously significantly increase my profit margin. Rather wary of what had happened last time around, I made some inquiries about whether anybody would have any objections to my buying the stolen bottles. To my surprise, the answer was universally that there would be no problem, so long as I did not change the prices at which I sold the *aceite* to customers. This highlighted that in relation to market selling, at least, legitimacy lay not in the origins of the goods I was selling but rather in the way they were sold. (Indeed, several sellers congratulated me on my “business sense” and subsequently actively sought to similarly buy stolen goods from local gang members).<sup>13</sup>

My fellow market sellers were angry about my selling legal goods at lower prices but not at my selling illegal goods, because the former potentially challenged the fixed price system that was essential to enable sellers to make a profit, while the latter did not. Certainly, this is what Doña Liria, a fellow market seller, seemed to imply when I bumped into her on a return trip to barrio Luis Fanor Hernández in November

2016. I had popped over to the market and went to the area where the stall had been located. (This closed down in 1998 because the person Adilia had bought it from had not actually been the legal owner of the stall; but the latter has either not been found or has no interest in the stall, as it has remained boarded up ever since.)

As I walked around, I came across Doña Liria, who, almost twenty years later, was still running her *granos básicos* stall about 10 meters from where mine had been. After greeting her and exchanging news, we reminisced about my time running the stall, and she mentioned both the episode when I had decreased my prices and then had bought stolen *aceite* from gang members to sell at a higher profit margin than normal. I took the opportunity to ask her why nobody had objected to the latter, and she answered, “Well, you came and told us, and asked if we objected, and then it didn’t affect any of us, all it did was increase your profit, but not at our expense. Things had to stay the same for everybody, otherwise the market wouldn’t work.”

Seen from this perspective, the legitimacy of my illegal economic activity clearly lay in its not undermining the general operations of the market and allowing it to continue unaffected. The situation was one in which the concern was about everyone being able to earn a living. When I reduced my prices, it potentially threatened the future livelihoods of other sellers, while increasing my profit margin by selling stolen goods did not (indeed, it opened up a new avenue for other sellers to increase their profit margins, too). In this respect, it would seem almost a reversal of the way the financial “manna” of drug dealing overcame moral objections in barrio Luis Fanor Hernández in the 2000s, insofar as in the legal market, for any change to be perceived as legitimate, it had to occur in a way that ensured that things remained the same, while in the illegal one, it was change that led to a transformation that became legitimized.

## CONCLUSIONS

The different examples of illegal and legal economic activities that I have discussed in this article highlight how legitimacy and legality can articulate in different ways in relation to economic activity. This is partly because economic activity is a fundamentally embedded processes, legitimized on the basis of broader moral frameworks. A distinction is frequently assumed between legal and illegal economic activities, with the former being generally considered more legitimate than the latter. On the basis of the empirical evidence presented in this article, however, another potentially key element to take into account relates to the social imagination of the future inherent to all economic activity, and the disruption that any given economic activity, irrespective of whether it is legal or illegal, is perceived to potentially embody in relation to this.

The illegal proceeds of gang criminality were perceived as illegitimate and rejected by gang members’ families, compared to the proceeds of legal employment, because the former were not associated with a viable long-term career path, while the latter were seen to be the basis for an idealized life trajectory. On the other hand, drug dealing generated such high levels of wealth that even if it was a risky activity, the



Table 1. Legitimizing Dimensions of Economic Activity

| Case                | Legal/<br>Illegal | Profit<br>level | Community<br>Impact | Time<br>Horizon | Legitimacy |
|---------------------|-------------------|-----------------|---------------------|-----------------|------------|
| Gang criminality    | Illegal           | Medium          | Low                 | Short           | Low        |
| Drug dealing        | Illegal           | High            | High                | Long            | High       |
| Undercutting prices | Legal             | Low             | High                | Short           | Low        |
| Buying stolen goods | Illegal           | Medium          | Low                 | Long            | High       |

potential long-term payoff was viewed as viable, thereby legitimizing it. In other words, the illegal proceeds of drug dealing were accepted because their magnitude meant that they embodied the possibility of a potential trajectory to future success. This legitimized them, despite the broader negative consequences of drugs for the neighborhood.

Furthermore, my legally undercutting my fellow market sellers was conceived as illegitimate by both sellers and customers because it was perceived as disrupting the existing status quo that allowed sellers to survive in a market characterized by extremely low profit margins. On the other hand, my buying stolen goods to sell at normal market prices was applauded and considered a legitimate means of increasing my profit margin, and a template for others to follow.

Table 1 summarizes the insights from the case studies presented, according to a number of key dimensions.<sup>14</sup> It shows how il/legality, profit level, or community impact are not systematically correlated with the legitimacy of a given economic activity. On the other hand, the time horizon of the impact of the activity—or in other words, the sense of futurity it is associated with—is. Why is this important? In many ways, the legitimacy of an economic activity can be said to constitute the basis on which it can come to be seen as “prefigurative,” in the sense that Boggs (1977, 100) defined in relation to politics; that is to say, as “the embodiment, within the ongoing political practice of a movement, of those forms of social relations, decisionmaking, culture, and human experience that are the ultimate goal.” To be seen as legitimate, economic activity, whether legal or illegal, arguably needs to embody a sense of aspiration. Drug dealing was perceived as a legitimate criminal activity compared to gang criminality because it was considered an activity potentially offering a viable long-term life option. Similarly, buying low-cost stolen goods to boost profit levels for my market stall was perceived as legitimate despite being illegal, in a way that legally undercutting prices was not, because it did not undermine the possibilities of other market sellers.

Here the sense of the future was perhaps a bit different from gang criminality and drug dealing, insofar as it corresponded to a more static temporality, whereby the important issue for the future was for the existing institutionalized system not to change. At the same time, however, the really interesting difference with the first

two examples is that the sense of aspiration and futurity embodied in this particular logic of legitimization is perhaps that it is very much a collective one, while those standing to benefit from gang criminality and drug dealing do so very much as individuals. Seen from this perspective, while the way that the legality and legitimacy of economic activities articulate together can undoubtedly vary tremendously, it may well be that there is something of a more consistent underlying disjuncture between legal and illegal activities, insofar as the latter ones discussed in this article seem to be more individualistic in nature, while the former inherently embody a sense of a collective future.

This is potentially significant because the broader scholarship on criminal governance and illicit markets in Latin America has generally linked legitimacy to legality from a broadly functionalist perspective. While this is no doubt important to consider, the cases presented here suggest that the social legitimization of any given economic activity can have less to do with whether it is legal or illegal and more with the future aspirations it embodies. In a contemporary “Latin America [that] is made up of light and shadows, but [where] the light has increasingly faded, and the shadows already envelop the lives of countless people” (Calderón and Castells 2020, 3) as a result of the enduring legacies of neoliberalism and authoritarianism, as well as rising inequality, poverty, and criminality, this characterization potentially draws our attention to the long-term consequences of economic activities, irrespective of whether they are legal or illegal, in order to understand their true developmental significance. At the same time, however, the examples discussed in this article also seem to reveal a critical fault line between economic activities that embody a collective versus an individual imagination of the future, and in an “age of violence” that is often perceived as being characterized by “the end of utopia” (Bertho 2018), it is perhaps this dichotomy that is potentially most important to take into account as the region seeks new “prefigurative” forms of action allowing for a renewal of its historical sense of having a common, shared future.

## CONFLICTS OF INTEREST

I declare none.

## NOTES

A preliminary version of this paper was first presented at the 2017 LASA conference in Lima, Peru. I thank panel participants and attendees, as well as panel organizers Kedron Thomas and Matias Dewey, for their constructive comments. I also thank the *LAPS* anonymous referees, including especially referee 4.

1. This name is a pseudonym, as are the names of all the individuals mentioned in this article.

2. I have also carried out 11 formal group interviews, as well as several individual interviews with former gang members from before 1996. To these should also be added hundreds of hours of informal individual and group conversations and interactions, as well as more than one

hundred interviews with non-gang member inhabitants of barrio Luis Fanor Hernández, which have almost always included some discussion of gangs.

3. On this epistemo-methodological issue, see Johnson (1990).

4. The Gómez family is quite a singular family in barrio Luis Fanor Hernández—they are a founding family, and are therefore very well embedded in the neighborhood, and they also have a particular relationship with the local gang, due to multiple family members having joined the gang from the late 1980s on. But their behavior toward Castaña was typical of the majority of local inhabitants, including individuals with no direct connection to the gang. The only group that maintained a consistent disapproval of gang members, and would have acted differently, were practicing Evangelical Christians.

5. With one exception, there were no female members in the barrio Luis Fanor Hernández gang during the 1990s, partly because the gang in some ways embodied a heightened form of *machismo* (see Rodgers 2006a). Female involvement in illegal economic activity, however, changed in the 2000s with the arrival of drugs (see note 9).

6. At the same time, the transience of illegality was reinforced by the fact that the proceeds of criminality were always spent very quickly by gang members, on ephemeral goods offering a sense of instant gratification, such as cigarettes, alcohol, glue, or marijuana, rather than being invested in feeding and sustaining a household or any other project with a more distant time horizon. In this sense, and expanding on Parry and Bloch's 1989 argument, money can therefore be seen not only as having particular moralities attached to it but also as having or being part of a variable temporality that can involve different aspirations and orientations to the (shorter- or longer-term) future.

7. In this regard, the gang's illegal economic activities in the 1990s were perceived very differently from the criminal economy in 1980s and 1990s France that Azzedine Grinbou and Michel Kokoreff describe as having “functioned on the model of the legal economy. Stealing or selling drugs was considered a job like any other” (2019, 114, my translation).

8. Crack is a made by boiling cocaine (cocaine hydrochloride) and sodium bicarbonate in water, and is much less expensive than cocaine, being obviously diluted. It is widely known as “the poor person's cocaine,” meaning that it was affordable in the generally impoverished context of barrio Luis Fanor Hernández.

9. Drug dealing subsequently extended to nongang family members of this first generation of dealers as the need to engage in violence declined with the institutionalization of drug dealers' domination over the neighborhood. This particularly included a number of women, partly because they were perceived to be more inconspicuous to the authorities, but also because as the drug trade in barrio Luis Fanor Hernández professionalized, the need to draw those involved from a small, tight-knit group of trustworthy persons increased (Rodgers 2018; Jensen and Rodgers 2021).

10. Even drug dealers acknowledged the latter issue; Bismarck, for example, would add ampicillin, an antibiotic, to his crack “to try to minimize the negative health effects.”

11. The first few times I tried to do this by myself I was obviously quoted absurdly inflated prices because I was a foreigner. But Adilia was also initially quoted inflated prices—albeit not as inflated as mine—as a newbie stall holder.

12. An obvious question to ask in relation to the previously discussed example of drug dealing is whether drug dealers would have faced retribution by other sellers if they had tried to undercut their competitors by selling at lower prices or lowering the quality of their product. The former never happened at the street level, where the prices offered by *muleros* for small doses remained standardized. At the *púsher* level, larger quantities were sold on a

similar basis to wholesalers in the market, through a blind auction, except to regular clients who benefitted from fixed prices.

13. My having bought the stolen *aceite* obviously raises some ethical issues. As I have described elsewhere (Rodgers 2007a), I believe that ethics have to be interpreted very much in a situational manner, on a case-by-case basis. I did not commission the theft, which had already taken place, nor did I buy more stolen goods from the gang members, although I admit that when other market sellers subsequently sought to buy stolen goods, it may have encouraged gang members to engage in more thefts of this kind. On the other hand, this meant that they may have reduced their engagement in other forms of more violent crime.

14. I thank referee 4 for this brilliantly insightful tabular synthesis.

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