Philipp Wolfesberger (ed.)

DRUG ASSEMBLAGES

Policies, Counternarratives, and Local Experiences

[transcript] Global Studies

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Introduction

Militarization, Perfect Protectionism, and Assemblages for Transdisciplinary Dialogues

Philipp Wolfesberger

For over a century, the international community has maintained a policy of prohibition of the production, distribution, and consumption of drugs. The prohibition regime is anchored in international conventions,[1] and the "war on drugs" is its militarized strategy targeting the supply side of illegalized substances. This central component of global drug control strategies determines the ongoing challenges of how to address the issues related to drug trafficking. Even though the "war on drugs" is commonly regarded as a failed public policy (Geffray et al., 2002; Germes et al., 2023; Labate et al., 2016; Rolles & Slade, 2023), security policies continue to dominate drug policies. The global punitive framework has produced devastating repercussions for local communities in many parts of the world, while leaving the demand and circulation of drugs relatively unchanged. The core of this volume shows that the phenomenon of violence or insecurity in the Americas cannot be reduced to rivalries within the context of the drug trade. Instead, violence is shaped by state-society relations, multidimensional structural inequalities, and persistent intersectional power asymmetries.

1 The main conventions comprise the triad of the 1961 Single Convention on Narcotic Drugs, the Convention on Psychotropic Substances of 1971, and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

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Since the early 2000s, the global security regime has expanded from organized crime to the triple axis of drugs, terror, and borders. Basically, any social policy claim that can be narratively attributed to one of the three spheres automatically activates the other two, constructing them as general national security threats. Especially in times of authoritarian political practices, the counter-measures to this nexus focus on more high-tech surveillance, militarized police, and include the criminalization of specific groups associated with illegal practices. The most extreme example of this ongoing historical dynamic represents the decision of the U.S. administration under President Trump in early 2025 to equate drug trafficking groups with terrorist organizations. Since September 2025, the U.S. Navy has repeatedly bombed private ships and killed their entire crews along the Venezuelan coast due to alleged drug trafficking activities. These operations violate every basic understanding of human rights, maritime law, and international law (BBC News, 2025). However, they successfully legitimize martial solutions for public issues and instrumentalize the "drug trafficking problem" for geopolitical interests.

While militarized counter-narcotics operations reach a new phase, the global prohibition regime has also experienced significant changes since the 2010s. Many countries of the Western hemisphere carried through the legalization, decriminalization, and regulation of the medicinal and/or recreational use of cannabis. An examination of recent developments in the Americas offers a valuable perspective for ongoing regulation initiatives in Europe. The state of California has a long-standing history of legally distributing cannabis for medical purposes. California, currently the world's fifth-largest economy when compared to countries, has three decades of experience with cannabis production and administration, dating back to the 1990s. At that time, the U.S.-backed militarization of the international prohibition regime in Colombia reached its first peak, which then spread to Mexico from 2007 onwards. In 2012, the state of Colorado initiated the most recent wave of legalization of recreational use of cannabis in the U.S. By 2024, the use of cannabis for private consumption among adults has been legalized in 24 states, with six others having enacted policies of decriminalization

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(NCSL, 2024). The paradox of U.S. drug policy in recent decades is characterized by waves of legalization of internal markets while maintaining the federal prohibition regime that serves as the basis for international economic relations. This approach effectively implements a form of "perfect protectionism" (Wolfesberger, 2021), impeding competition on the global stage while concurrently fostering the consolidation of the domestic market. Although this development may not adhere to a master plan, it is the expression of the condensed phase of the economization of drug policy. After the period of moral and military prohibition, the focus has expanded to dominanting the legalization debate. High-level expert commissions and popular documentaries have highlighted the adverse consequences of criminal prosecution, illegal markets, and the valuable properties of cannabis for years. The prevailing liberal discourse on this matter typically alludes to a singular model of legality, namely market-driven commercialization.

In contrast, Uruguay took a more progressive step in 2013 by legalizing cannabis for recreational use and regulating its production and sale through designated pharmacies and registered growers. The legal status of cannabis in Canada changed at the end of 2018, allowing for its use by adults. However, it had been permitted for medical use since 2001. Mexico's decision to legalize medical cannabis in 2017 is noteworthy, even though the North American market has been dominated by publicly traded companies based in Canada and the United States. It is evident that major companies in the cannabis industry, like Canopy Growth, The Green Organic Dutchman, and Medical Marijuana, are strategically expanding into global markets. However, this effort comes with strings attached, as these enterprises are effectively sustaining existing structural inequalities in agricultural production and trade relations.

Despite the recent legal changes, in practice, market power and the narratives of legalization already lie with the United States and Canada. The current strategic emphasis is directed towards capital-intensive research initiatives and the trading of cannabis funds on the stock market. The transition of drug users to sought-after customers has led to the rise of the plant as a medium for commodity speculation. This development signals the conclusion of the process of economization and

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endangers the prospect of an emancipated health policy. In the context of the German regulation process, the potential benefits of legalization – including alleviating pressure on the judicial system, protecting young individuals, and weakening illicit markets – initially avoided neoliberal commercialization strategies. Nevertheless, the mounting influence of financial motives within the cannabis industry poses a significant challenge to this objective, as it prioritizes the pursuit of economic growth over the implementation of harm reduction policies. The effects of securitization, the presence of criminal groups, and the impact of changing trafficking routes continue to shape the lives of broad segments of society.

In the context of fluid legal frameworks and social orders, the prospect of violence appears to persist, but it is more complex than a polarized friend-enemy construction. This volume examines the concurrent ruptures and encounters of drug prohibition and reform, integrating conceptual critiques with local histories and regional studies. How can we counter the entrenched problem definitions of drug economies? How do the changing actors within it relate to one another? Interdisciplinary counternarratives provide new insights into the diverse histories of the drug trade, the political challenges it faces, and the vanguard of drug policy projects. The chapters also share the commitment to public regulatory and harm-reduction strategies tailored to the specific needs of local or regional contexts.

The conceptual guideline for this collection is the abstract notion of *assemblages* that highlights fluid entanglements without unidirectional relationships. In *A Thousand Plateaus,* Deleuze and Guattari (1987) introduce the concept of assemblages primarily to explore power, identity, politics, and creativity in non-totalizing, nonlinear ways. "[I]t is not the *arrangement* or *organization* but the *process* of arranging, organizing, fitting together." (Wise, 2011, p. 91, original italics) This process demonstrates the transdisciplinary research requirements for developing counter-studies and alternative knowledge production in response to a securitized canon.

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> An assemblage is not a set of predetermined parts (such as the pieces of a plastic model aeroplane) that are then put together in order or into an already-conceived structure (the model aeroplane). Nor is an assemblage a random collection of things, since there is a sense that an assemblage is a whole of some sort that expresses some identity and claims a territory. An assemblage is a becoming that brings elements together. (Ibid.)

Assemblage theory has been effectively expanded into biopolitics and the life sciences. Related topics such as social control, health discipline, and institutional power are most prominent throughout all drug-related issues discussed in this volume. The sociologist Nikolas Rose (2006) reminds us that "[t]he regulation of life forms a biopolitical assemblage, a network of relations between practices, institutions, and discourses that shape the conditions of life itself" (Ibid., p. 94).

Furthermore, assemblages stand for the heterogeneity in the presentation of the selected works in this volume. They differ in length and writing style, but through their relationship, they should contribute to an assembled critical analysis and knowledge production. The authors draw on historical research, media studies, political science, criminology, bioethics, and sociology. They offer incisive and interwoven analyses of key concepts, unpacking the intertwining of violence and drug economies. An inter-American perspective is always present, as the topic cannot be understood in isolated national containers. In addition, the volume aims to bring together studies on drug trafficking and drug policies for future conceptualizations of transformative politics and links to current cannabis legalizations elsewhere. Hence, it is crucial to maintain an open debate, avoiding the closure of one-sided problem definitions that rely solely on militarization or economization as interpretative frameworks.

The authors discussed most of the contributions of this volume at the workshop "Entanglements of (Il)legality and violence: Drug trafficking and drug policies in the Americas" in June 2024 at the Center for Interdisciplinary Research at Bielefeld University. The interdisciplinary encounter focused on two multidimensional research axes of (1) violence

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and drug trafficking, and (2) inquiries of the local and regional. Both require interdisciplinary approaches from the social sciences and humanities that integrate conceptual and empirical studies.

The volume is divided into three sections. The first part focuses on the conceptual panorama of the late "war on drugs". The opening chapter by Oswaldo Zavala critiques how the U.S. security state expands military and surveillance power by redefining threats, like "cartels" and "terrorists", to justify transnational control. It argues that this "border industrial complex" masks state violence in regions such as Ciudad Juárez and Gaza through similar securitarian narratives. In the same line, Philipp Wolfesberger traces how definitions of organized crime, rooted in Western colonial frameworks, have historically reinforced power asymmetries and biased law enforcement practices. He calls for a decolonial rethinking of criminology that contextualizes organized crime within Latin American realities and challenges universalist, colonial conceptions shaping global policy.

The second part groups histories and sociologies of the drug production, consumption, and their criminalization. First, Lina Britto reinterprets Colombia's internal conflict by linking it to state formation – rather than state weakness – shaped by internal colonialism and U.S. influence. She shows how these dynamics turned marijuana production from a harmless, informal economy into a violent one, while emerging cannabis movements now seek to promote peace and social reconstruction. Second, Jakob Krusche uses a socio-historical case study of a rural Mexican municipality to explore how its integration into the global drug economy reshaped local society over the course of five decades. He investigates to what extent the ensuing societal developments are uniquely caused by this economic activity. Long-term effects include the prevalence of a pragmatic, economically driven habitus among the local population. The third chapter analyzes how Argentina's punitive drug policies disproportionately criminalize poor women, revealing deep class and gender inequalities. Through statistical data, interviews, and court rulings, Martina Lassalle shows that judicial practices focus mainly on minor, non-violent offenses, exposing the "war on drugs" as a war against marginalized women.

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The third section, "Frictions, Perspective, Encounters," opens the debate on drug policies through the eyes of bioethics, rural peace activism, and legal studies. The authors propose and test hypotheses about current events and prospects in Mexico, Colombia, and Ecuador. The chapter by Jorge Lineares argues that while states must inform citizens about the health risks of cannabis and other psychotropic drugs, they have no justification for criminalizing consumption or prohibiting regulated production. Within a bioethical and cultural framework, the author defends the individual right to drug experimentation, paired with personal responsibility and state obligations to provide accurate information and harm-reduction support. Estefanía Ciro examines Colombia's current drug policy under President Gustavo Petro, highlighting tensions between ending prohibition and transforming illegal markets. She introduces the concept of "armed regulation" of cocaine and cannabis markets, critiques their militarized control, and proposes shifting from prohibitionist enforcement to alternative forms of regulation. The volume closes with an analysis of Ecuador's evolution from a peripheral "drug transit country" to a central hub for cocaine trafficking to Europe. Jorge Paladines highlights how Ecuador's geography, port accessibility, use of the U.S. dollar, and integration into legal trade networks (notably banana exports) have facilitated the emergence of illegalized economies. The text analyzes the resulting surge in violence, institutional challenges, and human rights issues, while emphasizing the prominent role of European criminal groups in establishing dominant positions over trafficking operations in Latin America.

The presentation of this volume advocates for transdisciplinary dialogues that bring together academic and non-academic knowledge. The fight for open debates is crucial for this effort. The complexity, regional scope, and powerful socio-economic entanglements make drug policy and related issues a valuable area for reshaping broader paradigms. The assemblages of drug policies and trafficking are never final, so although this volume offers new insights, it is only another step toward emancipatory politics.

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Section I: Conceptual Panorama of the Late “War on Drugs”

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The Moving Border Industrial Complex

Securitarian Narratives from Gaza to Ciudad Juárez

Oswaldo Zavala

Introduction

On the night of January 31, 2010, what can be described as a paramilitary group killed 15 people, including 10 high school and university students, during a birthday party in the precarious Villas de Salvárcar neighborhood, located on the outskirts of the border city of Ciudad Juárez, in northern Mexico. This massacre, like many others in a country militarized after the U.S.-Mexico "war on drugs" since 2006, is exemplary of how security discourses and agendas operate at the global level and frames Ciudad Juárez within a transnational politics of extermination that takes place simultaneously in numerous regions of the planet. In all these sites of extreme violence, victimized populations have a constant profile: poor, racialized, disproportionately young bodies, killed with weapons produced by global powers and narrated as "wars" whose objectives have historically changed – communism, drug trafficking, terrorism – but which yield comparable effects.

At the U.S.-Mexico border, where I focus the attention of these pages, the securitarian narratives are constitutive of what U.S. journalist Todd Miller calls the "border industrial complex," the pernicious network of government agencies, politicians, and the transnational security industry that sustains a very lucrative sector of the global homeland security market that extends beyond the political border into the territories of both neighboring countries. In what follows, I will first refer to a critical

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framework to problematize the militarist anti-drug policy as an extraterritorial platform that legitimizes the official administration of violence for social control. I will then discuss the deployment of armed forces as part of the profitable transnational border military-industrial complex that links Ciudad Juárez with other border areas of conflict, as in the specific case of Israel and Palestine. Finally, I will reflect on how the Villas de Salvárcar massacre has been mediatized by the authorities as a mistake perpetrated by "sicarios" who sought to eliminate a rival gang. I will show, instead, how the U.S.-led anti-drug militarization strategy for Latin America is in consequence with the murderous transnational politics of extermination experienced between Gaza and Ciudad Juárez.

Global Securocratic Violence

In late June of 2025, after President Donald Trump ordered bomb strikes on three nuclear sites in Iran, the Los Angeles Police Department (LAPD) in the state of California announced patrols "near places of worship, community gathering spaces and other sensitive sites" (Citi News Service, 2025). Responding to an unfounded expectation of terrorism, the city of Los Angeles, on the west coast of the country, was confronted with prejudiced policing at the same time it experienced demonstrations from the Mexican community against the violent deportation raids from Trump's extreme anti-immigrant agenda. While the LAPD was on alert for a potential attack despite having "no known credible threats," President Trump ordered U.S. Marines to contain the demonstrations, in many instances against peaceful protestors.

Let us notice how different security threats (terrorism, undocumented migration) are articulated by state agencies and converge in the same city on racialized and vulnerable communities (Mexicans, Muslims) exposed to state violence. At the same time, federal and local authorities blame those very communities for the unrest and even for nonexistent threats. This is, in sum, the recurrent expression of global and domestic security discourse weaponized to justify the deployment of armed soldiers to discipline dissident minority citizens.

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The transborder militarist projects of the "war on drugs" and the "war on terrorism" are the byproducts of the securitarian agenda that began in 1947 with the passing of the National Security Act in the U.S. Congress that created the key institutions of this era, the Department of Defense, the National Security Agency (NSA) and the Central Intelligence Agency (CIA), among others. These institutions have since articulated the securitarian rationale that continuously configures external enemies of the U.S. hegemony since World War II. After the Cold War, the conventional enemy founded in the communist and the "red scare" was replaced in the mid-1980s by drug trafficking organizations during the Ronald Reagan presidency.[1]

Since the terrorist attacks of September 11, 2001, global terrorism has added yet another layer to the general security discourses of Western countries. In the 21st century, undocumented migration joined the catalog of security threats to the U.S. and Western European allies. In 2025, the Trump administration officially designated undocumented immigrants as "significant threats to national security and public safety".[2] At the same time, his government designated Mexican "cartels" – and other organizations such as the "Tren de Aragua" and the Mara Salvatrucha – as "foreign terrorist organizations" following the lead of Texas governor Greg Abbot, who ordered a similar designation in 2022.[3] This is how Trump's executive order describes Mexican "cartels":

> The Cartels have engaged in a campaign of violence and terror throughout the Western Hemisphere that has not only destabilized countries with significant importance for our national interests but

1 See the second part of Oswaldo Zavala, *La guerra en las palabras. Una historia intelectual del "narco" en México (1975–2020)* (México: Debate, 2022).

2 See the full text of this executive ordered issued by the Trump White House on Jan. 20th, 2025: https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/.

3 See the full text of the Trump executive order for the designation of "drug cartels" as foreign terrorist organizations: https://www.whitehouse.gov/presidential-actions/2025/01/designating-cartels-and-other-organizations-as-foreign-terrorist-organizations-and-specially-designated-global-terrorists/.

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> also flooded the United States with deadly drugs, violent criminals, and vicious gangs.

From this perspective, "cartels" are seen operating at the level of global terrorism, that is, as an imminent danger to Western civilization as a whole, threatening the very fabric of Western societies.

Israeli anthropologist Jeff Halper has pointed out that the nexus between terrorism, drug trafficking, and undocumented migration does not accurately describe these phenomena but emerges from a security model conceived in part by Israel in its decades of military occupation of Palestine. All of this makes possible what he calls a "global pacification system," which functions as a transnational platform for permanent war against enemies manufactured by the Global North (Halper, 2015, p. 14).

By "pacification," we must understand here a perverse rhetorical turn that names a violent military and police structure that has transformed the border region since the late 1980s. Halper explains that after World War II, global superpowers rarely confront each other directly and instead turn to third countries as proxy war sites. The conflict between Iran and Iraq in the 1980s was the last conventional war until Russia's invasion of Ukraine in 2022. But the experience of violence has not decreased even if there are no national armies fighting each other in an explicit and rules-based war. What has changed is the place and the populations affected. According to Halper, in the early decades of the 20th century, between 85% and 90% of the victims were soldiers. By the end of the 1990s, 80% of the victims were already civilians. Since then, armed conflicts in countries damaged by unconventional wars have generated at least one million refugees and displaced persons around the globe (Halper, 2015, p. 21).

The research collective Costs of War at Brown University counted hundreds of U.S. military actions following the terrorist attacks of September 11, 2001, including drone strikes, ground combat, training, and joint operations with foreign armed forces in countries such as Afghanistan, Pakistan, Iraq, Syria, and Yemen. As a direct result of these military actions, it is estimated that between 905,000 and 940,000 people have been killed, in addition to indirectly causing the death of be-

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tween 4.5 and 4.7 million people. Collectively, U.S. militarism since 2001 has displaced some 38 million people and has had an economic cost of $8 trillion.[4] This process, far from attenuating, is exacerbated: between 2018 and 2020 alone, the Brown collective has registered U.S. military actions – supposedly against terrorism – in 85 countries around the world. The paradox of this shocking account of the militarism that the United States leads at the planetary level is that it often goes unnoticed. The few military actions that do make it to the media are narrated as part of the "national security" objectives of the U.S. and its allied countries.

Cultural anthropologist Allen Feldman coined a term useful for the general sense of this era of militarization and global extermination: "securocratic war." This is the name given to the "de-territorialized campaigns of public safety" that are carried out in numerous countries, including, of course, the border region between Mexico and the United States, where the objective is to rid the territory of the "invasion" of undesirable bodies narrated as threats to the security of those countries. Through a violent military and police biopolitics, "the Other ceases to be a colonial subject, a proletarian, a dispossessed but struggling racial minority, a communist and re-appears as the drug dealer, the person living with AIDS, the illegal immigrant, the asylum seeker, and the terrorist" (Feldman, 2004, p. 331). A double process of depoliticization and deterritorialization then occurs: the enemies that supposedly threaten the security of the Global North are denied a political subjectivity, and therefore, they become archetypes often conflated in the same person. The migrant is equal to the drug trafficker, who in turn is equivalent to the terrorist. The three are, repeatedly and extrapolated, poor and brown young people who live brief and redundant lives, sacrificed by a security drive produced as a state security policy that links them to the same process of extermination.

4 See the website of the Costs of War collective at Brown University's Watson Institute of International and Public Affairs, which convenes the work of about sixty academics from different fields, experts in international affairs, human rights activists, and doctors from around the world: https://watson.brown.edu/costsofwar/.

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The deployment of the U.S. Marines and National Guard troops in Los Angeles to contain protesters that, in Trump's own words, were "insurrectionists", mobilized the securitarian language in full circle (Bowman, 2025). Mexicans and Muslims were no longer considered legitimate U.S. citizens: they were, in fact, symbolically transformed into the enemy in a state of war. In such conditions, soldiers were called to occupy Los Angeles. They cross the city borders to pacify it, that is, to conduct a securocratic war on U.S. territory.

The Border is the Infrastructure

A federal law in the United States designates an expanded border region within 100 miles of any territorial or maritime boundary. This places two-thirds of the U.S. population, about 200 million people, as border residents, including those in most of the country's largest cities (Chicago, Los Angeles, New York) and even entire states like Florida.[5] The two major federal agencies operating in the border region, Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP), have seen their budget dramatically increase to $30.2 billion in 2024, nearly double from 2012. Federal contracts for the major security companies providing border security infrastructure – Lockheed Martin, Northrop Grumman, Accenture, CoreCivic, Boeing, among others – amounted to over $28 billion during the presidency of Joe Biden alone, while those same companies favored Biden with three times the campaign contributions gifted to Trump during the 2020 presidential election (Miller, 2024). Altogether, the global homeland security market is projected to escalate from $661.98 billion in 2024 to $1,108.94 billion by 2033 (Rai, 2023).

Rephrasing President Dwight Eisenhower's warning against the "military-industrial complex," journalist Todd Miller has investigated

5 See the explanation of the American Civil Liberties Union about the 100-mile border zone: https://www.aclu.org/know-your-rights/border-zone.

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what he calls the "border industrial complex".[6] Within the U.S. defense budget, border infrastructure has become an extraordinary dimension of the imbricated relation between the federal government and national and transnational defense contractors. A yearly display of the border industrial complex takes place during the "Border Security Expo," a two-day event in Phoenix, where the most influential government leaders, law enforcement officials, and industry innovators gather to tackle the most pressing challenges in border security.[7] The expo, hosted for nearly two decades in El Paso, Texas – the city where the Border Patrol was established in 1924 –, and other cities in the southwest, convenes more than 200 exhibitors from the defense industry with security equipment such as drones, "smart" towers, robodogs, AI-driven surveillance tools, biometric data analysis, and other military-grade technology. Among other attendees are high-ranking federal officials from CBP, ICE, DEA, Homeland Security, and the White House. Among the hundreds of military and surveillance technology companies present in 2025, there was Caci International, involved in the torture of Iraqi men in the infamous Abu Graib prison in 2004; the GEO Group, an ICE contractor that refused to pay immigrant detainees more than $1 a day for cleaning facilities; Triple Canopy, which was created by U.S. Army Special Forces veterans who founded the mercenary group Blackwater; and Anduril Industries, which is linked to Palantir, which provides surveillance and facial recognition software for the federal government (Macdonald-Evoy, 2025).

6 See the complete President Eisenhower's 1961 farewell address, in which he argued: "This conjunction of an immense military establishment and a large arms industry is new in the American experience. […] Yet we must not fail to comprehend its grave implications. […] In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist." Available at the National Archives website: https://www.archives.gov/milestone-documents/president-dwight-d-eisenhowers-farewell-address.

7 See the official website of the Border Security Expo: https://www.bordersecuritytexpo.com/why-attend. The expo began in 2007.

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"The border, one might presume by the looks of the exhibition hall," writes Todd Miller, "is a never-ending war" (Miller, 2024).

The U.S. defense system – the largest on the planet – had a budget of $877 billion in 2022, larger than that of the next ten countries combined, including China and Russia.[8] The Border Patrol, the largest security institution of the U.S. federal government, doubled in size from 2003, when it was incorporated into Customs and Border Protection (CBP) as an agency of the Department of Homeland Security (DHS). Since then, the latter has allocated $333 billion to reinforce the border. CBP's budget also increased exponentially from $5.9 billion in 2003 to $17.7 billion in 2021 (American Immigration Council, 2021).

Between 2008 and 2020, the U.S. government awarded 105,997 contracts to transnational companies that, in addition to military drones, offer the most up-to-date surveillance technology with a value of $55.1 billion (Miller and Buxton, 2021). In contrast, the DEA could only offer partial evidence that Joaquín "El Chapo" Guzmán generated some $14 billion as the alleged leader of the "Sinaloa Cartel" between 1989 and 2017. Spending on border security between 2008 and 2020 alone was almost four times greater than the estimated profits generated by "El Chapo" in his entire criminal career (The United States Department of Justice, 2017).

The investment by the United States and Mexico in Israeli surveillance technology and weapons is very significant for conducting the securocratic war at the border in the context of the Israeli "laboratory" in Palestine, as a general of the Israel Defense Forces publicly called it during the Border Security Expo in El Paso, Texas (Miller, 2019, p. 75). The production of weapons and equipment for surveillance and social control of occupied spaces is, in fact, the niche market of Israeli companies such as Elbit Systems, the builder of the wall that separates the West Bank from Israel. Its "Hermes" drones were the first Unmanned Aerial

8 The list of the top 15 countries on the planet with the largest annual military budget is available on the Stockholm International Peace Research Institute (SIPRI) website: <https://www.sipri.org/research/armament-and-disarmament/arms-and-military-expenditure/military-expenditure>.

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Vehicles (UAVs) to fly over the U.S.-Mexico border in 2004, after monitoring the skies over Gaza. It is no coincidence that the Trump administration launched a covert program that expands secret drone incursions over Mexican territory under the pretext of a "more aggressive campaign against drug cartels" (Barnes et al., 2025).

The same company was awarded a $145 million contract in 2014 to build smart towers with motion sensors and cameras in Nogales, Arizona, with a range of more than seven miles (Dawson, 2018). By 2016, Elbit Systems was already partnering with the Israel Defense Forces (IDF) and the U.S. government to develop anti-tunnel technology for the Mexican border (Viva Sarah Press, 2016).

Then there's NICE Systems, a company created by former IDF soldiers who won contracts from controversial anti-immigrant sheriff Joe Arpaio of Maricopa County, Arizona, accused of violating immigrants' human rights and due process while promoting racist and prejudiced policing since he was elected in 1993 until he lost reelection in 2016 (Miller & Schivone, 2015). Or the Golan Group, also founded by former Israeli military officers who trained Homeland Security and U.S. Immigration and Customs Enforcement agents to use Krav Maga, the Israeli martial art for hand-to-hand combat (Miller, 2019b). Between 1946 and 2022, the United States gave Israel a total of $317 billion in aid packages, of which $225 billion went to military operations (USA Facts, 2023). In 2023 alone, $1.934 billion was allocated to develop more tunnel detection technology (United States Government Accountability Office, 2023).

On the Mexican side, Elbit Systems won another $22.5 million contract from the Mexican Air Force in 2008 that included the same Hermes drone now used in anti-drug operations. In 2009, Mexico's Federal Judicial Police paid another multimillion-dollar contract for drones manufactured by the Israeli firm Aeronautics Defense Systems. In 2011, the Israeli company NSO exported to Mexico the cyberespionage software known as "Pegasus" (Scott-Railton et al., 2018), which the Ministry of National Defense continues to use illegally against journalists, activists, and human rights defenders (Kitroeff & Bergman, 2023).

The creator of the West Bank wall himself, Israeli Colonel Dany Tirza – who for years has claimed without any evidence that there is a link

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between Hamas terrorists and Mexican traffickers – is the CEO of Yozmot Ltd, a security firm that is seeking contracts with U.S. and Mexican authorities to implement controversial body cameras with facial recognition capabilities for police officers to scan crowds, a technology first tested on Palestinians as a form of social control (Cheslow, 2022).

In 2025, the U.S. Congress passed what the Trump administration called a "big, beautiful bill" that cut taxes benefiting those with the highest incomes while dramatically increasing spending on border security: $170 billion for immigration enforcement and $75 billion in additional funding for ICE, now the law enforcement agency with the largest budget (Montoya-Galvez, 2025). Also in 2025, Trump ordered the Department of Defense to seize a 273-kilometer, 18-meter-wide strip along the U.S.-Mexico border from El Paso, Texas, to San Diego, California, known as the Roosevelt Reservation, along with an area stretching 101 kilometers in Texas, from El Paso to Fort Hancock (Del Bosque, 2025). What Trump now calls "national defense areas" are the result of a gradual process of border militarization operating since the 1980s in which both Democratic and Republican presidents have collaborated, from the presidency of Ronald Regan to that of Bill Clinton (Dunn, 1996).

The border is now made of security infrastructure, or as philosopher Huub Dijstelbloem argues, the borders must be understood as infrastructure, "composed of myriad linkages between states and people, public and private, connectivity and collectivity" (Dijstelbloem, 2021, p. 26). Border security infrastructure builds large-scale networks with profound local implications, transforming communities and their environment, enabling violent exclusion practices, denying citizenship, and even basic humanity status. Let us consider, in the final section, how border security and its infrastructure have intimately transformed life at the Juárez-El Paso border.

Gaza in Ciudad Juárez

The transnational violence of the securocratic war against Mexican "narcos" was expressed that night of January 31, 2010, with the murder of

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15 people, including 10 high school and university students, during that birthday party in the Villas de Salvárcar neighborhood, a precarious residential area on the outskirts of the city. The killers arrived in at least four SUVs and closed all access to the narrow street. According to Ricardo C. Ainslie's *The Fight to Save Juárez: Life in the Heart of Mexico's Drug War* (2013), one of the armed men, carrying an AK-47, ordered one of the parents to move away from the street because they were conducting an "operation" (Ainslie, 2013, p. 184). In the narrative of the book, there is a tension between the information that the reporter collects and the powerful media narrativization of the "war on drugs" as a totalizing hegemonic discourse, mainly guided by DEA agents consulted by the reporter. We see here the configuration of what I have called elsewhere the official *narconarrative* as a process that transforms the possibility of an illegal "operation" probably conducted by state or para-state agents, and the way in which the same event was later reintegrated into the logic of organized crime, as I will now discuss.

The massacre as an expression of a violent transnational anti-drug policy, propelled by criminal militarism, was erased by the narconarrative through two simultaneous processes: first it was framed as one more shootout between rival traffickers, assuming that the victims "were up to something," as President Felipe Calderón said a few hours after the murders based on initial intelligence reports he said he received during an official visit to Japan (Sin Embargo, 2020). And second, and most importantly, by building a public perception of the perpetrators of the crime. As it happened in 2014 with the disappearance of 43 students from the Ayotzinapa rural normal school, the parents of the Villas de Salvárcar students refuted President Calderón's initial statement by demonstrating their children were not involved in any illegal activities at all. But while the innocent victims escaped the government's attempt at criminalization, the massacre remained within the official narrative when the DEA and Mexican federal police told the media that the students were killed by "sicarios" from the "Barrio Azteca" gang in the service of the "Juarez Cartel" who mistakenly assumed the students were members of a local gang working for the rival "Sinaloa Cartel" (Granados, 2010).

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National and international media play a key role in constructing the dominant imaginary of the so-called "war on drugs" by reproducing the racist and classist narratives of powerful and bloodlust Mexican "narcos" that, in turn, justify police and military violence in numerous regions of the country. The narrative of drug organizations exerting some form of criminal governance is derivative of the U.S. national security agenda, as I argued before, and it deploys through the coherent and consistent work of media propaganda. Media coverage provides a context for academic work analyzing the drug trade, for policy reports from non-governmental organizations, and for a proliferation of cultural products that validate the explanation of violence in Mexico as a "war" between criminal groups and against the State. At the same time, it erases the context of global militarism in which transnational anti-drug policy is historically inscribed. Exactly that story was validated by most of the media and repeated as fact, even without specific sources to corroborate it, in books such as *El Chapo: The Untold Story of the World's Most Infamous Drug Lord* (2021) by journalist Noah Hurowitz, who even reproduces an imagined dialogue between the alleged murderous gang members (Hurowitz, 2021, p. 201).

The official investigation was questioned from the beginning when the Mexican Supreme Court of Justice found that one of the alleged "sicarios" arrested days after the massacre had confessed under torture (Aranda et al., 2013). A second person implicated, José Antonio Acosta Hernández, alias "El Diego," allegedly the leader of "La Linea," the "armed wing" of the Juárez Cartel, as the DEA called it, was arrested on July 29, 2011, and charged with ordering the Villas de Salvárcar massacre (Hinojos, 2011). This time, before processing his extradition, the federal police released a video with Acosta Hernández confessing to the massacre, but also accused him of 1,500 other murders, the shooting of a U.S. consulate employee and her husband, and even a car bomb attack that killed four more people in Juárez.[9] "El Diego," according to authorities, would have exponentially surpassed the historical record

9 The video of "El Diego" confessing is available on YouTube: https://youtu.be/BM7yEvNb52E.

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set by the "most prolific serial killer in American history," a man named Samuel Little, who confessed to 93 murders in a 35-year criminal career, although the FBI only verified 50 cases (Ximénez de Sandoval, 2019).

Let us consider the weapons used in the Villas de Salvárcar massacre. The automatic Kalashnikov that was first produced in 1947 – the same year the U.S. passed its National Security Act – known as the AK-47 rifle, has an almost ontological link in Mexico with the mythological figure of the "narco", but its global popularity exceeds criminal organizations. There are more than 100 million units of AK-47s in official use in 106 countries around the world, and among armed insurgencies and paramilitary groups due to their simplicity and durability. Every year, some 250,000 people die because of its wounds. In most countries, each rifle costs between $100 and $300 (The Globalist, 2013). At least three of the weapons used in the Villas de Salvárcar massacre came from the failed "Fast and Furious" operation, conducted during the Barack Obama presidency, which illegally introduced over 2,000 weapons into Mexico to investigate their circulation among traffickers, but whose trail they lost until they reappeared in crimes throughout the country (Animal Político 2012). It is estimated that between 200,000 and 500,000 guns are smuggled into Mexico from the northern border. 70% of those recovered at crime scenes were purchased in the United States (Lemus, 2024).

The media has been a collaborator of the narco-narrative under the exhausted liberal and neoliberal conceptualization of the "free press." Recalling the media's influence on coverage prior to the U.S. invasion of Iraq, scholar Philip Seib argues that "how the public perceives war depends nowadays on the particular relationship that the media has with the government," so the "resulting imbalance of influence is intrinsically undemocratic and removes an important check on government power, which in turn alters the political dynamics of the public sphere" (Seib, 2013, p. 12).

Generating a mediatic consensus, the authorities prevailed by reinserting the massacre into the narconarrative: it was "sicarios" – perhaps accidentally – who killed the students in a "cartel war" for the Juárez

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"plaza" (Zavala, 2022).[10] I maintain, however, that what happened to the students of Villas de Salvárcar and their families was not another episode of collateral violence in the "war on drugs." Juárez journalist Ignacio Alvarado says that the militarization of the border has been an opportunity to carry out a strategy of "massive social cleansing against poor young people in marginalized communities. The perpetrators were often police and soldiers, and the killings served as proof that something was being done to fight crime" (Paley, 2018, p. 123).

Ciudad Juárez has indeed become a contested source of representation, constituted by powerful metaphors that insist on narrating the city as the site of a "war" led by criminal groups that defy the State and that cruelly and indifferently harm the civilian population. "The border is not only a system of representations, but a space of geopolitical interest that has historically produced militaristic perspectives," writes Juárez scholar Willivaldo Delgadillo in his book *Fabular Juárez* (2020, p.18). This system of metaphors and narratives is the essential tool for the expanding securitarian agenda, as we have seen.

The official explanation of the Villas de Salvárcar massacre has become a kind of perverse reference to justify crimes against humanity. One of its most recent reappearances occurred in the early hours of December 17, 2023, in the municipality of Salvatierra, Guanajuato, when an armed group broke into a Christmas party and murdered 11 young people between the ages of 16 and 36 (Vázquez, 2023). A process of fabulation like the one that operated in Juárez was deployed to narrate the Salvatierra massacre. The killers, according to the Guanajuato prosecutor's office, were members of a "cell of the Santa Rosa de Lima Cartel, which is fighting for the plaza with the Jalisco New Generation Cartel and keeping the area under fire" (Vázquez, 2024). They murdered the young people because they were forced to leave the party, and in revenge, they returned, accompanied by other armed men, to kill them. The banality

10 The concept of the "plaza" or drug trafficking hotbed was introduced in the 1970s. See the section "Who Controls the Plaza? The City, the State, and Organized Crime" in my book: *Drug Cartels Do Not Exist. Narcotrafficking in US and Mexican Culture*.

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of this evil is something much more naturalistic than the concept coined by Hannah Arendt to describe the Nazis' crimes during World War II: it is the irrational contempt for life attributed to lower-class youth and the reactive violence between criminal groups that supposedly adopt strategies of terror to intimidate the population without any functional logic or business profit.

But the shared experience of the global "pacification" system of transnational militarism, applied to countries of the Global South, links massacres such as those of Villas de Salvárcar and Salvatierra, Guanajuato, with the horror of any military occupation. It is here that Ciudad Juárez, "the laboratory of our future," as journalist Charles Bowden called it in 1998, is intertwined with the "Palestinian laboratory" of Israeli technology of military occupation, as described by journalist Antony Loewenstein in 2023. He writes: "The Global South has been controlled and pacified with (principally) Israeli and U.S. weapons. Neither anti-Semitism nor extremism has been an impediment to collaboration with states that plunder assets or people. […] A historical reckoning of Israel's involvement with some of the twentieth and twenty-first centuries' most depraved regimes is required" (Loewenstein, 2023, p. 37).

This is the link established by the parallel military occupations between Gaza and Ciudad Juárez. That is the 69,000 people killed in Gaza during the Israel-Hamas conflict at the time of writing (Shurafa, 2025). Two-thirds of the victims have been women and children. In 2010, the peak year of the anti-drug militarization in Ciudad Juárez, more than 3,500 homicides were registered with a rate of more than 250 murders per 100,000 inhabitants (Asmann & Alvarado, 2023). This represented an increase of more than 1,000% compared to 2007, the year before the start of the deployment of the armed forces in the city ordered by then-President Felipe Calderón. In the middle, there are the young victims, poor and brown, between Mexico and Palestine, narrated by their executioners as criminals or as terrorists. Far from a "cartel war", the demographics of the affected population in Mexico echo the extermination of civilians in Gaza: between 2007 and 2022, young people between 15 and 29 years made up 36% of the 420,000 victims of the so-called "drug war".

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Between 2006 and 2022, of nearly 250,000 people reported missing, over 109,000, or 44%, were also between the ages of 15 and 29 (Arista, 2023).

In a conference in Mexico City in 2012, Achille Mbembe defined his concept of necropolitics as the expression of armed conflicts in which the most vulnerable citizens are sacrificed as part of redundant populations through a practice of extermination that appeals "to a fictionalized or phantasmatic notion of the enemy" (Mbembe, 2012, pp. 130–39), always about to strike. It is the state logic claiming that "we can kill without distinction whoever we deemed to be our enemy" (Ibid.). What is known in social science as "redundant" or "surplus" populations, defined "as a bloc of humanity rendered as structurally unnecessary to a capital-intensive economy", has become "an emerging target for the post-welfare security state" (Shaw, 2016, p. 19).

In the cruelty of hemispheric necropolitics, the concept of a "war on drugs" appears only as a fable that distorts our understanding of violence. As an interpretative framework, the notions of "the war" and "the drugs" reach a point of exhaustion. Do we speak of "war" if militarized groups carry out "operations" of indiscriminate extermination of innocent civilians? How are "drugs" the main object of criminal organizations that, according to the authorities of Mexico and the U.S., now perpetrate "a host of crimes" that have little or nothing to do with narcotics? Journalistic work is conflated with the hundreds of films and television series intervened by the Pentagon, the State Department, the FBI, the DEA, and the CIA, from the conceptualization of scripts to the approval of technology, equipment, and weapons used in those productions. It's what Matthew Alford and Tom Secker call the "national security" entertainment industry. "National security entertainment promotes violent, self-regarding, American-centric solutions to international problems based on twisted readings of history," the researchers explain. From government declassified records, they have surveyed 814 films and 1,113 television titles that were directly intervened by U.S. security agencies to align them with a favorable message for that country's national security agenda (Alford & Secker, 2017, p. 8).

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The Securitarian and the Securitized Subject

There are, nonetheless, at least two fascinating types of political subjectivities that emerge from both the "war on drugs" and the "war on terrorism." First, through the discourse articulators, there is what I would venture to call the "securitarian subject," that is, the one that actively engages with the political objectives of the narconarrative: the elected official, the police agent, the soldier, the reporter of most media outlets. And second, a type of disciplined consumer of the narconarrative that we may call the "securitized subject," the one that internalizes the coordinates of enunciation and performs literal and symbolic actions in response. These are shifting subjectivities, and a person may move from one to the other, oscillating between the securitarian and the securitized, between the narrator and the narrated persona of the narconarrative.

The construction of our understanding of drug trafficking continues to be anchored on the epistemic boundary, reinforcing the prevalence of the hegemonic narrative of the "war on drugs" exploited in turn by a proliferation of cultural products. Strongly mediated by what Pierre Bourdieu termed the state's "monopoly of symbolic violence," journalism and the entertainment industry frame drug trafficking within the ideological terms of the "war on drugs" sometimes narrated as a detective noir novel, as a western where the sheriff fights the outlaws, and as the terrifying conflict between powerful organizations that surpass state power (Bourdieu, 2014). This tendency is due to a politics of knowledge production in line with the habitus of interpretation constructed by security institutions that simultaneously condition leaks to the journalistic mainstream but limit public access to their archives and military anti-drug operations.

Ultimately, academic histories of drugs run the risk of falling trap to the same epistemic mediation of the "war on drugs" narrative. Following the pioneering work of Mexican sociologist Luis Astorga (2007), to the more recent investigations by Dawn Paley (2020), Guadalupe Correa-Cabrera (2017), and Alexander Aviña (2016), among others, we must assess an epistemological and practical break between our work and the implanted logic of the "drug war." The latter is a symbolic platform

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that creates its discursive objects ("narcos", "cartels", "sicarios", and the "wars" between them) that feed a securitarian language justifying the violent incursion of armed forces in the Global South. More than another history of the drug trade, I investigate then a history of the "war on drugs" weaponizing the drug trade. A permanent journalistic and academic agenda for the Global South is to instigate a critical understanding of the security state, its monopoly of physical and symbolic violence, and its continuous necropolitics against redundant populations.

Argentine anthropologist Rita Segato observes that the violence experienced in Ciudad Juárez and Gaza signals a new global order based on the exhibition of impunity and the extermination that dissolves the rule of law and legitimizes the power of death. It is the Western democracies that express it. Segato explains: "In Ciudad Juárez they are telling us that they have power, they are telling us that they are not to be punished for their crimes, and that, on a global scale, is Gaza. It is the definitive spectacle of impunity and jurisdictional power" (Guillén, 2024).

And although the efforts to try to understand what happened that night in Villas de Salvárcar are interrupted or fail, let us look for a double process of signification to deconstruct the perverse propaganda agenda of the securocratic war against the most vulnerable populations and to at least reconstruct the history of this military occupation in the name of national security. This may be a possibility to desecuritize public life and to recover the legitimacy of our communities excluded from global citizenship, beyond any metaphor that criminalizes vulnerable youth, oblivious to any fable that distorts our present.

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Decolonizing Organized Crime

Philipp Wolfesberger

> "We'll get the crooks. Then we'll find the law."[1]

Introduction

In the demise of U.S. prohibition in the early 1930s and the dawn of federal prosecution of providers of illegal goods, the legal frameworks often lagged behind policing operations. The urgency required to detain criminal activities within a blurry legal zone of limited guiding principles. The means justified the ends. To "get the crooks" and then create a suitable law to process them has been part of law enforcement whenever organized crime surfaced in the form of new criminal actors or practices. Still, such a procedure has severe downsides, because it exacerbates existing social inequalities and in practice, the force of law does not apply equally to all. Therefore, what organized crime means and what it implies matters greatly, not only for New York's Five Mafia Families.

Academia, media, historical experiences, and penal codes from the Euro-Angloamerican world have always dominated the contested definitions of organized crime. In the early 20th century, when the terminology evolved, the public perception of organized crime in the U.S. was

1 F.B.I. Agent Jim Tolliver, TV character in series Boardwalk Empire (2013), Season 4, Episode 8 "The Old Ship of Zion". Episode written by Cristine Chambers and Howard Korder, directed by Tim Van Patten.

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often associated with the criminal activities of foreign, ethnically homogeneous groups. This "Alien Conspiracy Theory" grew into the "Mafia" and later "illicit enterprises", definitions that focus on the supply side of illegal products and services. After declaring the "war on drugs" in the early 1970s, the drug trade networks of Colombia and, later, Mexico became labeled "cartels" or "narcos" and synonyms for specific forms of organized crime. Since then, the social, political, and economic repercussions of the nexus of drug trafficking and organized crime are especially relevant for the Americas. In the new millennium, the dynamics of globalization and international terrorism have further transformed the concept of organized crime into "Transnational Organized Crime."

Throughout the historical entanglement of the definition and empirical studies of organized crime, a constant drift emerges between the localization of the phenomenon and universalist theoretical and legal approaches, engendering violent power asymmetries. Western definitions shape policies and everyday life experiences worldwide, often perpetuating colonial conditions. Subsequently, anti-colonial theories advocate for epistemic decolonization. "The categorial oppression is none other than the consequence of coloniality in the field of knowledge and of subjectivity" (Segato, 2015, p. 40).[2] Argentinian scholar Rita Segato sees the first step in understanding the dynamics of the coloniality of power as the deconstruction of such a *Procrustean bed*.[3] This means critically exposing the arbitrary and unreachable norms that are not conceived for the realities in which they are rigorously applied. In this line, this chapter engages with the colonial imprint in the theoretical and historical debates of organized crime. How does the concept of organized crime reproduce colonial dynamics in the Americas? How is the history of ideas of organized crime shaped by coloniality?

In the first part, I will present some relevant works on decolonization quests of the criminal question and criminology. The second part

2 All translations from non-english original literature by the author.

3 Segato draws inspiration from the ancient Greek myth of Procrustes, a bandit from Attica who would make his victims fit into an iron bed, either stretching them or amputating their limbs.

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summarizes the concept of Latin American decoloniality to establish the theoretical framework. Thirdly, I will discuss the histories of ideas concerning organized crime through this decolonial lens, focusing on three key strands: the colonial history of organized crime in the Americas, the theoretical references to organized crime in Latin America, and the problems associated with Transnational Organized Crime on a global level. Consequently, the theoretical proposition is sharpened by an interrelated dialogue with multiple practical phenomena. Finally, I will advocate for a re-examination of scholarly work guided by context-sensitive, systemic, or social network-related embeddedness as possible safeguards against the pitfalls of coloniality of knowledge.

Why decolonizing? On the Criminal Question and Criminology

Decolonizing means questioning Eurocentric, universally applied assumptions of social life and global entanglements that enhance asymmetrical power relations. Making ongoing colonial relationships and persistent dynamics of oppression and inequality visible (see Zambrana, 2021) sets a world in motion that builds on horizontal dialogues in knowledge production (Bhambra et al., 2018) and research methods (Kaltmeier & Corona Berkin, 2012). Decolonizing sociological studies (Gutiérrez Rodriguez et al., 2010) and political concepts (Mendoza, 2022; Clavé-Mercier & Wuth, 2024) is crucial in times of constant polarization.

One of the main topics of post-structuralist thinking focuses on punishment and the detailed configuration of society around prison systems, penal codes, security contracts, quantification of security problem definitions, and crime prevention propositions. These dynamics are mainly constituted through the colonization of the non-European world, overshadowing local experiences and social orders. Anti-colonial studies, comprising studies of postcolonialism, decoloniality, abolitionism, and settler colonialism, share aspects of decolonial endeavors and punitive approaches, but also differ in certain assumptions and historical analyses due to regional specificities.

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The rule of law and its unequal application in colonial worlds are central pillars of colonial domination. Two main efforts to overcome the tight web of colonial logic consist of focusing on the criminal question and criminology. The criminal question defines our constructed understanding of crime, which depends on procedures that operate at its fundamentals and around it, according to Tamar Pitch (1995; see also Aliverti et al., 2023). The embeddedness of crime, and in our case, organized crime, is crucial to understanding how the concept evolved and underwent various transformations, transcending national boundaries. The article "Decolonizing the Criminal Question" by Aliverti et al. (2021) outlines three dimensions of studying the colonial divide. First, the temporal dimension claims to re-evaluate multiple histories parallel to progress and enduring dynamics that mark colonial histories. With reference to Ferguson (2006), globalization is often considered "…in highly orientalizing terms, particularly in the context of 'organized crime' and 'failed states' […]" (Aliverti et al., 2021, p. 302). Second, the spatial dimension highlights the overrepresentation of Anglo-American jurisdictions and the normative preferences of Global North urban centers, thereby overlooking the diverse experiences of other world regions. Third, the subjective dimension questions the construction of the criminal and the blind spots of racialization. This dimension also encompasses a critical stance towards individualization and the pervasive influence of liberal subjectivity. In the following section, I will show that the subjective dimension also needs to incorporate the gender perspective.

For this chapter, it is crucial to trace the traveling concepts (see also Aliverti et al., 2023), such as organized crime, beginning with its epistemic journey and the disregard of non-Western knowledge. Although decolonizing knowledge production is never an isolated, consciousness-building exercise without material actions, the conceptual work within the scope of this chapter remains closer to the abstract mechanisms of colonizing powers than to its practical, factual applications. Still, the broader criminal question offers possibilities to show different epistemological and practical examples of persistent colonial rule. The focus on specific aspects of organized crime can provide a detailed look at how concepts evolve, offering a theoretical foundation for a future project of

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a concrete, practical proposition. Cunneen (2023, p. 26) makes it clear that we cannot speak of or research decolonization without advocating for decolonization and interacting with those who bear the most of the colonial burden.

The criminal question brought the field of criminology to life, which predominantly shapes the discourses on organized crime. Although the academic discipline of criminology draws heavily on legal studies, it is not owned by only one discipline. Hence, the concept of organized crime can be best studied through transdisciplinary research. However, criminology by definition has conceptual problems in grasping realities and propositions outside its own framework.

> Criminology emerged in symbiosis with the police, courts, clinics, prisons, as well as the nation state in the Global North, and the assembly of institutions that surround it, or provide an alternative to it—the "alternative", of course, only serves to strengthen the legitimacy of state control and confinement as the ultimate option. (Blagg & Anthony, 2019, p. 12)

The alternative proposition of Southern criminology attempts to reconcile the knowledge production of the Global North and South, but bears the same fate. It tries to reform Western criminology but remains trapped in the reproduction of the same web it tries to disentangle. Such a conceptual operation would require, first, decolonizing the approaches of Southern criminology (Dimou, 2021). In general, decolonizing criminology (see Blagg & Anthony, 2019) takes a post-disciplinary turn, not reforming but overthrowing the discipline's fundamental blindness to indigenous knowledge. Even though there are vague references to Latin American decoloniality, the emphasis of practical experiences remains on settler colonialism in the Anglo-American world. The propositions of decolonizing justice and its contributions to decolonizing transitional justice (Cunneen et al., 2023) share similar theoretical preferences and regional focus on former British colonies. Again, not reform, but systematically *un-forming* predominant arrangements of justice becomes paramount.

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Few studies reference colonial dynamics of organized crime in the Americas. The seminal work by Joseph Albini and Jeffrey McIllwain (2012) demonstrates how the term "Mafia" was initially associated with inner-European colonial contexts in Sicily throughout the Middle Ages, before being uncritically expanded to the U.S. in the mid-20th century through presidential commissions and law enforcement efforts against *La Cosa Nostra*. The prohibition regime and international drug policies are crucial when conceptualizing organized crime. Decolonizing drug policy (Daniels et al., 2021) targets racial biases and xenophobic law enforcement operations in the name of anti-narcotic policies. Concrete manuals for practical decolonizing include references to incarcerating, reversing the excessive funding of anti-drug operations, and decriminalizing the use and possession of substances. Historically, the colonial origins of drug prohibition show similarities with the historical construction of organized crime. Whereas drug policy, the racialized geographies of the "war on drugs" (Hernández Castillo, 2019), and the prohibition of plants through colonial repression (Labate et al., 2016) have been studied to some extent, organized crime and its histories of ideas have not been subject to such analysis.

The next chapter will examine the concept of coloniality through a Latin American lens to unpack the power asymmetries embedded in the theoretical definitions of organized crime. For the specifics of organized crime, this literature corpus appears most relevant for highlighting some of the repercussions and relational effects of one-sided problem definitions. This does not mean that the studies carried out in the Global North, mainly in the U.S., have no empirical or theoretical value. This means that this value is overrepresented through coloniality and displaces local experiences that must contend with problem definitions derived from outside sources. Significant trends in policy solutions often overlook the life realities of those affected.

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How to decolonize?

European empires established a colonial system that extended beyond military control to encompass the bodies, minds, and knowledge production of both colonized and colonizers. Modernity has its roots in colonial domination and its dehumanization of the non-European and intersectional oppressions, erasing different world views. Through Eurocentrism, modernity created a system of social divides in time (traditional vs. modern) and space (the Americas as the New World). Sylvia Wynter (2003) describes this global world of unified categorizations and aspirations as the *Ethnoclass Man*.

Formal decolonization refers to the state-led process of superficially severing ties between the colony and the metropolis. Though "[i]ndependence did not undo coloniality; it merely transformed its outer form" (Quijano & Wallerstein 1992, p. 550). Eurocentric colonialism is a specific form of domination that has only been partially relinquished through decolonization processes (Quijano, 2007, p. 168). Therefore, the cultural, political, and economic spheres reproduce the colonial matrix of power more manifold than ever. "It is a colonial process that is active, continuous, and structural, and not an occurrence in the remote past of which only ruins are left" (Mendoza, 2020, p. 49). Coloniality addresses a "complex structure of management and control composed of domains, levels and flows" (Mignolo & Walsh, 2018, p. 142) in the advent of modernity. It is also a "theoretical concept that helps to make visible what is invisible to the naked (or rather the non-theoretical) eye." (Ibid.) This subchapter will provide a brief introduction to the main ideas of decolonial thought, focusing on the conceptual pair of modernity/coloniality and its third part, decoloniality. Still, decolonial thought cannot be understood without the coloniality of gender. The three steps of the colonialist move should serve as useful conceptual tools to expose coloniality, in this case, of organized crime.

The dual concept of modernity/coloniality is inseparable when analyzing the model of global power that thrives on two principal axes embedded in capitalist structures: race and labor. Colonization set in motion a new era of domination built on the social construction of the men-

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tal category of race to classify and declassify populations. This process established a seemingly naturalized logic that privileged the European (white) perspective, contrasting all non-Europeans as inferior. The superior identity was coupled with a Eurocentric perspective of knowledge that constantly nurtures its hegemonic position while simultaneously delegitimizing all other forms of knowledge production (Quijano, 2000, pp. 533–535). Coloniality is also inherent to the state system, a construction of social order imposed by colonizers over the so-called "New World" (Quijano & Wallerstein, 1992, p. 550). Newness relates directly to ethnicity and ethnic hierarchy, preceding the enhanced racism cemented after decolonization. In the 19th and 20th centuries, rampant racism in the U.S. was institutionalized through the formal segregation of African Americans and the banishment of Native Americans to reservations. In contrast, in Latin America, racism "hides behind petticoats of ethnic hierarchy" (Quijano & Wallerstein, 1992, p. 551).

In the racialized Americas, millions died in the waves of colonial extraction, which brought communal forms of living and local modes of being near extinction. Coloniality also erected a geographical center of global power in Western Europe. Economic transactions and inter-American political relations had to pass through European empires until the U.S. hegemony took over Latin America. The newness of Americanity has become modern, guaranteeing the succession of hierarchical relations over the so-called backwardness of the Global South. Amercanity has been part of modernity's logic from the very first steps of the Spanish on transatlantic soil. The global entanglements of political and economic relations universalized the claims for progress, development, and economic growth. The extractivist modes of production and racism merged again in the imposition of new labor forms and, consequently, labor relations, the second axis of coloniality of power. Serfdom, slavery, non-paid and non-waged in contrast to paid work, all these labor forms reinforced ethnicity and hierarchical control of global capitalism (Quijano, 2000, pp. 538–539).

Universalization in modernity/coloniality has been widely theorized in the fields of history and temporality studies (West-Pavlov, 2013; Mörtl et al., 2021). The Eurocentric logic of progress creates a one-dimensional

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development vision, in which the developed world is perceived as being ahead and everything else classified as backward. The Global South has to follow in the footsteps of the Global North to achieve sequential growth milestones. The self-declared center can educate the outside, the non-European periphery, or anything south of the Rio Bravo, on how to catch up in the capitalist race.

The question of knowledge production in modernity/coloniality thrives on the subject/object divide, impeding intersubjectivity and social totality (see Dussel, 2025). The isolated individual showcases self-explanatory subjectivity. The object is necessarily external to the subject, demarking it also from other objects through specific properties (Quijano, 2007, p. 172). The modern creates *the Other* as distinct from itself and consistently reproduces colonial structures of superiority and difference. "Colonial/modernity is nothing more than a pedagogy of exteriority" (Segato, 2015, p. 52). In modernity/coloniality, Otherness and "other cultures are the object of study" (Quijano, 2007, p. 174) without ever granting epistemological plurality. In contrast, intersubjective knowledge production emphasizes questions of relationality, the connectivity of entities that are not ultimately finished or naturalized and stand in fluid relation to each other.

The lack of theorization of gender and explicit critique of colonial patriarchy in early decolonial thinking has been addressed famously by Maria Lugones (2008; Espinosa Miñoso et al., 2022). The Argentinian philosopher builds on intersectional theory and Quijano's coloniality of power to develop her conception of the coloniality of gender, understood as a colonial/modern gender system. She criticizes the superficial and Eurocentric interpretation of gender segregation in the decolonial approaches of Latin America. Lugones argues that gender-based violence and binary segregation in their current form only came to full fruition with European colonial rule. Decolonial feminists attribute the same importance to gender in the social construction of modernity as Quijano did to race and capitalism. Therefore, questions surrounding the coloniality of gender gave rise to rich debates and theoretical expansions of decoloniality, making it an inherent component of any decolonial critique.

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Generally speaking, coloniality in power reproduction consists of three interrelated steps: first, the division into at least two parts. Second, declaring one to be the better, desirable one, and the other, the lower, inferior one. This implicit or explicit judgment is indispensable in the colonialist move (see also Mohanty, 1988). The third step involves universalizing this divide, declaring its power relations as rational, objective, and naturally given. Consequently, colonial domination becomes a comprehensive package that affects all aspects of society. Totality in the Eurocentric understanding is closely tied to homogenization practices. In contrast, totality in an intersubjective knowledge does not negate heterogeneity but constitutes itself on differences that are not automatically equipped with asymmetries.

Furthermore, decolonially speaking, there is no outside, and thinking decolonially means highlighting coloniality (Mignolo & Walsh, 2018, p. 113) and emphasizing the coexistence of temporalities (Ibid., 118). That is why local histories and situated theorization are crucial for decoloniality (see Mignolo, 2000). Adding decoloniality to the conglomerate of modernity/coloniality completes the conceptual triad. As the darker side of modernity (Mignolo, 2011), coloniality is always linked with decoloniality and the inscribed deconstruction exercise. But how do we decolonize? What implications are at stake?

Decoloniality operates "within the sphere of an emerging global political society" (Mignolo & Walsh, 2018, 130) in contrast to the de-westernization of knowledge, which operates within state-regulated institutions. De-westernization changes only the content of the conversation by upholding the same colonial power structures it pretends to overcome. It substitutes one playing figure with others or introduces parallel players, maintaining the game's rules intact. Hence, decoloniality takes an integral step, changing the terms of conversation and, more concretely, the terms of knowledge production (Mignolo & Walsh 2018, pp. 144–145). So, how do we engage with the demolition of this coloniality of world power?

> First of all, epistemological decolonization, as decoloniality, is needed to clear the way for new intercultural communication, for an interchange of experiences and meanings, as the basis of another ratio-

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> nality which may legitimately pretend to some universality" (Quijano, 2007, p. 177).

Quijano's formulation insists on a general critique and constant suspicion towards any project that presents itself as universal. At the same time, he does not entirely renounce the possibility of modes of thinking and being that pretend 'some universality'. The decolonial critique of modernity does not automatically resign universalist endeavors but resists the completion of universal claims. In this line, Arturo Escobar (2018) sketches the pluriverse, a system of equally valid "verses" in epistemological plurality. However, decoloniality does not mean recovering an idealized past or a backward vision, but rather a critical and optimistic look into the future. As Rita Segato explains in reference to Quijano's writings:

> The Decolonial Turn is not a restorative movement but a recovery of the abandoned tracks towards a different history, a work in the gaps and fractures of the existing social reality, of the wreckage of a general shipwreck of peoples barely surviving a continuous material and symbolic massacre throughout five hundred years of coloniality, left and right. (Segato, 2015, p. 57)

Still, the central focus in decolonial theories on epistemic terms of decolonization overshadows stances towards concrete, practical political projects, a critique well-rendered by Breny Mendoza (2020, pp. 56–57). The powerful essay "Decolonization is not a metaphor" (Tuck & Yang, 2012) addresses a similar, indirect critique, even though it originates from a debate between scholars of settler colonialism and abolitionism. Tuck and Yang affirm that the first step in decolonization must be the return of land to indigenous communities worldwide before addressing any epistemic level. In contrast to decolonial thought, both Anglo-centric settler colonial studies and abolitionism have a precise positioning for abolishing the nation-state. Yet, the strength of decolonial theories lies in its global and planetary stance, as Mendoza closes: "Decolo-

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nization is trans, it is global, and it must be total" (Mendoza, 2020, p. 57).

Theory of Organized Crime and Its Colonial Moves

The multiple theoretical approaches to organized crime shift between organizational and praxeological views. On the one hand, law enforcement, scholars, and journalists focus on the characteristics that define a criminal organization. On the other hand, the focus is on a list of serious crimes that signal the presence of organized crime. In a more conciliatory argumentation, Klaus von Lampe (2016) describes organized crime as an umbrella term that is sensitive to specific research questions along the triad of illegal activities, criminal structures, and governance. However, under decolonial eyes, organized crime exhibits colonial characteristics by equating illegal acts with illegal subjects. The colonial move – binarization, hierarchization, and universalization – consists of the fabrication of profiling, problem definitions, and security solutions along its racialized imprints.

For the analysis of colonial dynamics, I focus in this section on the histories of constructed binaries related to the ideas of organized crime. The state's role is of utmost importance, as it channels many of the related colonial dynamics of domination and hierarchization. After a brief overview of the conceptual history, I will present some concrete proposals for decolonization and focus on three subtopics that are especially important for the North-South relationships in the Americas. The myths, beliefs, and policy reproduction, as well as academic narratives, are exposed through (1) the early internal critique of mainstream ideas, (2) the reception of organized crime in Latin America, and (3) the notion of "Transnational Organized Crime".

Brief (Colonial) History of the Theory of Organized Crime

Practices of state-organized crime, such as piracy, were prominent in the early colonial times (Chambliss, 1989, pp. 185–187). As the newly discov-

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ered wealth of the Americas was initially the exclusive right of Iberian colonizers, European rivals, including France, England, and the Netherlands, spurred the illegal practice of piracy to capture their share of precious metals without officially waging war. Also, centuries later, the U.S. offered safe passage along its shores to pirates in exchange for a portion of the bounties.

In the U.S., the term "organized crime" emerged in media publications around the 1920s through the private initiative of the Chicago Crime Commission. The critiques of skyrocketing crime indices in Chicago's suburbs gave rise to the idea of a "criminal class" that made a living from an exclusive dedication to criminal activities (Lampe, 2001, p. 104). At the same time, the temperance movements in European protestant countries and the U.S. strongly lobbied for the illegalization of the production, consumption, and commerce of alcoholic beverages. The Harrison Act of 1914 and the initiation of the global drug prohibition regime also set in motion the prohibition of alcohol. The constitutional prohibition (1920–1933) caused a massive rise in illegal gains from alcohol smuggling and production. Law enforcement increased from 1924 onwards. Although the official approach of the Federal Bureau of Investigation (FBI) under its long-time first director, J. Edgar Hoover from 1935 until 1972, rejected the narrative of a national criminal conspiracy, such argumentation has always been critical for law enforcement agencies to become eligible for extensive funding from the U.S. Congress. As a result of presidential commissions in the 1950s, like the Kefauver Commission and other government investigations, organized crime became equated with the U.S. Mafia and considered a hierarchical organization of Italian ethnic descent, controlling the most lucrative illicit activities nationwide (Albini, 1971, p. 125). This growing interest also led later to seminal studies on the Mafia in Southern Italy itself (Blok, 1974; Gambetta, 1993; Paoli, 2003; Sergi & Lavorgna, 2016).

Insights from Mafia associate Joseph Valachi's (1904–1971) testimony in U.S. federal court (see Maas, 1968), which admitted the existence of "this thing of ours" *(La Cosa Nostra)* and drew rising public attention to the sinister criminal groups, led to further analytical and academic interest in U.S.-organized crime. Becker (1968) applied economic princi-

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ples, such as cost-driven rationality, to study common crime. Schelling (1967), a member of the U.S. Task Force on Organized Crime, specifically investigated the phenomenon of organized crime and its economic and social implications. Acording to him, the criminal firm exhibits some of the same market-driven characteristics as a regular business. Crime is only organized if committed "in large-scale continuing firms with the internal organization of a large enterprise, and in particular with a conscious effort to control the market" (Schelling, 1967, p. 115).

Some scholars provide extensive collections of different definitions of organized crime. Albanese (2007) advanced a study by Hagan (1983), presenting an emerging consensus over the previous three decades that returns closely to the firm/enterprise explanation.

> Organized crime is a continuing criminal enterprise that operates rationally to profit from illicit activities that are often in high public demand. Its continuing existence is maintained through the use of force, threats, monopoly control, and/or the corruption of public officials (Albanese, 2007, p. 4).

Hagan (2006) additionally proposed to refer to "Organized crime" when indicating criminal groups and "organized crime" when referring to criminal activities, the two notions not necessarily overlapping. However, his conclusion is based on a content analysis of definitions from English-language textbooks on organized crime, criminology, and criminal justice, with a strong focus on the U.S. debate. Klaus von Lampe (2025) has compiled perhaps the most comprehensive collection of theoretical and legal definitions from a broader range of sources and countries. He renounces the quest to propose a universal definition by referring to the constantly transforming criminal-policy debate and the problematic compatibility of legal and academic definitions with imaginary conceptions of organized crime (see also Míguez et al., 2014, p. 17).

In a historical media analysis of U.S. and German newspaper articles throughout the twentieth century, von Lampe describes the general perception of "a tendency towards equating organized crime with

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ethnically homogeneous, formally structured, multi-functional, monopolistic criminal organizations that strive to undermine and subdue the legal institutions of society" (Lampe, 2001, p. 102). Thus, as the media narrative of organized crime reproduced rather than outdated the initial definitions of organized crime, legal studies incorporated this tendency into international conventions. In its key meetings in Palermo in 2000, the UN defined organized crime as a hierarchically organized group of at least three persons that gains economic profits or market control through corruption, intimidation, or other malfeasance.

> 'Organized criminal group' shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit. (United Nations, 2004, p. 5)

Many member states have adapted this definition into national legislation or penal codes. Thus, organized crime became a hybrid definition of the subject, the criminal organization, and serious crimes, the criminal offenses, classified as organized criminal activities (Paoli & Vander Beken, 2014).

Internal Critique of the Conceptual Mainstream

Reconnecting with our quest to decolonize the knowledge production of organized crime, I return to the most critical steps of decoloniality. From the beginning of the conceptual history of organized crime, a colonial move in the U.S. shaped its meaning. Even if a linear historical tale calls for the former phases of the contested definitions of organized crime to be overcome, the initial binarization, hierarchization, and universalization – the colonial matrix of power – remains intact today. "This is the utility of the concept: to discover the historical continuity of the colonial logic in the configuration of power locally and globally in the present" (Mendoza, 2020, p. 49).

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The decline in morality in U.S. society was attributed to external forces or individuals of foreign descent. Although substance consumption and abuse, especially cocaine and opiates, were relatively common among the white middle-class (Andreas, 2013), images of groups of ethnic characteristics, migrants, or lower social strata had been created as the bearers of addiction and dangers for the youth. Chinese migrant workers were attributed with opium consumption, Mexicans with cannabis distribution – even the term marijuana was imported from the Spanish terminology across the border – and Irish, Italian, or Jewish families with alcohol smuggling. Early movies like *Reefer Madness* portray this racist and classist imprint of the conceptual creation of organized crime. Later, epic Oscar-winning movies like *The Godfather* and *Scarface* opened the Mafia narrative to popular culture. The national crime syndicate that undermines society as a parallel world was reproduced at the academic, artistic, and legal levels. The dynamics of "Othering", creating outsiders of the noble and white society, detaching organized crime from the actual social environment, thrived on racist, ethnocentric, and classist, utmost colonialist separation. Mignolo and Walsh (2018, p. 112) remind us that "[b]orders are interior routes of modernity/coloniality and the consequences of international law and global linear thinking."

Some scholars were not convinced by the creation of this detached underworld, endangering society from the outside. We could call that an internal critique of division and universalization mechanisms. Alan Block (1978) reveals in a detailed historical analysis that one of the pivotal founding moments of the Mafia narrative as a national criminal syndicate lacks evidence and contains substantial distortions of real-life events. The conflict over power in New York in the early 1930s caused a supposedly orchestrated, simultaneous killing of many affiliated gangsters throughout the East Coast, nurturing the narrative of the existence of a transregional criminal network. The newspaper reports and testimonials repeated this logic often enough so that the narrative became common knowledge. Only that the killings themselves were never reported, and less that this would confirm the existence of a national criminal conspiracy. In his seminal book, *East Side, West Side*, Block (1983) described organized crime as strategic alliances between local politi-

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cians, businesspeople, and gangsters, benefiting from conjoint illegal practices through power asymmetries. The criminal organizations in New York have always been fluid and dynamic. No external hierarchical organization has posed a threat to society, but internal state-society alliances have. Similarly, McIllwain (1999) provided a detailed account of the local criminal practices of illegal numbers gambling in California. Although some offenders had ties to East Coast criminal networks, the operation was conducted autonomously and locally. The study shows how U.S. citizens set up illegal operations in Mexico, and not the other way around.

In law enforcement and legal writings, these advances of social network theory fell victim to the same impulse for universalization as other local histories in the Global South. The U.S.-specific problem definition and priorities became first regionally imposed and then globally installed through international conventions and UN declarations. Contraband, migration, and racial profiling are combined with the constant policy focus on the supplier side of illegal goods. Still, smuggling between Mexico and the U.S. was by no means unidirectional from South to North (see Andreas, 2013).

In Mexico, for example, organized crime did not find its way into legislation until the early 1990s. The General Attorney's Office established the National Center for Drug Strategies and Control (Centro Nacional de Planeación y Control de Drogas, CENDRO) in 1994, thus taking the first concrete steps toward strategic planning. Consequently, organized crime has conceptually always been closely linked to the activities of the international drug trade. The first legislative action was ratified in October 1996, introducing the Federal Law against Organized Crime (Ley Federal contra la Delincuencia Organizada). In the legal sense, some criminal activities automatically fall within the scope of this law, such as terrorism, health offenses related to illegal drugs, counterfeiting, arms trafficking, human trafficking, organ trafficking, kidnapping, and car theft (Article 2).

The above-mentioned UN declaration on organized crime served as a blueprint for combining a definition of a criminal organization with the specifics of criminal activities. In 2008, a nearly identical formula-

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tion was added to the Mexican Criminal Code, including regularity and the repeated exercise of criminal offenses (Alvarado & Zaverucha, 2010, p. 231). All this, after the force of the militarized Mexican "war on drugs" was unchained in late 2006. Thus, the legal definition of organized crime in Mexico is, politically, deeply rooted in criminal organizations and their activities in the international drug trade. Such definitions of legal concepts encompass not only the illegal aspects of crime but also the ambiguity in the relationship between the state, law, and society. Consequently, organized crime and, in the case of Mexico, the transnational drug trade and subordinated criminal activities depend on what the transnational law makes of it. No external criminal organization enters the social sphere without submission to a definitive force that "influences, configures and even determines the incidence of illicit and criminally organized activities" (Serrano, 2007, p. 253).

Theory of Organized Crime in Latin America

One of the distinctive characteristics of Latin America is the high level of violence on the subregional or local level. The existing colonial dynamics of knowledge production and related policy propositions also shape scenarios of insecurity and violence. Regarding colonial history, it is essential to emphasize a significant distinction between early British America and Ibero-America, now commonly referred to as Latin America. British America was organized as a society of Europeans on American soil, so producing rich resources was rather inward-oriented. In Ibero-America, resources were extracted and shipped overseas to Europe. When the flow of settlers to British America increased in the early 18th century, the capitalist system in the metropolis was already in full swing (Quijano & Wallerstein, 1992, pp. 552 ff.), contrary to Iberian monarchies during the initial phases of colonization. Apart from the well-documented extractivism in commodities, Latin American countries are also conditioned by the extraction and provision of illegal goods. The U.S. American criminal organizations and alcohol smugglers have been providing their illegal services to their domestic social environment. Mexican and Colombian drug traffickers have mainly exported to the U.S. or other markets

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in the distant Global North, serving constant high demands and benefitting from price margins due to illegality.

How are contemporary theoretical frameworks regarding organized crime in Latin America depicted? Two Special Issues on organized crime (Schultze-Kraft et al., p. 2018; Zaitch & Antonopoulos, 2019) serve to analyze possible traces of coloniality in knowledge production. Both agree that the informal entanglements of the political-criminal nexus are paramount to understanding and learning from Latin American approaches to organized crime. Multidisciplinary studies highlight the limitations of focusing solely on North Atlantic formal democratic deficiencies or institutional weaknesses when rethinking organized crime (Schultze-Kraft et al., 2018). Still, the theoretical background often comprises Eurocentric canonical sources for local empirical studies. The "novel theoretical accounts" (Zaitch & Antonopoulos, 2019, p. 143) of organized crime are products of discussions of the conventional political or criminological theory of the Global North. Krakowski and Zubiría (2019) delve into debates surrounding Gambetta's (1993) protection theory, Schelling's (1967) proposition on criminal enterprises, and Paoli's (2003) work on Italian Mafia brotherhoods. These authors' cloth conditions the knowledge production of "other" contexts, establishing some contexts to be more "universal" than others. In the overview by Zaitch and Antonopoulos (2019), the trends identified by Bagley (2013) are the pacemakers for the issue's contributions. Bagley's empirical parts draw on UN statistics, which reveal common circular references and problems of quantification when researching organized crime and illegal markets (see Andreas & Greenhill 2010; Thoumi, 2005). Del Pilar Fuerte Celis et al. (2019) highlight the missing territorial aspect in the theoretical canon on organized crime, while simultaneously building a framework based on Paoli and Finkenauer (2005). Criminal activities or organizations are interchangeably described with terms like "drug trade organizations" (DTOs), "cartel," or "organized crime groups." This leaves the question of what organized crime actually entails unresolved.

Moreover, canonical authors such as Leticia Paoli and Peter Reuter (2020) address the question of how the various global appearances of criminal organizations relate to one another. They define "typical orga-

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nizations" as aligned with Weber's (1922) basic sociological definition. The well-established formats of the Italian and U.S. Mafias, the Chinese Triads, and the Japanese Yakuza are categorized as traditional forms of organized crime. The authors charge against the use of the term "cartel" in the Latin American examples, but classify so-called "newer syndicates" as not meeting the requirements of a Weberian ideal type of organization. The mere sociological exercise of establishing specific parameters and then analyzing the deviation from the standard is technically well-exercised. Still, the vocabulary used, e.g., "candidate" or "only syndicate", or the claim that Latin American criminal organizations' weakly pronounced cultural background does not meet the "prototype", exemplifies a version of colonial move in knowledge production, culminating in the colonial logic of dividing, hierarchizing, and universalizing. Would it be equally valid to establish the Mexican drug trade associations as prototypes and then declassify the Italian Mafia for not meeting the standard? Why would such a chain of arguments seem "naturally" odd? Why do biker gangs or racist prison gangs of the U.S. not figure in the categorization?

Transnational Organized Crime

The concept of transnational organized crime gained importance under globalization dynamics, especially in the aftermath of the 2001 terrorist attacks on U.S. soil when the security apparatuses in the North Atlantic joint forces against organized crime and terrorism. The funding of terrorist operations and the unclear relationship between two formerly separated unlawful activities have evidenced new challenges for globally operating law enforcement agencies. Especially the transregional linkages between drug trade organizations and terrorist groups caused a conceptual reshuffling of organized crime-related terminologies when the new "war on terror" merged with the ongoing "war on drugs". One consequence was the increased knowledge production about transnational organized crime, and many law enforcement agencies included the topic in their agendas. Some authors have attempted to extend their own definitions of organized crime to the specific transnational field (see Albanese,

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2012), while others have warned of the disconnected applications of national security paradigms to local specificities (see Schönenberg, 2013; Bruinsma, 2015), which are produced by security institutions or their related think tanks (see Farah, 2012). In 2011, U.S. President Obama introduced the Transnational Organized Crime Strategy, a multi-billion-dollar national security policy that focuses on all illicit economic activity and its related work chains. This event also explains the rising research interest in the following years, especially at the supranational UN level.

The United Nations Convention on Transnational Organized Crime (UNTOC) refers to the UN Declaration of Organized Crime, and the term "transnational" is used in a very general sense. It mentions offences committed in multiple states and includes planning crimes in different states. From a decolonial perspective, the key point is that these planned or committed crimes might also fall under this Convention if they substantially affect other states (see UNCTAD, 2022). Such broad definitions bring two main problems with them. It offers the possibility to apply transnational security policies according to the definitions of transnational organized crime (1) by declaring certain criminal activities as national security matters, which may (2) lead to intervention in regions of geopolitical interest. The research and policy focus of UNODC concentrates on regions and countries of the Global South (Africa, Asia, and Latin America). In contrast, in Europe, only the Western Balkans are subject to such policy challenges. The FBI (2025), even though primarily engaged with domestic U.S. tasks, combats transnational organized crime according to listings of security threats that comprise exclusively foreign, ethnically homogenous criminal associations.

The overall picture of the problem of transnational organized crime recovers the "Alien Conspiracy Theory" of yesteryears, downplaying the involvement of criminal agents and practices from the Global North. Cybercrime, global tax evasion, and arms and human trafficking are more prominent within the concept of transnational organized crime. However, organized crime, defined as the provision of illegal goods and services, has always involved crossing borders and challenging the traditional concept of national sovereignty. The transnational variant renders the label 'organized crime' more volatile and nearly arbitrarily applicable,

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with a straightforward North-South power hierarchy. The decoloniality lens compiled through race, labor, state, and the universalization of naturalized "Otherings" reveals the deeply discriminatory domination embedded in how organized crime is defined.

Conclusion

This chapter demonstrates how the decoloniality strand of anti-colonial theories serves as a tool to unpack the colonial dynamics at work throughout the histories of ideas of organized crime. Decolonizing organized crime means highlighting its colonial move of binarization, hierarchization, and universalization of ideas and practices. The dominant "organized crime" discourse splits societies into law-abiding versus criminal along homogenized ethnies and fosters a North-versus-South worldview. Certain regions (e.g., the U.S. and Europe) define, study, and regulate; others (in this case, Latin America) are defined and regulated. The U.S.–UN legal vocabulary of organized crime became the global template, making thinking outside the box not only difficult but also subject to sanctions.

From a decolonial perspective, the historical developments show that the "Alien Conspiracy Theory" – organized crime as external to nationally conceived societies and an outside security threat – is deeply entrenched in criminology. Above all, legislation and crime prevention policies worldwide constantly reproduce the colonial imprint and use it to legitimize militarized and punitive approaches. The way the concept "traveled" into the Mexican legislation shows how global supply-side drug policies spread into local realities. The vagueness of the concept of "Transnational Organized Crime" demonstrates the geopolitical elasticity of colonial categories and how the logic constantly defines new global security regimes without changing the terms of conversation (see Zavala in this volume). Raising awareness of these dynamics is the most valuable contribution of this line of research.

A decolonial perspective highlights the inscribed power asymmetries in the globalized approach to organized crime, which dismisses the spe-

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cific histories and trajectories of organized crime and inhibits the development of situated knowledge in different regions. The analysis of Latin American debates reveals that, despite the emergence of impulses for critical conceptual analysis, they are still often constrained by mainstream canons and references to Western criminology and political theory. The current policy focus on criminal activities similarly blurs the influential studies of early organized crime research, especially those elaborations on organized crime as a social system (Block, 1983) and on the structures of Mafia networks (Blok, 1974). Others apply anthropological social-network theory to overcome the separate views of organized crime shaped by the "organizational, patron-client or enterprise lens" (McIllwain, 1999, p. 319).

However, decolonizing organized crime does not mean to "sanitize" or "absolve" organized crime. A decolonial notion of organized crime does not make criminal organizations and practices less violent in the first place. Still, it shows how the very concept increases violence through the homogenization of militarized problem definitions and policy solutions. In the framework of decolonizing the criminal question, Cunneen (2023) highlights the production of subaltern knowledge, making essential contributions to practical and epistemological resistance against the homogenized and naturalized rule of law with a colonial imprint. When considering decolonizing organized crime, I advocate for a radical plurality of approaches to enable context-specific problem solutions. Local experiences suggest focusing on a relational approach of organized crime, rather than following the transnational homogenization of law that establishes the subject of a criminal organization as a national security threat.

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Section II: Histories of Drug Production and Criminalization

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High on War

Marijuana and State Violence in Colombia

Lina Britto

Introduction[1]

Colombia's endless war tends to be viewed through the filter of drug trafficking. The quantum leap that the coca and cocaine economies enabled in the finances of armed actors often appears to be the key factor in the intensification of violence. This perspective has been so influential that Point 4 of the Final Agreement for the Termination of the Conflict between the State and the Revolutionary Armed Forces of Colombia, FARC-EP, "Solution to the problem of illicit drugs," begins by rejecting this thesis and claims that the conflict "predates and has causes unrelated" to the emergence of these crops.

It would be absurd to claim that the trade in one of the most widely consumed alkaloids in the world has not been a decisive factor in the internal armed conflict, but we simply cannot continue to argue for an in-

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trinsic connection between illicit drugs and violence. It is true that "all actors involved in the armed conflict, directly or indirectly, have had relationships with drug trafficking and these relationships have been decisive in the course of the war, its degradation and outcomes, and especially in its continuation" (CEV, 2022a, p. 312). It is also true that the use of brute force in the drug business is not the rule, but rather one more resource, especially in times of high prices (Reuter, 2009; Mejía & Restrepo, 2013). It is important to recognize that drug production and trade have been "vital lifelines for vulnerable and marginalized communities, providing the essential means for survival in the midst of adversity" (Marín et al., 2024, p. 2).

The impact of drug trafficking is multidimensional; it has been both a source of conflict and stability. But a kind of cocaine fixation in academic debate, media controversy, and public policy has numbed our ability to address the issue in all its complexity. Narcotizing the internal armed conflict "favored a stigmatizing narrative about certain populations that have been repressed, persecuted, criminalized, and politically nullified," while helping to deny the existence of a historical struggle by dismissing the guerrillas as mere "criminal armies engaged in an illicit business" (Majbub, 2023). The narcotizing view is not only reductionist, but, in itself, a discursive weapon in the repertoire of violence that reduces the scope for negotiated solutions.

Looking beyond coca, cocaine, and violence is an essential step toward a comprehensive understanding of the conflict. For example, the histories of marijuana in the country have been downplayed as regional anecdotes with little to tell us about war and peace. Yet marijuana revenues, markets, and regulation have been reshaping key regions of the country's political and human geography for more than half a century, with lasting consequences. The terms used to name the plant reflect these histories. "Marimba" was the euphemism used in La Guajira and the Sierra Nevada de Santa Marta during the country's first illicit drug boom in the 1970s and 1980s. The term referred to a musical instrument with a similar spelling, but had its roots in *mariamba*, a word of African origins used since colonial times by the *palenqueros* (maroon communities) of the Caribbean coast to refer to hemp (Del Castillo

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Mathieu, 1984). "Creepy" is the commercial name given to the type of tech-enhanced cannabis that flooded the fields of northern Cauca and the consumer markets of Colombia and Latin America in the second decade of this century. Imported along with the seeds, the English word usually describes things, people, or situations that generate fear or anxiety. "Cannabis" is the scientific name used in the legislation regulating medicinal use. Coined by European botanists in the 18th century, the concept was recently revived as a neutral term for the demonized marijuana now turned into a panacea by the pharmaceutical industry and a low-impact natural intoxicant in a world of synthetic drugs and lethal overdoses.

The terms "marimba," "creepy," and "cannabis" are also peepholes through which to observe the struggles of some of the "nods" that underpin the persistence of the conflict (Wills, 2015, p. 702). First of all, the internal colonialism of political domination, that is, a series of racial imaginaries celebrated in the expression "country of regions" and manifested in a tension between the political center and the peripheries of the nation, has shaped the physical and discursive space that defines who is and who is not a legal subject of the Colombian nation-state. Secondly, the state's role in the processes of dispossession and acculturation that have facilitated agrarian modernization. Throughout the 20th century, these processes have been marked by relations of dependence and subordination to the United States. Hence, the third "nod" is the intended and unexpected effects of the U.S. superpower's interference as a role model, ally, and financier of a type of development based on the concentration of land, wealth, and power, not only as a partner in counterinsurgency and anti-narcotics efforts. Lastly, the adoption and adaptation of the "war on drugs," the latest chapter in the interstate drama between Colombia and the United States, has contributed to the degradation of the conflict and the state by reigniting its violence at critical moments of political dispute and creating the illusion that it is possible to solve historical challenges by force.

Although overshadowed by the spectacular nature of the cocaine hydra, cannabis has been a bridge to profound structural and identity transformations of the state and the nation, a dynamo of modern-

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ization and an outlet for its contradictions. With a hasty transition to post-conflict in the national sphere and a process of decriminalization and legalization of the plant on the international stage, a spectrum of possibilities has opened up for a country that has historically been a producer, exporter, and consumer of cannabis. However, in order to make the most out of this situation, we need to acknowledge the wealth of knowledge and potential of those who have created their productive enclaves and cultures of consumption, and thus overcome the narrowness of analysis, the moralism of discourse, and the provincialism of public policy. This chapter employs historical methods to analyze documentary sources and ethnographic methods, including interviews and fieldwork, to comprehend the past and present of the plant in the country.

The Forgotten Victims and the Construction of Peace

In 2014, during the peace negotiations in Havana, the parties agreed to create the Historical Commission on the Conflict and its Victims (CHCV, acronym in Spanish), which in 2015 published a report investigating the causes and origins of the war in order to break the deadlock in the talks, which had stalled in a disagreement over historical responsibilities between the government and the guerrillas (Bermúdez, 2018, p. 209). Ten years later, the commemorative volume in which this essay was originally published analyzed the reasons for the persistence of the conflict and offered a historical perspective to help overcome the presentism deeply rooted in public debate, in the hope of advancing the implementation of the peace agreements. But as Francisco Gutiérrez Sanín pointed out in his 2015 essay, "any statement made about our conflict is necessarily partial and is made from the perspective of an ongoing debate." Historical thinking, as a "deeply political" exercise of imagination, helps to break with "presentist time [which] is always trauma time" because it allows us to question the belief that "something has always been in a certain way and therefore always will be" (Castro, 2021).

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Narrating and analyzing the conflict to help "societies and groups come to terms with a past of war or mass violence and move toward nonviolence and non-repetition" (CNMH, 2013a, p. 13) has been Colombia's commitment for more than half a century. Between 1958 and 2012, the country had twelve national commissions for the extrajudicial study and investigation of the conflict, an unprecedented case in the world. These reports constitute "radiographs" of the war, "taxonomies" that made it possible to establish responsibilities and explain origins and developments of conflicts (Jaramillo, 2014: 227–230). Beyond their differences, these reports shared a characteristic that made them exceptional compared to other Latin American cases: they were not products of the post-conflict period but of "institutional spaces of truce" amid the war (Jaramillo, 2014, p. 231). The monumental work of the Commission for the Clarification of Truth, Coexistence, and Non-Repetition (CEV), published in eleven volumes in June 2022, brought this era of grand narratives produced from the heart of horror to an end.

After the CEV, at least two recent developments suggest the need to replace grand narratives with more specific marginalized stories. Firstly, the reintegration processes and peace agreements of recent decades have created the conditions for the fragmentation of the national conflict, which "territorialized the armed confrontation and, as a result, produced multiple armed conflicts, each with autonomous actors and dynamics" (Trejos et al., 2021, p. 120). Secondly, although explaining the dynamics of the ongoing violence is in itself a battlefield, with powerful political sectors and public opinion makers denying the existence of a conflict and its victims, the CEV report gave us tools to transform this endeavor into a quest for peace by placing victims at the center of the discussion and elevating "human life above any other interest, however laudable: national security or revolution" (Ruiz, n.d.).

Faced with a new war paradigm of fragmented conflicts and confronted with the claims of the conflict's victims, it is urgent to rethink grand narratives. After going through the "heroic memories" of the most powerful armed actors, which characterized the Democratic Security of the Uribe administration, and the "fundamental gaps" between conflicting versions that defined the peace process during the Santos

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administration, we now find ourselves facing a new horizon built on the "counter-memories" of those who have been victimized and have raised their voices (Wills, 2024, pp. 379, 383, 389–392). Those who have suffered all forms of violence are "the new protagonists in the social and political arena, who arrive with their memorial of grievances and their voice of protest against all armies, legal and illegal" (Sánchez, 2021, p. 26). To hear them, we need "alternative grammars of listening," principles that challenge what has been considered "unheard of" – in the double sense of inaudible and inadmissible – and broaden the spectrum of what is recognizable, memorable, and "historically indexable" (Acosta, 2024, p. 398).

Analyzing the war through the stories of yet forgotten victims is a task of reparation and reconciliation, as it leads us to examine repressed dimensions of the internal conflict. However, democratizing peacebuilding is not the sole responsibility of the state, but rather of society, as it involves questioning the state, challenging its authority, and transforming the national self-perception. One need only to look at the evolution of the school textbooks that have been used in classrooms for five decades to see how we have moved from a denial of the conflict to a recognition of its importance, thanks to "the amplification of the magnitude of the various attempts at a political solution" (Ibagón and Chisnes, 2019, pp. 207–208). In other words, each effort of the state to negotiate peace has meant a social opening in the way we understand war, in the methods used to narrate it, and in the collective interpretation of who we are as a nation. Each failure has led us to another cycle of violence, forging a new generation of warriors and victims. Still, it has also left a trail of peacemakers who are increasingly resourceful in their strategies, stubborn in their aspirations, and clear in their goals.

The victims of the "war on drugs" are part of this denied universe, although "since the 1980s they have been repeatedly calling for recognition" by the state and society (interview #6). Rural communities in producing regions and consumers in the countryside and in the city, especially racialized youth living in precarious conditions, have been hit hardest by prohibitionism. Their ignored stories are still alive, and the current context, defined by a national process of implementation of the peace agree-

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ments and a reform of public policies on cannabis advancing around the world, offers a unique opportunity to listen to them. Just as Colombia has been a model of the failed punitive paradigm based on stigma, it is time to dare to be pioneers of a new type of regulation of psychoactive substances that focuses on science, technology, sustainable development, public health, social equity, harm reduction, and the promotion of human rights.

Internal Colonialism and the Formation of the State

Both marimba and creepy took root and spread in strategic corners for the circulation of resources and populations that have been integrated into the nation as "savage territories" (Serje, 2005). In these regions, governments have entered into alliances with elite, traditional, and emerging sectors, as well as multi- and transnational investors, including the federal government of the United States, to create the conditions for an agricultural modernization that has deepened inequalities. There, the "myth of the absence of the state" (Serje, 2012) has justified internal colonialism, a "kind of structuring matrix" of political hierarchies and social differences that revives the legacies of the colony in modern times, dividing society into segregated populations based on ethnicity and race (Rivera, 2010). In the case of Colombia, the ideology of the mestizo country and the imaginary of "the country of regions" has concealed this logic of internal colonialism (Appelbaum, 2003). Yet, it is this internal colonialism which continues to operate as the articulating principle of politics, economy, and society. Since the neoliberal turn of the 1990s, internal colonialism has deepened, manifesting itself as a "frontier effect," that is, patterns of political intervention that erase their traces in areas considered peripheral in favor of extractive practices that promote violent struggles for control of land and the accumulation of wealth and power (Ballvé, 2020: 9).

Marijuana has been key in mediating the frictions generated by internal colonialism in the two core regions of the bonanzas. This role becomes apparent when looking beyond the specific epicenters where they

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took place and observing the broader geographies and the dynamics of economic integration between the lowlands (plains and valleys) and the highlands (mountains) across them. During the marimba era, the radius of action was in La Guajira and the Sierra Nevada de Santa Marta. Still, the causes of the boom were an accumulation of contradictions in the history of the broader region known as Magdalena Grande, the northernmost area of the South American continent, which for centuries participated in the transatlantic trade and was an important stopover of the smuggling circuits of the Caribbean basin, a testing ground of modern capitalism. In the case of the bonanzas of creepy, the vortex has been in a corner of the Cordillera Central in northern Cauca, in the municipalities of Miranda, Corinto, Caloto, Toribío, and Jambaló. However, the enclave is the result of the connection between this area and the upper Cauca region, an extensive corridor that connects the Pacific coast with the Pan-American Highway, the inter-Andean valleys, and the Amazonian foothills (Indepaz, 2024, p. 12).

These multi-ethnic and multicultural regions, which have the highest concentration of indigenous peoples in the country, have been branded by the official discourse of mestizo Colombia anchored in Bogotá as "the nation's primitive alterities, as its shadow and its other" (Britto, 2020, p. 6). The 1991 Constitution reformulated the rules of the game by recognizing the politics of difference as a bastion of the nation and of a democratic society, which needed to be expanded in a pluralistic manner. However, the change in the official discourse with the introduction of the constitutional principle of multiculturalism did not alter a particular "form of political rationality that silences, perpetuates, and conceals the complex contexts of political power in which it develops" (Bocarejo, 2011, p. 98). Nor did it make the state more effective, which left the process of decentralization and recognition of the autonomy of peoples that was necessary to implement multiculturalism unfinished, producing a "discrepancy between the discursive announcement of a policy and its pragmatic development" (Duarte, 2018, p. 397). Despite this ideological and legal change, both regions have continued to be scenarios of dispossession and acculturation, and therefore also of resistance.

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Image 1: The foothills of the Sierra Nevada seen from the city of Santa Marta.

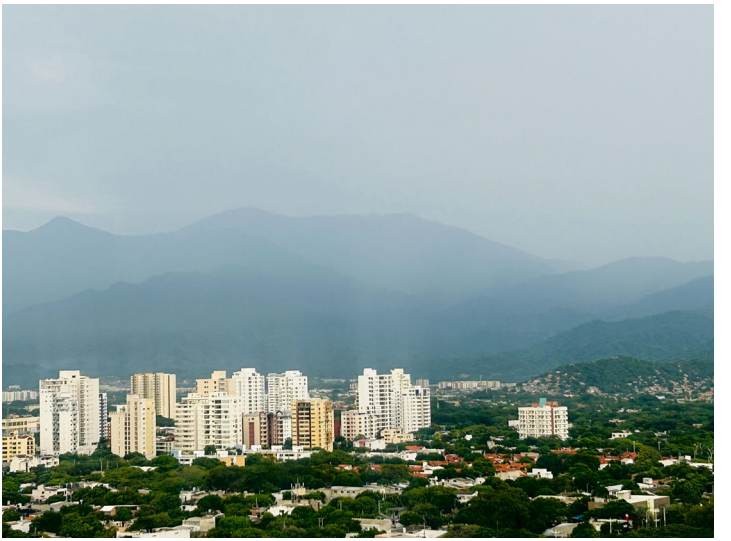

Photo by the author.

The internal colonialism of the Colombian state is laid bare in La Guajira in phenomena such as infant mortality, food insecurity, and multidimensional poverty (Londoño et al., 2023, p. 8–14). The humanitarian crisis of the Wayuu people is the result of the political weakening of the clans, who have been violently stripped of their historical ability to negotiate spaces of power with the *arijuna* (non-Wayuu) world and contain the effect of its violence (Guerra, 2001; Polo, 2012). In the neighboring mountain range, the Sierra Nevada de Santa Marta, "the heart of the world," the Kogis, Arhuacos, Wiwas, and Kankuamos have created an institutional network for the social and legal defense of their human and civil rights (Mora et al., 2010), confronting the "neocolonial engineering" aimed at eliminating the cultures and spiritualities that sustain the "Law of Origin" of their peoples (Padilla, 2024, p. 20). The government's recognition of the Black Line in 2018, an imaginary border demarcating indigenous territory, is partly an achievement of the political

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and legal mobilization of the communities, as it "imposes restrictions on economic appetite, protects ecosystems and sacred sites" (CEV, 2022c, p. 37), but it is also partly a result of the state's internal colonialism, which, by demarcating indigenous territory, generated a process of differentiation that marginalized communities to the peripheral category of "traditional" (Coronel, 2012).

Similarly, in the upper-northern Cauca, internal colonialism has many facets. In the fertile lands of the plains, the impact of proletarianization processes has been more drastic, especially for Afro-Colombian communities (Gutiérrez Márquez et al., 2022). There, the "exercise of coercion by private actors interested in taking over the land" has been more effective (CEV, 2022b, p. 38). In the rugged mountains, the Nasa and Misak people have had room to maneuver in resisting and negotiating the advance of landowners, missionaries, ranchers, businessmen, and armed actors. Since the beginning of the 20th century, with the mass mobilization of the Quintinada against land grabbing, then with the creation of the Cauca Regional Indigenous Council (CRIC) in 1971 and the unarmed community protection force known as the Indigenous Guard in 2000 (CEV, 2022b, pp. 50, 62, 150), the indigenous peoples in the region have built their own government and one of the most important social movements in the country through a mass struggle that fuses ancestral traditions with different leftist ideologies and state multiculturalism (Troyan, 2015, pp. 171–173).

This tension between centers and peripheries, and the racial imaginaries that reproduce it, has been a pillar of processes of state formation. The state apparatus and institutions in these regions have been built on dispossession and acculturation, and in the name of an economic model based on the production of agricultural goods and supported by a nineteenth-century ideology that conceives of the nation's space in binary terms, between the humanized territory of the cultivated fields and the natural territory of the uncultivated areas, with the agrarian ideal as the only horizon (Leal, 2024, p. 110). In the counterpoint between war and peace that marked the period of *La Violencia* and the National Front, between 1945 and 1970, this type of spatiality took shape thanks to greater economic growth and structural transformations (Machado, 1991, p. 24).

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This process, which came along with "intensive external technical assistance," sought to imitate developed countries and create an institutional network for commercial agriculture, while the rest of the sectors "were left without valid interlocutors before the state, and without proper legitimation of their interests" (Machado, 1991, p 38, 41).

Image 2: The town of Corinto, the origin of cannabis cultivation in Cauca.

Photo by the author.

The state, which is not monolithic, has been both judge and party in the conflicts between agro-industries, which have promised progress under the leadership of a few large producers, and the ethnically diverse rural communities that have struggled for recognition as legitimate political and economic actors. Generally, the state has leaned in favor of the former and, at critical junctures, has supported the latter. In the back-and-forth between regressive and progressive logics, the state has also been subject to modernization, pressured by the urgencies of

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the moment and responding to political mobilization from above or below. However, the important reforms that the state has announced have remained mere rhetoric, without being fully implemented, leaving intact the scaffolding of internal colonialism that sustains it.

Agrarian Modernization and Intimacy with the United States

The two marijuana core regions were first central stages of agrarian modernization as producers of cotton and sugar, the key commodities for export diversification during the decades of economic reforms between the late 1940s and early 1970s (Machado, 1991, p. 40). In the case of La Guajira and Sierra Nevada de Santa Marta in the Magdalena Grande, the initial promise was bananas. Controlled by U.S. capital channeled through the United Fruit Company, the fruit transformed the western slope of the Sierra Nevada and revived the old port of Santa Marta as an export platform at the beginning of the 20th century. The massacre of banana workers committed on December 6, 1928, by the Colombian Armed Forces under pressure from the US company management triggered the decline of the enclave, which was exacerbated by the Great Depression, World War II, and the national catastrophe of the partisan war known as La Violencia in the decades that followed. When the end of the so-called *Yunai*, as the U.S. company was popularly known in the area, was imminent in the late 1950s, cotton arrived. This time, the sector was run by a group of national producers linked to political parties and with technical and financial assistance from the governments in Bogotá, Washington, and multilateral funds. They dreamed of transforming the Cesar River valley into "an oasis of racial democracy and capitalist productivity where […] to build a future for the country beyond coffee and civil war" (Britto, 2020, p. 122–123).

In the case of upper-northern Cauca, the sugarcane industry has relentlessly advanced on the peasant farming and fishing economies. Its expansion has created investment and productivity scenarios for large-scale land exploitation and integrated communities into its orbit as cheap labor (Gutiérrez Márquez et al., 2022; Troyan, 2015, 12–13).

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This "dual economic model" of large estates advancing over small farms received a major boost with the intensification of the Cold War, when the embargo imposed by Washington on Cuba in the early 1960s expanded the markets for Valle del Cauca sugar and allowed for rapid growth in the area under cultivation (CEV, 2022b, p. 73). Like the cotton growers of Cesar in the Magdalena Grande, the sugar growers of Valle del Cauca benefited from the growing intimacy between the national governments and the United States. But unlike the former, who ultimately succumbed to various cycles of crisis, the latter achieved a stability and prosperity that made them a role model in the hemisphere and a "springboard" for the Green Revolution in what was then called the Third World (Offner, 2019, p. 22; Lorek, 2023, p. 9).

Each agricultural commodity represented a set of hopes of historic proportions, piled up and mixed together. With the banana fruit, the country sought to heal its relationship with Washington after the tensions resulting from Panama's separation in 1903, thereby enabling Colombian exporters to participate in the large U.S. markets, diversifying the country's economy beyond coffee. With the cotton fiber, the aim was to shore up the national textile industry to sustain the import-substitution model that was considered indispensable for economic growth. With sugarcane, the hope was to reduce the state's size and allow private enterprise to play a more prominent role in administering public affairs, ultimately consolidating a mixed economy in the hope of achieving membership among developed nations.

At a time when the continent was torn between the modernization model of the United States and the revolutionary model of Cuba, the Colombian state turned the two regions that would later become epicenters of marijuana booms into testing grounds. Much has been written about how the United States has been a "direct actor in the conflict" due to its involvement in counterinsurgency and anti-narcotics efforts (Vega, 2015, p. 7), but its role as an active participant in Colombia's history of development is rarely discussed, a background story that the marijuana booms help to elucidate. For example, as an ally and financier, the US has played a key role in implementing the agricultural model, despite its many contradictions. Whether it is "strategic subordination"

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or "dependent cooperation," the intimacy between national governments with the United States forces us to overcome "that particular Colombian parochialism" and think internationally (Vega, 2015; Tickner and Morales, 2015; Borda, 2019).

Because that intimacy has been a two-way street, Colombia has been an essential player in the "American century" since its dawn. The story starts with the independence of Panama and the construction of the interoceanic canal at the beginning of the century, changes with the triumph of the Allies in World War II and the dual practice of counterinsurgency and modernization that defined the Cold War, and ends with Plan Colombia on the eve of the "war on terror" in the new millennium. At the climax of this drama, around the end of the world conflict and the escalation of La Violencia in the late 1940s, "no country inspired more ambitious dreams, scrupulous study, or relentless intervention than Colombia" (Offner, 2019, p. 6). The mass exodus from the countryside to the city and the competition for lands abandoned due to partisan warfare created a window of opportunity that made the country "a major theater" for modernization during the Cold War (Lorek, 2023, p. 11). In the following decades, along with India and the Philippines, Colombia was central to the consolidation of a U.S. empire, especially during Kennedy's Alliance for Progress, that "tamed revolution" with which the United States sought to support gradual transformations in the developing world, including agrarian reforms, so as to avoid violent change in the social and political order (Calvo, 2024; López, 2019).

At that time, marijuana became a mediator in the relationship between the two countries, acting as a catalyst for chain reactions at a juncture marked by a confrontation between a redistributive model and another model of concentration of land and wealth. Similar to how U.S. investors, technologies, and capital were instrumental in laying the foundations for the banana and cotton economies, U.S. citizens were instrumental in the development of a marijuana export sector. This time, it was not through their governments or elites, but through rebellious youth who, as consumers, came to the Sierra Nevada de Santa Marta in search of sources of supply for an expanding market. Much has been said about the Peace Corps and its role in the business, but the truth is that "the

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gringos" had no institutional affiliation whatsoever. But they did light the fuse. The fuel was the debris of the Agrarian Reform that the National Front legislated in 1961, with the support of Kennedy's Alliance for Progress, in order to solve the problem of modernizing the countryside in the face of fears of a revolution. By the end of the 1960s, it was clear that this reform had been torpedoed from within by the interests of landowners affiliated with the leadership of the political parties. In the Sierra Nevada and La Guajira, where the peasant movement represented by the National Association of Peasant Users (ANUC) did not have a stable footing, the struggle was limited to survival (Zamosc, 1986, p. 75–76, 111; CNMH, 2010, p. 202–228). At this impasse, marijuana was the way out.

Similarly, creepy was the adaptive response to another fiasco in which the United States was also directly involved, namely the Caguán peace process that precipitated Plan Colombia. During the marimba boom of the 1970s, some farmers in Corinto and Caloto – as well as Palmira and Florida in Valle del Cauca – cultivated cannabis for a small group of up-and-coming traffickers who managed to establish reliable networks between the region and the export ports on the coast (CEV, 2022b, p. 73). For the rest of the aspirants, the promising business was the growing cocaine trade. Soon, the cannabis economy in Cauca was dwarfed by the trail of commercial coca coming from Putumayo and Caquetá (CEV, 2022b, p. 74). The new coca leaf, larger, thicker, and with a higher alkaloid content than the "pajarita" used for traditional consumption of the indigenous communities (interview #12), won the battle for land, labor, and resources when the FARC front operating in the area decided to make it the source of its finances (CEV, 2022b: 90). Although "a coca-growing peasantry comparable to that of Catatumbo or Orinoquía did not emerge there [Cauca], and coca crops did not reach the same scale within the agricultural economy," many peasants and ethnic communities found in coca a means of subsistence (CEV, 2022b, p.111).

Two strategies of the escalating post-Caguán conflict and growing intimacy with the United States came together at the end of the first decade of the 21st century to awaken the dormant volcano of marijuana.

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Firstly, the forced manual eradication and aerial spraying of coca crops, operations that constituted "the basis for analyzing the results of Plan Colombia" in Washington (Romero and Silva, 2009, p. 244). Secondly, the demobilization process of the United Self-Defense Forces of Colombia (AUC), a central policy of the Uribe administration's Democratic Security initiative, which served as an incentive for some small paramilitary groups to try to strengthen themselves locally by controlling drug distribution points. These simultaneous processes led to a process of accommodation of those affected in northern Cauca, where investors and marijuana producers from Antioquia, Valle, Eje Cafetero, and the Amazonian foothills found protection from the FARC in exchange for a tax on their crops (interviews #12, #10, #5). The installation of greenhouses for the cultivation of tech-enhanced cannabis consolidated the synergies between guerrillas and illegal entrepreneurs, thus financing another cycle of war.

Rural Communities and the "War on Drugs"

In both Magdalena Grande and upper-northern Cauca, cannabis brought together disparate groups with varying intentions. However, the undisputed protagonists were and continue to be rural peasant and indigenous communities. It was them who adopted a foreign crop as their own, learned its secrets, experimented with techniques, created desirable commodities for captive consumer markets, and forged moral economies to define roles, hierarchies, and procedures within the business, based on their political cultures.

In Magdalena Grande, the pioneers were settlers located in the highlands of the former banana zone, along the Frío River basin and its surroundings, families displaced by La Violencia which had arrived in waves in previous decades (Molano et al., 1988, p. 23). Located at the corner where the western slope meets the northern slope, sponsored by buyers and their local partners, and favored by ideal solar radiation, humidity, temperatures, and winds, the settlers paved the way for other sectors frustrated or excluded from the miracle of modernization to join

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in the production of marimba. Planting outdoors and using artisanal methods that in some ways imitated the well-known cultivation of coffee, peasant producers experimented with local strains that workers and sailors had brought from the Greater Caribbean during the golden years of the banana zone. They crossed these strains with genetics from the United States and Mexico imported by U.S. buyers themselves. They improved the productivity of their fields and the quality of their crops, and invented a menu of sativa hybrid varieties, with the famous Santa Marta Gold recognized as the most exquisite.

Image 3: Mother plants bank, licensed company, Bonda, Sierra Nevada de Santa Marta.

Photo by the author.

Around 150,000 producers and traders participated in this economy (Samper, 1980, p. 3), which had operated mainly through peaceful channels for years. During the boom, credit and debt facilitated ne-

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gotiations between producers and traders. Among the members of the commercialization networks, the colorful marimberos, who were mostly men from the region, old cultural codes facilitated the articulation of one link in the chain with another. They imitated the cotton growers of yesteryear, who used parrandas and accordion music to forge "a cultural project that privileges the logic of honor, clientelism, localism, and machismo" (Figueroa, 2009, p. 144), thus, the marimberos turned to vallenato, renewed the principles of compadrazgo, and wove a "moral economy based on power hierarchies" under the authority of the exporter (Silva, 2024). These pacts of subordination and dependence provided the marimba trade with a high degree of social legitimacy, which did not need systemic violence to operate. By the mid-1970s, marijuana had already displaced coffee, subsistence crops, and forests located below 1,500 meters above sea level, where another climate acted as a natural barrier (Ardila et al., 2024, p. 45). For more than a decade, this pyramid provided "about two-thirds of all the marijuana smoked in the United States," mainly on college campuses (Neff, 1979).

Although in the upper-northern Cauca the precursors were large entrepreneurs who arrived from other regions with seeds, capital, and technology, it was the indigenous growers who expanded it until it became "one of the main means of economic sustenance for families" (Indepaz, 2024, p. 20). Although the socio-political situation in the area presented advantages, as the FARC was willing to facilitate the business against the indigenous authorities who for years insisted on banning the plant (interviews #12, #3), the natural conditions were not ideal. The greenhouses and artificial lighting that look like a "manger" from a distance are technological adaptations to the local climate (El Espectador, 2022). Another successful adaptation is the hybrid strain that is sold under the generic name of Creepy, which is the product of imported varieties with a predominance of the Indica Kush and replaced the existing seeds, including the famous Punto Rojo (interviews #8, #10).

Despite these limitations, thousands of indigenous families saw their future in marijuana, displacing the initial entrepreneurs and confronting their own authorities and the armed organizations that sought to control the crop. The signing of the peace agreements in 2016 was the

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turning point. The FARC dissidents, grouped in the Dagoberto Ramos and Jaime Martínez fronts, sought to make marijuana the driving force behind their plans for expansion and consolidation (Indepaz, 2024: 31), which led to clashes with communities and a resurgence of the political culture of resistance and belligerence that has characterized the indigenous movement in the region. In the midst of the 2020 pandemic crisis, producers established the Guild, a cannabis cooperative based in Toribío, with a board of directors and supervisors for each village (interview #8). In a collective assembly, or minga, the Guild decided to expel outsiders, create a quota system for community members based on the number of plants, define rules for water and electricity management, and prevent prices from falling (Indepaz, 2024: 22). FARC dissidents continue to "regulate based on transaction control," authorizing the entry of buyers and charging them a tax per pound extracted from the region, but producers have gained autonomy over the functioning of an economy that is estimated to involve between 16,000 and 19,000 families (Indepaz, 2024: 46) and supplies the markets of Colombia and much of Central and South America (Shuldiner & Rosado, 2023; Méndez, 2024).

In both cases, marijuana initially came to the rescue of precarious and isolated economies pushed to the agricultural frontiers. A worker at one of the licensed cannabis companies in the Sierra Nevada de Santa Marta, a member of a family of marimba growers during the boom times of the 1970s, recounts that with the money from the first harvest, his mother bought a heifer, from which he and his siblings still have descendants. "It wasn't a temporary thing," he says proudly (interview #11). With marijuana, rural communities opened up a space to maneuver amid adversity, where they could make their way of life viable and overcome the narrow, rigid, and short-sighted vision of development that has historically prevailed at both the state and agro-industrial levels and has created major obstacles to cumulative, participatory, and diversified rural development (CNMH, 2013b, p. 33).

Their histories are a warning that the state is part of the problem. It is commonplace to attribute the emergence of illicit crops to the weakness or absence of the state. The histories of the marimba and the creepy question this premise, as they show that the process of state formation,

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its "differentiated presence" (González, 2003, p. 136), the inconsistency of its actions, and the discrepancy between what it plans and what it executes, are the causal factors. Analyzing "the forms of presence and articulation of the state" (Bolívar, 2003, p. 34), how power is constructed, preserved, and reproduced, and delving into a critique that recognizes internal colonialism, the relationship of dependence and subordination to the U.S. superpower, and the "particular version" of hierarchical and patriarchal "democracy" (López, 2019, p. 14) that constitute the repertoires of domination in Colombia, are the first steps towards understanding that the "war on drugs" was not imposed by Washington. On the contrary, a state that had failed in an agrarian reform used U.S. support for the "war on drugs" to renew, strengthen, and legitimize violence against the rural communities to which it had failed to deliver on its promises.

Three significant moments illustrate the process of adopting and adapting the "war on drugs" as a tool for renewing state violence. The initial cycle against the marimba in the late 1970s provided valuable lessons that were later adopted, expanded upon, and improved in other regions of the country in the 1980s. The cycle of expansion against coca and cocaine producers and "cartels," and to a lesser extent, poppy producers, in the 1990s, made Colombia the bloodiest arena of this war in the world. The cycle of synthesis with Plan Colombia merged anti-narcotics and counterinsurgency efforts under a new paradigm of territorial control, aimed at integrating a geostrategic corner of the hemisphere into neoliberal globalization.

Just as drug trafficking emerged as an export sector in the Sierra Nevada de Santa Marta, the "war on drugs" first unfolded there, after the administration of Julio César Turbay (1978–1982), in association with the Jimmy Carter government, launched the Two Peninsulas campaign in November 1978 (simultaneously applied in La Guajira and Florida, hence its name). The target of this low-intensity war was "the source," the production sites, on which resources and workforce focused through bilateral operations of crop eradication and trafficking interdiction. Unleashed as a state of siege that closed airspace and roads, replaced civilian authorities with military personnel, destroyed crops and harvests, put hundreds in jail, and sprayed the fields with poisonous

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herbicides, the first trial of this novel paradigm of state control deactivated the existing codes that governed the pacts of subordination and dependence which allowed the business to function without the need for systemic and indiscriminate violence. The violent presence of the state led to robberies, denunciations, intimidation, murders, and sexual assaults that henceforth defined a new modus operandi in the business.

But the chaos and bloodshed were not enough incentive for the governments in Bogotá and Washington to consider other options, including the legalization of cannabis, which was widely debated (Tokatlian, 2000; Britto, 2019). More than a pragmatic decision by the elites to reinforce monopolistic control and political domination (Camacho, 1981), the continuation of the "war on drugs" responded to a punitive state logic. During "a critical juncture" marked by a profound crisis of governance (Wills, 2015, p. 704), the "war on drugs" offered the Colombian state a valuable toolbox to legitimize stigmatizing discourses, sponsor communities of experts, create a new internal enemy, expand the functions of the military apparatus, concentrate power in the executive branch, and strengthen relations with the United States. On a continent of military dictatorships, a democratically elected government in Colombia turned violence into the lifeline of a political system threatened by popular discontent.

One of the functions of democracy in societies built on colonialism is to prevent the awareness that violence is constitutive in order to preserve the myths that reproduce the status quo (Mbembe, 2019, p. 27). Since its inception, the "war on drugs" has been a weapon of Colombian democracy to wage battles for "political legitimacy, the role of the state power, and the freedoms to which their citizens are entitled" (Farber, 2022, p. 6), powerful, flexible, and malleable, wielded "against domestic rivals and internal threats with and without the threat of drugs present" (Teague, 2022, p. 218).

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The Degradation of the State and the Escalation of the Conflict

By serving as a pilot program for channeling U.S. resources into new violent repertoires, the campaign against marimba contributed to the "modern cycle of violence" in Colombia, characterized by "a multiple, increasingly de-ideologized war" (Sánchez, 2021, p. 21). However, its official termination in March 1980 went unnoticed amid the turmoil caused by two insurgent operations: the takeover of the Dominican Republic embassy in Bogotá by the M-19 and that of the U.S. embassy in Tehran by a group of university students. In both places, U.S. diplomats fell hostage, prompting Washington to rethink its priorities and the Colombian state to focus exclusively on subversion. But in the original site of the "war on drugs," the violence did not cease. The end of the state campaign meant the reactivation and deepening of existing pacts of dependency and subordination, but this time in a context of terror from multiple sources. "The atmosphere was gloomy," recalls a resident of the Sierra Nevada, now a biologist and agronomist specializing in Santa Marta Gold, of his childhood in the 1980s (interview #1; Mazuera, 2017).

In the aftermath of the "war on drugs," armed groups created by some marimba-growing settlers to defend themselves from "predators" (González Zubiría, 2024) transformed into small private security armies. Led by Hernán Giraldo and Adán Rojas, these early paramilitary cells consolidated their power by exercising iron-fisted control over the Santa Marta market and carrying out social cleansing campaigns against common criminals and drug users, while receiving protection from the security forces and specialized training from the Castaño brothers in the Magdalena Medio region (CEV, 2022c, pp. 91, 105). The guerrillas arrived to dispute their power. First, it was the 19th Front of the FARC, which settled in the Sierra Nevada between 1982 and 1983. Then came the 41st and 59th Fronts in Cesar and La Guajira, also covering the Perijá mountain range, and finally the ELN (CEV, 2022c, p. 85). Equipped with "a discourse of social, economic, and political redemption, which would later transform into violent control of the territory," the guerrillas created "a parallel regulatory regime" that recruited minors, militarized daily life, and, together with the paramilitary structures they fought

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against, caused the highest number of victims of the conflict on the country's Caribbean coast (CEV, 2022c, p. 86).

The war against marimba and its problematic ending paved the way for the Sierra Nevada de Santa Marta to become "a scenario of armed confrontation linked to the internal conflict" (Trejos, 2020, p. 6). The absence of a process of truth, justice, and reparation after the Two Peninsulas campaign allowed local armed powers to decide the course of the transition. In their hands, a vicious circle of chaos and control trapped the regional society in a whirlwind from which they reaped the profits of the new cocaine economy. "The marimbera bonanza was a constitutive moment," the senior advisor for Peace and Post-Conflict in the district of Santa Marta claims, "there is no discontinuity" in the disregard for norms, "the subordinate position of women, the hypocrisy, the attitude of vassalage" (interview #4).

The case of Hernán Giraldo is emblematic, but not exceptional. The complex system of intermediation he created, by connecting local elites, security forces, state institutions, multinational companies, and international connections for cocaine and arms trafficking, made him indispensable to the functioning of the regional economy and politics for decades (Gutiérrez, 2024, p. 331). His actions relied on territorial control, community involvement, and the use of violence. One of the worst sex offenders of the war in Colombia, Giraldo and his men resorted to the abuse and humiliation of the most vulnerable sector of the population, girls and adolescents, in order to reinforce their reign of terror over rural communities and reaffirm "the patriarchal imaginary in which they proclaimed themselves 'owners' of lives and bodies" (CNMH, 2017, p. 74). The type of power that "through sexual violence is amplified and expanded into territorial domination" (Osorio, 2021, p. 40) thrived under the protection of a state that had delegated part of its functions to private agents, instead of repairing the damage, building consensus, and agreeing on a transition. As a "coercive intermediary," Giraldo complemented the way in which "the Colombian state was present in different territories in the context of the armed conflict" (Gutiérrez, 2024, p. 332).

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Although in general terms the "war on drugs" has failed in its stated objectives, it has been a resounding success in creating powers such as Giraldo's that have assisted in the capitalist expansion necessary to make neoliberalism functional (Paley, 2014). The fight against drug trafficking emerged as the "dominant ideology" of U.S. foreign policy, which had remained devoid of a guiding principle at the end of the Cold War (Mitchell, 1998, p. 8). Between the 1990s and the end of the century, Colombia went from being the testing ground for this policy to a laboratory for a new hybrid form of anti-narcotics and counterinsurgency, which was suitable for the incorporation of strategic regions into neoliberal globalization.

Plan Colombia, a program initially conceived by the government of Andrés Pastrana (1998–2002) as an investment in the social development of areas affected by war, was approved by the U.S. Congress in the summer of 2000 as a territorial control project, localized and regionalized during a key moment in the "political constitution of the global market" (Estrada, 2001, p. 15–16). Considered "the measure of success" for other similar initiatives around the world (Hylton, 2010), the Plan Colombia introduced a kind of double violence that presented the state and its military apparatus as gatekeepers of rights while concealing the private actors, both Colombian paramilitaries and U.S. mercenaries, who helped achieve the announced objectives through any means necessary (Tate, 2015, p. 10–12). The center of operations was the geostrategic Amazonian foothills in the south of the country. Known as the "push into Southern Colombia" (U.S. Dept. State, 2000), this strategy was intended to dislodge guerrilla groups from the border departments and weaken cocaine production in Putumayo, where it had flourished in the last decade.

The push southward under the military and paramilitary presence of the Colombian state, supported by the United States, revived the old strategy of attacking rural communities at "the source," as if they were existential threats to what appeared to be a "failed state" (González, 2003) that was unable to establish a presence in the valuable Amazon basin while left-wing governments took power on the continent. The strategy first stifled the coca growers' movement, which in the 1990s had managed to "negotiate as valid interlocutors with state representatives and

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to propose their own alternatives for the region" (Ramírez, 2011, p. 11). It also forced the Western Bloc of the FARC, commanded by Alfonso Cano, to retreat to the upper-northern Cauca corridor, where they joined other existing fronts and confronted the Calima Bloc of the AUC and its subsequent strongholds, the Águilas Negras (Black Eagles) (Duarte et al., 2022, p. 111). "Forced displacement, irregular detentions, torture, sexual violence, murders, confinement, planting of anti-personnel mines, forced recruitment, forced disappearance, attacks on the civilian population, threats, and attacks on the environment" are all war crimes committed against the populations of the municipalities of Santander de Quilichao, Suárez, Buenos Aires, Morales, Caloto, Corinto, Toribío, and Caldono as a direct consequence of the Plan Colombia (JEP, 2018).

The emergence of creepy occurs between the ebb and flow of war and peace. Foreign entrepreneurs established the first greenhouses during the final stages of the Plan Colombia, during the time of Uribe's Democratic Security. Indigenous families multiplied micro-crops on a plot of land or a corner of their parcel during the Santos peace negotiations (González Posso, 2019). The double explosion of creepy and victims happened in the years following the signing of the agreements due to the uncertainty of implementation under the Duque government (2018–2022). Former senator, Nasa authority, and peace negotiator Feliciano Valencia asserts that the root of the new cycle of violence in upper-northern Cauca is "the great failure of Havana," understood as the failure to comply with the agreements not only between the government and the FARC, but also between the government and the traditional authorities grouped in the CRIC (interview #12).

The roadmap for ending the war exists, but it has been lost on the ground. The disaster begins, but does not end, with the National Comprehensive Program for the Substitution of Illicit Crops (PNIS), which, although it only covers coca, promised to be the spearhead of renewed state action. In Miranda, the municipality selected for the pilot program, of the 1,300 families that agreed to participate, three years later only 500 had received resources, while the rest were plunged into poverty with their fields eroded and without any infrastructure to alleviate the degradation (Vélez & Lugo, 2021, p. 58). Instead, a small-scale corporate agri-

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culture program was imposed on them, one which replicated the agro-industrial model that has historically generated a highly regressive system of wealth distribution in the region (Vélez & Lugo, 2021, p. 59). The swift violence of the war was coupled with the "slow violence" of daily dispossession, which causes a subtle and prolonged breakdown of social and biological life (Vélez & Lugo, 2021, p. 58) and fuels "a dynamic of diverse conflicts" of an interethnic and intercultural nature over the use of land and soil (Duarte et al., 2022, p. 171).

Image 4: Batons of authority of the Cauca's Indigenous Guard, López Adentro resguardo (reservation), Caloto, Cauca.

Photo by the author.

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Cultivating awareness of this complexity is one of the tasks of the Indigenous government under the leadership of the CRIC and the Association of Indigenous Councils of Northern Cauca (ACIN). The failure in the implementation of the Peace Agreement confirmed to the authorities and community members "that we must rely on our own logic and not depend on Bogotá" (interview #5). The 16th CRIC Congress in August 2021 was crucial for the redefinition of the Cxha Wala Life Plan, as at that "juntanza" (gathering) the communities reaffirmed the urgency of advancing in the construction of a regional interethnic universe of indigenous, Afro-descendant, and peasant communities strengthened in their organizational processes, based on their own rights and education, with the goal of protecting Mother Earth (interview #9).

Given this worldview, illicit crops and drug trafficking are among the most significant challenges. Cannabis, which has recently experienced rapid growth, has been a topic of debate, discord, and conflict. The influx of investors and consumers from outside the region, the involvement of families, including children, the growing school dropout rate associated with cultivation work, the rising cost of labor, the participation of young people from the communities in transportation through the mountains, and the increase in consumption among them, all these factors led traditional authorities to initially impose their version of prohibition. The stable livelihood it provides for families, the economic independence it gives to women "haircutters" who are responsible for the delicate task of cutting the flower, the opportunities to apply the technical education that many have received in the cities, and the diversification of the economy with derivative ventures are some of the advantages to promote. Supported by the Indigenous Guard, authorities and community members have tried everything, from forced eradication campaigns to concerted efforts to reduce production and industrialization projects (González Posso, 2019). This recursive search for community solutions laid the foundations for the great cannabis cooperative created by the Guild, with which growers continue to fight for autonomy over their future.

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The Patriarchal State and the Legalization of Cannabis

Creepy took over upper-northern Cauca as a result of Plan Colombia, and its cultivation has been democratized as a political commitment on the part of the communities. The approval of Law 1787 in the Congress in July 2016, which created a regulatory framework for the medical and scientific uses of cannabis and its derivatives, was the signal that raised hopes. Article 3 includes several paragraphs stipulating that the state must "protect and strengthen" initiatives, "developed by rural communities and indigenous peoples and communities," and promote and formalize "partnerships" between them and producers with greater investment and technological capacity. When, months after the enactment of this legislation, the government and the FARC signed the agreements, all the pieces seemed to fall into place. "That was the dream," that peace and legalization would happen simultaneously, says one of the founders of Caucannabis, a cooperative in Toribío dedicated to industrializing the plant based on indigenous knowledge (interview #8). In an ideal scenario, cannabis is a source of employment and technical education for the reintegration of demobilized combatants and a tool for reconciliation in the region. In reality, the plant was the excuse for a new invasion of investors in search of the green gold of the cannabis pharmaceutical industry.

Until now, cannabis has been caught in a limbo, between state-sanctioned pharmaceutical uses and adult uses that are legally restricted and socially stigmatized. The great missed opportunity was the period following the signing of the agreements. The lack of political will on the part of President Iván Duque to implement what was agreed upon in Havana strengthened "the paternalistic state that infantilizes society" (interview #13) and, according to which, a peaceful future is built from above, with investor confidence, and not from below, based on the needs of the communities directly affected by the war. The severe short-sightedness in the face of the unique opportunity that this moment offered Colombians, namely "to be pioneers and leaders in the global market for medical and recreational cannabis" (Quintero, 2020, p. 42), has set the tone for a debate and public policy mired in stigma and outdated moral-

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istic discourses, entrenched in shame and punishment, which mistakenly insist on seeing the plant as a gateway to vice and degeneration.

Image 5: Home cultivation for personal consumption, Bogotá.

Photo by the author.

Barely mentioned in Point 4 on illicit crops in the Havana peace agreements, and after seven failed attempts at regulating adult use in Congress (at the moment of writing this essay), cannabis continues to flourish in the fields of upper-northern Cauca and the Sierra Nevada de Santa Marta, as well as on terraces, balconies, plots of land, rooftops, and in the rooms of home growers. However, the peace agreements, which outline a long-term vision for the country along with the necessary reforms to overcome the war, do not address these issues and focus solely on those related to coca. This narrow view responded to a political agenda that aimed to achieve "some kind of recognition by the FARC of its participation in the business" (interview #14). In other words, in

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seeking to hold the guerrillas directly responsible for drug trafficking, the government focused on the coca economies and ignored everything else (Bermúdez, 2018, p. 185). The shift in international opinion was also a factor. With a series of reforms underway on the continent, the government insisted that the issue of cannabis was "a discussion that must take place in the country with broad participation from different sectors of society," not behind closed doors at a negotiating table (interview #14).

By the time Point 4 was discussed, the need to align with the U.S. superpower led a sector of the political elite to take on the task of addressing a contradiction in the lost "war on drugs." Since 2012, and against the will of the federal government in Washington, citizen organizations in the United States have been calling for and winning referendums state by state in favor of the decriminalization or legalization of cannabis. In this context, the Ministry of Health and Social Protection in Bogotá began to support the movement of doctors and patients experimenting with the plant in the treatment of chronic pain and terminal illnesses, including HIV (Kapkin, 2015). Finally, it issued Decree 2467 of 2015, which served as the basis for the law of the following year, Law 1787 of 2016, mentioned before. As in the rest of Latin America, "the transnational spread of ideas" was key, but "reform adoption depends on pro-reform elite political coalitions" (Durán & Penell, 2024, p. 4). In Colombia, these reformist elites resorted to the medicalization of the plant to make morally acceptable a first step toward another paradigm.

However, the weight of prohibitionism has produced a law that excludes the vast majority of existing producers and consumers without offering paths of transition from illegal to legal markets. Even those who benefit find in the actions of the state the greatest barriers to their growth. "It's challenging to build an industry when you're working with such a stigmatized product," says the manager of one of the licensed companies in the Sierra Nevada, who has decades of experience as a flower grower (interview #2). Improvising accommodation strategies, producers and consumers have created a gray area between legal and illegal, where the big battle is over the flower. Legislation passed in 2016

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created a system of four types of licenses in which the flower was considered a simple input for pharmaceutical products, which require high injections of capital and technology. By not decriminalizing the flower, the regulation established "a form of legal shielding to prevent illicit business" (interview #13) while serving as a hook to promote "investor confidence at the expense of the victims of prohibition" (interview #3).

It is not surprising that the first effect of the Law 1787 was a speculative bubble of paper companies formed by national and international investors. Up until the conjuncture of the pandemic and the creation of the Guild in Cauca in 2020, the business was "mostly monopolized by large local and foreign capital" (Martínez, 2019, p. 2). The trite dilemma of agro-industries and peasant economies, which the state once again resolved in favor of the former, deprived the country of "income, taxes, and social benefits in the short, medium, and long term" (López, 2022, p. 32). Solving this economic problem, not necessarily promoting social equity, was what led the Duque administration to enact Decree 811 of 2021, which created the conditions for the flower to become an end product.

Despite this vital change, the specter of drug trafficking has continued to cloud the official perspective, which has failed to recognize that cannabis is much more than fuel for war. With the end of the marijuana boom, the plant-commodity became a "localized" and domestic phenomenon of microtrafficking (Botero, 2024, p. 10). The consolidation of paramilitary groups in the 1990s placed marijuana at the center of disputes for being the most widely consumed drug. Dominating the sales markets was a form of territorial control, while repressing marijuana consumers was a vehicle for social control. In Cali, for example, "death squads […] ended up seeing 'bareteros' (marijuana users), LGBTIQ+ people, and prostitutes as the thousand heads of the 'communist and subversive monster,' when the only revolution they wanted was that of the body" (CEV, 2022b, p. 42). But since the conflict has morphed into a collection of focalized battles, and since criminal structures have changed from pyramids to networks, "like a shade cloth that covers the marriage between legality and illegality" that makes them possible (interview #6), "cannabis is no longer relevant, the portfolio has grown," and extortion, real estate

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speculation, prostitution, and human trafficking are more critical issues in cities (interview #7).

Even in upper-northern Cauca, where the trafficking of creepy continues toward South America, where it has displaced the traditional "Paraguayan" (Botero, 2024, p. 15), other activities have begun to carry more weight as a means of sustaining the war. The fragmentation of armed groups without a chain of command, the violence of FARC dissidents against those who seek to prevent the recruitment of minors and other human rights violations, and the creation of the Guild, as well as the process of democratization of crops have been undermining the control of armed actors over creepy. After the assassination of Mayor Carmelina Yule in March 2024, "the Guild became emboldened," sought the support of traditional authorities, and together they closed ranks, forcing FARC dissidents to resort to other methods of financing, such as extortion, kidnapping, and gold mining (interview #12).

In upper-northern Cauca, as in the rest of the hemisphere, social mobilization from below has pushed for a paradigm shift (Durán & Penell, 2024). The awakening of a courageous youth of indigenous university students and technicians who have taken the lead in the industrialization of cannabis has helped to organize the Guild, create a portfolio of food, cosmetic, and medicinal products that fuse ancestral techniques with new technologies, and experiment with seeds from different parts of the world to reverse the monoculture of the creepy (interviews #5, #8, #9, #13). In cities, it is no different. A new generation has contributed to an existing culture of consumption that began in the 1970s and was further amplified in the 1990s by the 1994 Ruling C-221 of the Constitutional Court, which decriminalized personal use. Building on the lessons learned by pioneering activists such as Olmes Ortiz, founder of the Marijuana March (Arteaga, 2023, p. 205), a network of enterprises, non-profit organizations, cannabis clubs and roundtables, and consulting and lobbying groups has formed, bringing together consumers and entrepreneurs to educate themselves about the laws, perfect cultivation and extraction techniques, organize cups and fairs, and hold marches and "smoke-outs."

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Image 6: Cannabis essential oil, Natural Medicine Plant, Santander de Quilichao.

Photo by the author.

Young people are at the forefront of social reform around the plant because they have been direct victims of prohibition. Violence against consumers was not exclusive to guerrillas or paramilitaries. Public law enforcement has consistently resorted to prosecuting drug possession as an easy and effective way to show results, avoiding the prosecution of other behaviors, such as money laundering or conspiracy to commit a crime, which "are much more complex to detect" and whose prosecution "can help strike at organized crime and illicit economy in a more effective way, as well as protect public safety and health" (Uprimny et al., 2017, p. 34). One in three arrests made by the police in 2014 was drug-related, with 52% involving people under the age of 25 (Uprimny et al., 2017, p. 36). Between February 2017 and February 2019, just under half of the nearly 1.7 million corrective measures imposed by the national police

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were for drug possession and targeted people under the age of 30 (Quintero, 2020, p. 144). Prohibitionism on an urban and local scale is a war against the youth, especially those living in poverty and who have been racialized (Botero, 2024, p. 22).

Image 7: Cannabis businesses, Copa Farallones, Cali.

Photo by the author

With stigma as its compass, the state entrenches itself in paternalism. The executive branch only recently (October 2025) dared to enact a regulatory framework for adult uses and the legislative branch continues to stumble through moralistic debates. A dynamic society makes up for the ineptitude of the state. The beginnings of a disarmed and peaceful cannabis economy, multi-scalar, with large, medium, small, and micro-entrepreneurs, startups, and non-profit organizations, pluralistic in its

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class and regional composition, multi-ethnic and multicultural, are to be found on the gray market that has emerged in recent years at the confluence of restrictive state laws and broad social organization. Enabling what people are building to flourish requires a new institutional framework based on the recognition of the debt accumulated with the victims of the "war on drugs." It requires focusing on the human aspect and the effective exercise of constitutional rights, including environmental rights, as well as the strengthening of citizen participation in public life (Jaramillo, 2014). It is the "territorial peace" conceived in the peace agreements; the challenge is to implement it.

For a state accustomed to taking refuge in the familiar war to make a leap into the unknown peace, it requires an aware, politicized, and organized citizenry to take the lead. Some of the protagonists of the marijuana histories have stopped keeping quiet so as not to cause discomfort. They shout about war, the formation of new armed powers, and the intensification of state violence in ethnically diverse regions and among counter-hegemonic sectors. They also whisper about peace, about how groups with varied interests have managed to come together to create strategies of resistance against violence and to produce socio-economic, political, cultural, and technological innovations that point to possible futures. But "learning to love plurality is really difficult," wrote philosopher Estanislao Zuleta in the early 1990s, in the midst of another failed attempt to put an end to the conflict, "we are accustomed to believing in our idea as the only true one, unquestionable and unchangeable" (Zuleta, 2015, p. 18). Stop ignoring the victims of the "war on drugs" is a pending the task for the society.

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2. Rodrigo Cristancho, manager of a licensed and exporting company; Bonda, Magdalena, Sierra Nevada de Santa Marta, 7 September 2024.
3. David Curtidor, founder of Coca Nasa and former director of the National Narcotics Fund; Bogotá, 29 July 2024.
4. Jennifer del Toro, High Advisor for Peace and Post-Conflict, Santa Marta Tourist District; Santa Marta, Magdalena, 6 September 2024.
5. Carlos Espitia and Salomón Majbub, researchers at the Institute for Development and Peace Studies, Indepaz; Bogotá, 31 July 2024.
6. Max Yuri Gil, coordinator of the Truth Commission, Antioquia-Coffee Region territory, and director of the Institute for Political Studies, University of Antioquia; Medellín, 27 August 2024.
7. Diego Herrera, researcher at Viva la Ciudadanía; Medellín, 29 August 2024.
8. Alfredo Muelas, founder and member of Caucannabis; Toribío, Cauca, 13 September 2024.
9. Leonidas Perdomo, Jesús Édgar Ramos, Marino Oviedo, and Marina Calisto, members of the Indigenous government; Corinto, Cauca, 12 August 2021.
10. Sergio Puerta, genetics expert (breeder); Bonda, Magdalena, Sierra Nevada de Santa Marta, 7 September 2024.
11. Wilmer Serrano, cannabis grower; Bonda, Magdalena, Sierra Nevada de Santa Marta, 7 September 2024.
12. Feliciano Valencia, former senator of the Republic and Nasa authority; Viyachí, Santander de Quilichao, Cauca, 2 September 2024.

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13. Diana Valenzuela, lawyer and consultant for the cannabis sector; Rionegro, Antioquia, 28 August 2024.
14. Carolina Varela, advisor to the Office of the High Commissioner for Peace in the negotiations in Havana; Bogotá, 6 August 2024.

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Societal Effects of the Drug Economy

A Case Study From Rural Mexico, 1978–2024

Jakob Krusche

Introduction

In several regions of Mexico, societal life is determined by the drug economy and the organizations associated with it. The term 'drug economy' is applied here as an umbrella concept to address all related activities (production, transportation, commercialization, and consumption) and a range of products (poppy, marijuana, cocaine, crystal meth, fentanyl), regardless of variations in their legal status. This socio-historical case study[1] examines how the insertion of production sites into the global drug supply chain affects the respective local society.[2]

The geographical area considered in this case study is situated in the southwestern Mexican state of Michoacán and became the second production site of the Mexican drug economy in the second half of the 20th

1 This case study is part of an ongoing socio-historical research project on legitimization practices of local violent actors in rural Mexico.

2 I want to thank the convenors and participants of the International Workshop "Entanglements of (Il)legality and violence: Drug trafficking and drug policies in the Americas", held in June 2024 at the Centre for Interdisciplinary Research (ZiF) in Bielefeld, for their valuable comments on my presentation. Furthermore, I want to thank Philipp Wolfesberger, the editor of this book, for his guidance, as well as Zoltán Boldizsár Simon, Martin Petzke and my colleagues of the Bielefeld Graduate School in History and Sociology for their suggestions on earlier drafts and manuscript versions of this chapter. Special thanks to Erik Downs and Zach Lewis for language editing assistance.

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century, after the so-called "Golden Triangle".[3] The cultivation of poppies and marijuana began here in the 1950s (Guerrero, 2014; Maldonado, 2010, p. 284) and has been one of the central means of earning a living since the late 1970s. By using this moment as a starting point and focusing specifically on a rural municipality in the Sierra Madre del Sur region, the study aims to analyze the development of the local society against the backdrop of the emerging drug economy *in situ*, considering a period of almost five decades between 1978 and 2024. Based on a qualitative approach, the study (1) applies Bourdieu's thought to trace back whether and how the drug economy affects local society, it (2) examines the intertwining of local society with the drug economy, and (3) discusses to what extent the observed societal developments are specific to this economic sector.

The remarkable work of Hubert Cochet (1991) on the Sierra Madre del Sur region describes the early stages and local socio-economic effects of the drug economy during the 1980s, regarding the region's "integration into the international division of labor" (ibid., p. 192, own translation from Spanish). Guillermo Vargas Uribe (1993, p. 66) built on Cochet's work and is considered a pioneer in estimating the share of this economic activity in the region's Gross Domestic Product (GDP) during the same decade. However, since then, little academic attention has been given to this the societal effects of the drug economy within this region, and no studies have covered a period of several decades. Further indispensable references are the scholarship of Gerardo Sánchez Díaz (1988) towards the underlying socio-economic trajectory of the Sierra Madre del Sur region, the work of Enrique Guerra Manzo (2018a; 2018b) about the historical role of violence within the area, as well as the works of Esteban Barragán López (1997) regarding the specificities and heterogeneity of rural societies within the state of Michoacán. Furthermore, the scholarship on the socio-economic effects of agricultural crisis and neoliberalism in the 1980s and 1990s (Gledhill 1995) within the entity, and

3 "Golden triangle" refers to the three states of Durango, Chihuahua and Sonora in northern Mexico, where the first production sites of the Mexican drug economy were established.

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overarching works on the socio-political effects of violence in the context of the drug economy since the new Millennium (Salvador Maldonado Aranda 2018, 2020; Wolfesberger, 2017) are of contextual orientation for this study.

Socio-Historical Context

The area of the municipality under study is about 2.800 km², which is almost two times the size of Mexico City, while its landscape is described as "heavily forested, mountainous and rugged" (Stauffer, 2013, p. 153). During the 19th century, its indigenous inhabitants were displaced by mestizo settlers (*rancheros*) (ibid., pp. 154–57; Sánchez, 1988, pp. 66–78). Since then, the economic activities within the municipality have been dominated by the timber industry, cattle farming, iron ore mines, and agriculture (INAFED, 2005). Due to its geographical distance from the political and administrative center of the state of Michoacán and the lack of infrastructure, the Sierra Madre del Sur region was, in socio-economic terms, strongly linked to the neighboring states of Jalisco and Colima (Krusche, 2015, p. 152). In the 1940s, the region was subject to policy efforts of the federal government (infrastructure development, agrarian reform, and agricultural subsidies) to enhance its integration into the national economy (Maldonado, 2012, p. 11).

Against the backdrop of national and international developments (e.g., railway strike, agrarian conflicts, *Guerra sucia*, Cold War) during the 1950s and 1960s, expressions of political opposition to the federal government became visible within the region. The suppression of uprisings and the fight against the incipient drug economy came along with the militarization of the Sierra Madre del Sur region and its municipalities (Maldonado, 2010, pp. 284–85). In the 1970s, state agricultural subsidies did not achieve the desired outcome, leading to the end of the so-called *Mexican Miracle* (an import-substitution-based period of economic development) (Sherman, 2000, p. 605). Follow-up food assistance programs were eliminated because of the 1982 debt crisis (Stephen & Werner, 1997, p. 1315), and the cultivation of marijuana and poppies expanded massively during this period, becoming one of the primary

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sources of income in the municipality during the 1980s (Maldonado, 2010, pp. 394–95). According to a study conducted by the Facultad de Economía of the Universidad de Michoacán, up to 20% of Michoacán's GDP during this period was related to the drug economy, whereas in the Sierra Madre del Sur region it represented an estimated 50% (Vargas, 1993, p. 66). In the municipality under study, this economic activity thus contributed to overcoming the economic challenges of the 1980s, the so called "lost decade" (Ibid., p. 64), alongside employment in the timber industry and in the local government, as well as the receipt of remittances (La Redacción, 2002) sent by locals who had migrated to the USA. However, already at the end of the 1970s, the drug economy was one of many issues that required regulation by the local administration, besides the supply of drinking water[4], the building of drainage systems and roads, the electrification of the municipality[5], dealing with territorial disputes[6], high crime rates[7], the implications of the inept behavior of a local district attorney[8], and the maintenance of reliable prison facilities[9].

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4 See AGHPEM: Request from the Local Water Committee on July 17, 1978, to the General Secretary of the State Government for financial support to build filters for water purification.

5 See AGHPEM: Request from the local mayor on August 9, 1979, to the regional unit of the Federal Commission of Electricity, to extend the public lighting network in several streets of the town.

6 See AGHPEM: Request from the local mayor on February 9, 1978, to the General Secretary of the State Government to send an engineer to the municipality, to resolve problems of demarcation between different agrarian communities.

7 See AGHPEM: Request from the local mayor on January 18, 1978, to the Commander of the Regional Military Zone to send a group of soldiers [partida militar] to the municipality to restore "peace and tranquillity" in a settlement with high crime rates.

8 See AGHPEM: Report from the local mayor on March 15, 1978, to the General Secretary of the State Government about continuous abusive behaviour of the local district attorney [Ministerio Público] towards inhabitants of the municipality.

9 See AGHPEM: For the late 1970s and early 1980s, several escapes from the local prison are reported. In a letter to the state persecutor on March 5, 1978: the local

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By the end of the 1980s, political violence escalated[10] as the state of Michoacán became a stronghold of factions opposing the decades-long rule of the Institutional Revolutionary Party (Maldonado, 2010, pp. 407–08), which reached one of its peaks in the 1989 local elections, marked by electoral fraud (Nava, 1990, p. 124), and the subsequent occupation of several mayoral offices by protesters. The municipality became a power base for the newly founded Party of the Democratic Revolution (PRD),[11] electing one of its first mayors who took office in 1993 (INAFED, 2005).

Since the turn of the new millennium until the present day, the territory of the municipality has been a frequent venue for disputes between different local violent actors, accompanied by waves of displacement, forced disappearance, and extrajudicial killings. Whereas some of these organizations are openly associated with the drug economy, others allegedly oppose them, e.g., the initially citizen-supported uprising of a local self-defense group in 2013, known as *grupo de autodefensa* (autodefense group). At least since the open declaration of the so-called "war on drugs" in 2006, the municipality has faced continuous interventions by the security forces, e.g. in the context of the so called *Michoacanazo*, the detention of local mayors who had apparently colluded with criminal structures in 2009, or during the interim takeover of the state functions of Michoacán by the federal government in 2013 and 2014. Following those events, the police forces at the state and municipal level were reformed, as well as the presence of national security bodies in the region, which have been strengthened, e.g., by the permanent allocation of a military battalion in the municipality in 2015 or the settlement of the National Guard in the neighboring district in 2021. Despite this, the

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mayor reports that six inmates had escaped through a hole in the prison wall, presumably with the help of the municipal police.

10 According to John Gledhill (1995, p. 70), 68 militants of Party of the Democratic Revolution (PRD) were killed in the state of Michoacán between 1988 and 1994, which represented "a quarter of the national total" (ibid.) killings of PRD-militants during this period in Mexico.

11 See interviews with Ignacio, June 2023, and with Darío, February 2024.

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state appears to have left the security situation within the municipality unresolved, as its territory was difficult to access for several months in 2021 and 2022. Due to a dispute between local violent actors, many connecting roads had been cut off by trenches.

For my analysis, I was compelled to return to the late 1970s, when the municipality under study had a depressed and barely diversified economy and the local administration was working at its limits. The local society of the area had long been separated into different societal realities, which created conditions favorable for the drug economy. Within this rural municipality, these societal realities can be divided into those of the ranch-inhabitants and those of the town-inhabitants. The former can be considered as independent, self-sufficient, and small-scale agricultural units, often difficult to reach, whose surplus production is distributed at local and sub-regional levels (Stephen & Werner, 1997, p. 1314). Meanwhile, the latter is home to the municipal government's seat, offering public employment, and is also where small private businesses, shops for daily needs, and businesses that supply the surrounding agrarian communities and ranches are located.

Modus Operandi

The study is based on three primary methodological sources: interviews, archival material, and chronologies, which I gathered during two research stays in Mexico in 2023 and 2024.[12] The corpus of verbal data considered for this case study consists of 14 eyewitness accounts, collected *in situ* by employing narrative life-history interviews (average duration: 2.5 hours) with 11 residents of the municipality under study and three inhabitants of other districts within the Sierra Madre del Sur and Tierra Caliente regions of Michoacán. Although the retrospective narrative technique of the life-history approach is regularly

12 The field research was funded by CALAS (2023, partial funding) and Erasmus+ (2024, total funding). The field research in 2024 was institutionally supported by the University of Guadalajara, and by Marcos Pablo Moloeznik Gruer's tutoring, for which I am very grateful.

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limited by individual biases (e.g. class, gender, age, political affiliation, status group), by established anecdotes and memory gaps, as well as by personal considerations about how to recount the respective lived experiences, it offers insights on "how people explain their world to themselves and give meaning to (historical) events" (Althaus & Apel, 2023, pp. 12–13, own translation from German) and processes, with reference to a considerable time span. The possibility of covering several decades in one interview is one of the reasons I specifically approached people of retirement age. The eyewitnesses are on average 60.5 years old, mostly male[13] (86%), married, have a university education, and have migration experiences to the USA. While only two of them have spent most of their working life in an agricultural-related occupation, the interviewees describe themselves either as ranchers, their descendants, or as townspeople. Due to ethical considerations and the contextual conditions[14] of the field research, the informed consent with the interviewed counterparts demands the anonymization of the cited individuals and any traceable references within the included materials.

To approximate how the growing drug economy affected society at the production site, the interview data were submitted to content analysis by using MaxQDA 2022 (VERBI Software, 2021). The initial deductive coding of the data focused on the development of the interviewees' lives since the end of the 1970s. Then, it was extended by the inductive subdivision into the 'ranch' and 'town' perspectives. On this basis, aspects of each person's self-perception and perception of others were coded. The coded units were synthesized in accordance with Philipp Mayring (2010, p. 605) through paraphrasing, generalization, and reduction, which thus

13 Women who were asked for interviews often refused on the grounds that they would know too little. Some of them preferred to refer to their husbands instead.

14 The main part of the verbal data was gathered during the ongoing in-situ-presence of organisations related to the drug economy and before the 2024 presidential and municipal elections, which were accompanied by violent incidents within the state of Michoacán (e.g. extrajudicial killings of mayoral candidates). This is also one of the reasons why the municipal district referred to in this study is not named directly within the text.

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laid the foundation for the inductive reconstruction of the societal realities of 'ranch' and 'town' referred to in the following.

The information obtained from the interviews is complemented by archival materials such as official correspondence of the municipal administration (1978–1986) and the regional military command (1970–1994), collected in the *Archivo General e Histórico del Poder Ejecutivo del Estado de Michoacán* (AGHPEM, Morelia) and the *Archivo General de la Nación* (AGN, Mexico City). Whereas the former may refer to administrative requirements of civil institutions, at that time wholly controlled by the Institutional Revolutionary Party (PRI), the latter may represent the fulfilment of duties within a military structure. Even though the communications of the respective mayors and army commanders are intended to meet the known and imagined expectations of the superior authority while bargaining for their own interests (personal/professional) as well as for those of the administrative entities they belong to, they contain valuable information to put the eyewitnesses' narrations on historical events and processes into perspective. Furthermore, the Encyclopedia of Mexican Municipalities was included. Located at the Library of the *Instituto Nacional para el Federalismo y Desarrollo Municipal* (INAFED, Mexico City), the encyclopaedia serves as a fundamental source for structural information about the municipality and political developments at the local level, besides its official historiographical character.

As the emerging drug economy encounters pre-existing societal structures within the municipality, the analytical processing of the inductively coded material uses Bourdieu's theories as an underlying framework. Thus, I apply the concepts of habitus and distinction as analytical lenses to trace back whether and how the drug economy affects local society during the period of study.

'Habitus' is understood here as a social-context-driven (Krais, 2015, p. 100) "result of incorporated experiences which informs our perceptions, ways of thinking and behaviors" (Schroer, 2017, p. 317, own translation from German). As a basic individual pattern, it "suggests certain decisions and makes others unlikely" (ibid.) or develops creatively new behaviors in new situations (Krais, 2015, p. 99). Regarding the specifics

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of daily practices, e.g., in the economic or educational sphere (Schroer, 2017, p. 317), habitus is furthermore seen as an indicator of belonging to certain societal entities, and thus applicable as a matter of "distinction between different societal entities and their respective members" (Guttandin, 1995, p. 262, own translation from German). Based on this function, it is additionally understood here as a marker for those "behavioral patterns and ways of thinking", which lead to the reproduction of "the unequal principles of the societal structure" (Kraemer et al., 1995, p. 148, own translation from German). However, alongside these useful features, the concepts referred to above also imply the risk of viewing individuals as prisoners of their social background, thereby underestimating their potential for transformation that enables social mobility (Wickert 2025). Disregarding this emancipatory potential in habitus research contributes to the consolidation of the status quo and leads to the reproduction of established structures of domination (Sonderegger, 2010, p. 33).

To analyze the development of the relationship between society and the drug economy within this chapter, (1) the societal realities of 'ranch' and 'town' are contrasted against the backdrop of the growing drug economy in a period encompassing approximately five decades (1970s to 2020s). Subsequently, (2) the progressive intertwining of local society with the drug economy is traced back by considering emblematic developments in law enforcement, government, and promotion of social activities. Finally, to assess the explanations given based on the primary sources, (3) the preliminary observations are analyzed according to their specificities regarding the drug economy and by considering the constraints of the study's methodological approach.

(1) Societal Realities and the Drug Economy

Carrying out the inductive reconstruction of the 'ranch' and 'town' realities, I first contrasted them descriptively and adapted them in the chronological order of the synthesized narrations, from the 1970s until

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the 2020s, and finally summarized and analyzed them by focusing on education, behavioral conventions, and means of earning a living.

The Seventies – Distant Realities

The people from the ranches remember life there as being busy: six days of work, eating, praying, sleeping. Everyone helped. There was mass on Sundays, and the rest of the day was free. Time of day was irrelevant; the parameters of daily life were daylight and physical strength.[15] The people were self-sufficient and consumed what they had produced. Every six months, a calf was slaughtered; the meat was prepared and dried in the sun.[16] Ranches were places without electricity or sanitary facilities[17], and they were up to 500 hectares in size. Cattle farming and maize cultivation required a lot of space.[18] By foot or on horseback, the ranches were usually several hours away from the main town, and there were often no paved roads.[19] Several ranches were completely without any means of communication during the rainy season.[20]

Carrying a gun was considered a normal part of a rancher's attire. A typical *charro mexicano* wore a sombrero and carried a pistol.[21] Once or twice a year, ranchers and farmers[22] came to town to sell their products (chayote, prickly pears, peaches) and to buy necessities (blankets, pots, soap)[23] or possibly have their children baptized.[24] Families were usually large.[25] The morals and values came from the Bible. The parents'

15 See interview with Guillermo, March 2024.
16 See interview with Gustavo, March 2024.
17 See interview with Guillermo, March 2024.
18 See interview with Gustavo, March 2024.
19 See interview with Guillermo, March 2024.
20 See Interview with Darío, February 2024.
21 See interview with Gustavo, March 2024.
22 Here, and in the following, the word "farmer" is used as a non-specific translation of the Spanish word "campesino".
23 See interview with Gustavo, March 2024.
24 See interview with Guillermo, March 2024.
25 See interview with Gustavo, March 2024.

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generation had little or no school education.[26] There were a few primary schools outside of town, and it was difficult to find teachers for them.[27] The town was the birthplace of respected politicians and academics[28] and was therefore known on the ranches as the "Athens of the region", a place where educated people lived. If schoolchildren from the ranches wanted to attend secondary school, they had to stay at a boarding school in town. On Sunday, some pupils walked up to five hours from the ranch to the town and back again on Fridays. More and more ranchers were beginning to consider whether they could get further with the cultivation of marijuana, which was in demand in the USA, than with conventional agriculture, such as cattle farming or maize cultivation. The geographical conditions of the municipality were considered favorable for the cultivation of marijuana.[29]

Townspeople recall the town as isolated but cultivated, with younger people frequently leaving for studies in larger cities and then returning.[30] Contact between the people from the town and the inhabitants of outlying settlements was concentrated on the logging areas, which supplied the sawmills in the main town[31], or during celebrations of public or religious holidays, when the ranchers came to town.[32] Although townspeople say they knew that marijuana was grown in the mountains, they remember no manifestation of this in town[33], besides a few young

26 See interview with Guillermo, March 2024.

27 See AGHPEM: Report from the local mayor on February 9, 1978, to the General Secretary of the State Government on people's complaints about educational problems on the ranches, due to the lack of teachers.

28 The town is birthplace of (1) an academic and politician who served as ambassador of Mexico to a foreign country; (2) a state governor; (3) a secretary in the federal government, (4) a senator to the Congress of the Union, (5) and an historian and university professor.

29 See interview with Gustavo, March 2024.

30 See interview with Emilio, February 2024.

31 See interview with Darío, February 2024.

32 See interview with Emilio, February 2024.

33 See interview with Alfonso, March 2024.

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consumers.[34] The town inhabitants remember that some larger ranch communities outside the town had a boarding house for primary school, a small church, and a clinic of the Social Security Institute.[35] Catholic priests and representatives of the municipal administration regularly visited these well-populated, but still hard-to-reach, ranches and cut-off agrarian communities.[36] The latter delivered parcels with basic foodstuffs (sugar, beans, corn flour, oats, dried milk) and warm blankets. They also gave gifts to the children on Children's Day and Epiphany, and gave cooking and sewing machine courses to farmers' wives. Talking about the gift-giving activities, a contemporary witness recalls people's gratitude for these acts of charity.[37]

The Eighties and Nineties – Becoming Neighbors

The cultivation of marijuana proved to be profitable for the people on the ranches.[38] They bought pick-ups and tractors, and many ranchers no longer rode on their horses to town. There was consensus that drugs are cultivated but not consumed.[39] A ranch-descendant describes that one person had usually bought the harvest from everyone and then transported it to the USA. If the military found the crops, they were destroyed, sprayed with herbicide, or the harvest was taken away by helicopter.[40] More and more families were moving from the ranches to town, buying houses or building on the outskirts of town. An interviewee reports that

34 See interview with Iván, February 2024.

35 See interview with Anita, March 2024.

36 See interviews with Daniel, February 2024, and with Anita, March 2024.

37 See interview with Anita, March 2024.

38 Hubert Cochet (1991) describes the profitability of marihuana cultivation during this period as follows: "The sale of 50 kilos of marihuana generates as much as the sale of 50 steers weighing 250 kilos each. It represents a year's salary on Californian farms and ten years' work for a farm employee working in the fields of Mexico." (1991, p. 193, own translation from Spanish).

39 See interview with Gustavo, March 2024.

40 See interview with Gustavo, March 2024.

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arriving as a ranching family in town, which was perceived as more civilized, was initially challenging.[41] Mothers and grandparents would live in town with the children who went to school there, while fathers commuted between the ranch and town or worked seasonally in the sawmills. The economic integration of the ranchers was difficult due to the lack of jobs outside the timber industry.[42] In the afternoons, the children sold products from the ranches on the streets in town: peaches, apples, avocados, pumpkins, milk, cheese, and cream.[43] Ranch-descendants recall cultural adaptation as problem-free: although they had come from the countryside, they were also Catholic, spoke no dialect and were not from an indigenous area.[44] The town was growing steadily as people kept moving in from the ranches. After some time, and due to the financial contributions of family members from the USA, the first sawmill was established by ranchers, an economic sector that the townspeople had originally dominated.[45] Apart from the routes built for the timber industry, the road network and other paths were extended, allowing people from the ranches to reach town more quickly, even in medical emergencies. A witness of these developments describes the cars going to town as public transport lookalikes, with many people asking them for a lift.[46]

Generally speaking, the townspeople have always perceived themselves as noble but envious in business competitions.[47] In a letter, a local mayor describes the ranchers who were coming to town as "rough" and "almost impossible to deal with", and as "people who openly display their weapons"[48]. Longstanding inhabitants of the municipality's polit-

41 See interview with Guillermo, March 2024.
42 See interview with Guillermo, March 2024.
43 See interview with Gustavo, March 2024.
44 See interview with Guillermo, March 2024.
45 See interview with Guillermo, March 2024.
46 See interview with Guillermo, March 2024.
47 See interview with Alfonso, March 2024.
48 See AGHPEM: In a letter on August 27, 1981, to the Governor of the state of Michoacán, the local mayor describes the people from the ranches as "[…] rough people, used to bring weapons with or without a permit, […] they prefer to bring their firearms than to take their food, they rarely go down to the town and when

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ical center remember how the ranches were connected to the main town by blasting and digging breaches through the mountainous terrain and constructing gravel roads.[49] They recall the people from the countryside coming to town with their families, and that it was the mothers of the rancher families who wanted to enjoy the benefits of living in town. The town was growing in all directions, with new streets and neighborhoods being built.[50]

Along with that, the townspeople say that real estate prices increased[51] as the drug economy was buying land and houses in town to launder money. Many people who had migrated to the USA were also investing. There were many pickup trucks in the mountains outside the town. The number of jobs in the town remained the same, as there was still only the timber industry.[52] Retrospectively, life back then is perceived as more anonymous, unlike a time when everyone greeted each other because they knew everyone, including the parents of friends.[53] The townspeople saw the people from the ranches becoming the majority. They attribute this to the fact that the young adults from the town aspired to study in the state capital and then stayed there. In contrast, the young people from the ranches did not leave the municipality after school, unless they followed a family member to the USA.[54] In the meantime, people who originally had come from the municipality were returning from the USA. A town resident who had never migrated to the north describes these returnees as vicious and responsible for the onset of drug use in town.[55]

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they do it, they do it well equipped, they are people, so to speak, almost impossible to deal with […]." (own translation from Spanish).

49 See interview with Darío, February 2024.

50 See interview with Alfonso, March 2024.

51 See interview with Emilio, February 2024.

52 See interview with Alfonso, March 2024.

53 See interview with Benjamín, March 2024.

54 See interview with Alfonso, March 2024.

55 See interview with Alfonso, March 2024.

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The 2000s to Present Day – Homogenization in Different Terms

A contemporary witness from the ranches outside town remembers conflicts among the transporters, who were moving the drugs. Furthermore, people from the region had become part of these groups, and the business was transforming from marijuana production to cocaine transportation, and finally to the production of synthetic drugs. The same person describes that the amounts of money made from the drug economy had been historically large for the people in the area and that adults were observing the loss of values in their children's generation.[56] Apart from that, people like living in town because of the many services, but also because of the many ranchers who are now living there.[57] These days, people greet each other because most know each other and which family each person is from. Many came from ranches, got to know each other in town, and shared the same culture.[58] Despite these positive aspects, some families have decided to stay on the ranches.[59] Some grown children of the ranchers, who now live in town, maintain the ranches without economic aspirations, but as a diversion and for reasons of identity. They go there on the weekends to plant pine and avocado trees and keep a few cows.[60] A town-born ranch-family-descendant with a university degree reports that everyone in his generation felt that they had to leave the town for the state capital to develop further, but that no one had said to them, "Come here."[61]

Older townspeople, who see themselves as "the originals" because they belong to the "older families", report that the town's atmosphere has changed since people from the ranches and other municipalities arrived, and it is no longer the same.[62] Many ranches are deserted

56 See interview with Gustavo, March 2024.
57 See interview with Gustavo, March 2024.
58 See interview with Guillermo, March 2024.
59 Interview with Guillermo, March 2024.
60 See interviews with Gustavo, March 2024; and with Guillermo, March 2024.
61 Interview with Guillermo, March 2024.
62 See interview with Alfonso, March 2024.

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because of violence.[63] They describe that many people, especially long-standing families, have sold their houses, left the town[64], and moved to Guadalajara and Mexico City.[65] The older townspeople feel less confident and more isolated, as people from the outside dominate in terms of numbers and behavior.[66] To some, the coexistence in town remains friendly,[67] while others find the tone rougher, the music louder, and more *ranchera*.[68] At the same time, younger townspeople attribute this to a contemporary trend of showing off by equipping cars with powerful music systems.[69] The older townspeople remember that in the past, getting drunk was normal, but with the arrival of drugs, the peaceful feeling in town had come to an end. They say that now you have to be as quiet as a mouse because the *narco*[70] is everywhere[71], and you must be careful with whom you talk.[72] Referring to the children of people from the ranches, the older townspeople say that they are growing up with a lot of money, that their parents pay for everything, and that the mentality of materialism and showing off has prevailed. Children born since the year 2000 imitate *narcos* with pick-up trucks, gold rings, and attention-grabbing behaviors.[73] On the one hand, the long-established residents report that many grow up with single mothers because their fathers are in the USA or in prison[74], and leave school during or after

63 See interview with Daniel, February 2024.
64 See interview with Emilio, February 2024.
65 See interview with Alfonso, March 2024.
66 See interviews with Emilio, February 2024; and with Alfonso, March 2024.
67 See interview with Emilio, February 2024.
68 See interview with Alfonso, March 2024.
69 See interview with Benjamín, April 2024.
70 Applied by the interviewees, the term "narco" is an abbreviated colloquial form of the Spanish term "narcotráfico", which refers to the trade of illegal drugs, the related enabling structures, and the individuals who participate in this economic sector, but often is used indistinctively in public discussion.
71 See interview with Alfonso, March 2024.
72 See interview with Emilio, February 2024.
73 See interview with Alfonso, March 2024.
74 Interview with Alfonso, March 2024.

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middle school.[75] Children's education is highlighted as an important issue, while future parents are perceived as uneducated.[76] On the other hand, a ranch-born town-inhabitant explains that students who aspire to further studies no longer need to leave for the state capital anymore, as the institutional offering for superior education in town has improved.[77] However, the security situation for students of non-local origin is considered volatile[78], and the available careers are said to have little demand in the local labor market.[79] A townsperson says the ranchers have ceased to be farmers, that they are living in town and leave at 4 a.m. by car to go to the ranch to tell their ranch keepers what to do.[80]

A Look Back at Five Decades – Aspects and Limits of Distinction

The descriptions of the societal realities of 'ranch' and 'town' show how the drug economy is evolving and transforming throughout the decades: while in the 1970s, the production of drugs had turned into an option for many farmers, during the 1980s and 1990s drugs had become a profitable business, including a wider range of processes (production, transportation) and products (marijuana, cocaine, synthetic drugs), which have been subject to continuous conflicts between the involved organizations from the late 1990s and early 2000s up until the present day. By focusing on the aspects of means of earning a living, behavior, and education, from the different perspectives of the ranchers and the townspeople on themselves and on each other, we can see how, from the local residents' point of view, the drug economy has shaped local society in the short, medium, and long-term.

75 See interviews with Emilio, February 2024; and with Alfonso, March 2024.
76 See interview with Alfonso, March 2024.
77 See interview with Gustavo, March 2024.
78 Interview with Gustavo, March 2024.
79 See interview with Emilio, February 2024.
80 See interview with Alfonso, March 2024.

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In the short term, some economic and educational leveling aspects of society have become visible. Until the late 1980s, the ranchers could meet their aspirational model by sending all their children to school after moving to town and by becoming neighbors of the people perceived as well educated, since the town by then was known as the "Athens of the region".

In the mid-term, societal distinction prevailed. In the 1970s, the ranchers were perceived as welfare beneficiaries, but by the following decade, they had become neighbors of the townspeople, who attributed this development to the illicit funding of property acquisitions. In later decades, the townspeople underline differences in educational aspirations (university studies in the state capital) and behavior (manners, e.g., loud music etiquette) compared to the ranchers and their descendants; meanwhile, the former point out similarities (religion, dialect, ethnicity). In conclusion, it can be seen how the townspeople, during the period of arrival of rancher families in the town's neighborhoods, have used the rancher families' means of earning a living (illicit source of income) as a horizontal distinguishing aspect. After the establishment of rancher families in town, the townspeople began highlighting higher education and behavioral conventions as a means of vertical distinction.

In the long term, from the local residents' point of view, their local society became homogenized. The contemporary interviewees describe how the older townspeople have been leaving the town amid feelings of increased societal anonymity, while the ranchers and their descendants are seen as becoming larger in number and perceiving life in town as more familiar. Higher education, once used by the older townspeople as a means of maintaining distinction, is now available in town, since the institutional offerings of continuing education *in situ* have improved. Residents' accounts indicate the challenging situation of insufficient job opportunities related to the studies offered at the local level. The interviewees additionally reveal that, regardless of the local educational opportunities, younger people who want to develop themselves further are still leaving the town (e.g., to the state capital or the USA). In contrast, some others either do not come to study in town due to the security situation or never qualify to participate in higher education in the first place.

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(2) The Intertwining of Society and the Drug Economy

According to the primary sources (interviews, archival material), the local society and the drug economy became progressively more intertwined alongside the following emblematic developments: (1) In the 1970s and 1980s, disagreements between different state levels about the means of law enforcement within the municipal territory lead to a benefit for the drug economy; (2) at the turn of the new Millennium, the drug economy is described for the first time in relation to political power in the municipality; (3) at least since the 2020s, social activities sponsored by an organization associated with the drug economy are continuously visible in public.

Disagreements Regarding Law Enforcement: 1970/1980s

In Mexico, in addition to the three levels of government (federal, state, and municipal), there is a fourth level, the so-called *tenencias*. The *tenencias* themselves are further divided into three different territorial regimes: Private land (ranches, small and large properties), agrarian communities (*ejidos*), and indigenous communities.

In this case study, at the end of the 1970s, there is evidence that law enforcement at the municipal level lacked police officers, as the local mayor sent his chief of police to recruit officers in neighboring municipalities.[81] At the level of the *tenencias*, outside the main town, around 86 so-called *encargados del orden* (persons in charge of order) supported the existing police officers.[82] The respective ranch-communities elected these people[83], who were then officially appointed for a period of three years and expected to maintain order in a settlement, an *eijdo*, or an

81 See AGHPEM: The document referred to includes an instruction from the local mayor on Juli 13, 1978, to the commander of the municipal police.

82 See AGHPEM: The amount includes 56 *encargados del orden* and 30 substitutes mentioned in a list sent by the local mayor on March 29, 1978, to the Department of Government of the State of Michoacán in order to obtain certificates to appoint them officially.

83 See Interviews with Prudencia and Plácido, in March 2024.

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accumulation of ranches. This included the unpaid enforcement of the law (schooling, vaccinations for children, or preventing unauthorized alcohol sales) as well as control and mediation functions.[84] In 1978, against the backdrop of the growing drug economy, their regular range of responsibilities expanded. The local mayor instructed them to report any persons, activities, and locations associated with the cultivation and trafficking of drugs to the regional military command or the local administration.[85] This extension of duties aimed to enhance the possibility of "combating and eradicating this evil among the population in the countryside"[86].

To foster the fulfilment of these responsibilities, a subsequent local mayor strived to allow the *encargados del orden* the possession of arms at the beginning of the 1980s. The rationale was that the existing operational unit of 11 armed municipal police officers and a tactical group of 13 soldiers were not enough to carry out law enforcement activities in the remote areas of the municipality, whose territory is larger than the Mexican State of Colima.[87]

Two inhabitants of the Sierra Madre del Sur region during the 1980s remember the mayor's order as undermining the traditional way people became *encargados del orden*. Previously, they had to be elected by their neighbors on the ranches prior to their official appointment. But after the mayor's order, both recall that gun owners often designated themselves as *encargados del orden* to obtain the official permit to possess

84 See AGHPEM: The document referred to is a personal certificate of appointment for an *encargado del orden*, which besides personal details includes a list of the responsibilities of these voluntary forces.

85 See AGHPEM: The document referred to is an order given to an *encargado del orden*, that is signed by the local mayor in 1978, which mentions the expansion of the voluntaries' responsibilities regarding the growing drug economy [Although there is no indication of its date of creation within the document, it can be assumed that the document dates from August 1978, because of the position within the chronological order of the archival folder in which it was found].

86 Ibid. (own translation from Spanish).

87 See AGHPEM: Letter from the local mayor on May 21, 1981, to the Federal Arms Register at the National Secretary of Defence.

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weapons.[88] Regarding the intrinsic motivation behind this behavior, one interviewee points out: "[…] and since weapons were somehow important for protecting your marijuana […], so, there was this entanglement, this understanding between the government and producers."[89] Another interviewee and former resident of the municipality argues along the same lines that producers had to be able to defend themselves, since it was not possible to go to the police because of a stolen marijuana harvest.[90]

The National Secretary of Defense in Mexico City opposed granting a collective permission for weapons' possession to *encargados del orden*, as they were not employees of the local administration and worked voluntarily, unlike municipal police officers.[91] The local administration tried to overcome this objection by certifying in the municipal law *encargados del orden* as "representatives of the law"[92] and also declaring that they did not have the budgetary resources to employ them officially as police officers. However, the regional military command perceived this approach as a violation of federal law regarding certain weapons[93] for the exclusive use of the armed forces.[94] According to one of the local mayors at the time, the Mexican military repeatedly disarmed the *encargados del orden* on the ranches. The military's way of operating caused fear and terror among the ranch families, as, according to contemporaries, the disar-

88 See interviews with Prudencia and Plácido, March 2024.

89 Interview with Plácido, March 2024 (own translation from Spanish).

90 See interview with Tito, March 2024.

91 See AGHPEM: Notification from the National Secretary of Defence on May 20, 1981, to the local mayor.

92 See AGHPEM: Letter from the local mayor on July 6, 1981, to the National Secretary of Defence.

93 See Ley Federal de Armas de Fuego y Explosivos, Artículos 8, 11, 24.

94 See AGHPEM: Letter from the local mayor on August 27, 1981, to the Governor of the State of Michoacán.

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mament was often accompanied by the raiding[95] of the farmhouses. An interviewee remembers that people were digging holes to hide not only weapons, but their valuables in general.[96] Therefore, in the mid-1980s, it became more difficult to find people who would voluntarily assume the responsibilities of the *encargados del orden*.[97]

These developments show two perspectives: on the one hand, the state's contradictory approach to law and drug enforcement within the municipal territory, and on the other, the emerging need for protection in the unregulated drug economy. The lasting disagreements between different levels of government on the means to ensure law enforcement created competitive conditions for marijuana producers and led to the generalized criminalization of ranch populations.

Obtaining Governmental Power: 1990/2000s

At the third level of government in Mexico, the municipalities, mayoral elections are held every three years. In this case study, one election at the end of the 1990s is of particular interest. Retrospectively, it is said to have been the first election of a "narco-mayor"[98]. Contemporaries describe this mayor's election and his period of rule[99] as well as the end of his term, as ambiguous.

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95 See AGN: A further impression of the military's way of operating can be found in the archives of the Secretary of Defence. In a "report to the superiority" on November 28, 1985, two residents of a ranch within the municipality ask for the return of their belongings taken by a military patrol.

96 See interview with Prudencia, March 2024.

97 See AGHPEM: In a letter from the local mayor on June 30, 1984, to the Secretary of the State Governor, the mayor explains that the military's way of operating makes it difficult to find people who would assume the law enforcement responsibilities on the ranches.

98 Interview with Ignacio, June 2023. According to several interviewees, it was the first time that the elected political head of the municipal administration was apparently linked to the drug economy.

99 According to the Encyclopaedia of Mexican Municipalities (INAFED, 2005), the term of the referred mayor started in 1999 and ended in 2001.

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Compared to other candidates for mayor, local residents remember him as a relatively young candidate who came from a ranch and was suspected of having connections to the drug economy.[100] He had won the internal party pre-election by a very high margin against the candidate nominated by the established party members. Some say this victory was made possible by a "sudden" numerical superiority of eligible voters who came by bus from the ranches and may have been paid to do so.[101] Others say his successful election was due to his political involvement in previous years: he had led a citizens' coalition that advocated for necessary infrastructure projects (bridges, roads) that would primarily benefit the cut-off settlements and isolated ranches within the area of the municipality and not just the interests of loggers and the sawmills. There had been strikes and roadblocks against the timber industry to put pressure on the municipal and state governments.[102]

During his time as mayor, on the one hand, some municipal residents recall him as an "uneducated and ignorant"[103] person who was rude in his everyday treatment (shouting, boots, and a gun on the desk) of administrative staff and who allegedly carried out activities related to the drug economy from the town hall.[104] On the other hand, another local describes him as a kind and charismatic person, hugging and making friends with everyone, and who, as mayor, had realized all promised infrastructure projects.[105] Some say that the projects and subsidies during his term benefited the municipality's people regardless of their party affiliation.[106] Others report that people who were not in his party had a difficult time.[107] However, the contemporaries are unsure whether construction activity during his term was indeed higher than during previ-

100 See interviews with Emilio, February 2024; and Darío, February 2024.
101 See interview with Ignacio, June 2023.
102 See interview with Darío, February 2024.
103 Interview with Emilio, February 2024.
104 See interviews with Anita, March 2024; Emilio, February 2024; and Dario, February 2024.
105 See interview with Darío, February 2024.
106 Interview with Darío, February 2024.
107 See interview with Anita, March 2024.

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ous or subsequent local governments.[108] After the end of his term, he lost the internal party pre-election for the Senate. Regarding this episode, one inhabitant of the municipality remembers that he accepted his defeat and withdrew from daily political business[109], something that was seen as somewhat odd. The reason given for this behavior was that he had been an "old-school-narco",[110] a category which, according to contemporaries, signifies a person associated with the drug economy who formerly used to negotiate its interests with politicians without notably interfering in politics. Years later, he was allegedly forced to leave the town.[111]

This historical example highlights how the drug economy reached the administrative and political center of the municipality and used its influence to benefit the ranches. The way contemporaries describe this period shows how the relationship between the drug economy and politics became normalized. The residents' accounts also make clear that until this point, there was hardly any political representation for the concerns of the ranches in the political center of the municipality.

Promoting Social Activities: 2020s

Religious and state holidays, commemorative days in honor of children, mothers, fathers, or teachers, as well as *las posadas* (pre-Christmas tradition), are societal events of interest all over Mexico. Additionally, *los jaripeos* (competition in bull-riding) and cockfights are of further importance in the countryside, also in Michoacán. In this case study, I focus on events such as Children's Day, Mother's Day, and cockfights.

Within the municipality under study, Children's Days were regularly celebrated in elementary schools or hosted by the municipal administration or by civil society organizations. Teachers used to dress up as clowns

108 See interview with Darío, February 2024.

109 See interview with Ignacio, June 2023.

110 Interview with Dario, February 2024 (own translation from Spanish).

111 See interviews with Ignacio, June 2023; and with Darío, February 2024.

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or other characters, and schoolchildren did not have to wear their uniforms and received small gifts.[112] According to eyewitnesses, the celebrations in 2023 and 2024 took place on the central square of the town, where fast food was offered for free and the gifts (footballs, bags of sweets) for the attending children were labelled with stickers depicting a rooster and the message which said in Spanish: "Happy Children's Day from your friend the Lord of the Roosters".[113]

In this context, "Lord of the Roosters" is the self-designated alias of the leader of a nationwide criminal organization, who is originally from the Sierra Madre del Sur region and associated with the drug economy. Referring to these gatherings, a town's resident points out:

> I mean, these are gifts [that] […] make people happy, but unfortunately, […] [that's] the situation in [the municipality] and many other places where people don't have the money to afford the luxury of buying a hamburger or a hot dog and going out to dinner. Because there, you're going to spend 200 pesos, and those 200 pesos are what a person earns in a day for working. So, it's like a luxury, and people are grateful for it.[114]

Concerning a similar proceeding of the same organization during the Mother's Day celebrations, another local interviewee focuses on the implicit message sent to the population of the municipality: "Everything will be fine […]. Don't worry […]."[115]

These developments show how the drug economy and local society are intertwining. By sponsoring the annual Children's and Mother's Day events, formerly organized by the municipal administration, an organization associated with the drug economy adopts a state's offering of social activities and thus continues an established practice for its own legitimization.

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112 See interviews with Benjamín, April 2024; and with Anita, March 2024.

113 See interviews with Alfonso, March 2024; and with Benjamín, April 2024.

114 Interview with Benjamín, April 2024 (own translation from Spanish).

115 Interview with Alfonso, March 2024 (own translation from Spanish).

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A similar adoption and reproduction of structures relevant to the local society comes along with the hosting of cockfights. The correspondences of the municipality's mayors between the late 1970s and early 1980s reveal that cockfights had usually been celebrated during the days after Christmas. The provision of these events always required a special permit[116] from the superior authorities, as in Mexico, the hosting of cockfights is restricted by federal[117] and state law[118] (betting and gambling, animal protection). In this light, the self-designation as "Lord of the Roosters" by the organization's leader, as depicted on the abovementioned stickers, not only implies a claim (1) of belonging to traditional rural life on the ranches, where roosters set the daily rhythm. It also (2) insinuates the dominion over these animals, which are especially trained for cockfights and may represent the forces of nature, where only the fittest or strongest rooster survives. In addition, it indicates (3) a claim of authority beyond state regulations, which is supported by the image given to the organization's leader in ballads, where he appears as "El Dueño del Palenque"[119], a designation which in Mexican Spanish implies the ownership of the place where cockfights are held.

116 See AGHPEM: A large amount of correspondence between local and state authorities on the permit to hold cockfights can be traced back from the late 1970s up until the early 1980s. I.e. a request from the local mayor on October 15, 1978, to the state governor to obtain the permit to hold cockfights during the days after Christmas.

117 See Ley Federal de Juegos y Sorteos, Artículo 1.

118 See Ley De Protección A Los Animales Para El Estado De Michoacán De Ocampo, Artículo 11.

119 See Los Alegres del Barranco (2025), minutes 00:24-00:51, lyrics in Spanish: "Soy el dueño del palenque […], soy del mero Michoacán, donde es la Tierra Caliente. Soy el Señor de los gallos […], tengo gallos de pelea, que pelean por mi partido […]".

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(3) Assessing the Given Explanations

Preliminary Takeaways

This case study aims to show how the society at a rural drug production site evolves over a period of almost five decades, beginning with its insertion into the global drug supply chain. The local community members describe the drug economy *in situ* as diversifying in terms of activities and products, while the municipal society becomes more homogeneous as the societal frame attributed to the ranchers and their descendants begins to dominate local life.

Regarding the societal realities ('ranch', 'town') taken into consideration in the first part of this study, the drug economy's establishment results in short-term levelling aspects to society (access to properties in the town's neighborhoods for ranchers and to basic education for their children), while mechanisms of societal distinction remain in the mid-term. Townspeople use moral, legal, and structural conventions (means of earning a living, higher education, and behavioral conventions) to keep the drug economy's alleged beneficiaries and their descendants at a distance, both horizontally and vertically. In the long term, the town's society becomes ever more like the ranch. The representatives of the "traditional local hierarchy" become the minority (leaving of "older families"), and the limits of social mobility *in situ* due to higher education become visible.

In the second part of this study, I introduce three emblematic developments that exemplify the intertwining of the drug economy with local society: (1) the state levels' contradictions regarding law and drug enforcement on the ranches, (2) the drug economy's emergence as a factor in the political sphere at the local level, (3) as well as the public displays of social activities by an organization associated with this economic sector. It shows how the drug economy took advantage of conflicting approaches to law and drug enforcement, provided solutions to unattended societal inequalities (infrastructure), and adopted existing state activities relevant to the local society, and thus reproduced functional dependencies (donor, beneficiary).

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Methodological Constraints of the Study

The approach of this study is designed to retrace the development of the relationship between the drug economy and local society at one of the production sites of the global drug supply chain. Therefore, the study takes as an example the societal developments within a Mexican municipality over a period of approximately five decades. Its most important constraints are related to the speaker position of the eyewitnesses, the twofold analytical-descriptive reconstruction method, and the inherent biases of the thematic focus, the underlying analytical lenses, as well as the non-Mexican academic view.

Besides archival material and guidance by encyclopedic knowledge, the study is primarily based on narrative accounts of the interviewed contemporaries. By looking at their individual attributes, a bias of the respective speaker position can be derived. The 14 contemporary accounts considered in this study are mainly of 'townspeople' without direct connection to the drug economy. By combining the interviewees' perspectives with the archival material, a construction of the 'ranch' and its inhabitants as the "deviant other" is recognizable; meanwhile, the 'town' entity and the perspective of the 'townspeople' appear as the norm. In the first part of the study, this bias appears to inform the analytical-descriptive reconstruction of the societal realities of 'ranch' and 'town' and is particularly observable regarding the decades-long contrast between the two. Furthermore, in the second part of the reconstruction (emblematic developments), the thematic focus on the drug economy leads to a predetermined explanation for societal developments in general. This perspective is also sustained by a dominant discursive pattern seen within the interview and archival accounts (*discurso aprendido*: disagreements regarding law enforcement, increased political influence, promotion of social activities). Finally, the underlying Bourdieuan thought may have overly narrowed the analytical focus on the matter of distinction, and thus on educational, behavioral, and economic aspects. This, in combination with the contrastive approach of 'ranch' and 'town', could have contributed to an oversimplification of rural society, particularly of the ranch societal frame. The "high differentiation" of this frame and its im-

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portance for Mexican modernity were not given enough space within this study (cf. Barragán 1997: 30, 47–48).

Developments not Related to the Drug Economy

Considering these constraints, it is evident that many of the observations mentioned above are developments not only attributable to the incipient drug economy but also general indicators of a structurally weak region and expressions of societal negotiations in the face of changing economic conditions.

First, the perceived homogenization of the local population may be a result of the limited employment opportunities due to a barely diversified local economy (agriculture, timber industry, and iron ore mining). Second, and against this backdrop, the influence of local entrepreneurs on political structures and procedures, as well as their appearance as benefactors and sponsors of social events, does not appear to be a sector-specific peculiarity of the drug economy. Especially, since the mayor's office after the election of the first "narco-mayor" at the end of the 1990s has been held for at least three terms by people who are recognizable as entrepreneurs in the local timber industry (owners of sawmills) (INAFED, 2005). Moreover, addressing certain populations with social activities follows a general hearts and minds approach (cf. Schoon 2018: 67), and thus does not represent a standalone strategy of an organization related to this economic sector.

Third, the efforts of societal distinction, recognizable as pejorative forms of stratification criteria during the marijuana boom, which describe people associated with the drug economy as "uneducated", "loud", and "hard to deal with", are not a phenomenon specifically related to this economic sector. These criteria can be understood rather as general mechanisms for the vertical distinction of economically emerging parts of the local population ("the new rich"). E.g., a contemporary of Michoacán's cotton boom in the Tierra Caliente region during the 1950s and 1960s applies the same criteria by describing the farmers who came

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into money during this period as "ignorant, drunken, uneducated"[120] and as "people without culture"[121]. Fourth, the observable divergence about behavioral conventions (volume of music) represents an intergenerational negotiation process about the rules of social coexistence rather than a specific societal development caused by the drug economy.

Fifth and finally, the reported decline of the importance of certified educational degrees (secondary and higher education) cannot be categorized as a specific impact of an incipient drug economy. On the one hand, effects of the non-Mexico-specific "Ni-Ni" phenomenon are observable here, which pejoratively labels adolescents and young adults as "neither study nor work (*ni estudian, ni trabajan*)" (Rogers, 2016). According to a World Bank study of 2016 (de Hoyos et al., 2016), this phenomenon affected 20% of 15 to 24-year-olds in Latin America, two-thirds of them women. Their early marriages, teen pregnancies, and, as for most young men, the need to start work without being able to return to school are mentioned here as the main reasons for this development (Rogers, 2016). Moreover, for young people from educationally disadvantaged backgrounds, the structural unawareness about further educational pathways (e.g., nobody tells them/supports them to go to university), as well as the implicit requirements of a habitus transformation, may represent additional challenges. Referring to the latter, existential conditions that are associated with permanent needs and shortages could result in the persistence of a mindset that emphasizes "functions and urgencies" (El-Mafaalani, 2012, p. 314), which, in relation to higher education, demands that knowledge be applicable to daily life (ibid.).

On the other hand, the decreasing importance of certified educational degrees can be explained by the fact that the ability to work in many of the economic sectors *in situ* (e.g., agriculture, timber industry, drug economy) is probably not subject to educational degrees, but to proving oneself on the job and by upskilling in practice. Furthermore,

120 Interview with Victor, June 2023.

121 Interview with Victor, June 2023.

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the societal context of the case study reveals a "transnational labor routine" that has been developed over several generations. For the majority of the interviewed eyewitnesses, temporary labor migration to the USA is a common experience in their family biographies. At the time of the interviews, for many residents of the Sierra Madre del Sur region, a working stay in California or Oregon represented a fixed part of their annual income: going by plane to Portland on a harvest visa, and earning enough in three to four months as a picker or truck driver, to pay the annual salaries of two employees in one's own business at home.

Developments Related to the Drug Economy

The previously noted preliminary observations also reveal some developments that are particular to the drug economy as a demand-driven industry and have a direct impact on local society. In the undiversified local economy, which is characterized by sources of income in the public sector and in extractive, inflexible, and non-scalable industries (timber industry, iron ore mining), the drug economy positioned itself as a scalable, market-responsive economic sector and thus as a profitable and crisis-proven alternative source of income. From the beginning of the almost five-decade period under consideration, when the area is inserted as a production site into the global drug supply chains of marijuana and poppy, the local drug economy diversifies into additional products and their respective supply chains. This means it expands in terms of products (marijuana, poppy, cocaine, methamphetamine, fentanyl) and processes (cultivation, processing of chemical precursors), as well as by increasing the variety of activities within specific supply chains (e.g. production, transport and consumption of marijuana) and by applying the acquired functional competences to other supply chains (Gereffi & Kaplinsky, 2001, p. 4.). For example, people transferred their marijuana transportation expertise acquired in the 1970s to cocaine in the 1980s.

Based on this, and in conjunction with the described state approaches of law and drug enforcement during the 1980s, a further development specific to the drug economy with effects on local society

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can be identified. The international prohibition approach[122] embodied in various UN conventions (Wieczoreck, 2020, pp. 31–32; Buxton & Burger, 2020, pp. 17–19) falls short due to the innovative capability of the global drug economy (expansion of capabilities, application of competencies to different supply chains) and, furthermore, it reduces the active regulatory capacity of the ratifying states. The latter commonly address isolated activities of a transnational drug supply chain within their territory with reactive policies of domestic reach, which are often term-dependent and may even be of an aggravating nature (Atuesta & Ponce, 2017, p. 389.) (interventions by the security forces), such as the "[…] 'beheading' strategy […] [triggering] violence through an increase in the fragmentation of criminal groups" (Ibid.).

On the contrary, active participation of the state in the rule-setting process regarding the supply chains is left to organizations (Gereffi et al., 2005, p. 97) of the drug economy with transnational reach. The resulting unregulated organizational competition over processes and activities within the individual segments of the supply chains (Ríos, 2013, p. 142) consolidates the informal character of this economic sector and has also been accompanied by recurring excessive violence (Shirk & Wallman, 2015, p. 1354; Davies et al., 2024, pp. 677, 681) in Mexico at least since the declaration of the "war on drugs" in 2006 up to present day. The interview accounts in this case study show how this influences the local society, regarding the infringement of the exercise of civil rights, e.g. freedom of movement ("abandoned ranches because of violence"), personal integrity ("volatile security situation for students of non-local origin") or freedom of expression ("you have to be quiet as a mouse").

122 M. Wieczoreck describes (Wieczoreck, 2020, pp. 31–32) an increase of drug enforcement embodied in three UN-Conventions between 1961 and 1988. Meanwhile the 1961 and 1971 conventions (1961 United Nations Single Convention on Narcotic Drugs, 1971 United Nations Convention on Psychotropic Substances) pointed on offer-control, the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances concentrated on law enforcement regarding production, purchase and possession of drugs.

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Another development specific to the drug economy that affects local society directly is the "means of earning a living" aspect. On the one hand, it is applied by representatives of the "traditional local hierarchy" ("old money") in conjunction with the illegal nature of the drug economy to distinguish themselves horizontally from the drug economy's alleged participants ("new money"). Thus, due to moral considerations based on the legal framework, people who offer services in the various segments of a drug supply chain get deprived of the societal reputation of a successful entrepreneur that they would hypothetically have received, e.g., as producers or transporters of an internationally decriminalized supply chain of marijuana. On the other hand, this "illicit source of income" does not appear to be a criterion of distinction to parts of the local population, as long as it leads to the achievement of aspirations (house in town, schooling of children) or to the reproduction of structures relevant to the local society (sponsoring of Children's and Mother's Day events).

Conclusion

In this case study, it has been shown how the unregulated character of the drug economy results in a hostile living environment for the local society, akin to the previous situation of the ranch-economy before the 1980s, which is described as isolated and exposed to the forces of nature. Both surroundings favor those local residents who are more capable of persisting amidst ever-changing conditions with narrow cycles of revenue and production. Therefore, the remaining local society draws actively on an intergenerationally acquired life-knowledge, or "ranch-smarts", and less on a resilience-seeking approach. The latter implies the passive adaptation to exploitative environmental conditions without intention to overcome them, while the former refers to the transfer and adaptation of capabilities to encounter and overcome the challenges of a hostile environment.

Summarizing these developments, this case study shows how the establishment of a rural production site in the global drug economy, under conditions of (1) a barely diversified local economy, and (2) in light of an

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economic crisis, as well as (3) framed by an international policy approach that evades the logic of global supply chains, leads within the local society to the prevalence of a pragmatic, and economically driven habitus, relatable to the societal frame of the 'ranch'.

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The Gendered Nature of the Criminalization of Drugs

An Approach to the Argentine Case

Martina Lassalle

Introduction[1]

For the last century, the dominant approach towards illegal drug production, commercialization, and consumption has been prohibitionism. In the 1970s, this approach radicalized with the onset of the so-called "war on drugs", rapidly consolidating into an international regime that relies on militarized rhetoric and repressive strategies to tackle both the supply and demand of illicit drugs. Since then, it has remained the dominant framework for addressing the "drug problem". From the beginning, the war on drugs has been intertwined with geopolitical interests and power asymmetries (Buxton & Burger, 2021; Durán-Martínez, 2021) and conceptualized as a matter of global security governance.

Latin America, in general, and countries such as Colombia, Mexico, and Brazil, in particular, have served as laboratories for the implementation of repressive measures in response to the drug problem. The diffusion and radicalization of the prohibitionist paradigm across the

1 This chapter was written during my CALAS/HIAS Fellowship at the Hamburg Institute for Advanced Studies and the Bielefeld University. I would like to thank Philipp Wolfesberger for his valuable comments that helped improve the manuscript. I am also grateful to Olaf Kaltmeier, Nadine Pollvogt and the entire CALAS team, as well as to HIAS staff and fellows, for their support and inspiring conversations.

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region has generated an interplay between punitive legal reforms, state repression, organized crime responses, and escalating homicide rates (Moncada, 2016; Durán-Martínez, 2018), while also consolidating the illegal drug trade as a highly profitable enterprise (Bergman, 2016). Another major outcome has been the sharp rise in incarceration rates among vulnerable populations, particularly women from marginalized sectors (Bergman & Fondevilla, 2021). According to data published in the sixth edition of the World Female Imprisonment List, the female prison population is growing faster than the male prison population worldwide. In the Americas (excluding the U.S.), the number of women incarcerated climbed 186% between 2000 and 2024.[2] Further, many studies elaborated by civil society organizations have shown that about half of the women incarcerated in the region are prosecuted or serving sentences for minor drug offenses —a phenomenon that negatively affects not only these women, but also their children and the communities to which they belong (CELS, 2018; Youngers et al., 2020; International Drug Policy Consortium and Penal Reform International, 2021).

Although Argentina only recently radicalized its punitive approach to the drug problem compared to other Latin American countries, it has nevertheless followed the regional trend. The number of women in prison increased by 78% between 2002 and 2023, and by 110% among those incarcerated for drug-related offenses. In some provinces, such as Buenos Aires, the increase is even more acute: between 2007 and 2023, the female population imprisoned for these offenses rose by 153%.[3] Despite this constant and significant growth, the phenomenon has received little attention from the public and from policymakers concerned with drug offenses and public safety in the country. Moreover, much of the existing research has concentrated on incarceration rates (Palavecino, 2025; Acquaviva & Innamoratto, 2016), while giving less attention

2 These reports are elaborated by the Institute for Crime & Justice Policy Research of the University of London.

3 Own elaboration based on the most recent data available from the National Statistical System on the Execution of Sentences.

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to other important aspects of judicial responses to women involved in drug-related activities.

This chapter explores the processes of criminalization of women for drug-related offenses in Argentina, focusing on judicial responses. In particular, this study seeks to address the following research questions: How is the criminalization of drugs affecting the female population? What are the main patterns in prosecutorial and sentencing practices, and how do they shape the drug problem? What do judicial practices reveal about the gendered nature of these criminalization processes? To this end, this chapter examines the most common forms of women's involvement in drug-related activities, while also shedding light on the functioning of the criminal justice system. In addition to presenting statistical data from the National Statistical System on the Execution of Sentences, the analysis draws on archetypal cases constructed from interviews and court rulings in the criminal justice system of the province of Buenos Aires and at the Federal level. Interviewing female defendants and reviewing judicial rulings is essential to complement the insights provided by available statistical data.

This research shows that the radicalization of the prohibitionist approach has fueled the increasing criminalization of women, also revealing that the intensification of punitive measures is both grounded in and reinforces structural class and gender inequalities. The almost exclusive focus on non-violent, minor drug-related offenses evident in judicial practices demonstrates that the so-called "war on drugs" has, in fact, been a war on the poor (CELS, 2019), but especially on poor women.

Examining judicial responses is fundamental to understanding the main features of the late war on drugs. This implies assuming that crime is not an already constituted phenomenon and that penal agencies do not simply 'react' to it; instead, they are key participants in the production of 'the criminal question'. Sociological and criminological research has shown that criminalization processes shape the problems they address and may even amplify and deepen the conflicts they seek to solve, particularly by stigmatizing certain groups and contributing to the creation of criminal careers (Becker, 1963; Goffman, 1986). These processes have important material and symbolic consequences for those entering

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the penal circuits and also for the broader citizenship. For this reason, the intertwining of violence, marginalization, and the dynamics of the illicit drug trade cannot be understood without considering how criminal justice systems actively shape this interplay, contributing to a cycle of inequality and marginalization that is central to the process itself.

The chapter is structured into five sections, in addition to this introduction. The first section contextualizes the radicalization of the 'war on drugs' in Argentina and its impacts on women's incarceration rates. The second section examines the main characteristics of the female population imprisoned for drug-related offenses. It presents archetypal cases to illustrate common forms of women's involvement in these activities, as well as patterns in prosecutorial and sentencing practices. The third section discusses key dimensions of the gendered nature of judicial practices regarding drug offenses. In its fourth section, the chapter examines alternative approaches adopted in some Latin American countries – though not in Argentina – as a response to the growing criminalization of women driven by the radicalization of the prohibitionist paradigm. Finally, the fifth section offers concluding remarks.

The Argentinean "War on Drugs" and its Impact on the Incarceration of Women

As in other Latin American countries, in Argentina, the redefinition of the drug problem as a security issue began in the 1990s. This redefinition occurred in the context of the consolidation of the prohibitionist paradigm and the internationalization of the "war on drugs", promoted by the United States since the 1970s and rapidly adopted worldwide (Caiuby Labate et al., 2016). The control of illegal drugs was thus institutionalized as an international regime with its own norms, governance structures, and monitoring systems (Buxton & Burger, 2021).[4] The gen-

4 One key organ of this regime is the Commission on Narcotic Drugs (CND), which is the main UN policy-making body dealing with narcotic drugs, the United Nations Office on Drugs and Crime (UNODC) which acts as a secretariat of the

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eral strategy of this regime derives from international treaties, which have been fundamental in consolidating the repressive and militarized approach to the drug problem. The most recent one is the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which continues to shape the dominant international approach to this issue today.

In Latin America, the radicalization of the prohibitionist paradigm to deal with unauthorized drug consumption, production, and distribution led to important reforms in drug legislation, laying the groundwork for a punitive strategy toward drug offenses. While these legal reforms in Argentina date back to the 1990s, the punitive strategy began to gain traction in the first decade of the 2000s and reached full consolidation only in the past decade. In 2005, the National Congress passed a law (Law No. 26.052) that modified the Law of Drugs (Law No. 23.737), enabling its partial defederalization.[5] The provincial judicial systems gained the authority to investigate and prosecute certain offenses included in this law, especially drug possession for personal use and retail sales. Therefore, the scope of penal agencies expanded, foregrounding a wide range of illegalities (minor drug offenses) that had previously remained outside the reach of judicial systems. These changes, in turn, resulted in a dramatic increase in incarceration rates for drug offenses (see, for example, Ciafardini y Olaeta, 2020; Corbelle, 2021). Between 2007 and 2023, incarcerations for drug-related offenses grew by 210% at the provincial levels (that is, for minor drug offenses), while at the Federal level (that is, ostensibly for large-scale drug trafficking) they increased by 80%. As we shall see, this trend has been accentuated especially since 2016.

The acceleration of imprisonment at the provincial levels is particularly evident in Buenos Aires, the first province to adhere to the

CND, and the International Narcotics Control Board, in charge of the implementation of the United Nations international drug control conventions.

5 A concise analysis about the evolution of Argentina's criminal legislation on narcotic drugs can be found in Corda (2016). For an analysis about the social construction of the drug problem in Argentina, see Corbelle (2019).

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defederalization of the Law of Drugs in 2005.[6] Although there has also been a significant increase in men incarcerated for drug offenses, the overcriminalization of women has been a significant consequence of this process. In this province, between 2007 and 2023, the female incarceration rate due to drug-related offenses doubled, increasing from 3.7 to almost 8 inmates per 100,000 women.[7] In addition, data show that, while women account for around 5% of the whole penal population, in drug cases they represent around 15%. Moreover, 37% of the women in prison in Buenos Aires are prosecuted or serving sentences for drug-related offenses, while in the case of men, this percentage is 11%. If women under house arrest are also considered, this proportion rises to 41%.[8]

Although the period generally shows an upward trend in incarceration rates of women, some peaks deserve attention. The first one was immediately after the Congress passed the Defederalization Law, which shows its direct impact on the imprisonment of the female population. In 2002, women prosecuted or convicted for drug offenses accounted for approximately 32% of the total female prison population. By 2007, this percentage had increased to 45%. However, data also show that, after 2011 and during some years, there was a significant decrease in women's

6 In addition, with nearly half of all detainees in the country, the Buenos Aires penitentiary system is a central reference point for understanding national incarceration patterns.

7 Data compiled by the author from the National Statistical System on the Execution of Sentences (SNEEP, for its acronym in Spanish). The rate reflects only women currently incarcerated in prison facilities and does not include those under house arrest, whose inclusion would further increase the rate. The methodological decision to use this source rather than the Unified Detainee Registry in Buenos Aires (RUD, for its acronym in Spanish) is based on the fact that SNEEP publishes raw databases covering all provinces as well as the Federal system, thereby enabling comparisons. It should also be noted that there are some differences with RUD regarding the number of detainees in Buenos Aires, which, however, cannot be addressed in this chapter.

8 As the databases from the National Statistical System on the Execution of Sentences do not include individuals under house arrest, these data are drawn from the Unified Detainee Registry in Buenos Aires (RUD, for its acronym in Spanish).

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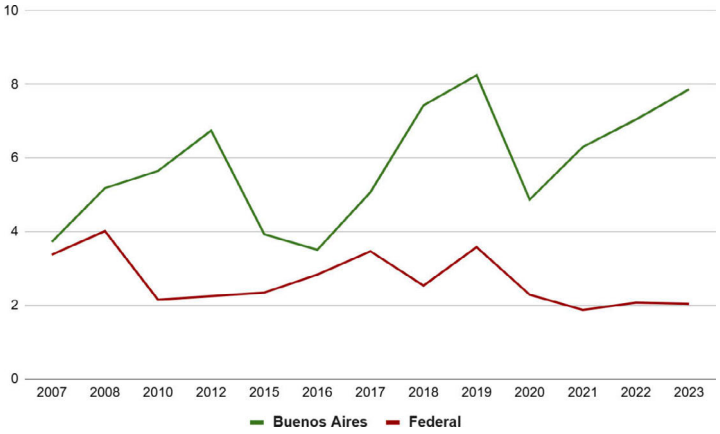
imprisonment rates due to these offenses. This dynamic took place in a context where less punitive discourses and measures around the drug problem began to emerge (Cutrona, 2021). More broadly, scholars have also identified a specific "blockage of penal populism" (Sozzo, 2016, p. 34) during the period 2008–2015, expressed in a slowdown in the growth of the general incarceration rate and a reduction of punitiveness by penal agencies.

Evolution of female incarceration rate due to drug-related offenses at the Federal level and in Buenos Aires (2007–2023) – per 100,000 women



Note: Data do not include women under house arrest. Federal incarceration rates are based on the female population of the entire country. Source: Author's elaboration based on data from the National Statistical System on the Execution of Sentences.

The decline in the levels of incarceration of women, which brought the rate back to 2007 levels, stopped in 2016 when it started to increase at an accelerated pace. This upsurge took place amid a highly promoted change in criminal policy that declared an explicit, and already outdated, "war on drugs". It is also important to underline that this shift was not

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the result of major legal reforms, but rather a political decision to radicalize a punitive criminal policy towards drug offenses, which resulted in a deeper criminalization of vulnerable groups from low social classes. As Tokatlian argues, since 2016, there have been substantial efforts to "argentinize the war on drugs" (2017, p. 137), explicitly promoted by the ruling coalition Cambiemos (under Mauricio Macri's leadership) and supported by hegemonic mass media. In this context, in 2017, the Argentinian legislature introduced a legal reform to eliminate the possibility of parole in drug-related cases. This change impacted incarceration rates and was especially harmful to women who had to serve full sentences in custody. Due to the pandemic, in 2020, the incarceration rate decreased (as for other offenses as well), but since 2021, it has been growing steadily again.

At the Federal level, the trend has been broadly similar, with a few exceptions. Federal incarceration rates were affected by the fact that, during this period, many provinces adhered to the Defederalization Law, meaning their justice systems began prosecuting and judging minor drug offenses. The stabilization observed after 2021 is associated with this process, which intensified after 2019 and led to an increase in women's incarceration in many provinces, similar to what had happened in Buenos Aires.

Prosecuting and Sentencing Women Involved in Drug-related Offenses

According to the most recent data (2023), prisons of the province of Buenos Aires (i.e., under provincial jurisdiction) house approximately 55% more women charged with drug offenses than the Federal System (around 750 women in this province compared to 490 at the federal level).[9] These women are middle-aged (39 years old on average) and, as the vast majority of the penal population, belong to low social classes.

9 Data compiled by the author from the National Statistical System on the Execution of Sentences.

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Furthermore, the data show that these women have very low levels of formal education, with only 14% having completed high school, and that they were in precarious situations before their detention – 62% were unemployed and 16% held part-time, informal jobs.[10] These details highlight the close nexus between unemployment, social exclusion, and the exercise of crime control, as well as the well-documented class selectivity of the penal system. This is not a feature exclusive to the Argentinean situation, but has already been identified in many other countries of the region (see, for instance, Adorno, 1996; Misse, 2010; Iturralde, 2023). Moreover, a significant number of women, with similar socio-demographic characteristics, are currently under house arrest for these offenses. As we shall see, this is a typical measure for women with children under 5 years old. The data further indicate that most women incarcerated for drug-related offenses have no prior criminal record.

To understand the extent and forms of women's involvement in drug offenses, as well as judicial responses, I will analyze several archetypal cases in this section. These cases correspond to investigations and rulings at both the Federal level and in the province of Buenos Aires. The analysis is based on in-depth semi-structured interviews with women who are or have been incarcerated for drug-related offenses, as well as on judicial rulings. In total, I conducted seven interviews (three of them online) during the second semester of 2024, and analyzed 20 judicial rulings. While the sample is non-probabilistic, the selected cases provide a general overview of distinct patterns of women's involvement in drug-related offenses and the most common judicial responses.

Women Involved in Storing or Retailing Illegal Drugs

These cases were reconstructed from court rulings and involve women prosecuted for two different drug-related activities: keeping illicit drugs at home or retailing them.

10 See CELS (2018) and Ojeda (2017) for a deeper analysis about women incarcerated in Argentina. For a regional study on this question, see the recent report from the Inter-American Commission on Human Rights (2023).

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(a) The Federal Justice System investigated the first case. A 38-year-old woman was arrested in December 2018 at her home in a marginalized neighborhood of the province of Buenos Aires, following an investigation into a group allegedly selling illegal drugs in the area. Police raided her house and found two packages of marijuana, totaling 1.5 kilograms. She was initially held in prison for one month and later placed under house arrest, as she is a single mother of seven children.[11] She remained under house arrest for 26 months during pretrial detention and was later sentenced to four years in prison for commercialization. Given her situation of vulnerability, the large number of dependent children, and lack of prior criminal records, she was allowed to continue serving her sentence under house arrest. It is also worth noting that her mother was under house arrest at the same time, leaving no other family member available to care for her children.

(b) The second case involves the provincial justice system of Buenos Aires. The local police received an anonymous tip and searched the home of a 33-year-old woman, where they found "eleven metallic foil wrappers containing a whitish substance weighing 2.5 grams of cocaine hydrochloride, one sealed metallic foil packet, six cut pieces of foil, and other items indicative of the alleged drug dealing activity"[12] (extract from the court ruling, own translation). At the time of her arrest, she had not completed secondary school, was unemployed, and had no prior criminal record. The woman was immediately arrested and charged with illegal drug retailing. She spent 1.5 years in pretrial detention before being convicted to four years of incarceration. She was not eligible for conditional release and therefore served the full sentence, being released in 2022.

(c) The third case was also investigated by the Federal Justice System in 2017. A woman, her husband, and her 18-year-old son were prosecuted for the commercialization of illegal drugs. The three of them were arrested in a municipality of the province of Santa Fe in their home,

11 Tribunal Oral Federal de San Martín 3. FSM 36877/2018/TO3. Date: July 2020.

12 Tribunal de Casación Penal de la Provincia de Buenos Aires, Sala II. Case 116.052. Date: June 2022.

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after the police found a digital scale, plastic packages, and 54 grams of cocaine. All three were held in pretrial detention for 1.5 years. After this period, the son was acquitted, while the woman and her husband were convicted and sentenced to four years of incarceration in 2019.[13] The woman was granted house arrest after one month of detention and was allowed to serve her sentence at home. The ruling to allow house arrest was grounded in her family situation: she had a 2-year-old and a 15-year-old daughter, along with a 16-year-old son, who had been under the care of a neighbor during her pretrial detention.[14]

Women Involved in Transportation of Illegal Drugs (known as "Mules")

(d) The first case involves a 30-year-old woman who was transporting three kilos and 100 grams of marijuana, divided into three packages. She was apprehended at a police checkpoint while traveling by taxi within the Buenos Aires Metropolitan Area. According to the court ruling, the woman

> stated that while on Route 8 near Villa 18, Tres de Febrero, a fat man with a moustache, whom she had never seen before and whose address she did not know, was travelling in a blue Renault and offered her a 'fast work.' He took her to Ciudadela so she could take a taxi to [...], where she would be given a bag that she should not open and about whose contents he gave her no instructions; she was then to take it to the Posadas Hospital, where she would meet him again and he would pay her the sum of $25,000 for doing so, which she never received. (excerpt from the court ruling, own translation)[15]

13 Tribunal Oral Federal de Rosario 1. FRO 31752/2017/TO1. Date: August 2019.

14 The information from this case was taken from the court ruling and also from the interview conducted with this woman while she was in prison because of a later conviction also related to illegal drug activities.

15 Tribunal Oral Federal de San Martín 1. FSM 37541/2020/TO1. Date: August 2021.

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She was arrested, held in pretrial detention for almost two years, and was eventually sentenced to four years in prison for transporting illegal drugs. The court noted that she received the minimum sentence in the penal scale due to mitigating circumstances: she was a teenage mother of three children – one aged five (deceased), another aged ten with a neurological disability who would be cared for by the paternal family, and an eight-year-old one under the care of her maternal grandmother. In addition, she had no stable residence prior to her arrest and had been a victim of violence by her father. Despite these factors and a history of problematic substance use, she was convicted and sentenced to prison.

(e) This case involves three women (one Argentinean and two Paraguayan citizens, aged 43, 29, and 23) who were arrested in 2019 at Buenos Aires airport while transporting, inside their bodies, three packages containing 166, 180, and 167 grams of cocaine. They were attempting to board a flight to the south of the country. The three were prosecuted as secondary participants, as the prosecutor determined that "their involvement as the final link in a hierarchical organization dedicated to drug trafficking removes them from the core decision-making process, and the transport of the narcotics was entrusted to them by one or more persons with authority over them, taking advantage of their vulnerable situation"[16] (excerpt from the court ruling, own translation). In 2021, the women were found guilty of illegal drug transportation and received a three-year suspended prison sentence. However, since the Argentine woman had previously received a 4.5-year sentence of house arrest for a similar offense (transporting 155 grams of cocaine), the judges combined both sentences, resulting in a final conviction of five years of incarceration.

Women Indirectly Involved by Male Partners

(f) This case involves a 49-year-old Peruvian woman who had been living in Buenos Aires for nearly ten years. She was in the same car as her

16 Tribunal Oral Federal de la Capital Federal 3. 2751/2023. Date: July 2023.

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husband when he was transporting 12 kilos of cocaine between neighborhoods of Buenos Aires. The case was reconstructed from an in-depth interview conducted after her release from prison. According to her account:

> My husband is a taxi driver. Because of that, he was offered, you know how customers are… He was convinced. I will not lie: he did one delivery and it worked. They told him: take this… And in the second one, he was caught, and I was as well, because if I had taken the bus, I would not have been caught. I asked my husband to take me to the hospital because I was not feeling well, and he told me 'Okay, I will make a delivery'. I knew it, I knew what he was carrying. Something told me I did not have to go with him, but I did […] We arrived at the location, my husband got out of the car and started speaking with the man who was waiting, and then many men appeared. We were all arrested. I had to claim that I did not know what he was doing. They found 12 kilos of cocaine, but they reported only 7 […]. It is always like this: they find more than what they report. (own translation of the interview)

The woman and her husband were initially detained at a police station for two weeks and one month, prior to their transfer to a prison facility, where they remained for two years in pretrial detention. She received a three-year suspended sentence for her secondary participation, while her husband was sentenced to five years of incarceration. It is important to note that, although her sentence was suspended, she spent the entire two-year process in prison.

What do Judicial Practices Reveal About the Gendered Nature of the Criminalization of Drugs?

The cases above illustrate the most common forms of women's involvement in drug-related activities. As shown in case (f), some women are indirectly involved in drug-related activities through their male partners, which often results in charges as secondary participants rather than acquittals. Furthermore, although women in Latin America have

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traditionally been associated primarily with transnational smuggling (see, for example, Fleetwood, 2014), these cases suggest that they are also becoming increasingly involved in retail-level activities. Analyzing the specific contexts in which these changes occurred exceeds the scope of this work. It is important to note, however, that in Argentina this shift has taken place against a backdrop of deepening inequality, particularly since 2016, which has disproportionately affected women who are household heads and primary caregivers. Most of these women have several children, a factor closely tied to their age – another notable feature of women's criminalization in this sphere. Compared with the broader prison population, women prosecuted and sentenced for drug-related offenses tend to be older: on average, around 39 years old (Lassalle, 2024a). In comparison, the rest of the penal population is around 35 years old. Furthermore, other studies also note that this shift took place in the context of a 'new feminist wave' sparked by the 'Ni Una Menos' movement in 2015, which questioned different forms of femininity and masculinity (Elizalde, 2018, cited in Cozzi, 2024, p. 25).

Despite this diversification of women's roles in drug-related activities, the cases analyzed reveal that, in Argentina, women often occupy the lowest positions in the supply chain, handling minimal quantities of substances, which makes them easily replaceable when arrested. This does not imply portraying women as 'passive actors', who may also contest power within these illegal activities (Actis, 2022), nor does it overlook the fact that some women "may choose" to participate in drug retailing – whether to earn income or due to emotional ties with others already involved (Cozzi, 2024).[17] However, it does underscore that, within the structure of the illegal drug trade, the vast majority of women targeted by penal agencies occupy subordinate positions characterized by low profits and high risks of detection by the criminal justice system. As documented in other studies in the Latin American region (Anthony, 2007;

17 See Vissicchio and Pawlowicz (2022) for an analysis of life stories of women who were imprisoned for drug-related offenses in Argentina, and the subjective impacts associated with these experiences.

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Giacomello & Youngers, 2021), these offenses are also typically non-violent.

Moreover, the previous cases also highlight the most salient features of judicial responses to drug-related offenses committed by women. First, it is important to note that such cases are typically resolved through "abbreviated procedures" (Somaglia & Sozzo, 2021) – in fact, all the cases presented above were settled in this manner. The abbreviated procedure is a legal mechanism frequently used to secure convictions without a trial. It involves a negotiation between the defendant and the prosecutor, where the defendant pleads guilty in exchange for a concession, often a recommendation for a less severe sentence to the judge (Bombini, 2023). By definition, this process is asymmetric and almost always results in a conviction, with the judge's role limited to ratifying the agreement and confirming the sentence.[18] It is also worth noting that, particularly since the Covid-19 pandemic in 2020, these agreements – and the subsequent judicial confirmation – are often conducted via video call. Interviews with the women in cases (c) and (f) revealed that they never met the prosecutor or the judge in person.

Second, these cases illustrate that, although pretrial detention should be an exceptional measure, it is widely applied in drug-related offenses. Data show that about 60% of the prison population incarcerated for these offenses in Argentina is currently held in pretrial detention (Lassalle, 2024a). All the women in the presented cases experienced pretrial detention for approximately two years, the national average.[19] This means that they were deprived of their freedom for two years before being convicted (through an abbreviated procedure), including those women who ultimately received suspended, non-custodial sentences. Beyond the human rights implications and the undermining of due process associated with the excessive use and long duration of pretrial detention, this measure is particularly harmful to women with secondary participation in drug-related activities. One specific

18 For a discussion on the use of this mechanism in Latin America and its implications, see Kostenwein (2018), Langer and Sozzo (2023) and Sozzo (2025).

19 This figure was compiled by the author on the basis of the SNEEP databases.

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aspect of the abbreviated procedure aggravates this situation: namely, to complete the agreements, all defendants involved in the same case must accept the charges and agree with the prosecutor's proposal. Consequently, individuals with secondary roles – frequently women – often remain in pretrial detention longer, waiting for those with greater involvement to finalize their agreements and the corresponding sentence. For example, the woman from case (f) explained in her interview: "I would have been free before, but the other guy involved in the case, not my husband, the one receiving the product, did not want to sign the agreement because he wanted a lower sentence. So, this process took more time until he agreed to sign for 5.5 years because he had a prior criminal record" (excerpt from the interview). This prolongation of pretrial detention is particularly common among women with secondary or indirect involvement, as they are often part of cases with multiple participants.

The length of convictions and the possibility of house arrest are two additional factors relevant to understanding judicial responses toward women who commit crimes. Scholarship in Global North countries has developed the concept of "judicial paternalism" to describe how judges and prosecutors perceive and respond to crimes committed by women. Generally, most studies highlight paternalistic or chivalrous attitudes, particularly toward women who commit homicides, which often translate into more lenient sentences (see, for example, Daly, 1989; Smart, 1992; Steffensmeier et al., 1998; Carlen, 2002; Kutikoff, 2017; Fridel, 2019; Holmes et al., 2020; Pierce, 2023). In contrast, research in Latin America (Azaola, 1999; Ribeiro, 2010; Rodríguez & Chejter, 2014; Núñez Cetina, 2015; Lassalle, 2020, 2021, 2024) has shown that judicial responses to women tend to be highly punitive, even in cases involving typical "female crimes", such as homicides of children or male partners.[20] For instance, in a previous work, I demonstrated that in Argentina, women who commit homicide are three times more likely than men to receive life sentences, and that mothers and fathers are treated differently when

20 See Lassalle (2025) for an analysis of shifting judicial practices concerning women who kill their male partners in contexts of gender-based violence.

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they harm or kill their children (Lassalle, 2023). In this article, I argue that the myth of the "Woman-Mother" – an array of social significations about what it means to be a mother and, by extension, a woman – permeates judicial decisions, shaping how the system interprets and punishes homicides committed by mothers against their children, and resulting in the imposition of particularly harsh sentences.

Regarding drug-related offenses, statistical data indicate that, in Argentina, the length of sentences for men and women does not vary significantly. The average sentence for individuals currently in prison is 5 years in Buenos Aires and 5.5 years at the Federal level.[21] These averages reveal a first element of disproportionality in drug-related convictions: there is almost no difference between the provincial and Federal systems. In both cases, the criminal justice system remains focused on minor drug offenses rather than on large-scale actors in the illegal drug trade. One of the key arguments used to justify the defederalization of drug law enforcement – which, as I have shown, led to a dramatic increase in incarceration rates – was that the Federal system would thereby have more resources to concentrate on major traffickers. However, twenty years after the reform, the data clearly show that this objective has not been achieved.

It is important to note that these averages come from penitentiary data and therefore exclude convictions of individuals serving house arrest or suspended sentences – a typical situation for women, as we have shown. Given that justice systems do not publish disaggregated information on individual convictions, interviewing female defendants and reviewing judicial rulings is essential to complement the insights – and reveal the gaps – provided by available statistical data. These qualitative sources indicate that women's sentences tend to be slightly shorter, particularly for those not involved in retail activities; whereas at the retail level, sentences for men and women are similar. However, statistics alone do not reveal that even these minor differences are disproportionate relative to women's actual roles in drug-related activities. In other

21 These data were compiled by the author from the databases of the National Statistical System on the Execution of Sentences.

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words, the secondary roles that women frequently occupy are not reflected in sentencing practices, as women often receive sentences similar to those of men. Case (f) illustrates this very clearly: the woman spent two years in pretrial detention and was subsequently given a three-year suspended sentence, while her husband was sentenced to 4.5 years of incarceration.

Additionally, as noted, even when women are directly involved in retailing, they generally occupy subordinate positions in the supply chain, yet their average sentences remain similar to those of men. A clear indicator of this is the type and quantity of substances with which they are typically apprehended. For example, as shown above, women may receive around 4 years of incarceration for possession of two kilograms of marijuana – a substance that is decriminalized for personal use and even already legalized for retailing in many countries[22] – or for as little as 50 grams of cocaine.

The disproportionality of sentences for minor drug offenses becomes even clearer when compared with the penalties imposed for violent crimes. In Buenos Aires, for example, around one-third of intentional homicides have been punished with less than 11 years of incarceration, and half of these with sentences ranging between 8 and 9 years (Lassalle, 2024). In contrast, the average sentence for women convicted of non-violent minor drug offenses is 5 years. This means that many homicides – often committed by men – receive sentences only a few years longer than those given for minor drug offenses committed by women.[23] Moreover, while those convicted of homicide may be eligible for conditional release, this is not the case for drug-related offenses. As shown in some of the cases discussed above, defendants must serve their full sentence in custody (even under house arrest). In contrast, a person convicted of a non-aggravated homicide at the minimum of the sentencing scale may spend six years in custody and the remaining two under conditional release.

22 See Linares in this volume.

23 For a sociological explanation of this trend toward homicide, see Lassalle (2024).

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Mandatory minimums that prevent the imposition of suspended sentences are the leading cause of this disproportionality. Indeed, high mandatory minimums have been a key instrument for hardening drug policies and radicalizing the war on drugs across Latin America (Chaparro et al., 2017). However, both statistical data and the cases discussed above confirm what sociological and criminological research has long emphasized: there is always a gap between the written law and the actual practices of judges and prosecutors. First, the significant shift observed after 2016 in Argentina does not correspond to any change in the penal scale's minimums. The 4-year minimum for "commercialization" and the 2- to 6-year range for possession, which allows for custodial sentences, have both been in place since the 1990s. However, women's incarceration rates have surged, particularly over the past decade. Second, the cases analyzed show that prosecutors can, in fact, file charges for "secondary participation," which makes suspended sentences possible. Thus, although mandatory minimums undoubtedly encourage more punitive outcomes, prosecutorial and sentencing practices require sociological attention, as they are always more complex than what legal codes alone prescribe, thereby expressing relevant features of actual penal governance.

One last point that deserves attention regarding typical judicial responses to these offenses is the imposition of house arrest. As I have shown, this is a standard measure among women who have young children under 5 years old. Some scholars (i.e., Savolff, 2020; Ariza et al., 2021) argue that these measures are far from beneficial and instead constitute a "site of neglect where women must fend for themselves to perform reproductive labor as a way to complete their sentence" (Savolff, 2020, p. 1).[24] Given the scope of this chapter, I cannot delve into these debates, which also carry important political implications. Although these measures are evidently less repressive and harmful than prison, they can still be "counterproductive if the conditions are so strict that

24 In Argentina, relevant studies have explored the relationship between motherhood and incarceration. See, for instance, Tabbush and Gentile (2015) and Villalta (2019).

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they prevent working or fulfilling family responsibilities" (Giacomello & Garcia Castro, 2020, p. 161). This point is particularly relevant in drug cases, as many of these women have dependent children and experience severe social and economic inequalities. Complying with such measures often conflicts with the urgent need to secure livelihoods in contexts where support and safety networks may be fragile. For this reason, alternatives such as avoiding unnecessary pretrial detention and imposing suspended sentences appear to be less harmful and more effective in preventing the reinforcement of cycles of marginalization and exclusion, underscoring the crucial impact of judicial decisions in this regard. As we shall see in the next section, these are relevant pragmatic considerations for shaping criminal policy and guiding judicial decisions – considerations that, while not yet addressed in Argentina, have already been taken into account in other Latin American countries.

Recognizing the Problem: Alternative Approaches in Latin America

So far, the prohibitionist approach to the drug problem, along with the repressive responses that support it, have prevailed in most Latin American countries. Despite this general scenario, over the last decade, several initiatives have emerged acknowledging that this approach is both ineffective and harmful – not only to vulnerable groups but also to society at large. Many of these initiatives have also highlighted the differential impact on women, emphasizing the need to incorporate a gender perspective into debates on drug policy. Costa Rica was a pioneer in this matter. For instance, in 2013, the Public Defender's office promoted a legal reform, later approved at the Legislature, that ensured more proportionate punishments for women from marginalized sectors with caretaking responsibilities who were caught smuggling drugs into prisons. The reduction of the minimum of the penal scale to 3 years enabled the application of alternatives to incarceration and, as it was retroactive, permit-

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ted the release of many women.[25] Later, in 2017, Costa Rica passed Law No. 9,361, which led to a criminal record reform. This allowed judges to eliminate criminal records from the court registry if certain conditions were met – for instance, after serving a sentence of less than three years or for misdemeanors committed by people in situations of vulnerability, among other cases. This legal reform constitutes an important precedent to counter the labor market exclusion and the stigmatization that incarceration produces.

Uruguay also had initiatives in similar directions. The most important one was the legal regulation of adult use of cannabis in 2013. By then, the government was concerned about the growing incarceration of women, and the gender unit of the Drug National Board worked hard to produce changes in criminal policy, which resulted in a decrease in the number of women prosecuted for drug offenses between 2010 and 2021 (Youngers, 2023).[26] Furthermore, other countries, such as Ecuador in 2008 and Bolivia between 2012 and 2018, used amnesties, pardons, and sentence reductions to alleviate prison overcrowding and reduce the negative impacts of incarceration. Especially in Bolivia, the gender-focused amnesties, pardons, and sentence reductions enacted by the president of the country aimed at releasing individuals charged with minor drug offenses, especially pregnant women and household heads, people who suffered illnesses, and other vulnerable groups. As a result, after 5 years, the number of women in jail for drug-related crimes was reduced by 84% (Youngers, 2023).

More recently, in 2020, Mexico passed a Federal Amnesty Law, which aimed at releasing and expunging criminal records from individuals from vulnerable groups (indigenous people, women from marginalized sectors, etc.) charged with certain types of crimes, such as drug offenses. So far, many requests have been presented, and women prosecuted for

25 For a deeper analysis about this reform, see Pieris (2017).

26 In 2020, there was an important backlash when "The Law of Urgent Consideration", key for Lacalle Pou's government, was passed by the Uruguayan Congress. Among other things, this law eliminated the possibility to have alternative measures to incarceration for drug-related offenses.

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drug-related crimes have been released. However, the impact of this law has still been relatively narrow because of two main factors. On the one hand, because it is a Federal law, most of the crimes it targets are of local jurisdiction. Some Mexican states have adopted local amnesty laws, but their implementation at the local level remains limited. On the other hand, the enforcement of this law also showed important judicial discretion in approving amnesty requests.[27]

Colombia has also made important progress in reducing the levels of incarceration of women. In 2023, Congress passed the Law of Public Utility (Ley de Utilidad Pública, Law No. 2.292), which created mechanisms to replace imprisonment in cases of women who are household heads and are serving sentences for minor crimes produced in contexts of vulnerability. If released from prison, these women must serve their sentence doing unpaid community service in public institutions or in organizations of civil society. According to data from the Ministry of Justice, as of March 2025, 130 women have been released and are currently undertaking community work. The enforcement of this law and the potential to reach a larger number of women are certainly challenging.[28] One of its main challenges is the important role of the justice system in this process and, in some cases, the opposition of some judges to granting these alternative measures.

In contrast, as I have shown, the orientation of drug policies and of the judicial system in Argentina appears to be moving in the opposite direction. In the name of the 'war on drug-trafficking', punitive mechanisms targeting non-violent, minor drug offenses have been intensified, further criminalizing women in multiple ways. Highlighting alternative experiences from other countries is, nevertheless, crucial, as they demonstrate that the overcriminalization of women has already been recognized as a significant adverse effect of the war on drugs, and, more

27 For a deeper analysis about this law and its enforcement, see Fernández Villaseñor (2021).

28 For a juridical analysis of the general scope and limitations of this law, see Orozco López (2025).

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importantly, that alternative approaches are not only necessary but also feasible.

Closing Remarks

In this chapter, I have argued that, as in other countries of the region, the "late war on drugs" waged by the Argentine criminal justice system is not directed at the illegal drug business but rather at non-violent, minor drug offenses. Within this context, mainly since 2016, the radicalization of this model has fueled the increasing criminalization of women from the lowest social classes. The intensification of punitive measures can be seen not only in the sharp rise in female incarceration rates but also in judicial practices that reveal how criminalization processes are grounded in structural gender and class inequalities. In particular, prosecutorial and sentencing practices disproportionately target unemployed women with very low levels of formal education who are involved in minor drug offenses. I have also demonstrated that these women are typically middle-aged, have no prior criminal records, and are increasingly being drawn into penal circuits for such offenses. Furthermore, I have shown that pretrial detention is excessively used, even in cases where women ultimately receive non-custodial sentences, and that the sentences imposed are disproportionate both to women's actual roles in these activities and to judicial responses to other crimes. Taken together, these dynamics are doubly harmful for the women targeted by criminal justice systems, who are not only in a situation of structural inequality but are also socially assigned caregiving responsibilities, whether for children or other dependents.

By presenting archetypal cases, the chapter also sought to systematize the different forms of women's involvement in drug-related activities. Broadly speaking, women are primarily engaged in minor drug-related offenses and occupy subordinate positions within the supply chain. This assertion, however, does not mean portraying women as "passive actors", nor does it exclude the fact that some may hold high-ranking positions within these illegal activities. As demonstrated, women frequently

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participate in retail-level drug sales, not merely in storing substances or as mules. Nevertheless, the chapter seeks to emphasize a structural perspective on the phenomenon, highlighting its most salient patterns and showing how systemic judicial responses play a crucial role in framing the drug problem as bounded to a specific portion of the population and to retail-level activities. As I suggested, these judicial responses actively contribute to the reproduction and consolidation of the cycle of inequality and marginalization that is central to the dynamics of the contemporary illegal drug business.

Finally, the chapter has examined initiatives in some Latin American countries that acknowledge the negative consequences of these intensified punitive measures for women. These initiatives are important for two reasons. First, they highlight that drug policies and judicial responses prevalent in Argentina have already been recognized as harmful, both for women entering the penal circuits and for the broader community. Second, they demonstrate that alternative approaches are possible and that adopting them is fundamentally a political decision, reflecting a contest over how the phenomenon is understood and defined.[29] Future research is important to explore the social meanings underlying these seemingly 'automatic' and systemic judicial responses toward women who commit these offenses – meanings about motherhood, womanhood, as well as women's relationship to illegal substances and criminality. Such work would be valuable for broadening the understanding of the clearly gendered nature of the criminalization of drugs.

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29 For specific policy recommendations on how the levels of criminalization of women in Argentina could be reduced, see Lassalle (2024a).

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Section III: Frictions, Perspectives, Encounters

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Bioethical Perspectives on Current Cannabis Legalization Debates[1]

Jorge Enrique Linares Salgado

Introduction

The recent legalization in April 2024 of cannabis production and recreational use in Germany has once again brought this issue to the forefront of the global debate. Germany's example demonstrates that cannabis production and distribution can be legalized, not just decriminalized, in all countries. However, questions remain about strict regulation and more effective international cooperation agreements. The current situation of uneven and partial legalization of cannabis among different nations is both inadequate and risky due to conflicting policies across countries. Just as the policies of various nations have been "harmonized" since 1961 regarding the prohibition and judicial prosecution of cannabis under pressure from the U.S. government, a global approach to decriminalization and effective health regulation should now be encouraged.

After six decades of aggressive global drug policies, the results have been disappointing. Drug use has not decreased, and criminal organizations continue to dominate the production, distribution, and

1 This text is based on the chapter about the legalization of cannabis in my book *Hacia una bioética global* (Towards a Global Bioethics), which is written in Spanish and will be published by Plaza y Valdés in Madrid. I used the AI program DeepL© to translate the chapter and the quotes from the Spanish texts.

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sale of drugs worldwide. Consequently, the cannabis market has become a highly active international industry, impacting the sociopolitical stability of countries like Mexico (Astorga, 1996) and Colombia (Britto, 2022). In a globalized world, cannabis remains the most widely used psychoactive substance. However, illegal trafficking and consumption of other synthetic drugs (designed for therapeutic pharmacological uses) continues to increase year by year. The COVID-19 pandemic, which led to increased confinement and social isolation, has also contributed to a rise in drug abuse, according to the United Nations Office on Drugs and Crime World Drug Report (UNODC, 2020).

Before and after the pandemic, social motivations and personal contexts that lead to problematic use and abuse of psychotropic drugs, such as cannabis, cannot be addressed solely through criminalization and law enforcement. Current prevention and health education policies have been deficient in effectively communicating the risks and harms associated with frequent drug use.

We must acknowledge that the international policy focused on criminalization, with its rhetoric of "war on drugs," has proven ineffective worldwide. It has failed because it was developed in Western democratic countries from a conservative moral perspective that refused to study the societal problem in all its complexity or to distinguish between the effects, risks, and harms produced by various drugs, lumping them all into a single harmful category that governments sought to be kept away from the moral consciences of the Western world. However, such segregationist policies are ineffective. Drugs are used not only by socially marginalized groups but also by anyone with access to them. In contrast, a global policy on cannabis should be grounded in bioethical principles and scientific evidence regarding health risks and public benefits.

In recent years, a growing number of countries have decriminalized the personal consumption and possession of small quantities of cannabis and other psychotropic substances. However, the mere tolerance by law enforcement does not resolve the underlying issues. It does not aim to eliminate the illegal trafficking and purchase controlled by criminal organizations; on the contrary, it may encourage it, since consumers would no longer fear the police consequences of carrying it on

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the street or at home. Decriminalization of cannabis can be considered an intermediate measure between prohibition and legalization. However, this approach has also been criticized as the worst option because it maintains illegal sales and thus perpetuates the troubles associated with the clandestine production, unlawful distribution, and sale of several drugs. One of the worst consequences of the illicit cannabis trade is the lack of quality control and the elevated concentration of THC,[2] which increases risks to consumers due to its potential for higher levels of consumption. As Martin Booth explains, cannabis is a cultivated plant across the entire planet:

> There is probably not a country in the world, save those with frigid climates, where cannabis is not to be found growing either wild or in cultivation. It exists from Manchuria and the steppes of Mongolia to the rural shires of southern Britain, from the Ganges plain in India to the prairies of the American Midwest and Hokkaido in Japan. Under cultivation, it is to be found throughout the Indian sub-continent, South-East Asia, the Caribbean, Central and South America, most of sub-Saharan Africa, and parts of north Africa, southern Europe, and that is just in the open, not under glass. It is, without doubt, the most widely distributed hallucinogenic plant on the planet. Since prehistory, it has been in partnership with mankind, to become one of the most varied of cultivated crops, its dispersal not only reliant upon the natural forces of wind and water, bird and animal, but also those of men. The lines of its global dissemination follow those of human trade and cultural history. And yet, unlike many other cultivated plants, it has never become dependent on man, has always been ready to escape his control and, as pot-heads would say, go off to do its own thing. (Booth, 2003, p. 29)

2 THC: Delta-9-Tetrahydrocannabinol, the psychoactive component of cannabis. When its concentration is less than 1% and only the cannabidiol (CBD) component is extracted for use in various products (creams, oils, drops), it is considered for therapeutic use. For this reason, this CBD derivative has already been legalized in many countries and has created a global market for these products.

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For those reasons, the United Nations Conference on Psychotropic Substances, held in Vienna in February 1971, approved the signing of the Convention on Psychotropic Substances, which established the list of all prohibited or restricted substances, including cannabis in Schedule I of the most "hazardous substances." This Convention was updated and ratified in 1988 through most countries around the world signing the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which reinforced the policy of criminalizing and prosecuting (mainly) consumers as well as producers or distributors of drugs.

A Brief History of the Prohibition and Ephemeral Legalization of Cannabis in Mexico

The cultivation of cannabis across the American Continent began in Mexico in the 16th century in the "Virreinato de la Nueva España" (Viceroyalty of New Spain). The colonial government subsequently prohibited it because of its psychotropic effects on farmers and agricultural workers, predominantly native Americans:

> It is thought that hemp was brought to Mexico by Pedro Cuadrado, a conquistador serving with Cortés. The plant was successfully introduced but, in 1550, the Spanish governor reduced production. Native labourers had discovered that hemp, growing in the tropics where the temperatures were high and the days long, contained a drug and he was fearful that this might lead to rebellion or a degradation of the workforce. (Booth, 2003, pp. 52–53)

Nevertheless, Mexico was a pioneer in the decriminalization and governmental regulation of narcotics, including cannabis, opium, heroin, and cocaine. Cannabis (commonly known as "Marijuana") had been prohibited since 1920, after the Mexican Revolution, during Venustiano Carranza's regime. However, this prohibition was driven more by discrim-

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inatory racial prejudices than by scientific evidence of health risks. As Isaac Campos notes:

> Originally an industrial fiber symbolizing European imperial expansion, cannabis had been transformed by the dawn of the twentieth century into a quintessentially indigenous, and putatively dangerous, Mexican drug plant. Thus, in 1920, after labeling marijuana a threat to "degenerate the race," Mexican sanitary authorities banned the drug nationwide, seventeen years before similar legislation in the United States. (Campos, 2012, pp. 3–4)

Under the administration of Lázaro Cárdenas (the Mexican postrevolutionary government with a progressive social agenda), all kinds of drugs (primarily heroin, opium, cocaine, and marijuana) were legalized by presidential decree through state and institutional control to administer maintenance doses to drug addicts to help them overcome their addiction. The Reglamento Federal de Toxicomanías (Federal Drug Abuse Regulations) established a public health experiment that briefly decriminalized drug use and sought to dismantle the illicit market through state-controlled distribution. Legalization was short-lived (from February to June 1940) because the U.S. government put significant economic and diplomatic pressure on Mexico, threatening to stop exporting morphine, as Benjamin Hill details: "On June 7, 1940, the government repealed the regulations. The clinics were closed. The reason given was that morphine shortages caused by the outbreak of World War II made the system unfeasible. The government was simply unable to import sufficient amounts for the system to work" (Smith, 2021, p. 107).

Harry J. Anslinger, renowned director of the Federal Bureau of Narcotics in Washington, the U.S. "anti-drug czar", firmly opposed Mexican legalization because he wanted to maintain and reinforce his "crusade" against drugs worldwide. The American anti-drug czar, a fervent evangelist for a global prohibitionist regime, served as head of the Bureau of Narcotics for 30 years (until 1962). Anslinger and the U.S. government viewed the Mexican policy as a violation of international prohi-

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bitionist norms. From his perspective, Mexico's policy was not just misguided; it was a direct threat to the global system of drug control that the U.S. had been carefully constructing. Anslinger did not challenge Mexico's policy through open diplomatic channels or scientific debate. Instead, he employed a covert strategy of economic coercion, which has been aptly termed "morphine blackmail". His primary weapon was the U.S. Narcotic Drug Import and Export Act of 1922. This law gave him the authority to deny export licenses for all medical narcotics to any country that he deemed to have inadequate control systems under international treaties. In May 1940, the U.S. government officially ceased all exports of morphine and cocaine to Mexico. Luis Astorga recounts the U.S. government's concern:

> As never before, U.S. authorities were concerned about the ideas held by the Mexican government's top anti-drug official. Dr. Leopoldo Salazar Viniegra held that position in the Department of Health. In a conversation with Agent Creighton, reported by Consul Stewart, Salazar told him that there was only one way to stop drug trafficking in Mexico, namely, for the state to create a monopoly on the sale of prohibited drugs. These drugs should be sold to people with an addiction at a cost price to prevent clandestine purchases. He also proposed an educational campaign and the establishment of hospitals for the treatment of addicts (Astorga, 2015, p. 278).

The architect of the innovative government drug control project in Mexico was the maverick psychiatrist Leopoldo Salazar Viniegra, who was director of the Drug Addicts' Pavilion ("Pabellón de toxicómanos"), inaugurated in 1935, a special unit of the legendary and infamous "La Castañeda" psychiatric hospital in Mexico City. The Pavilion became his clinical research center on the effects of cannabis. He had a captive population to observe and study, and he was confronted daily with the catastrophic consequences of a system that treated a health issue as a criminal matter. Salazar Viniegra delivered an unprecedented lecture to the National Academy of Medicine (one of the most influential and prestigious scientific academies in Mexico to this day) and published his lecture un-

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der the title "El mito de la marihuana" ("The Myth of Marijuana") in the Mexican criminology journal Criminalia in December 1938. Salazar argued the medical basis for the legalization of cannabis, highlighting the absence of definitive evidence linking cannabis smoking to significant health damage:

> Marijuana in no case causes unconsciousness, criminal impulses, forgetfulness, terrifying hallucinations, or insanity. When these occur, other factors have been at work that marijuana lacks. May this serve, if possible, to modify the criteria of our Health Code and our Penal Code, which so vehemently and unjustifiably persecute and condemn the use of marijuana. More than eighty percent of convictions for crimes against health, according to the statistics we have in the Health Department, are determined by possession, use, or trafficking of marijuana [...] In the face of our real and formidable problem of alcoholism, the issue of marijuana does not deserve to be considered a social or human problem; on the contrary, scientific study of it will always be of interest to those who, free of prejudice, subject it to their disciplines. The education, culture, and orientation of our people will ensure that this maligned and beautiful plant will, in the future, be nothing more than what it should be: a rich source of textile fibers. (Salazar Viniegra, 1938, p. 237)

Salazar Viniegra challenged the myths and so-called "scientific evidence" about the mental harm caused by regular cannabis use. With the help of volunteer resident doctors, he conducted a series of unorthodox experiments on patients, colleagues, and students to evaluate the effects of frequent cannabis use. To assess his hypotheses, he smoked marijuana with his assistants and offered the research subjects cannabis concealed in tobacco cigarettes (without revealing this) to determine the immediate effects. Thus, in addition to his patients, bureaucrats, military personnel, and also diplomatic representatives visiting the Pavilion were subject to investigation without their knowledge or consent.

He also conducted studies on control groups providing mixtures of tobacco and cannabis in trick cigarettes. He administered these cigarettes to various patients (some of them mentally ill) and drug ad-

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dicts without their consent. Any research ethics committee would not permit studies like these in the current era.[3] However, these findings led Salazar to conclude that the media's portrayal and medical reports of marijuana as a dangerous substance were overstated by Mexican society. For Salazar, it was clear that cannabis did not cause madness, suicidal behavior, or violent murders.

Salazar's research was certainly not conclusive, as he does not claim to have measured the concentration of THC he administered to his patients and research subjects. As a result of his experience, Salazar declared himself skeptical of the hallucinogenic effect of cannabis and firmly maintained that it was only a subjective "suggestion" or a consequence of the psychiatric history of some patients who reported suffering hallucinations after smoking cannabis.

Nowadays, Salazar's thesis of the total harmlessness of cannabis is not sustainable, and this may be due to a lack of data and overconfidence on the part of the unconventional psychiatrist. Though medical authorities said cannabis could produce harmful effects such as violent reactions, self-harm, or suicide, no further research related to cannabis consumption or smoking has reported these effects.

On the other hand, the treatment program for "drug addicts" ("toxicómanos") conceived by Salazar Viniegra was undoubtedly rooted in medical paternalism, which judged people with an addiction as individuals without free will. To help them in overcoming their addiction, the Mexican Health Department was tasked with administering measured

3 Salazar Viniegra, as himself reported, conducted his research on the effects of marijuana on six groups of individuals: 1. He made people who had never smoked marijuana smoke it without knowing what they were smoking (using special cigarettes containing half tobacco and half marijuana). 2. He made people who were not accustomed to smoking marijuana smoke it with their consent. 3. Make people with various mental illnesses smoke marijuana without their knowledge, using special cigarettes. 4. Make people who are not accustomed to smoking marijuana smoke it without their knowledge after ingesting alcohol. 5. Make the same people smoke marijuana with their knowledge after ingesting alcohol. 6 Make habitual marijuana users smoke in my presence to discern the effects. (Salazar Viniegra, 1938, p. 215).

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doses of morphine until their consumption was gradually reduced. Salazar was also among the first to employ a medical method of reduction and substitution of psychotropic drugs in people who became ill due to addiction. For Salazar, the essential goal was that the state should treat drug addiction as an illness, not as a crime. If the Mexican government managed to control the distribution of drugs to people with a substance use disorder (which was not free, but at a reasonable and accessible cost), then the lack of demand on the illicit market would reduce illegal trafficking.

> His criticism of the criminalization of all aspects related to drugs was based on the fact that repressive methods were ineffective, as they only benefited traffickers and the authorities who became corrupt by associating with them, since illegality made drugs more expensive and prone to adulteration and loss of control over their distribution and consumption. (Pérez Monfort, 2016, p. 321).

As Froylán Enciso (2015) affirms, Salazar Viniegra was ahead of his time in convincing the Mexican government that the state had to take responsibility for drug addiction and treat this societal problem from a medical-scientific perspective, rather than a judicial-criminal one. The reinstatement of the prohibition of cannabis in Mexico in 1940 only ensured its future clandestine sale, increased prices, and the control of criminal groups over its production and distribution.

The medical logic of Salazar's approach remains as relevant today as it was then. However, this pioneering Mexican policy was actively and deliberately demolished by the ideological fervor and overwhelming geopolitical power of the United States. The swift collapse of this governmental experiment had profound and tragic consequences for Mexico and for the future of the global war on drugs. Salazar's conviction of the harmlessness of cannabis has been one of the bases for its further legalization and regulation. This has occurred in many countries, including

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the U.S., Canada, Germany, and Uruguay, except Mexico.[4] It would take more than seventy-three years after Salazar Viniegra's bioethical experiment for cannabis to be formally legalized in the world. In his chapter on the book Cannabis: Global Histories, Isaac Campos concludes the following regarding the significance of Salazar's efforts:

> In Mexico, Salazar Viniegra is often touted as the man who, far ahead of his time, understood that marijuana was harmless. In truth, Salazar was the first Mexican, indeed perhaps the first man in North America, to discern the immense complexity of marijuana's effects and their relationship to behavioral outcomes. Even if he did not have it all right, we would do well to emulate his willingness to honestly engage all of that messy complexity. (Richert and Mills, 2021, p. 175)

Bioethical Justification and the Need for Global Regulation

At present, the main effects of cannabis' chemical substances have been analyzed in recent years and are well known, as Booth relates:

> In addition to THC, there occur cannabidiol (CBD) and cannabinol (CBN), which appear as the resin ages. CBD has no psychoactive capability, but CBN is a mildly psychoactive chemical. Tetrahydrocannabivarin (THCV) and cannabichromene (CBC) are also important cannabinoids, with others, such as cannabicyclol (CBL), being formed not by the plant itself but by the chemical decomposition or degradation of THC or other cannabinoids. Apart from the cannabinoids, cannabis also contains six essential oils, at least eight alkaloids, flavonoids, and sugars. As well as being a euphoric intoxicant, THC also works as an analgesic, muscle-relaxing, anti-depressant, and

4 Although Mexico's Supreme Court ruled in 2021 that recreational cannabis use was constitutional, it has not been legalized and regulated by the government or approved by the federal Congress. Citizens can apply for "amparos" (personal protection from government legal action) and "medical" permits through a complicated legal process that is neither quick nor accessible due to its costs. Cultivation, distribution, trade and sale of cannabis are still illegal in Mexico.

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> anti-emetic agent; it can reduce epileptic fits, stimulate appetite, and dilate bronchial tissue. Why the plant produces THC is unknown, but what is certain is that cannabis grown in temperate climates contains less THC than cannabis raised in hot climates, but a higher percentage of CBD. (Booth, 2003, p. 17)

Among the bioethical principles (Beauchamp & Childress, 2012) that can be applied to drug use, the most significant is that of non-maleficence (or precaution), in conjunction with the principle of individual self-determination or autonomy. Non-maleficence, defined as the avoidance of harm to others, encompasses a spectrum of consequences. These range from the most severe, including death, pain, suffering, and physical or mental incapacity, to the least serious, such as restrictions on the enjoyment of life and exposure to risk or dangerous actions. In the context of addiction, the primary concern is the prevention of personal harm, suffering, and disability, followed by social and political harm. Consequently, the legalization of cannabis aims to mitigate its inherent risks by regulating the concentration of THC in its various forms and controlling personal doses to prevent the harmful effects of regular consumption.

From a socio-political perspective, one of the rationales for legalizing cannabis (and not only decriminalizing personal consumption) is that it remains the most prevalent drug worldwide, whether in the form of marijuana or hashish. Its legal regulation, properly administered, could discourage people from seeking to consume other, more dangerous drugs that criminal organizations also distribute. As happened after the end of alcohol prohibition in the U.S. (1933), criminal organizations that had previously dominated the illicit market could enter the legal market by adopting the norms of licit trade and renouncing violence, extortion, and political corruption. However, in some countries, prohibitions have been established that would prevent those who have marketed cannabis illegally from doing so legally.

Enciso (2015) points out that, concerning the controversy over drug legalization in Mexico during the 1940s, many scholars assume that it was a failed policy and that opponents of legalization interpret the fact

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that the United States managed to reverse it as proof that it is not viable. However, Enciso states, "as far as I have been able to investigate, there is no evidence that drug dispensaries have failed as a public policy. Legalization lasted so briefly that there was no systematic study of its consequences and results. On the contrary, there are testimonies to its success in reducing violence and decreasing the profits of traffickers at the time" (Enciso, 2015, p. 24). Despite the absence of empirical evidence regarding the success or failure of that brief legalization, Enciso emphasizes that this alternative had already occurred in Mexico long before other countries. Therefore, it is imperative to evaluate and discuss it in the present.

Consequently, the bioethical rationale for legalizing cannabis for consumption by adults (over 18 years old) is that it poses fewer risks than other narcotics and psychotropic substances. Cannabis entails lower risk when the concentration of its psychoactive component (THC) is maintained at low levels, ranging from 10–15% at most. Even for therapeutic purposes in terminal illnesses, the consumption of psychoactive cannabis can be considered low risk in comparison with its benefits, especially if it is not smoked. The primary risk and adverse effect associated with cannabis, particularly when it contains a high concentration of THC, is its potential to induce psychotic effects, even after an occasional dose. In addition, if smoked, the risks to pulmonary and cardiovascular illness, bronchitis, asthma, COPD, but also liver and kidney damage or cancer risks in various organs, are similar to those of tobacco and are amplified if combined with regular tobacco smoking.

A technical discussion remains as to whether cannabis produces a physiological addiction, as in the case of tobacco, which contains one of the most addictive substances known: nicotine. Research indicates that frequent or daily use of cannabis can lead to psychological dependence. So far, cannabis has not produced withdrawal syndromes and adverse physiological effects equivalent to those produced by alcohol, cocaine, or heroin. Several studies show greater health risks due to neurodevelopmental impairment in children and young people under twenty, so at this stage of life, of course, it is highly recommended not to consume cannabis or any other psychotropic drug.

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Accordingly, it is a fallacy to assume that all individuals who use cannabis habitually have an "addiction" problem and therefore require medical assistance. Most cannabis consumers do not suffer from illness. The fundamental bioethical principle to be applied here is that, for rehabilitation treatment to be effective and for reasonable use of health care resources, only those individuals who decide on their own (under the rule of informed consent) require treatment, after realizing the social problems they face if their pattern of use is risky.

In such cases, it is advisable to refrain from any form of coercion. Instead, the public medical system should provide individuals with sound information to persuade them to seek medical, psychiatric, and pharmacological help when deemed necessary. Conversely, the failure to do so constitutes an infringement on fundamental human rights and results in discriminatory and stigmatizing treatment of cannabis consumers. Society and the state incorrectly assume that all cannabis users, even occasional ones, should be regarded as people with an addiction and are dangerous to others. These misconceptions lead to stigma and criminalization, and it is time to replace this discrimination with accurate information.

On the other hand, the demand for cannabis cannot be reduced in the general population through a purely medicalized approach that treats all consumers, without distinction, as people with an addiction. The consumption of psychotropic substances is an ancient and complex phenomenon, as Antonio Escohotado has demonstrated (Escohotado, 1989). We need significantly more interdisciplinary scientific research, involving experts from social sciences, legal systems, bioethics, and philosophy. It is essential to understand the difference between low-risk consumption and high-risk, problematic consumption. Moreover, it is essential to define the health risks of frequent cannabis use clearly.

The need for global regulation and legal control of cannabis is becoming increasingly imperative, establishing rules for the production and distribution of the most widely consumed drug in the world. After its legalization, cannabis should be considered as risky as alcoholic beverages. Still, both should be restricted in public spaces, such as schools, hospitals, sports stadiums, or large gatherings like music concerts. How-

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ever, as in the case of alcoholic beverages, there are considerable differences in the concentration of the active substance, the personal dose, the frequency, and the social context in which it is consumed. These factors of cannabis use should be the subject of thorough investigation by health authorities in the coming years.

Models for Legalizing Cannabis Production and Consumption

In general, two models have been adopted in several countries for the full legalization of cannabis:

a) The open market of private initiative, the North American model, is present in several states in the U.S. and Canada.
b) The restricted non-profit model or controlled production model, without commercial sale, but through self-cultivation, regulated sale in specialized pharmacies, and consumption in cannabis clubs, which Uruguay has implemented, and Germany has recently approved.

Based on the results of this policy, the most appropriate model is the controlled, non-profit production that Uruguay has proven since 2014. It is not a perfect system, but perfection is the enemy of the possible. Apparently, Uruguay could do it, given that it is a small country with "manageable" borders. However, all borders are porous, and if other countries do not legalize production and consumption, it will be difficult to contain it within a single territory. The legalization of the most widely consumed drug in the world implies a global commitment by governments and civil societies to regulate it. Both the production and consumption of cannabis worldwide have not decreased; it remains the most widely used drug:

> According to the United Nations International Drug Control Program (UNDCP) […] cannabis is the most widely produced, trafficked and used illicit drug on earth, accounting for over 50 per cent of all cus-

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> toms seizures. […] Estimates of global production run from 10,000 to 300,000 tons per annum but the actual figure is guessed to be between 30,000 and 50,000 tons. In the 1990s, 120 countries reported cannabis being cultivated—that is, 65 per cent of all UN nation states—compared to 20 per cent growing opium poppies and 4 per cent coca bushes. The economic value of the annual crop cannot be even guestimated, but it certainly goes to many billions of dollars. Despite international pressure and eradication initiatives, the producer countries continue to meet the annually increasing worldwide demand, each producing either hashish or marijuana. In 1995, the main producers of hashish were Morocco (35 per cent), Pakistan (30 per cent), Lebanon (20 per cent), India and Nepal (5 per cent) and Afghanistan (5 per cent), with the remaining 5 per cent coming from various minor sources such as Kazakhstan and Kyrgyzstan. Of the 772 tons of hashish sequestered worldwide, approximately 400 tons was of Moroccan origin whilst 50 per cent of all hashish seizures occurred in Europe. (Booth, 2003, pp. 430–431).

Germany's recent legalization, approved by its Bundestag,[5] could extend this new liberal policy to other European Union countries. Hopefully, in the Americas, nations that have traditionally produced cannabis, like Mexico or Colombia, will decide to act in that direction. Nevertheless, for the success of this possible legalization, cannabis should not enter an open commercial circuit like that of alcoholic beverages and tobacco, whose regulation has been relaxed by many countries, with consequent public health problems.

As has been successfully implemented in Uruguay, the creation of a regulated system of cannabis clubs is a viable option for the production and distribution of cannabis. These social clubs would be managed by experienced professionals who could advise young consumers (over 18 years old). The clubs would not engage in lucrative trade; rather, they would self-produce for the consumption of their members, who must

5 Bundesrepublik Deutschland (2024). „Gesetz zum kontrollierten Umgang mit Cannabis und zur Änderung weiterer Vorschriften (Cannabisgesetz — CanG)". https://www.recht.bund.de/bgbl/1/2024/109/VO.html

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be registered so that the authorities can supervise them. One of the key advantages of this model is the high taxes imposed on the production and direct distribution of cannabis, ensuring stringent quality control and maintaining low THC concentration. Between the extremes of criminalizing the entire supply chain and the utopia of a global free market for cannabis, the model of legalization for state-controlled production and registered personal consumption is the most viable one to begin spreading gradually throughout the world. As Salazar Viniegra proposed in Mexico, regulated legalization of cannabis can offer these benefits:

a) It would put an end to the most lucrative part of the drug trafficking business.
b) It would dramatically reduce the price of the drug by cutting the remarkably high costs of prohibition.
c) It would bring the manufacture of such substances within the scope of legal market regulations.
d) Finally, it would eliminate a significant source of corruption, which is increasing at all levels of government. A substantial number of police officers, customs officials, judges, and other authorities have been bought or bribed by drug traffickers, creating an atmosphere of deep public distrust.

The legalization of regulated production and restricted consumption of cannabis will require all countries to continue effectively combating criminal organizations that exploit the illicit market in psychoactive substances, particularly cannabis. The judicial authorities must undoubtedly intensify their efforts to eradicate all illegal trafficking, but what is most important is the need to dismantle the financial networks, the bank accounts in tax havens, and the collusion of criminal groups with corrupt politicians, judges, and security forces, as in the case of Mexico or Colombia. Legalizing cannabis could prevent the political collapse of several Latin American nations where cartels have taken over entire regions. In a society where cannabis has been legalized, it is possible that the number of innocent victims resulting from the illicit drug trade would be reduced. Legalization has the potential to guide

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society in learning to navigate the risks associated with drugs, much as we have done with other harmful substances, such as alcohol.

As long as today's societies cannot create the conditions and global regulations for people to live with an adequate level of stress and less social tension and conflict (even living in a paradisaical environment is not feasible for everyone), psychoactive drugs will likely continue to be consumed to risky levels to feel good or to find pleasure and life satisfaction, even if only temporarily. Ultimately, every adult and mentally capable citizen has the right to experiment with any substance that produces pleasant or altered states, provided it does not harm others or impede their rights. This principle of "free development of personality" has been one of the standard arguments for decriminalizing and legalizing the use of cannabis. The Supreme Court of Justice of Mexico based its 2021[6] ruling declaring the absolute prohibition of cannabis for recreational use unconstitutional on this principle. Indeed, the fact that cannabis is low risk compared to other drugs does not mean that it does not cause damage to health. We know that frequent and prolonged cannabis use increases the risk of dependence and can cause or aggravate anxiety and depression-related disorders, and even psychotic episodes. Likewise, smoking cannabis involves inhaling harmful substances like tobacco, which can cause lung or other organ cancers, as well as pulmonary and cardiovascular diseases. However, we do not have sufficient reasons to continue to punish or criminalize people who consume cannabis, because the health risks involved, while not minor, do not constitute serious and direct harm to public health in the way that other narcotics do.

6 Sentencia de la Suprema Corte de Justicia de la Nación. DECLARATORIA GENERAL DE INCONSTITUCIONALIDAD 1/2018. https://www.dof.gob.mx/nota_detalle.php?codigo=5623991&fecha=15/07/2021#gsc.tab=0

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Individual Rights and Autonomy for Cannabis Use

The moral condemnation and concern about drugs were not based solely on their harmful effects on health, but mainly on their psychotropic power, which challenges the perception of reality and socially established norms of behavior. It is this psychoactive potential, with its risk of uncontrolled psychotic episodes (as occasionally observed with cannabis), that most frightens the "good consciences" of the Western world. The ritual sense of community and the use of psychotropic substances, guided by shamans in traditional societies, such as mushrooms, peyote, marijuana, or ayahuasca, is not compatible with contemporary, stressful, individualistic, and technological life. Therefore, many people who try to find their "enlightenment" or mindfulness through drugs, whether through traditional rituals or modern ones such as electronic music or rock festivals, have not found that enlightenment and have instead suffered irreversible damage to their mental health from the abuse of potent drugs.

Despite all this, in the case of cannabis, a consistent bioethics must defend that in democratic and pluralistic societies that are committed to individual freedom and self-determination, people have the right to seek any path to their fulfillment, well-being and happiness, and that this right includes the possibility of experimenting with narcotic drugs, but as long as they do not harm other people or affect their rights, and as long as they are aware, with adequate information of the risks they are voluntarily assuming.

From a bioethical perspective, every mentally capable adult citizen has the right to experiment with any substance that produces pleasurable feelings or altered cognitive experiences, even if these experiences are ephemeral. This thesis is grounded in the bioethical principle of autonomous freedom (Beauchamp & Childress, 2012) and the unavoidable tolerance that the state is obliged to practice in a society in which citizens have the right to choose their own ways of life and to develop their personality, even if those decisions cause self-inflicted bodily harm. The well-being of each person is a matter that we can promote socially through the public institutions of the state, not impose by force.

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Consequently, current legal restrictions violate the essential individual freedom that any person of legal age should enjoy, and the fundamental principle that should govern a pluralistic society, in which there cannot be a single legitimate way of living imposed by the state or by any social or moral group, even if it is the majority, is contravened.

The British philosopher John Stuart Mill articulated the foundational ethical arguments regarding the boundaries that society and the state should respect in the context of individual freedom in his renowned work On Liberty (1859). He regarded this as the paramount social benefit and an impartial objective. The fundamental principle established by Mill is well-known:

> The object of this Essay is to assert one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control, whether the means used be physical force in the form of legal penalties, or the moral coercion of public opinion. That principle is, that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise. To justify that, the conduct from which it is desired to deter him, must be calculated to produce evil to some one else. The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign. (Mill, 2019, pp. 8–9)

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The issue first raised by Mill in the 19th century is crucial for developing political and bioethical limits to prevent illegitimate coercion against individuals' freedom and their right to self-determination concerning their lives, bodies, and minds. Mill pointed out that, otherwise, there would be a danger of political despotism expressed in forms of medical, moral, or legal paternalism. Thus, the moral imposition of the majority condemning cannabis use has sustained a non-secular public policy and governmental authoritarianism.

Stigmatization and the Need for Historical Reparation

A social stigma has formed around cannabis based on prejudice and ignorance, as Salazar Viniegra attempted to demonstrate. The concealment of truthful information is a direct consequence and a necessary factor that sustains the policy of criminalization. Many people continue to assume that cannabis use is associated with antisocial and criminal behavior. This is a prejudice that causes discrimination and imposes a bioethical duty of retributive or restorative justice for the errors and excesses committed against cannabis-consuming citizens. The criminalization of cannabis has been based on social stigmas that have harmed many people, mainly young consumers. Thanks to this stigmatization, cannabis has been uncritically conflated with other psychoactive drugs with much higher risks, such as heroin, cocaine, or amphetamines. This has prevented an effective public health policy that attacks the problems of heavy cannabis use, as has been tried with relative success for alcohol and tobacco. This stigmatization has also prevented adequate scientific and medical research, as well as the timely identification of problematic consumption behaviors.

In the future, perhaps in a few decades, historians may regard this period of the "war on drugs" as an era marked by policies influenced by social prejudices and stigmas, a concealment of public information, and abuses of authority that resulted in intentional violations of civil rights, particularly of young drug users. Perhaps, we may witness a growing social demand for reparation and collective compensation for the abuses

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committed by the signatory states of the UN Single Convention on Narcotic Drugs in 1961, as well as the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, against their own citizens, whom they decided to persecute and imprison instead of informing and helping them.

Proposals for the Legalization and Regulation of Cannabis

We can only warn citizens of the scientifically proven risks and health damage, urging them to act responsibly and in solidarity. Consequently:

1. It is feasible to advance worldwide, through a cosmopolitan agreement (based on broader international accords), legalizing the production, distribution, sharing, or purchase and consumption of cannabis while prohibiting the export and import of psychoactive cannabis for recreational purposes. In this framework, each country can set the permitted quantities of personal possession and establish specific rules and supervisory institutions for cannabis regulation. This approach would enable judicial authorities to focus solely on prosecuting illegal production and sales, as well as addressing associated police and political corruption.
2. The process of legalization must be complemented by ongoing public health awareness initiatives and support for interdisciplinary research led by leading academic institutions and biomedical research centers across different countries. These research endeavors aim to establish benchmarks for high-risk cannabis use and to enhance treatment programs for individuals trying to quit. Cannabis legalization can follow two paths: a) the for-profit market (North American model), regulated like the alcoholic beverage industry, or b) the non-profit model involving social clubs for consumption or self-production and use that is not intended for profit (Uruguayan and German models). The issue is that decriminalization will not be effective globally in a few countries if it remains an open mar-

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ket controlled by crime and the collusion of political corruption at various government levels (Astorga, 1996).

3. The legal distinction between possession for personal consumption and large-scale lucrative trafficking would also vanish if production and distribution for personal consumption or regulated, supervised distribution by authorities at pharmacies or specialized cannabis stores were to be legalized in a controlled way. This would allow consumers to access cannabis legally at authorized establishments or those controlled by the state.
4. The process of decriminalization and legalization of cannabis should imply that each state's authorities regulate and oversee the production and distribution (including buying, selling, or social sharing) through licenses and concessions under strict supervision. Additionally, comprehensive, ongoing, and effective public education campaigns providing truthful and reliable information about the health risks of cannabis use should accompany the full decriminalization of consumption.

Conclusion

In view of the above, democratic and pluralistic states have the obligation to warn their population rigorously and truthfully about the health risks of cannabis consumption (as well as that of other psychotropic drugs), based on current scientific evidence. However, they do not have sufficient reasons (they never really have) to criminally prosecute consumers or to legally prohibit all types of production and distribution of cannabis, both for therapeutic and recreational purposes.

As with alcohol and tobacco, governments should regulate the use of cannabis to reduce its consumption in public spaces and to penalize misconduct by people under its effect. Concerning other psychotropic drugs that cause serious harm and profound alterations in individual behavior under their temporary or chronic influence, states should maintain the decriminalization of individual use, while at the same time strengthen-

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ing the criminalization and prosecution of their illegal production, distribution, and sale.

Within a global bioethical framework, individuals have the right to experiment with all types of psychotropic substances for therapeutic or recreational purposes. It is essential to recognize that the use of these substances is not only a matter of personal preference but is deeply linked to the cultural and historical context of their consumption. In traditional societies, the consumption of psychoactive substances was often framed within the context of collective rituals, which not only provided meaning and purpose to the use of these psychotropics but also served to regulate their powerful neurobiological and mental effects. In contrast, contemporary society does not offer a similar framework for experiencing and controlling the effects of these substances. Therefore, it is unrealistic to expect that the psychoactive experience in the contemporary context will provide well-being and a positive meaning to the lives of users. However, states are responsible for providing adequate information on scientifically proven risks and harms, as well as medical assistance services. No one should be subject to the harmful effects of psychoactive substances.

However, it is crucial to acknowledge that all individuals possess an inherent right to engage in drug experimentation. This right must be accompanied by a responsibility to manage the potential consequences of such actions, particularly in light of the societal harm that prohibitionist policies have perpetuated over the course of several decades.

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Cocaine, Cannabis, and Politics in Colombia (2022–2025)

Replacing Armed Regulations

Estefanía Ciro

Introduction

The government of Colombian President Gustavo Petro has attracted global attention by calling for a shift away from the prohibitionist approach to drugs. However, it advocates for moving beyond merely replacing illegal crops with legal ones and for transforming illegal economies into legitimate ones. This contradiction faces theoretical difficulties regarding the concept of illegal markets, as well as political challenges in understanding these markets and their relationship with violence. This text aims to introduce the concept of the armed regulation of the cocaine and cannabis markets into the analysis of the situation in Colombia. These markets are at the heart of the current drug policy, which has deepened processes of militarization. The text also proposes an alternative scenario for academia and politics to open the debate: the substitution of regulations. To this end, it is divided into four parts. First, it describes the main characteristics of the cocaine and cannabis markets under prohibitionist regulation. Second, it analyses the government's current proposals on drug policy. Third, it studies the territorial expressions that prohibitionism cultivated between 2022 and 2025. Finally, it offers concluding remarks on the alternatives.

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Prohibitionist regulation of cocaine and cannabis markets

There are two approaches to illegal markets. One approach assumes that these markets are anomalies in the dynamics of wealth production that must be eliminated, and that persecuting and outlawing them will lead to their destruction (UNODC, 2011; 2023a). Another perspective emphasizes the political economy of these markets, assuming that prohibitionist policies are one way of regulating them – particularly their profits and participants (Ciro, 2023; Granados et al., 2024). Thus, drug policy stimulates the market and, in turn, drives internal negotiations over revenues, while also promoting armed regulations.

Regarding psychoactive substances, the main economies in Colombia are the production of cocaine and cannabis.[1] There are several characteristics of these markets. First, they are still dynamic: if we talk about the cocaine market, in 2022, the number of users in the world amounted to 23 million, provided by a market that produced 2,700 tons, extracted from 353,900 hectares cultivated throughout Colombia, Peru, and Bolivia.[2] The demand is primarily located in North America, Europe, Latin America, parts of Africa, and Oceania, with expansion scenarios in Western and Central Europe (UNODC, 2022). In Colombia, 1,738 tons of cocaine were produced on 230,000 hectares in 2022. The market is currently thriving and experiencing growth. After 40 years of "war on drugs", it shows no signs of slowing down, contrary to what President Gustavo Petro himself stated in a newspaper interview in 2023 (El Colombiano, 2023).

1 Cannabis has two main components, CBD and THC. The medicinal component is CBD, which is the one that comprises the legal market for medicinal use, while THC is the one that has a component that is recognized as illegal in Colombia, although the "recreational use" of this has been dynamically legalized in several countries, mainly in the United States and recently in Germany. In Colombia, this kind of cannabis is known as "creepy", characterized by its high THC content.

2 In 2020, this number was 1,900 tons of cocaine. Colombia was the main producer (61%) followed by Peru in 2020. There were 228 million cannabis users in the world, followed by 60 million opioid users and 30 million amphetamine users in 2022 (UNODC, 2023b)

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Second, the cultivation of coca is part of the national agricultural economy. In 2021, according to the National Federation of Coffee Growers, the area planted with coffee was 844,744 hectares. Colombia has 40 million hectares within the agricultural frontier, which is 35% of the continental territory, of which only 30% is cultivated (7.6 million hectares). In 2018, about 232,000 hectares were estimated for cocoa, 132,000 hectares for potatoes, and 232,000 hectares for forestry (Aguirre et al., 2019). The data contradict the idea that we are "drowning in coca" and that it is the main cause of deforestation. Currently, the market is becoming increasingly concentrated, coexisting with both legal and illegal dynamics that contribute to ecosystem destruction in these territories.[3]

Third, the coca market is a critically asymmetric market between leaf collectors and cultivators, those who process coca paste, and those who control the conversion into cocaine. Land is just one factor in an economic process involving several actors across three stages. The first stage is cultivation, collection, and transformation into cocaine base paste; the second stage is the "crystallization" (cristalización) of this base paste into cocaine; and the third stage is trafficking to direct consumers. According to the United Nations Office on Drugs and Crime (UNODC), in 2021, the production value of coca leaf sales reached $288 million, that of cocaine base paste was $930 million, and that of crystallization was $2,005 million (UNODC, 2022).

The reported values of a kilogram of coca leaf (less than $1) and a kilogram of coca paste ($500-700) reflect price asymmetry (Ibid.). According to field studies (Ciro, 2023), when leaving for Europe and the United States, a kilo of cocaine starts at $5,000. The same kilo on the streets of major cities around the world starts at $30,000. This creates enormous

3 In 2001 a total of 135,119 hectares were deforested in the country, according to official forest monitoring and deforestation figures, this figure reached 1 million hectares in 2007, 2 million in 2015, and 3 million in 2020. MADS-IDEAM. In the same period, coca plantations ranged from 50 to 200 thousand hectares, according to official data from SIMCI, ONUDC.

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inequalities between the bargaining power of farmers, collectors, and tenants and that of cocaine producers and traffickers.

Fourth, it is a very efficient market in terms of profits and land. A comparative exercise that allows us to understand the size of the markets and the weight of this economy is, for example, to calculate that the value of cocaine production in Colombia in 2021, according to the UNODC, amounts to 9 billion Colombian pesos, which makes sense if we compare it with the value of the coffee harvest in the same year, reported by the National Federation of Coffee Growers at 10.8 billion. Both the coffee and coca markets, examples of the country's economic development, have not been exempt from the dynamics of violence. However, they have also been consolidated as markets based on small landholdings, which in one way or another have been important for small landless peasants.

Photo 1: Southwest mountains, Nariño

Photo by the author.

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Fifth, it is not an isolated economy but is connected to a network of commercialisation of inputs and, in addition, to other consumer and real estate markets, from peasant plots and livestock farming to expensive apartments in the cities.

Several examples can illustrate these links between the legal and the illegal. For example, some 33 of the chemicals used in the processing of coca leaves into cocaine, such as sulphuric acid and hydrochloric acid, have only been placed under special control since 2015. These chemicals are subject to international networks of legal production and sales. Others, such as cement, agrochemicals, herbicides, urea, and gasoline, which are also essential for production, have a dynamic market throughout the country. For example, it is common to see gas stations or suppliers of herbicides along the main rivers.

Photo 2: Pacific region, Nariño

Photo by the author.

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The circulation of this money significantly mobilizes the commercial and transport sectors in the regions, as well as rural workers and gatherers, and boosts the economic dynamism of the villages.

Cocaine market earnings acquire value when they enter the legal market; one of the most emblematic examples is a network of drug shops that has survived since the Cali cartel era. They formed a comprehensive network for moving money, employing armored cars and planes.[4] This business was a significant employer with branches nationwide and successfully established generic factories that provided the population with access to medicines at lower prices. The closure had a negative impact on many links, prompting the government to give the property to the workers. Another example was the movement of capital. A former paramilitary in charge of finances explained how their group received the money from trafficking between Mexico and Colombia through an oil company, involving the money exchange desk of one of the main banks in the country (Comisión de la Verdad, 2022). Contrary to the myths of Pablo Escobar's time, since the 1990s, the market has been dominated by low-profile actors that mobilize money through multiple strategies and with diverse interests and involvements (Unidad de Inteligencia de Análisis Financiero, 2014).

The Truth Commission conducted an econometric analysis revealing the negative impact of the destruction of laboratories and coca crops on the local economy of a small coca-growing town, as evidenced by decreasing bank transactions of less than $150. The history of drug policy in the country has shown the deterioration of regional economies, causing farmers to move in search of economic opportunities in coca, fleeing the countryside and aerial eradication and repression in general, known as the "balloon effect". For this reason, it is not so easy to accept the idea of replacing coca, or the cocaine economy. It is more complex because the disappearance of the coca leaf can create a vacuum not measured by the number of cocoa, banana, or yucca plants planted, but by the size, de-

4 Interview with a former employee at the National Narcotics Directorate. Florencia, Caquetá, August 2024.

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pendencies, transactions, networks, and links of an economy that would replace the illegal one.

A sixth characteristic is that the prohibitionist policy, as expressed in seizures, appears to be an exercise in market regulation rather than eradication. In 2022, 2,700 tons of cocaine were produced and 2,026 tons seized, feeding a market of 23 million users with only 700 tons (UNODC, 2024). In 2021, a similar exercise carried out by the UNODC concluded that, despite record production, the final market was supplied with only 600 tons. The economic impact of this policy on prices still needs to be studied in greater depth, but it shows the inefficiency of the prohibitionist policy. It may also serve as an incentive to produce more and maintain an oversupply of crops.

Regarding seizures, in historical terms, there has been a change in the trend in cocaine seizures in the world since 2014. Data show that between 2010 and 2014, it was between 100 and 150 thousand kilos; from 2015 to 2021, seizures tripled. The break in the cocaine market occurred mainly in 2015 (hectares of coca, tons of cocaine, seizures) when seizures increased in the context of the signing of the Peace Agreement in Colombia and the suspension of glyphosate aerial eradication in the country.

There is less data on cannabis, partly because there is no systematic and consolidated methodology for measuring cannabis cultivation in Colombia. In global terms, it is known that it is the most consumed drug in 2022 (228 million) and that 6,168 tons of cannabis were seized in that same year. In Colombia, there are two primary sources of production, on the one hand, self-cultivation, mainly urban and peri-urban, and in the north of Cauca, a production triangle that is the center of the armed dispute between a wing of an armed group – *Estado Mayor Central* (EMC), post-FARC dissidents – and the government, but which also shows a sui generis case of community regulation of the market. In May 2023, the price of a pound of creepy in Cauca was $20. By January 2024, the price had plummeted to approximately $3. The same pound costs between $250 and $1,000 (1 and 4 million Colombian pesos) depending on the quality in the main cities of Colombia, with the most significant price differential occurring in the trafficking link.

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Two recent studies conducted in Colombia offer insight into the current state of the cannabis market in the country (INDEPAZ, 2024; Granados et al., 2024). Both explain one of the most radical transformations of recent years in this region: the community regulation of cannabis production in northern Cauca, which for some moments managed to sustain prices in an aggressive anti-farmer and indigenous market (see Britto in this volume). However, armed presences are interwoven with those regulations that ultimately buried community proposals in the maelstrom of war.

The prohibitionist view is based on the idea of an efficient market that determines prices through supply and demand, assuming that if supply is attacked, demand will decrease. However, this argument lacks a clear empirical or theoretical basis. From a neoclassical perspective, Gary Becker has argued that this market has two options: to be legal and taxed, or to be illegal, with the social costs borne by the lower classes. In other words, those who benefit from illegality and non-payment of taxes are the upper classes, who prefer it to remain illegal (Becker et al., 2004). Beyond the question of market optimization, prohibitionist regulatory structures shape income flows, labor exploitation, and resource allocation, and particularly the use of violence, in a heterodox analysis (Polanyi, 2000).

What Does Change in Drug Policy Mean? Analyzing Recent Colombian Experiences

In terms of drug policy, we can generalize that there are two paths: one that tends towards the destruction of the market — the prohibitionist view — and another that proposes the legal regulation of the market, the path of less repressive coexistence with these markets. The first approach aims to destroy the cocaine and cannabis supply through forced aerial and terrestrial eradication, extradition, coca substitution, seizures, and alternative development. The second approach involves integrating these markets into the legal economy, aiming to reduce violence and exploitation of peasants, as well as redistribute profits.

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Following the demobilization of the FARC-EP, the cocaine market suffered from the concentration of production in areas where it was more efficient. Its new armed regulation went hand in hand with an intensification of the struggle for territorial control between the various post-FARC groups and their expansionist project, which is evident in the production enclaves of southern and south-western Colombia in Putumayo, Nariño, Catatumbo, and Cauca (UNODC, 2023b). At the same time, the cannabis market in northern Cauca has become the epicenter of one of the most important theatres of war today.

After 20 years of Plan Colombia, a counterinsurgency initiative with an anti-narcotics strategy, discussions about what to do in 2022 have sparked new debates. Globally, the legal regulation of cannabis markets has advanced, and there is a consensus that prohibitionist policies have run their course. This is important not only because it has raised the question of legalization per se, but also because it has forced many actors, like governments, NGOs, think tanks and social movements, to think about what kind of legal regulation of substances can be applied and how to move forward with these processes, as has happened in the different models used in the United States, Canada and Uruguay.[5] Cannabis was reclassified as a controlled substance in 2023 and was recognized for its medicinal and therapeutic potential, even though recreational use is still illegal (ONU, 2020).

The debate on policy in Colombia in 2022 proposed two paths. The first was based on the drug policy outlined in Chapter 4 of the Peace Agreement signed with the FARC-EP, entitled "The solution to the problem of illegal drugs". This document has three sections: one on drug production, another on the treatment of consumption under the premise of public health, and a final section on prioritizing the attack on organized trafficking groups.

5 38 states, 3 territories, and the District of Columbia in the United States by January 2024. In 2013, the government of Uruguay approved this legalization. 69,000 people in Uruguay have obtained a license for the non-medical use of cannabis from 39 licensed pharmacies.

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In terms of production, the document put forward four key ideas: for the first time, it recognized that coca production is a result of rural poverty, that the key was territorial transformation, and that it was necessary to create the conditions for them to participate in the development of their territory. Finally, there was a commitment to change the law and treat them with non-punitive rules. These compromises were a very valuable approach to alleviating the burden of decades of drug policy violence on the peasantry, even though the focus remained on substitution, eradication with glyphosate, and alternative development, as in Plan Colombia. These commitments led to the creation of the National Program for Integral Substitution (*Programa Nacional Integral de Sustitución*, PNIS), which enrolled 100,000 coca-growing families that received only $8,000-$ 9,000 each over two years.

This drug policy was mandated by the Congress of the Republic of Colombia in 2017. It was underpinned, and in turn fueled, by the 'holistic policy' discussion that originated in the U.S. Congress in a landmark report titled "Charting a New Path Forward" formulated by the Western Hemisphere Drug Policy Commission (2020) at the end of Donald Trump's first administration. In this report, the commission laid out the broad outlines of the drug policy in the United States and, of course, the drug-producing and drug-consuming nations. Both documents, Chapter 4 of the Peace Agreement and the U.S. Congressional Report, complemented each other in the "alternative development" proposal. However, the new presidency of Iván Duque (2018–2022) brought the agenda to a halt, cutting the budget for fulfilling the Peace Agreement. He then tried unsuccessfully to activate the policy of aerial spraying with glyphosate.

During these years, other perspectives have been promoted by several NGOs and the Truth Commission on the relation between cocaine and cannabis markets and the armed conflict, which condensed a long-standing discussion and decanted it into three factors in the persistence of the conflict: the prohibitionist regime, the armed regulation of the markets, and the narrative of "el narco."[6] The recommendations of the

6 The "narco" narrative constructs a hegemonic discourse about what is illegal, and what is criminal. As several authors in sociology have suggested, crime is

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Truth Commission revealed the need to move towards the strict legal regulation of all drug markets by showing three key aspects: First, that prohibitionist policies had violated the human rights of the population, for example, through the persecution of small farmers, coca eradication, and non-compliance. Second, prohibitionism fosters the armed regulation of drug markets, and third, the narco-hegemonic discourse limits the political voice and organizational capacities of producers. The report of the United Nations High Commissioner for Human Rights (2023) included the recommendations of the Truth Commission, which sparked an international discussion on the impact of prohibitionist drug policies on human rights violations. The topic also served as the opening address of the High Commissioner at the Drug Reform Conference in October 2023 in Phoenix. This document states that

> [r]egarding "alternative development", Colombia has stated its aim to develop a new drug policy. At the same time, it advocates for inverting the logic of exclusively repressive and security measures and placing human rights and development at the core of drug policies. The Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace includes a chapter devoted to the "solution to the problem of illicit drugs," and the Truth Commission has issued recommendations to guarantee non-repetition, stressing that drug policies have been a perpetuating factor of the internal armed conflict, and drug policy reform should be part of peacebuilding efforts. The Truth Commission has recommended the regulation of all drugs, the demilitarization of drug policies regarding crops, the establishment of spaces for dialogue on the impact of drug policies, and a change of indicators to measure the impact of drug policies. Noting that strategies should also be tailored

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not a natural fact, but a way in which power and capital express themselves in what they deem "good" for their purposes. Considering psychoactive substances as 'bad' is not something natural – substances have been consumed throughout human history – but rather they are considered this way after a process of narrative construction of the "narco" as what holds all the evil in society. Its impact on the history of violence in the country is to reduce the armed conflict to a "struggle for the profits of the drug trade", justifying the human rights violations of Plan Colombia. (Comisión de la Verdad, 2022)

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> to the needs of the Global South, Colombia has called for international cooperation efforts to focus on rural and urban development to improve the living conditions of communities that depend on the drug economy.[7]

The discussion on legal regulation had already gone a long way, relevant debates had taken place, such as the suspension of aerial spraying with glyphosate in 2014 and the regulation of the medical cannabis market by the government of Juan Manuel Santos (2010–2018), the attempts to regulate coca, cocaine, and cannabis in the congress led by congressman Iván Marulanda and Feliciano Valencia, and by extensive debates on regulation in different national and regional bodies.[8] These were historic moments that had aligned multiple, previously irreconcilable actors, such as the peasant and the indigenous, in the face of the tension between coca leaves and cocaine. Thus, Petro's arrival offered hope for clear steps — at least pilot ones — toward a change in the drug policy paradigm. One of the key insights from the Truth Commission was the need for regional studies of the armed regulations governing the markets for substances, which would enable the design of more effective public policies.

In this complex intersection of armed conflict and drugs in Colombia, the concept of 'organized crime' failed to capture the fragmentation of the social movement, state power, and armed actors. One of the strongest messages for the government of Gustavo Petro on his arrival in

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7 https://documents.un.org/doc/undoc/gen/g23/156/03/pdf/g2315603.pdf

8 Markets do not work through the invisible hand of price equilibrium, but rather through rules, agreements, tensions, contradictions, coercion, violence, and repression, so that profits flow from one place to another, and exploitation is possible. Regulation is how the functioning of a market is constructed, and among other things it can range from illegalization to legalization. In this case, illegalization creates incentives for the regular use of violence in that market – although this does not always happen – and is expressed in armed regulation. The challenge is not to legalese, but to find a way to regulate that reduces violence, and the aim is not to end the market (Ciro, 2023).

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2022 was the need to articulate drug policy with peace policy. Three institutions played a central role in articulating the paradigm shift that Gustavo Petro sought: the Drug Policy Office (*Dirección de Política de Drogas*, DPO), which designs and articulates drug policy; the Substitution Office (*Dirección de Sustitución*, DSO), which directed the program for implementing the Peace Agreement on this issue; and the Peace Office Commissioner. The main characteristic of the work of the three entities was their disconnection, and particularly their confrontation.

The National Development Plan 2022–2024 introduced "Drug regulation: from prohibitionism to the dignification of people, communities, territories, and the environment" based on the principles of the Peace Agreement under the strategy of coca substitution (Presidencia de la República, 2023a). The policy of territorial transformation is accompanied by what is called the dismantling of multi-crime structures, the foreign policy strategy of changing the paradigm of the drug phenomenon, and the reduction of substance-related vulnerabilities.[9] Chapter 4 of the Peace Agreement was granted 1.4 billion Colombian pesos out of the 50 billion Colombian pesos that finance the total commitments (Presidencia de la República, 2023b).

The design of the drug policy for 2023–2030 reflected this rupture, the task of the DPO, in an exercise that different officials interviewed from state agencies have pointed out as closed and exclusive, which failed to involve all state institutions (Ministries of Health, Defense, Agriculture, and other offices) coherently. Other government offices were not part of the elaboration. Its raison d'être was to integrate them into the work because it was an exercise in public policy design and was launched a year after the beginning of government in September 2023. Throughout this process, the office organized territorial meetings marked by civil society fractures, reflecting a similarly fragmented armed scenario in cocalero regions.

9 This is commonly known as harm reduction, but also with a class perspective. That is, addressing the safety of the drug user's life in an illicit market and linking that to the intersections of the user who is homeless, in poverty, racialized, or discriminated against for a variety of reasons.

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The substitution leadership encountered a divided coca growers' movement that contested its voice and participation in the government. It is also important to highlight the decision to dismantle the consortiums and administrative/budget structures created during Iván Duque´s administration. These structures served as intermediaries between government resources and those of the coca growers and had received significant complaints from the peasants. It shows the delay in implementing the assembly spaces that the law stipulated for the relationship between the coca growers' organizations and the government, and two controversial decisions: First, to advance a direct payment as part of the strategy "Zero Hunger" (*Hambre Cero*) for attention to the coca crisis, and second, direct money transfers to the farmers.[10] Both policies transformed a pact of territorial change into conditional compensations, contrasting in progress and purpose with the speeches of their director and president, Gustavo Petro, who advocated for the industrialization of the countryside and replacing the cocaine economy with another.

In September 2023, thirteen months after Gustavo Petro became president, the new drug policy was officially presented during the Latin American and Caribbean Drug Policy Conference.[11] In the internal plenary session of the countries' chancelleries, the preponderance of prohibitionism was demonstrated by both progressive governments and on the right. Only Chile, Uruguay, and Colombia raised the idea of changing the prohibitionist paradigm, while Cuba and Mexico vehemently defended all their drug control strategies.

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10 The Coca Substitution Directorate is responsible for the implementation of the peace agreement with the FARC-EP in Chapter 4, "Solving the drug problem". In the decree, a strategy was designed that ended up paying $36 million ($9,000) divided into three parts: direct payment of $3,000 to farmers for one year after eradication, $800 for technical assistance, $450 for food security, $2,250 for a short-term productive project and $2,500 for a long-term productive project.

11 Latin American and Caribbean Drug Conference. September 2023, Alternative Development Panel, Attention to Primary Causes and Substitution. Available at: https://www.youtube.com/watch?v=Bs-7Q8lHpkw

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This document was entitled "Sowing Life We Banish Drug Trafficking" (Presidencia de la República, 2023c). Along with the Peace Agreement and the report of the United States Congress, it formalized a policy in line with what the Democrats in the U.S. Congress had outlined. It was based on the "holistic policy" of "suffocating drug trafficking and giving oxygen to the peasants", increasing the number of seizures, reducing violence against peasants, and proposing to implement alternative development and harm reduction policies for users. It was a policy aligned with what previous governments had proposed, at least until Juan Manuel Santos took office. However, it opens the possibility of forced eradication of coca crops.

The total peace policy of Gustavo Petro's government initiated dialogues with various armed actors, including the National Liberation Army (*Ejército de Liberación Nacional*, ELN) and the Central General Staff of the FARC-EP (*Estado Mayor Central*, EMC). A ceasefire was declared in December 2022. A year later, the EMC split into two wings: one that broke off the talks and another that remained at the table. In July 2024, dialogue began with the Second Marquetalia Bolivarian Army (*Segunda Marquetalia Ejército Bolivariano*, SM-EB), present in Nariño, Cauca, and Caquetá, along the borders with Venezuela and Putumayo, also interacts with Gaitanista Self-Defense Forces of Colombia (*Autodefensas Gaitanistas de Colombia*, AGC), an actor considered to be a "drug trafficker." All these groups control the cocaine economy in their territories, and the wing that left the table has enormous influence over cannabis markets in Cauca. Much of the rearmament and its reception in the communities reflects the failure to fulfill commitments on substitution and comprehensive rural reform signed in the Havana Peace Agreement in 2016. The national government's peace negotiations with the National Liberation Army (*Ejército de Liberación Nacional*, ELN), *Segunda Marquetalia Ejército Bolivariano* (SM-EB), and the *Estado Mayor Central* of the FARC-EP (EMC FARC) – the latter of which is present on the borders of the Colombian, Venezuelan, Ecuadorian, and Peruvian Amazon – were connected with anti-narcotics drug policy, implementing substitution, cocaine seizures, and laboratory destruction. Nevertheless, there was no budget to invest in Rural Reform and rural modernization. Particu-

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larly, cannabis production was ignored in peace talks even though the EMC had significant interest and armed influence in the cocaine and cannabis market, which explains the dynamics of peace and violence in northern Cauca, and the configuration of actions throughout the national territory, such as transit corridors from northern Cauca to Brazil or from the Micay Canyon to the Pacific.[12]

The anti-drug policy is to destroy laboratories and seize cocaine and marijuana, and rural modernization is suspended or underfunded. It is important to highlight that, for the first time, the Gaitanista Self-Defense Forces of Colombia (*Autodefensas Gaitanistas de Colombia*, AGC) and the government inaugurated socio-legal negotiations.[13] This armed group is a cocaine trafficker and has significant territorial, political, and economic influence in the country.

Over the past three years, several elements have come together to form a continuum of prohibitionist policies in the cocaine and cannabis markets, which have been discussed at peace negotiation tables. These policies aim to reduce the amount of land cultivated, but not to diminish violence resulting from prohibitive market regulations. The initial suggestion to change paradigms at the start of the government's term, along with the global discussions that were underway, was abandoned and failed to yield concrete policies, programs, and budgets.

Territorial Expressions of Prohibitive Regulations

Drug policy is not a single strategy, but rather a multiplicity of strategies and discourses based on the idea of "combating drug trafficking". One line of action is alternative development. At the public hearing in the

12 During the second half of 2024, the EMC split in two. Only one side continued to negotiate peace.

13 Congreso de la República (2024). Intervention by director PNIS in the Congress of the Republic. Video available at: https://www.youtube.com/watch?v=04KzYGyGaOw

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Congress of the Republic in February 2024, the director of the Substitution Office (DSO) listed several achievements but insisted that the national government had not replaced a single hectare of coca. Nor did he mention the progress made in industrializing the crop. Over the past seven years, the Colombian government has allocated $448,634,174.61. During the Gustavo Petro administration, up to the beginning of 2024, approximately half a billion Colombian pesos have been spent. The former director claimed that the *Programa Nacional Integral de Sustitución* (PNIS) did not encompass many new territories and that rural modernization required new investments, which the National Planning Department, responsible for planning investments, had not allocated.

The "new" drug policy promised a 43% reduction in cocaine produced in the country by 2026, but it has not made any progress towards this objective (Ministerio de Justicia, 2023). So far, there have been two highly publicized actions, one in Tumaco, where they agreed with Nutresa – one of the largest food production conglomerates in Latin America – to commercialize cocoa, and another with *Almacenes Éxito*, for the merchandise of agricultural products in communities to replace coca cultivation (El Tiempo, 2018; Infobae, 2024).

However, it is essential to highlight other scenarios that extend beyond the policy of total peace, specifically the environmental policy embedded within the anti-drug agenda. One of the conclusions of the Truth Commission and works such as Dawn Paley's (2018) is that the anti-drug policy is an imperial and counter-insurgency agenda with geopolitical objectives of strategic control of resources and populations. There are two key examples of this: The Cauca mission and the emphasis on building up the Amazon as a region of organized crime.

The Cauca mission follows the breakup of the FARC-EP's *Estado Mayor Central* (EMC), which divided a sector still under discussion, located mainly in the El Yarí region between Caquetá, Guaviare, and Meta. Another armed sector remains in the southwest, between Cauca, Valle del Cauca, and Nariño, in open confrontation with the Colombian state, and is one of the largest producers of cocaine. One of the protagonist territories in this confrontation is the Micay Canyon, an enclave of

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cocaine production due to its crops, crystallization infrastructure, and proximity to the Pacific Ocean.

The Cauca Mission was initially conceived as an axis of territorial transformation within the framework of negotiations with these actors. Following the breakup, it was later developed as a counter-insurgency strategy, inaugurated in the presence of the Colombian government, with the support of USAID, the Bureau of International Narcotics and Law Enforcement Affairs (INL) of the U.S. Department of State, the U.S. anti-drug agency (U.S Department of State, 2023),and the country's military attaché (Departamento Nacional de Planeación, 2024; El Espectador, 2024), and designed as a civil-military action with American advice (Presidencia de la República de Colombia, 2024a; 2024b). The program began with the supply of beans and coffee seeds. This is a classic intervention formula from Plan Colombia, which has proved to be a failure.

On the other hand, the agenda for the protection of the Colombian Amazon has been strengthened from the beginning, since Gustavo Petro's speeches in which he proposed "a NATO" for the Amazon and received support from the United States for its protection, for example, with the use of helicopters called "macaws" (CNN Español, 2023). Iván Duque's term (2018–2022) was characterized by a change in the approach to the Amazon, from the fight against drugs to the fight against deforestation, using the same mechanisms of criminalization of peasants and the disproportionate use of force, denounced by various scientific and human rights groups (Ciro, 2019) At the same time, the Law on Environmental Crimes was drafted and approved by the Congress of the Republic (Ministerio de Ambiente, 2021).

The most important support for the Amazon agenda from the anti-narcotics agenda has come from the UNODC, which published a special annex on the Amazon in its 2023 report entitled "The nexus between drugs and crimes that affect the environment and the convergence of crime in the Amazon basin" (UNODC, 2023a), in which to configure the idea of the Amazon as a place where organized crime rules. Using 'crime' twice in one title, the authors argue that drug trafficking exacerbates and amplifies other criminal economies in the Amazon basin, including ille-

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gal land occupation, illegal timber exploitation, illegal mining, wildlife trafficking, and other environmental crimes. It also concludes that coca cultivation is a catalyst for deforestation through land speculation and cattle ranching; that crimes such as extortion and money laundering exist in the tri-border region; and that there is a disproportionate impact on the lives of indigenous people.

It is undeniable that the new dynamics of coca cultivation are beginning to spread in the Peruvian Amazon, where its presence has doubled in the last five years (DEVIDA, 2021). However, the prohibitionist regimen constructs an "immateriality" strategy, that is, their capacity to construct discourses of "the good ones", "the bad guys", "the other", "the criminalizable other", the margins or the territories in need of intervention, to use Margarita Serje's (2005) term. This recent construction of the Amazon as a place of crime, or almost as "narco-Amazonia", is accompanied by repeated UNODC meetings in Colombia, in which the INL and the embassies of the United States and the United Kingdom participate, and by the funding of various actors, for example, the Environmental Crime Policy, in which the British embassy participates (Ideas para la Paz, 2024). Also, they finance journalistic reports for several years, allowing us to insist on the narrative of the Amazon as an underworld ("Amazon underworld"[14]), where this face of a place taken over by crime sets the stage to justify police and military interventions, as the experience of Plan Colombia or the growing presence and attention of the Southern Command of the United States to the problems of the Amazon basin have taught us (Southern Command United States, 2022).

The continuation of prohibitionist policies in coca-producing territories produces territorialities marked by militarization and marginalization. One expression of prohibitionist regulations is the establishment of regions where new forms of legal and illegal armed sovereignties reproduce markets that benefit from capital extraction and the exploitation of labor and land.

14 https://amazonunderworld.org, o Amazonia "territorio narco": https://ojo-publico.com/5569/territorio-narco-el-70-las-fronteras-amazonicas

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Final Comments: Substitution of Prohibitive Regulation

Recent years in Colombia show how prohibitionist policies are related to market dynamics, and vice versa. Beyond being economies governed by simple supply and demand, the illegality of cocaine and cannabis markets is reinforced by the violence of anti-drug policy and the regulatory bodies that emerge in its wake. While neoclassical perspectives have failed to explain violence, the Colombian experience demonstrates the persistence of violent regulatory orders in these markets.

At this point, the concept of armed market regulation emerges as a fundamental characteristic of the war, as well as of the production of cocaine and cannabis. It relates to the military-industrial anti-drug apparatus, the conventions that govern the regime, the presence of the armed forces in Colombia, and the current official anti-narcotics policy. The continuum of this prohibitionist policy highlights the deepening conflict in the country. Despite announcements of a new approach, the reality is that the same state interests continue to govern the substitution and attack on supply, primarily due to pressure from the United States.

We should consider that the anti-narcotics, militarization, and marginalization triad continued to be employed with great conviction. Examples include the Mission Cauca exercise, the new substitution program implemented in conflict zones, and the negotiation objectives based on peace talks. In all cases, the primary goal is to encourage the adoption of alternative crops.

In mid-2025, a scandal erupted over the publication of a preliminary study for a contract to purchase glyphosate for ground spraying to eradicate coca crops, also known in Colombia as the Program for the Eradication of Illicit Crops through Ground Spraying (PECAT).[15] Colombia's Minister of Defense announced that this was a more effective strategy for eradicating crops and suggested that glyphosate would

15 Programa de erradicación de cultivos ilícitos mediante aspersión terrestre. Pares, 11 April. https://www.pares.com.co/post/erradicaci%C3%B3n-y-sustituci%C3%B3n-duplas-por-superar

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be distributed to farmers so that they could carry out the eradication themselves, as agreed in the context of substitution and negotiations with armed groups.[16] This contradicts President Gustavo Petro's electoral promise never to use glyphosate again for eradication in Colombia. This is an example of the constraints, limitations, and challenges facing the possibility of a new drug policy worldwide. The current government has not been able to move away from the proposal of substitution-eradication or oxígeno-asfixia, the heart of prohibitionism, despite the rhetoric of "change" in drug policy.

The danger is that failure will undermine future proposals for real change, because opponents will assume that "change" has failed. Amid the possibility of new ways of thinking about our relationship with the cocaine and cannabis markets, these monsters emerge, as a kind of Frankenstein that seems less harmful. For example, they claim, "We don't spray glyphosate from the air, which is dangerous". However, this approach leaves the core of prohibitionism intact: the destruction of crops while the state "replaces the economy". It represents a symbolic defeat for the victims of anti-drug policy who are struggling for reparations. All of this takes place in the context of increased pressure from the United States government, led by Donald Trump, in which the decertification of Colombia becomes a card not only to maintain influence in the country, but also in the worst political scenario in which this pressure can occur: the 2026 electoral campaign, which will decide whether the leftist project is re-elected or the country radicalizes to the right. The last three years have been a window of opportunity that has not been utilized, and we have regressed 25 years in the discussion to a point in history where we never thought any government would take us back.

16 Infobae (2025). "Ministro de Defensa insistió en que habrá erradicación de cultivos ilícitos con glifosato, pero con condiciones: 'Si se concreta con la comunidad'". 10 April. https://www.infobae.com/colombia/2025/04/10/ministro-de-defensa-aseguro-que-la-erradicacion-de-cultivos-ilicitos-con-glifosato-se-haria-solo-si-el-campesinado-esta-de-acuerdo-se-haria-es-si-se-concreta-con-la-comunidad/

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This experience shows that neoclassical perspectives are insufficient for understanding the armed apparatus – militarization and marginalization – that prohibitionism cultivates in cocaine and marijuana production territories. Conversely, drug policy must recognize that it is not combating the replacement of crops or economies, as the current government claims. Still, rather the goal should be to reduce violence, not supply. In conclusion, the aim is to amend prohibitive regulations so that they promote fair trade and peace in production areas.

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Ecuador's Central Role in Cocaine Trafficking to Europe

Jorge Vicente Paladines

Introduction

In less than five years, Ecuador has become the main country through which the largest amount of cocaine entering the European Union (EU) is trafficked. Despite its proximity to the largest cultivation and production areas in Colombia, Peru, and Bolivia, historically, Ecuador has played a peripheral role in international drug trafficking. It was unilaterally classified by the U.S. government as a "drug transit country", mostly as a result of its territory being used for drug smuggling, but without a significant role between the major production centers and consumer markets, i.e., between supply and demand.

However, recent cocaine seizures and police investigations in the EU tell a different story, mainly in relation to the historic drug route between Ecuador and the U.S. Despite having been classified for decades as a "drug transit country", Ecuador has begun to move away from its peripheral role between the major centers of production and consumption to play a central role, becoming a strategic enclave for the export of this substance. Most of the cocaine production leaves through its ports, displacing the most important ports in Latin America, like Santos (Brazil) or Manzanillo (Mexico).

Ecuador's leading role in international cocaine trafficking has also caused a shift in drug trafficking routes. This time, the flow is not from South to North America, but from the Southwest of the South Ameri-

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can Pacific to the Northeast of the Atlantic. Although the U.S. has always been an attractive market for criminal economies, cocaine trafficking has changed course in terms of quantity. The EU is now a preferred and most profitable destination for criminal organizations.

Parallel to the increase in cocaine exports and seizures in both hemispheres, intentional homicides also began to grow at an alarming rate. Along with the dismantling of the welfare state around the adoption of neoliberal economic policies, Ecuador is projected to be the most insecure country in the Americas, with a marked tendency to become a global benchmark in this area. Faced with this reality and these scenarios, fear has pushed its population to leave their country.

However, the events that have taken place in the EU and Ecuador surrounding cocaine seizures only show a small picture of the criminal economy surrounding this substance. Within the upturn in this market, there is also a reconfiguration of the criminal order, both internationally and locally. In the subjective image of this phenomenon, there are other actors and criminal groups that interact in a kind of new "criminal division of labor" with respect to classic drug trafficking to the U.S. This term, coined by jurist Claus Roxin, highlights an interesting distinction between the perpetrators and executors of the crime (1984, p. 300), revealing that the map where both the "business owners" and their "simple operators" are drawn may have changed.

Ecuador's new role in international cocaine trafficking, therefore, deserves particular analysis. This chapter will therefore describe the most relevant features, factors, and causes, as well as the actors and new forms of criminality that have led Ecuador to play a central role in the illicit market for this substance in Europe. To this end, the primary sources used will be the recent information compiled by the United Nations Office on Drugs and Crime (UNODC) in the World Drug Report, along with information from local and international organizations and newspaper articles. Although the data in these reports does not constitute a single, definitive source of information, figures from countries like Ecuador often appear due to the close cooperation between their police forces and international agencies.

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Consequently, in addition to being descriptive, this chapter proposes an attempt to interpret and generate a reflective view of crime in the Global South. To this end, we will first analyse the facts on which Ecuador's classification as a "drug transit country" is based, mainly to determine whether these have changed geographically. Secondly, the implications of cocaine trafficking through banana exports will be highlighted. This leads us, thirdly, to take a look at Ecuador's social structure and the impact of violence surrounding the trafficking of these substances. And finally, as a fourth point, we will outline the new forms of crime operating in Ecuador around cocaine trafficking.

More Than Just a "Drug Transit Country"

Ecuadorian territory traditionally served as a means for exporting cocaine to the U.S. via Central America. For this reason, Ecuador was classified as a "drug transit country" due to its geographical proximity to the coca plant cultivation centers established in southwestern Colombia. The Biden administration, at the time, reaffirmed this characteristic in its Presidential Determination for Fiscal Year 2022, stating the following:

> I hereby identify the following countries as major drug transit or major illicit drug-producing countries: Afghanistan, The Bahamas, Belize, Bolivia, Burma, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, India, Jamaica, Laos, Mexico, Nicaragua, Pakistan, Panama, Peru, and Venezuela. (U.S. The White House, 2021)

Through this declaration, the U.S. government attributed both the "drug-producing countries" and the "drug transit countries" with increased consumption in the U.S., in the context of the health crisis resulting from the upsurge in opioid overdose cases (Humphreys et al., 2018, p. 123; New York Times, 2022).

Currently, the Trump administration has once again resorted to this classification for Fiscal Year 2026, this time adding China to the same list

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of countries that would perform poorly in the "war on drugs" (U.S. Department of State, 2025a). Thus, the paragraph mentioned above, written four years earlier, was replicated verbatim, stating that: "the reason countries are placed on the list is the combination of geographic, commercial, and economic factors that allow drugs or precursor chemicals to be transited or produced, even if a government has engaged in robust and diligent narcotics control and law enforcement measures" (Ibid.).

The White House or Department of State used the definition established in Article 1 (u) of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances from 1988, as well as in Resolutions 845 (XXXII) and 1147 (XLI) of the Economic and Social Council (ECOSOC) of the United Nations. Both texts determine the form of country representation at the Commission on Narcotic Drugs (CND) insofar as they are "drug consumption countries" and "drug-producing countries" (ECOSOC, 1961; 1966). Curiously, "drug transit countries" defined in the 1988 drug convention do not enjoy representation within this important United Nations body. Therefore, Ecuador does not originally have a seat on the CND despite having been defined as a "drug transit country."

The classification or labeling as a "drug transit country" does, however, have some factual basis. After the fall – or rather, the transformation into other forms of criminal structures – of the Medellín and Cali drug trade organizations (Durán-Martínez, 2018, pp. 111–174), Ecuador became the preferred corridor between criminal groups in Colombia and Mexico for trafficking cocaine to North America. The U.S. Department of State itself acknowledged this when it highlighted the following:

> Ecuadorian maritime trafficking networks consistently use routes south of the Galapagos Islands to destinations in Central America to circumvent law enforcement interdiction efforts. Transnational criminal organizations, many based in Mexico and Colombia, continue to operate in Ecuador. (U.S. Department of State, 2019, pp. 158–159)

All police and military cooperation with the U.S. has been based precisely on interdicting drug trafficking across the Pacific. As a result, in 1999,

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Ecuador signed the "Cooperation Agreement concerning the access and use by the United States of America of facilities at the Ecuadorian Air Force base in Manta for anti-narcotics air activities" (Presidencia de la República Ecuador, 1999), which allows the U.S. to deploy a Forward Operating Location (FOL). The U.S. military presence through the FOL in Ecuador came to an end after the new Ecuadorian Constitution took effect in 2008, as Article 5 of the constitution prohibits the establishment of foreign military bases on national territory. However, Daniel Noboa's government has proposed holding a referendum this year to repeal this very article of the Constitution (El Comercio, 2025a).

Meanwhile, cooperation with the U.S. has continued in various forms. In addition to economic aid under special certifications for Latin American governments, as well as tariff benefits on certain products that Andean countries have received in the context of the "war on drugs", such as the Andean Trade Promotion and Drug Eradication Act (ATPDEA) of 2002 (Umaña Mendoza, 2010, pp. 334–335), the U.S. government promoted military cooperation to combat the various methods used by criminal groups off the coast of Ecuador.

Thus, in 2006, the governments signed "Operational procedures for boarding and inspecting vessels suspected of illicit traffic in narcotic drugs and psychotropic substances and of smuggling migrants by sea" (U.S. Coast Guard, 2006). Through this agreement, hundreds of Ecuadorian citizens were detained at sea. Consequently, they were transferred for trial in U.S. courts on the Atlantic coast, after a long journey that involved prolonged imprisonment on board the U.S. Coast Guard vessels themselves, as revealed in the shocking investigation by journalist Seth Freed Wessler, subtitled 'Floating Guantánamos' (New York Times, 2017; Parametría, 2019).

Beyond the use of controversial measures by the U.S. to wage the "war on drugs" within and outside its territory, which has had a negative impact on human rights (Youngers & Rosin, 2005, p. 10), drug trafficking remains unscathed. In this sense, Ecuador is more than just a "drug transit country". Through Ecuadorian territory, criminal groups are said to have tested and perfected a range of methods for trafficking cocaine. For this reason, the U.S. Department of State stated the following:

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> Drug traffickers use various methods to move shipments, including containerized cargo ships, small fishing boats, self-propelled semi-submersible and fully-submersible submarines, 'go-fast' boats, aircraft, human couriers, and mail. (U.S. Department of State, 2018, p. 159)

In addition to its geographical position, linking the major cocaine-producing countries (Colombia, Peru, and Bolivia) with the South American Pacific, Ecuador offers several advantages for the establishment of drug trafficking in its territory. One of these is the monetary policy adopted since 2000. Since then, Ecuador has used the U.S. dollar as its official currency, which has simplified economic transactions between criminal groups by eliminating the need to convert their payments into the national currencies of Colombia or Mexico. Added to this is Ecuador's institutional ineffectiveness in detecting and combating money laundering. After implementing the U.S. dollar as its local currency, Ecuador maintained a weak institutional capacity to detect and punish the flow of illicit money within its national financial system (Reuter & Truman, 2004, p. 164).

Ecuador became an attractive country within the criminal drug economy mainly due to the accessibility of its ports on the South American Pacific coast. Unlike Colombia, all of Ecuador's coastal provinces have deep-water ports and an extensive road network connecting them, as is the case with the ports in the provinces of Esmeraldas, Manabí (Manta), Santa Elena, Guayas (Posorja and Guayaquil), and El Oro (Puerto Bolívar). The installed capacity in these ports is notable not only for its infrastructure supporting the anchoring and departure of deep-draft ships, but mainly for its logistics for the internal movement and storage of goods.

Due to these characteristics, transnational criminal groups found Ecuador to be a hub for exporting cocaine from Colombia. Local criminal groups historically involved in common crimes took on an important role in cocaine trafficking (Carrión, 2024, pp. 139–140; Ordóñez, 2024, pp. 47–64), especially because they co-opted all of these logistics, consequently serving as brokers between criminal groups that began to have

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a transnational presence. However, as noted by UNODC, "Domestic 'service providers' in transit countries may grow powerful enough to conduct trafficking operations independently" (2023a, p. 148). Similar to Mexican criminal groups that gained an advantage over their Colombian counterparts in the 1990s (Durán-Martínez, 2015, pp. 132–133; Paul et al., 2014, pp. 81–82), Ecuadorian criminal groups thus acquired a certain degree of autonomy; in other words, greater power. In this regard, UNODC went on to note the following:

> These 'service providers' may work for multiple clients; a transportation network may organize deliveries of cocaine to different buyers who operate in different locations. Lieutenants of foreign OCGs (organized criminal groups) often travel to a transit country to establish their operations with local 'service providers'. Some of them stay, while others return to their base, leaving the domestic operators in charge of overseeing logistics and day-to-day operations. (UNODC, 2023a, p. 148)

In this way, Ecuador went from being a "drug transit country" to a "service provider country". With local criminal groups becoming increasingly active and powerful, drug trafficking through Ecuador became more attractive. All of this also indicates that, for the interests of transnational criminal groups, the difference between "drug-producing countries" and "drug-transit countries" is irrelevant (Taylor et al., 2013, p. 424).

Bananas and Cocaine: Their Coexistence in the European Market

Although the areas where coca leaves are grown and processed to cocaine have been predominantly located in countries such as Bolivia, Peru, and Colombia since at least the mid-1980s (Gylys, 1988, p. 79; Isacson, 2005, p. 45; Bagley, 2015, p. 4), it is nevertheless in the last five years that there has been a notable increase in the trafficking of this substance from

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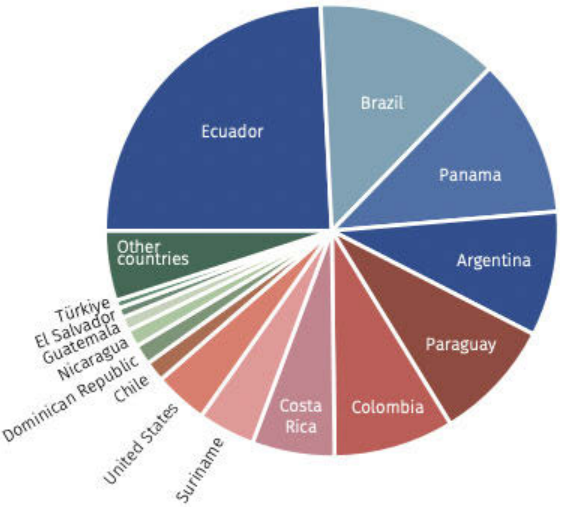
Ecuadorian ports to the European continent. In a 2023 special report prepared by UNODC, which addresses the issue of supply and demand in the context of the global cocaine market rebound, Ecuador is identified as the main exporter of this substance (see Image 1), following a trend that had been evident prior to the coronavirus pandemic. Almost a quarter of the cocaine seized in the EU in 2021 came through Ecuador, making it the largest supplier of this substance compared to other Latin American ports from which cocaine is also exported (UNODC, 2023a, p. 82).

Image 1: Breakdown of cocaine seizures by customs authorities in the EU, by country of departure of the consignment, 2021



Source: UNODC / Global Report on Cocaine 2023

Unlike Bolivia and Peru, which are considered "drug-producing countries" and whose trafficking routes point to the Amazon region and other South American ports such as San Antonio in Chile (Ibid.,

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pp. 58–59), Ecuadorian ports have now become a means of transporting mainly Colombian cocaine. Ecuador is thus part of an illicit trafficking chain that begins in Colombia, specifically in the southwestern part of the country, through expanded cultivation areas in the departments of Cauca and Nariño.

As reported by the Colombian government itself through crop monitoring carried out jointly with UNODC, the area under coca bush cultivation in Colombia increased by 61% in less than five years (UNODC & Ministerio de Justicia de Colombia, 2023, p. 11; UNODC, 2023a, p. 42). It is therefore estimated that the area under coca cultivation is approximately 253,000 hectares, an area twice the size of New York City. As a result, global cocaine production in 2023 reached 3,708 tons, which implies a relative increase by 25% compared to 2022 (UNODC, 2025a, p. 12).

Although these figures have recently been called into question by the Colombian government of Gustavo Petro (BBC, 2025), Ecuador does not even feature among the countries raising concerns due to coca cultivation. In fact, the latest report, produced by UNODC and the Government of Ecuador (2011, p. 9), does not provide an estimate based on hectares, but only on the number of plants eradicated through military operations near the border with Colombia.

On the other hand, the Pacific metropolis of Guayaquil in Ecuador has one of the largest ports in Latin America. After Santos (Brazil), Manzanillos (Mexico), Panama, Callao (Peru), and Cartagena (Colombia), Guayaquil stands out for handling nearly 5.5 million tons of cargo annually according to the Twenty-foot Equivalent Unit (TEU) standard. However, the infrastructure for mooring ships at docks, as well as for logistics, storage, and trade in goods, is not concentrated in one place. Around Guayaquil, there are several private ports known as "port companies" authorized by the Ecuadorian state itself. One of these is the private port of 'Naportec', through which a large part of the bananas marketed by The Bonita Banana Company, part of the Noboa Group – a family business linked to the current President of Ecuador, Daniel Noboa – is exported.

In fact, most cocaine seizures originating in Ecuador have been discovered in banana boxes. This was pointed out, for example, by the Euro-

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pean Monitoring Center for Drugs and Drug Addiction (EMCDDA) in its report published in 2024, highlighting the following in reference to the number of seizures:

> In 2022, for the sixth year in a row, EU Member States reported a record amount of cocaine seized, amounting to 323 tons. Belgium, Spain, and the Netherlands remain the countries reporting the highest volumes of seizures, reflecting their importance as entry points for cocaine trafficked to Europe. In 2023, the quantity of cocaine seized in Antwerp, Europe's second-largest seaport, rose to 116 tons from 110 tons in 2022. The volume of cocaine seized in Antwerp has increased annually since 2016. In 2023, Spain reported its largest ever seizure of cocaine (9.5 tons) in a single shipment, concealed in bananas originating from Ecuador. (EMCDDA, 2024, p. 57)

The commercialization of bananas from Latin America has effectively served as a Trojan horse for organized crime groups to channel cocaine into European markets, evidenced by a sharp rise in seizures at the ports of Hamburg, Rotterdam, and Antwerp in 2021. While 33.9 tons were seized in Hamburg, 70.6 tons were detected in Rotterdam and 89.5 tons in Antwerp, respectively (UNODC, 2023a, p. 83). Of these three ports, Belgium has seen a sharp increase in cases, becoming one of the most worrying in the EU.

The increase in seizures between 2021 and 2023 prompted the mayors of these three important European cities and ports to make an on-site visit to Ecuador in February 2024 (Primicias, 2024). The visit by mayors Peter Tschentscher (Hamburg), Ahmed Aboutaleb (Rotterdam), and Bart De Wever (Antwerp) symbolized not only the EU's concern about a "drug transit country", but also about a country that is seen as a causal phenomenon as a "drug-producing country".

Within the EU, concerns began to grow about the side effects of the increasing amount of cocaine seized in its ports, particularly because of its link to violence in its cities. Although the figures for all these seizures are only a simple indicator of what is actually circulating on European streets – a sign that, according to the European Union Drugs Agency

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(EUDA), suggests greater availability of this substance on the black market (2025, p. 3–4) –, Europol adds that the growth of the market is due not only to changes in drug trafficking routes, but also to the impact of cocaine trafficking on the recruitment of young people by criminal networks that traffic drugs in Europe. These would therefore be the causes that have also led to an increase in violence on this continent (Europol, 2025, p. 56; EMCDDA & Europol, 2022, p. 55).

According to Europol, the resurgence of drug trafficking routes to Europe is due to the resilience of drug trafficking, especially since the coronavirus pandemic (UNODC, 2021, pp. 13 and 30). Their predominant form of adaptation is expressed through the infiltration of containers loaded with legal goods, as well as the arrival of small boats such as sailboats used for this purpose (Europol, 2025, p. 56). As a primary trafficking strategy, Europol highlights the so-called "rip-on/rip-off method," which involves the infiltration or contamination of containers (EMCDDA & Europol, 2022, pp. 39–40). This involves the concealed shipment of cocaine through legally traded products or goods, i.e., without the contracting parties at both the port of origin and destination having supposedly any knowledge of the illicit trafficking. Guayaquil stands out in this criminal strategy as the port of origin from which the most significant amount of cocaine is shipped to Belgium (see Image 2).

In this regard, trade agreements with the EU play an important role in enhancing the fluidity of customs procedures, while also promoting tariff benefits that encourage exports. Although there are no free trade agreements between the EU and Ecuador, a similar form of agreement remains in place. This is because Ecuador joined the "Multiparty Trade Agreement" (*Acuerdo Comercial Multipartes*), signed initially by Colombia and Peru, which entered into force for Ecuador on January 1, 2017. Thus, in addition to industrial products, agricultural products from these three South American countries also benefit from total or partial tariff liberalization within the European market.

Given its relatively underdeveloped industrial sector, Ecuador's exports are primarily concentrated in agricultural products, with bananas standing out as the country's leading export fruit. According to the Organisation for Economic Cooperation and Development (OECD) and the

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Food and Agriculture Organization of the United Nations (FAO), "bananas represented about 17% of agricultural GDP and 39% of agricultural export revenue in Ecuador in 2022" (OECD & FAO, 2025, p. 145). Although bananas are included in a very long list of products classified under the agreement above (EU, 2016, p. 88), they are nevertheless the product for which Ecuador stands out most in the European market. For its part, the World Customs Organization (WCO) highlighted in its recent report that Ecuador's banana exports are highly contaminated with cocaine, noting the following:

> Rip contamination of banana containers is particularly pervasive in Ecuador, which is the world's largest exporter, accounting for 27% of global banana production volumes in 2022 and generating $3.68 billion in revenue […] Banana exports make up 66% of containers leaving Ecuador, with 30% going to the European Union. (WCO, 2025, p. 35)

Interestingly, the trade agreement between Ecuador, Colombia, and Peru with the EU establishes 'tariff contingencies' on certain products, particularly bananas. This means that the EU has the power to apply tariffs on banana imports from South America – therefore also restricting their entry – to promote a certain trade balance between the supplying countries and prevent oversupply in the European market. However, the increasing number of cocaine findings in containers transporting bananas correlates with the increase in demand for this product in Europe. In this regard, it is estimated that the supply and demand for bananas will increase even further; subsequently, the OECD and FAO consider the following:

> Production in the top exporting region, Latin America and the Caribbean, is projected to grow at 0.8% p.a. and reach 37 Mt by 2034, supported by rising demand from key markets, most importantly the European Union and the United States. (OECD & FAO, 2025, p. 146)

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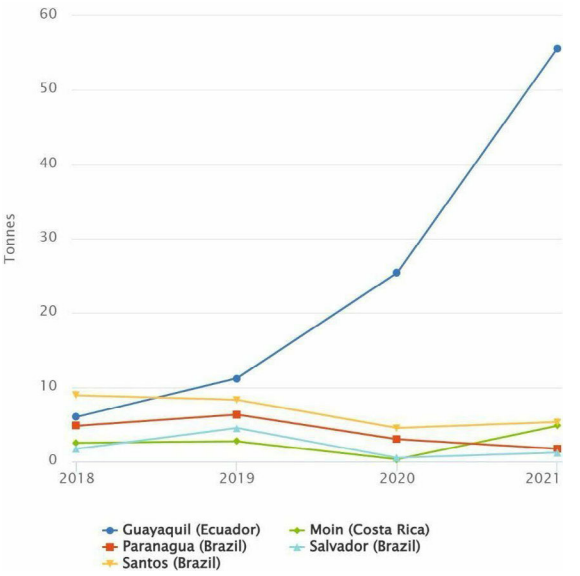
Given this scenario, the increase in cocaine trafficking through banana exports lends itself to a logical deduction. The greater the demand for South American bananas, the greater the supply of cocaine on the European black market, since it is precisely through bananas that cocaine is transported. Therefore, satisfying the demand for a legal product also incubates the demand for an illegal one, indicating a coexistence between the legal and illegal markets.

Image 2: Top 5 source ports for cocaine seized while smuggled using the rip-on/rip-off method intended for Belgian ports between 2018 and 2021



Source: EMCDDA / EU Drug Market: Cocaine 2022

Further, the contaminated banana shipment does not only contain hydrochloride cocaine or cocaine powder for sale on the black market, but also crack cocaine, which is processed in laboratories established

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within the EU (Europol, 2025, p. 56; UNODC, 2025b, p. 74–75). Trafficking cocaine in this form, therefore, has a multiplier effect due to degradation, mixing, or blending with other substances, thus obtaining a significant yield. By 'cutting' or 'blending' cocaine, the profit margin for criminal groups is even greater (Solomon & Hayes, 2017, p. 475). The profits obtained from one kilo can be multiplied by up to three times on the European market. This multiplier effect is nothing new in the history of trafficking in this substance. Its consequence is not only the loss of purity or quality of cocaine to minimal levels, which has a significant impact on the health of users – and whose consequences are in some cases mitigated by countries that have adopted harm reduction programs – but mainly in the ability of this market to become more profitable.

Between the production and distribution chains of cocaine, the profit margin becomes greater in the latter phases. It is in the "drug consumption countries" where the income from drug trafficking remains (Zaffaroni, 2016, p. 5). The profits can even be reflected in their gross domestic product (GDP). In this regard, the recent World Drug Report states the following:

> Although the largest illegal incomes from drug trafficking are generated in destination markets, they only represent a small proportion of the national economies of relatively high-income countries. The retail drug markets in the European Union, for example, generated approximately €31 billion in sales in 2021, equivalent to 0.3% of the region's GDP. (UNODC, 2025a, p. 82)

However, this deduction underestimates the adaptability of the illicit drug market within high-income countries, as well as the significant profit margins that develop within their own economies. Although profits in destination markets are notoriously higher than in so-called "drug transit countries" and "drug-producing countries", reports such as the one mentioned above continue to point to countries in the Global South as places where criminal income occupies a more significant place in terms of GDP. Thus, in the case of Colombia, it is estimated that

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the average annual inward illicit financial flows fluctuate between $1.2 billion and $2.6 billion, while the average annual outward illicit financial flows are $227 million (Ibid., p. 83).

In this way, the contradictions of the prohibitionist paradigm – established both in the drug conventions and in the administrative regime that monitors their enforcement – become apparent, mainly because states' efforts focus on combating supply, leaving the increase in demand in the background. Thus, it is estimated that between 2013 and 2023, the global population of cocaine users increased from 17 to 23 million (Ibid., p. 12). At this rate, by 2030, the planet is expected to reach the staggering figure of 55 million users of this substance (UNODC, 2023a, pp. 47–48).

Global market observation for this substance does not focus solely on the U.S., unlike in the 1980s. Evidence from seizure figures indicates that cocaine trafficking has intensified in Europe. For the fifth consecutive year, the EU has once again surpassed the U.S. in cocaine seizures (UNODC, 2025a, p. 12). The difference is therefore palpable. According to U.S. Customs and Border Protection (CBP), only 31.8 tons (2022), 36.7 tons (2023), and 30.9 tons (2024) of this substance have been seized within U.S. borders over the last three years (U.S. CBP, 2025). In any case, the amount of drugs seized in both the EU and the U.S. does not reflect containment, nor does it provide an accurate picture of the size of this market, as all these figures are merely 'mythical numbers' (Andreas, 2011, p. 26). Therefore, the increase in the production and trafficking of this substance from Latin America is supported by the rise in consumption in Europe, suggesting a stable and profitable market for the criminal economies of this continent.

Social destructuring and escalating violence in Ecuador

Initially, the increase in cocaine seizures in the EU was related to the increase in seizures of this same substance in Ecuador. Although police forces on both continents have demonstrated their achievements in drug interdiction, none of these results has affected the incessant flow

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between supply and demand in this illicit market. An example of this is the increasing number of cocaine seizures on both continents. In Ecuador, since the beginning of the pandemic, 30.8 (2019), 88.83 (2020), 173.53 (2021), 242.85 (2022), 197.92 (2023), and 294.61 (2024) tons of this substance have been seized, according to statistics provided by the National Police to the media (Primicias, 2025a; 2025b). This trend suggests that cocaine seizures exceeded 200 tons per year on average over the last five years, a figure that approaches 300 tons when taking last year as a reference.

The increase in cocaine trafficking through Ecuadorian territory is taking place within a complex local context. Within its borders, the population of Ecuador is struggling to survive in a context of dismantling the welfare state, which has led to the erosion of social structure and a concomitant lack of opportunities (Dressler & Wolff, 2024, p. 284). In addition, the inhabitants of Ecuador are suffering from an alarming escalation of violence accompanied by drastic policies of securitisation and militarisation of the country.

Since the criminal groups took over the country's prisons, they have unleashed a wave of extreme violence against inmates (Paladines, 2023, pp. 27–28). In four years, 30 (2019), 51 (2020), 348 (2021), and 147 (2022) murders were recorded against inmates in various prisons in Ecuador (Ibid., p. 34). Like the riots in U.S. prisons in the late 1920s, as described in critical criminology (Rusche, 1930, pp. 1–2), the massacres in Ecuadorian prisons have the collapse of social policies as their common denominator. Thus, some ministries were dismantled in Ecuador before the prison massacres began (Andrade, 2023, pp. 58–59), including the Ministry of Justice, which was specifically responsible for administering Ecuadorian prisons.

But the bloodshed inside Ecuadorian prisons immediately spilled over into the streets. During the presidency of Lenín Moreno Garcés (2017–2021), the Ecuadorian population began to experience a rise in the homicide rate to shocking levels. The violence worsened under the presidency of banker Guillermo Lasso Mendoza (2021–2023), who not only decreed a series of states of emergency to militarise prisons and streets, but also continued the neoliberal economic model reintroduced

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by his predecessor. Under austerity measures and state cuts, Lasso's government had allocated only 24% of the budget for health and education by the end of 2022 (Primicias, 2022a). At the end of his first year in office, Ecuador's homicide rate rose from 14.1 (2021) to 26.5 (2022), a historical record after quintupling the figures recorded in 2016 and 2017.

The situation continued to worsen, especially after Lasso resigned less than halfway through his term in 2023. The inauguration of young businessman Daniel Noboa as president and his immediate reelection (2023–2029) did nothing to reduce the intentional homicide rate, at least not to the levels recorded prior to Moreno's administration. On the contrary, the continuation of the same economic adjustment program by the state coincided with a spike in criminal violence, reaching levels never before seen in Ecuador's republican history since it returned to the rule of law in 1980.

In 2023, not only did the homicide rate triple compared to the beginning of Lasso's administration, but an even more discouraging scenario is emerging. This has led to the Guayaquil morgue being even more overcrowded with corpses (El País, 2024). If this trend continues, it is estimated that by the end of 2025, Ecuador could have a rate between 50 and 53.3 homicides per 100,000 people, as inferred from the statistical analysis prepared by the Ecuadorian Observatory on Organised Crime (OECO, 2024, p. 14), which would make it the most violent country in Latin America (see Image 3).

The increase in exports of cocaine-contaminated bananas through Ecuador is related to the increase in homicides committed in its territory (UNODC, 2025a, p. 14), which has even been highlighted by the French satirical weekly Charlie Hebdo, describing the port of Guayaquil as the "prime export port of cocaine" (Fischetti, 2024). At the same time, journalistic narratives are emerging to describe Ecuador as a "narco-state" (Clapp, 2024). However, although the increase in violence is a more serious situation, the global view of Ecuador is focused on its role in international cocaine trafficking. The indicator on seizures in both the EU and Ecuador overshadows the suffering of its own society.

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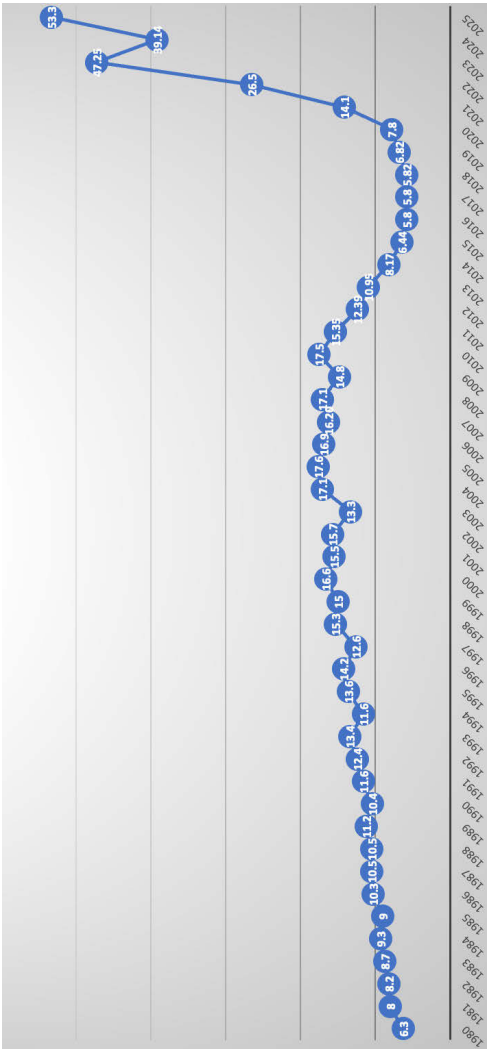
*Image 3: Trends in the homicide rate in Ecuador, 1980–2025**



Source: INEC 2025; Ministerio del Interior 2025, OECO 2025, UNODC 2023b, and press releases. Own elaboration.

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Although at first glance the increase in homicides reflects the dispute between criminal groups over their interest in taking over the trafficking of this substance, as well as their drift towards other types of criminal activities such as extortion (El Comercio, 2025b), international cooperation is aimed at improving the indicator on seizures, at least since the on-site visit by the mayors of Hamburg, Rotterdam, and Antwerp in early 2024. The EU's concerns and its concomitant cooperation on this issue revolve around the security of the European continent, as evident in the agreement signed between the EUDA and the Republic of Ecuador (EUDA, 2024).

However, for every ton of cocaine that arrives at European ports, hundreds of lives are lost due to criminal violence in Ecuador. Since then, its inhabitants have felt that Ecuador is the most unsafe place in the Americas, according to a Gallup survey (2023). Ecuadorians have begun to emigrate in significant numbers. In this regard, Ecuador has a migration deficit within its own population, with more departures than arrivals, according to the United Nations International Organization for Migration (IOM). Thus, in 2021 alone, 81,479 Ecuadorians emigrated, compared to 30,774 in 2019, representing a 265% increase (IOM, 2024, p. 2). The following years confirmed this trend, with 99,361 (2022) and 121,335 (2023) Ecuadorians not returning (Ibid.). Rather than economic reasons, the migration of Ecuadorians to other countries is motivated this time by insecurity (Ecuavisa, 2025), with Ecuador acquiring the historical characteristic that other countries have had through the painful forced displacement of their population.

In addition to all these forms of violence, there is also that perpetrated by the Ecuadorian state itself. The 'live kidnapping' of television presenters in early 2024 radicalized the state's response, defining the state of insecurity in Ecuador as an "internal armed conflict" by decree (Presidencia de la República del Ecuador, 2024). This is an unconventional declaration in terms of international humanitarian law and, especially, the jurisprudence handed down by the international criminal courts set up to try crimes committed in the former Yugoslavia, Rwanda and the Congo, mainly because it grants special legal status to

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insecurity by classifying it as an 'internal armed conflict' (Meron, 1995, pp. 556–559).

However, this measure led to the normalization of the military presence on the streets, which does not exactly fall within the framework of the recurring declarations of states of emergency to which former presidents Moreno and Lasso had become accustomed – and which had to follow the legal control procedure of the Ecuadorian Constitutional Court. In the context of the "internal armed conflict", Ecuador is under a permanent state of emergency, i.e., as a form in which violence and law are articulated (Agamben, 2003, p. 112).

As a result, human rights violations have been reported that require criminal investigation. Therefore, in its report published this year, Human Rights Watch (HRW) points out: "Ecuador's militarization of its streets and prisons since January has led to serious human rights violations by security forces, including extrajudicial killings, arbitrary arrests and illicit treatment" (HRW, 2025, p. 130). In short, HRW summarises its observations on Ecuador in the following terms:

> In a context of fragile democratic institutions, Ecuador has seen a sharp increase in violence by organized crime, which has taken homicide rates to unprecedented levels, following President Daniel Noboa's announcement that the country is in an "internal armed conflict," security forces engaged in serious human rights violations. Longstanding structural problems, related, among other things, to access to health, education, and employment, remain unaddressed, limiting the enjoyment of economic and social rights. (Ibid.)

Just a phenomenon of the Global South?

The development of criminal violence in Ecuador at this time does not only come from the Ecuadorian state and locally established criminal groups. The deterioration of security for Ecuadorians and the upturn in the cocaine market have produced a new configuration of crime that deserves particular analysis. To this end, it is worth asking which criminal

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groups are involved in both local criminal violence and international cocaine trafficking, two issues that may be closely linked. There are, therefore, three dimensions in which this phenomenon can be analyzed.

First, the criminal organizations in Ecuador revolve around a complex and diffuse network of small but violent criminal groups. However, for more than two decades (1998–2018), the Choneros gang maintained a certain hegemony over other gangs involved in criminal activities (Ordóñez, 2024, pp. 137–149). Traditionally, the criminal activities of these groups have consisted of property crimes, such as robbery and kidnapping (Dressler & Wolff, 2024, p. 281). The criminal economy based on drug trafficking did not originate with them, unlike the historic Reyes Magos gang led by the notorious Ecuadorian drug trafficker Jorge Hugo Reyes Torres when the Medellín and Cali cartels existed (New York Times, 1992).

The Choneros turned to drug trafficking when Mexican drug trade organizations began to expand into South America, particularly the Sinaloa cartel. Along with the dollarization of the economy and the modernization of ports and highways in Ecuador, the dispersion of criminal organizations in Colombia became a factor that facilitated the Choneros' leap into drug trafficking. In this way, they became "service providers" between the criminal groups of Colombia and Mexico (UNODC, 2023a, p. 148). In doing so, they secured drug trafficking from the Ecuadorian Pacific for the Sinaloa cartel (Ibid., p. 100).

After the assassination of their leader, Jorge Luis Zambrano ('Rasquiña') in December 2020, there was also a dispersal among the local criminal groups that had long coexisted with the Choneros in a kind of "mafia peace" (Paladines, 2023, p. 44). This coexistence was reflected in the relative calm of Ecuadorian prisons, which were characterized by a "criminal ecosystem" (Pontón, 2022, p. 194). It is not, therefore, a question of fragmentation – given that there was never a single root or source of criminality – but rather a return to the state from which they had come, only this time with new knowledge, skills, and, above all, contacts at both the local and international levels for cocaine trafficking. Thus, each of them became "service providers" for foreign criminal groups.

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In the same decree that defined the situation of insecurity as an "internal armed conflict", President Daniel Noboa classified local criminal groups as "terrorist groups". This denomination identifies, in a way, all the gangs involved in drug trafficking from Ecuador. Thus, in addition to the Choneros, there are the Lobos, Tiguerones, Águilas, AK 47, Caballeros Oscuros, Chone Killers, Corvicheros, Cuartel de las Feas, Cubanos, Fatales, Gánster, Kater Piler, Lagartos, Los P 27, Mafia 18, Mafia Trébol, Patrones, and R7 (Presidencia de la República del Ecuador, 2024). Likewise, following the visit to Ecuador by the U.S. Secretary of State, Marco Rubio, in early September 2025, the U.S. State Department also classified the Choneros and the Lobos as "terrorist groups" (U.S. Department of State, 2025b).

Therefore, the classic definition of "Makrokriminalität" developed by Herbert Jäger (1989, p. 11) is not sufficient. Beyond the political debate that lies behind the definition of "cartel" and those who are labelled "drug traffickers" (Zavala, 2018, p. 110; Astorga, 1995, pp. 23–28), the idea of absolute control over the entire drug production and trafficking chain persists in the functioning of "cartels", i.e. from the control of crops, production or refinement in laboratories, distribution by land and storage prior to export, infiltration or contamination of banana containers, arrival at destination ports and, finally, distribution in consumer markets –clearly, under sophisticated monitoring and a network of bribes to state officials. In some cases, distribution in consumer markets is preceded by refinement or composition in laboratories located in the EU itself, as noted above.

The diffuse nature of these criminal groups in Ecuador is closer to the definition of "micro-criminality" (Paladines 2023, p. 51–52), where organized crime coexists with forms of disorder or lack of leadership, giving the impression that, rather than being organized, this type of crime preserves its own dis/organization. Beyond the fragmentation of a criminal order, based on the condition that there would have been an "internal criminal governance before" (Lessing, 2021, p. 865), what emerges in Ecuador is an immeasurable number of criminal cells that replace one another under different names, internal codes, and actors. Ecuador has no history of "cartels" based on the concepts above. However, the diffuse

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network of criminal groups manages to evade the state itself. Poverty and the dismantling of the welfare state in the territories taken over by these criminal groups create opportunities for greater co-optation of young people, most of whom are between 13 and 17 years old (Manrique & Connectas, 2025).

Secondly, Ecuador has served as a bridge to other criminal groups in Latin America. This regional characterization of crime involves not only the Mexican groups of Sinaloa and Jalisco Nueva Generación (CJNG), but also the complex diversity of criminal groups that exist in Colombia today, a convergence for which Ecuador has been described as a "unified criminal territory" (Carrión, 2024, pp. 320–321). In addition to the Frente Oliver Sinisterra to the Comandos de la Frontera, both coca cultivation and cocaine production in southern Colombia are in the hands of the so-called FARC dissidents, within which criminal groups such as the Estado Mayor Central and the Segunda Marquetalia have also emerged (Ibid.; UNODC, 2023a, p. 141). The contemporary emergence of new criminal groups in this country is largely attributed to the lack of economic and social sustainability in rural areas following the signing of the peace agreement between the Colombian State and the Revolutionary Armed Forces of Colombia (FARC) in 2016 (Cairo & Ríos, 2023, pp. 29–30; Jiménez, 2021, pp. 181–182).

Within Colombia, there is tension between the FARC dissidents, the Ejército de Liberación Nacional (ELN), and the fragmentation of the former Autodefensas Unidas de Colombia (AUC), from whose paramilitary structure the so-called Clan del Golfo emerged (Niño, 2024, p. 82; UNODC, 2023a, pp. 142–143). The violence generated by all these criminal groups has led to the murder of dozens of social leaders in rural areas. Their deaths not only have in common the fact that they came from areas where coca is grown, but also their political and ideological identification with left-wing organisations (Albarracín et al., 2020, pp. 13 and 21).

Added to this is the expansion in South America of Brazilian criminal groups such as the Primeiro Comando da Capital (PCC) and the Comando Vermelho (CV), which have spread throughout the Amazon rainforest that Ecuador also shares. Like the Mexican groups, the PCC and

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CV are notable for their involvement in cocaine trafficking in Latin America (UNODC, 2023a, pp. 145–146).

Finally, criminal violence in Ecuador and its significant role in cocaine trafficking are also due to the presence of criminal groups from the EU. For several years, actors linked to the Italian mafia ('Ndrangheta) and the Balkan criminal groups (Ibid., 148; UNODC, 2024, p. 20; Carrión, 2024, p. 339), known locally as the "Albanian mafia" (Zhilla & Lamallari, 2016, pp. 28–31), have been operating in Ecuador. However, unlike the Mexican and Colombian criminal groups that interact with Ecuadorian criminal gangs, the "Albanian mafia" has now consolidated its power in cocaine distribution by forming companies or firms qualified to export bananas. According to the nationality of their founders, the Albanian companies involved in cocaine trafficking to Europe so far are Albafresh, Zico Sha/Bana King, Jordil Sha, Masabi Fruit, Mc Food, and Elkos, Fat & Bet (Infobae, 2025).

According to press and police reports, the influence of the "Albanian mafia" has reached the highest echelons of political power in Ecuador, mainly during the government of banker Guillermo Lasso, under which the homicide rate also skyrocketed. In this regard, there are at least four circumstantial facts that stand out. The first comes from a documented journalistic investigation based on police information in the case known internally as "León de Troya". This investigation establishes links between people close to President Lasso and the "Albanian mafia". Their objective was to place trusted individuals in strategic positions within the Ecuadorian state for trafficking drugs to Europe (La Posta, 2023). The second stems from the previous investigation and led to a criminal prosecution that is still ongoing in the case known as "Pampa". The Ecuadorian Public Prosecutor's Office is investigating the then Minister of Agriculture, Bernardo Manzano, who allegedly acted during Lasso's government as an "operator for the Albanian mafia" in granting export quotas and bureaucratic facilities to the companies above (Primicias, 2022b).

The remaining two events are related to homicides that have not yet been fully clarified, but which nevertheless affected the highest echelons of economic and political power in Ecuador. One of them is the murder of Rubén Cherres, a close friend of President Lasso's brother-

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in-law, who was also under investigation for drug trafficking at the time (Primicias, 2023). The other relates to the assassination of presidential candidate Fernando Villavicencio on August 9, 2023. In April of the same year, Villavicencio had denounced the controversial circumstances surrounding the release of Dritan Rexhepi, an Albanian drug lord from the Kompania Bello syndicate, who was arrested and prosecuted in Ecuador in 2014 and later captured in Turkey (Extra, 2023). Rexhepi's presence in Ecuador had raised alarms for cooperation between some justice systems, such as those of the Netherlands, Belgium, Italy, and Albania (Balkan Insight, 2021).

These events raise at least two fundamental questions. The first implies a logical deduction within the cocaine trafficking chain from Ecuador. The reception, unloading, and distribution – the latter sometimes preceded by refining, mixing, or cutting with other substances at the destination – are carried out by European criminal groups. There is no doubt that those who satisfy the demand for cocaine first-hand are criminal structures operating within the EU itself.

However, the Ecuadorian case shows a historical shift in the tasks that appear on the pendulum of supply and demand within criminal economies. In the "criminal division of labor" of drug trafficking, understood as the separation of roles and tasks between those who act as perpetrators and executors of drug trafficking, a positive-sum exercise has persisted. Those responsible for distribution and first-hand sales on the black market have not always been the ones who transport the drugs using methods such as container contamination, let alone those responsible for cultivation or production in laboratories in the areas where coca is grown (Jenner, 2011, p. 907; Natarajan, 2000, pp. 289–294).

Hence, the second deduction has to do with the emergence of European criminal groups operating in Latin America, that is, controlling the cocaine trafficking chain in loco. In other words, they govern the supply itself from the moments before the export of this substance under a zero-sum exercise. Thus, similar to the role played by banana export companies in determining payments to farmers and small producers, the price of this product is set by them, not by those who maintain the crops. Proof of this can be found in the huge differences in the price per gram of co-

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caine between America, Asia, and Australia. Thus, according to estimates by the UNODC, while a gram costs an average of $101 in the U.S. (2018), in Australia (2020), China (2019), and Saudi Arabia (2020), it reached $241, $413, and $533, respectively (UNODC, 2023a, p. 95). In this way, for criminal groups such as the "Albanian mafia", the boundaries between supply and demand have been erased.

Within the EU, detecting criminal groups remains a challenge. Although borders have been abolished for EU citizens, facilitating free movement, each EU member state has its own rules for investigating and prosecuting crimes; there is therefore no unified European criminal code. However, while Europol attempts to uncover criminal networks by deciphering communication algorithms related to drug trafficking (Europol, 2024, pp. 28–29), the German police focus on the link between crime and family through the controversial definition of "Clankriminalität" rooted in ethnicity (BDK, 2019, p. 5). In both cases, there remains a kind of criminogenic attribution towards immigration, or at least towards criminal groups whose members have a migration background. In any case, the EU has been unable to contain its forms of crime. Now, its criminal groups are defiant and expansionist, having long since circumvented internal police controls to cross the Atlantic and operate from other continents. The issue of organized crime surrounding cocaine trafficking is not only a phenomenon of the South, but also of the Global North.

Conclusions

Ecuador's unilateral classification as a "drug transit country" was not based on its importance in international cocaine trafficking, but rather on its peripheral role in intermediation between production and consumption centers, as well as on its poor performance in the "war on drugs", which led to the signing of a range of controversial bilateral agreements in the name of international cooperation. Ecuadorian territory was conceived as a simple transit country between the supply and demand of this substance to the U.S.

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However, with the expansion of drug trafficking routes to the EU, Ecuador ceased to play a peripheral role. Ecuador's geographical position, as well as its proximity to the most significant areas of cultivation and production of this substance on the planet, changed the course of the history of drug trafficking. Currently, most of the cocaine destined for the European illicit market passes through Ecuadorian ports. Ecuador's main fruit exports became the preferred means of trafficking this substance through the contamination of its containers, thereby consolidating a sustainable route for criminal economies, given that increased legal banana trade facilitates the process of cocaine trafficking.

In addition to the accessibility of its ports, Ecuador has other features that enhance drug trafficking activities. The U.S. dollar, as its national currency, made it even more attractive, to the point of being classified – also due to the prominence of its own criminal groups and institutional weaknesses in detecting and combating money laundering – as a "service provider". However, the deterioration of its welfare state produced a tragic causal relationship. Just as Ecuador is the main centre for cocaine exports to the EU, it is also one of the most violent countries on the planet.

The increase in cocaine trafficking through its territory is taking place in an environment of rivalry between criminal groups, but also of military interventions with negative consequences for human rights. All this has led to an increase in intentional deaths, causing Ecuador to break its historical record for homicide rates. As a result, its inhabitants have begun to emigrate.

All these features and factors describe Ecuador's position and the consequences of its central role in the current international cocaine trade. However, behind what appears to be an internal dispute between local criminal groups over the "provision of services" – the consequence of which is reflected in the increase in criminal violence – a particular form of international crime is developing.

As part of the European criminal groups, the "Albanian mafia" has transcended the boundaries between supply and demand, managing to take over the monopoly of this pendulum in Ecuador. Behind the export of cocaine-contaminated bananas lie the activities of this criminal or-

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ganization. Its modus operandi is to set up front companies or firms to obtain larger quotas or permits for the fruit export. In this way, they contaminate containers loaded with bananas to transport cocaine, thus taking advantage not only of Ecuador's larger agricultural supply but also of trade agreements with the EU.

While the increase in cocaine exports highlights the interaction between Latin American criminal groups – mainly from Colombia and Mexico – in Ecuador, it also reveals the power of other criminal structures. The supply of cocaine to the EU market from Ecuador highlights the adaptation of European criminal groups that are now established in Latin America. The new trafficking of this substance is therefore leading to a reconfiguration of the international criminal activities. Ecuador's importance in cocaine trafficking lies in the central role played by the European criminal groups that directly operate in this country.

In this sense, the increase in cocaine seizures in Europe does not precisely reflect the transnational nature of the criminal groups in Ecuador or Latin America, but rather the expansion of European criminal structures themselves. Europe must first interrupt the movement of criminal groups that, although they have developed on their own continent, now pose a threat to the security of other countries. This displacement in criminal activities demonstrates once again the "balloon effect" (Reuter, 2014, pp. 34–37), as it is reflected in the concern of European authorities over quantities of cocaine that they were not accustomed to seizing – yet another feature of the ineffectiveness of the prohibitionist paradigm. Perhaps, then, the next trips and visits on-site will not come from mayors of major European ports, but from those in Latin America whom European criminal groups have used to traffic cocaine to their own continent.

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