

Decolonizing Organized Crime

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“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.

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.

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 Rodríguez 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.

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 orientaling 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

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.

Few studies reference colonial dynamics of organized crime in the Americas. The seminal work by Joseph Albini and Jeffrey McIlwain (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.

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 inter-sectional 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 *Ethnocallass 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-

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 Americanness has become modern, guaranteeing the succession of hierarchical relations over the so-called backwardness of the Global South. Americanness 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

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.

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-

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-

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-

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-

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. According 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

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).

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-

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, McIlwain (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-

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

in the distant Global North, serving constant high demands and benefiting 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-

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,

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,

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-

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” (McIlwain, 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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