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The International Expansion of São Paulo's "*Primeiro Comando da Capital*" (PCC): notes on the illicit drug trade in South America

L'expansion internationale du groupe de São Paulo « *Primeiro Comando da Capital* » (PCC) : notes sur le commerce illicite de drogues en Amérique du Sud

*Gabriela Machado**

Riassunto

L'articolo esamina la traiettoria del "*Primeiro Comando da Capital*" (PCC), un'organizzazione criminale che opera nelle prigioni brasiliane, nonché la sua partecipazione al traffico di droga internazionale in Sud America, in particolare nell'area di confine tra il Paraguay e il Brasile. Nell'articolo vengono utilizzati dati provenienti da interviste semi-strutturate, dall'analisi della letteratura, dei media e di altro materiale documentale nell'ambito del quadro teorico della criminalità organizzata. Inoltre, vengono trattate le tematiche della proibizione delle droghe, della punitività selettiva del sistema di giustizia penale e dell'incarcerazione di massa.

Résumé

Cet article examine la trajectoire du groupe « *Primeiro Comando da Capital* » ou PCC, un groupe criminel organisé actif dans les prisons brésiliennes, ainsi que sa participation au trafic transnational de drogue en Amérique du Sud, notamment à proximité de la frontière entre le Paraguay et le Brésil. L'auteur de l'article utilise les données obtenues à partir d'entretiens semi-directifs, de la littérature existante, de l'analyse de médias et de documents dans le contexte théorique du crime organisé.

De plus, l'article traite des questions de la prohibition des drogues, de la sélectivité de la punition du système judiciaire pénal et de l'incarcération de masse.

Abstract

This article examines the trajectory of the "*Primeiro Comando da Capital*" or PCC, a prison-based organized criminal group from Brazil, and its participation in transnational drug trafficking in South America, notably around the Paraguayan-Brazilian border. The article makes use of data from semi-structured interviews, literature review, media and document analysis under the theoretical framework of organised crime. Furthermore, it addresses the issues of drug prohibition, punitive selectivity of the criminal justice system and mass incarceration.

Key words: *Primeiro Comando da Capital* (PCC); drug trafficking; organised crime; mass incarceration; criminal selectivity.

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1. Introduction.

Brazil's prison system is characterized by extreme overcrowding, hazardous environment and ill-treatment. This situation precipitated the creation of self-organized inmate groups, bounded by shared experiences of violence and abuse, which emerged with the intention of fighting state oppression and advocated for better living conditions in jail.

In the state of São Paulo, the "Primeiro Comando da Capital" (First Command of the Capital) or PCC, is the most notorious by-product of this nefarious prison environment. The group took upon themselves to regulate prison-life and monopolized illicit opportunities inside penitentiaries. By filling a vacuum left by the state, it exerted great appeal over the incarcerated population attracting large numbers of prisoners, which enabled it to grow rapidly in size. Soon, the group's influence transcended the prison walls into the outside world. It established a peculiar and interdependent relationship with urban poor communities in which it assumed the role of governing street-level drug markets. The Command expanded nationally and is nowadays considered the largest and most powerful "criminal faction" in Brazil (1).

PCC is a highly complex phenomenon and therefore it can be studied through a myriad of lenses. The group has been observed by anthropologists, criminologists, sociologists, jurists, journalists and security experts. Available research on the PCC provides valuable information regarding the group's cultural apparatus, social and political background, ideology, structure and activities, dynamics within the prison system and security sector, correlation with the violence index, relationship with government authorities and with inhabitants of urban peripheries.

Anthropologists and sociologists have studied the PCC within the prison system outlining the group's history, characteristics and peculiarities together with an enriched description of the social and political context during each phase of the group's trajectory (2). Scholars have also described unique details of prison life and inmate interaction, such as codes of behaviour that regulate mundane daily practices and prescribe forbidden conducts as well as the corresponding penalties and procedures (3).

The symbiotic relationship between the PCC and underprivileged neighbourhoods where the group's legitimacy is recognized has also been analysed (4). PCC fills the vacuum left by the state and provides a variety of goods and services, such as security and transportation. Furthermore, the group organizes local retail drug trafficking and collects a fee in exchange for protection against police raids and market competition.

The impact of the PCC on overall violence within and outside prisons in São Paulo was also addressed by researchers, journalists and security experts, arguing that the reduction in murder rates is directly linked to PCC's consolidation of power and governance of the street-level drug market in significant areas (5).

In addition, police intelligence and official investigations by government agencies have gathered substantial information about the PCC over the years, revealing an impressive and highly complex organizational structure that resembles a business corporation, with multiple branches and sections (6).

Considering the complexity of its structure and its unique '*modus operandi*', PCC was labelled by authorities and the media as 'organized crime' – a controversial concept both legally and theoretically. Notwithstanding, few studies have attempted to

analyse the group under the scope of organized crime theories or to evaluate the effects of the application of the legal precept. Studying the group through this perspective could, along with other studies, shed some light into the understanding of such a complex milieu.

This article focuses on the development of the PCC from a prison-based group into an organized criminal structure that engages in transnational drug trafficking in South America, notably at the Paraguayan-Brazilian border – an important drug route and money laundering haven. The group will be analysed under the theoretical framework of ‘organized crime’. Moreover, issues of criminal selectivity, mass incarceration and drug prohibition will be addressed in correlation to the theoretical framework and to the PCC.

2. Theoretical Framework.

2.1. The Conceptual Quagmire of Organized Crime

Within the study of organized crime, there is no consensus on a definition or a clear-cut concept of what precisely organized crime is. Organized crime is usually described in a broad, generic way, as an “umbrella-concept” (Von Lampe, 2015) able to encompass a wide range of different behaviours and offenders. This tendency is highly noticeable in legal definitions that are deliberately ambiguous in order to classify different conducts as criminal.

The United Nations Convention against Transnational Organized Crime defines organized crime as: “a group made up of three or more persons that exists during a certain period of time and acts in a coordinated fashion in order to commit one or more serious crimes, or crimes defined according to this Convention, for the purposes of obtaining, directly or indirectly, an economic benefit or some other material benefit”.

By serious crimes, the Convention means “behaviour that constitutes a crime punishable by at least four years in prison or by a more serious sentence” (United Nations, 2004).

Even though Brazil ratified the Convention, the country has also developed laws and policies of its own to combat organized crime. The latest legal precept of “organized crime” (Law 12.850/2013) defines it as: “association of four or more persons, structurally organized and characterized by a division of labour, even if informally, with the purpose of obtaining, directly or indirectly, advantages of any kind, through the practice of illegal crimes which the maximum punishment is superior to four years or has a transnational character” (7).

Such a broad definition is used by authorities to characterize the Brazilian “*commandos*” (commands) or “*fações criminosas*” (prison factions), such as the PCC, as criminal organizations.

2.2. Elements of Organized Crime

Despite the numerous and overlapping concepts and typologies on the realm of organized crime, many authors have highlighted common or pronounced characteristics such as (a) ideology or lack thereof; (b) structure; (c) continuity; (d) use or threat of use of violence or force; (e) membership; (f) illegal enterprise; (g) penetration of legitimate businesses; and (h) corruption. These features are found in the study of mafias, illicit enterprise, criminal networks and social embeddedness.

Initially, organized crime was considered non-ideological due to the fact that its main goal was the pursuit of profit derived from illicit activities. This distinction has become blurred as some ideology-driven organizations, such as terrorists and political militants, may engage in criminal activities in order to finance their ideological purposes.

Criminal organizations have a structure that can take on a variety of shapes and sizes; they might be hierarchical and strictly formal presenting a clear definition of roles and functions of its members, or fixed in loose and dispersed networks that cooperate with each other in criminal ventures. It may also manifest itself in a way that mimics governmental institutions, providing goods and services; or bear resemblance with licit business corporations.

Continuity is a feature related to the ability of a group to self-perpetuate over time. Mafias are known for their longevity which can be credited to their unique social dynamics. Continuity also refers to resilience and resistance. Long-running criminal networks have a high degree of flexibility in that they are able to continue operating even after some of its members are caught by law enforcement.

Criminal organizations tend to make use of violence or the threat of violence to accomplish a variety of ends. Reputation is extremely important in the criminal world, and it is connected with a group's ability to abstain from the use of real violence, as the threat of violence is enough for its actions to be enacted.

Social relations and interactions are of high importance in the context of criminal organizations. The way in which a criminal group selects and recruits its members has an impact on their structure, shape and size, as well as on opportunities (licit or illicit).

Criminal groups that are essentially profit-oriented will resemble licit businesses, making rational decisions based on market laws of supply and demand. As such, they can be termed 'illicit enterprises' that focus on the provision of illegal goods and services.

Furthermore, organized crime tends to penetrate the sphere of licit business for it serves as an ideal way to launder their illicit money and inject their profit into the licit economy. In addition, investing in legitimate businesses provides social status in the community.

Finally, organized crime seeks to neutralize law enforcement detection through corruption by paying off public officials in order to hamper investigations, turn a blind eye or clear the path for the continuance of further illicit activities.

These elements will be analysed in the context of the PCC.

3. Methodology.

The research underpinning this article was conducted in 2017 by the author with the goal of analysing the international expansion of the PCC under the theoretical framework of organized crime (Machado, 2018). In this section, the methods applied for data collection and the analytical process will be briefly addressed.

Fieldwork was developed in three Brazilian states: São Paulo (the birth-place of PCC and where its presence is hegemonic), Paraná and Mato Grosso do Sul (bordering states with Paraguay that present intense presence of the PCC), as well as two departments of Paraguay: Alto Paraná and Amambay (both bordering states with Brazil where PCC is establishing itself more pronouncedly).

Semi-structured interviews composed the primary data of the research. An initial topic list was designed with the main themes to be addressed, which was further enlarged adapting to new information as the research evolved. The role of a trusted "gatekeeper" was essential for providing a range of initial participants, that in turn set in motion the "snowball" effect.

The selection of the research population was related to access and security matters. The author's professional background as a lawyer and the profession of the primary gatekeeper (an agent from the Brazilian Intelligence Agency [ABIN]) led to interviews with members of security forces, government authorities and law enforcement agents at an initial phase. Further, three state prisons and one federal maximum-security penitentiary in Brazil were visited where prison directors, correctional officers, prison staff and, most importantly,

prisoners – including members of the PCC - were interviewed. Additionally, informal conversations with academics and locals from the aforementioned visited locations also contributed to the data collection. Due to lack of access and security concerns (8), inhabitants of poor urban peripheries (9) where the PCC is present, were not interviewed (10).

In total 59 interviews were conducted in Brazil and Paraguay, among which:

Brazil		Paraguay	
7	Correctional Officers and Prison Staff	7	Members of the Judiciary
5	Prison Directors	1	Lawyer
5	Prisoners	1	Commander of SENAD (Paraguay's Antinarcotics Police)
8	State Civil Police	1	National Police Chief
13	Federal Police Agents	1	Journalist
2	Members of the Judiciary		
1	Criminal Lawyer		
1	Intelligence Agent		
2	Government Authority		
1	Municipal Council		
3	Journalists		

Table 1: *Categories of Respondents*

Interviews were audio recorded with some exceptions motivated by lack of trust or due to prison's security regulations (11). Additionally, extensive note-taking was conducted in all interviews and after some informal conversations. Interviews were transcribed with the aid of a software programme ('InqScribe'). Transcripts and notes were then organized and coded into topics and sub-topics in order to identify conceptual categories, both manually and with the assistance of a software programme (N-Vivo) (12). This coding technique was employed throughout all different research methods of data collection. Additional methods were literature review, media and document analysis.

Literature review was used to gather in-depth insight on the research object's contextual background, theories, concepts and ideas that formed the substantive basis of the research (13).

Considering that the PCC gathers a lot of media attention (14), media analysis was elected as a complementary method to the data collection. Specific facts and how they were reported were examined and contrasted with the information gathered by primary data (15).

In addition, seized PCC documents (16), hidden (17) and open government reports on drug trafficking and organized crime were examined - such as Congress' Parliamentary Investigation Committee (CPI), and United Nations Office on Drugs and Crime (UNODC) reports -, judicial documents

(sentences and public ministry indictments), and police cooperation agreements.

An inductive approach was adopted for analysing the data in which “thick” descriptions were achieved, and rich concepts and mind maps were developed (Noaks, Wincup, 2004; Ryan, Bernard, 2003). All methods were combined in order to strengthen internal validity by examining the data collection and the codes generated by it, carefully considering linkages and interconnections between topics. Comparatives were made between PCC’s characteristics, behaviours, facts and activities, and the theoretical framework. The empirical data obtained were compared to existing research and theoretical concepts (literature overview), contrasted with media reports (media analysis) and official documents (document analysis).

4. PCC: from regional prison-gang to transnational organized crime.

4.1. The emergence of the PCC

From the 1970s to the 1990s Brazil underwent significant political, economic and social changes that reshaped the relationship between different socioeconomic classes and created new perceptions about crime, law and order. Globalization placed Brazil in the illegal drug market – first as an intermediary route and later as an important consumer market. Brazil’s urban centres witnessed an exponential growth in retail drug-corners that proliferated in an unorganized form and violent disputes guaranteed local power. As a consequence, the general population called for stricter enforcement of criminal law and stiffer punishments.

Accordingly, crime control was capitalized on by political interests. Investments were made in the state’s punitive apparatus, albeit without an

adequate institutional reform aligned to the new democratic order (18). Financing was channelled towards physical expansion (construction of prisons) rather than improvements on the qualifications and hiring of staff members, social aid, maintenance, and education and work opportunities for the prisoners. Policies and provisions followed the global trend of massive incarceration based on the ‘law and order’ axiom: punishments became more severe, sentences longer and custodial regime harder, which led to an acute overcrowding.

Police actions were marked by belligerence and arbitrary behaviour where extortion and torture were a common practice. Likewise, the prison system was imbued with violence, humiliation and the misuse of authority coupled with inadequate infrastructure and sanitary conditions.

In the midst of such institutionalized violence, PCC emerged primarily as a localized inmate self-protection group in which ill-treatment against one would trigger the retribution of all the others. The group proposed to enact social order alongside an ideological discourse based on unity and engagement of inmates towards combatting state’s oppression.

PCC rapidly became a regulatory body in a volatile universe, catalysing feelings of fear and outrage with a discourse predicated on unity that further legitimized the expropriation and monopoly of the use of violence. Henceforth, PCC promoted ethical changes within prison-life as a result of the enactment of a common objective as well as moral rules that enabled inmates to guide their conduct accordingly and ensure not only their survival but their coexistence. Ergo the regulation of prison life by the PCC gave inmates greater predictability of their behaviour and consequently greater security. A

PCC member explained: *“Before there was extortion, robbery and rape inside prisons [...]; it was the ‘law of the jungle’ [...]. Now there is respect [...] people have freedom of speech [...]; now people are heard”*.

Thus, the state’s own inefficiency and negligence toward the prison system helped to create the conditions for the PCC to emerge. By endorsing more repression without promoting adequate living conditions and rehabilitation programs, the state not only propelled the creation of prison-based organizations but also made them stronger as prisoners needed to protect and defend themselves from misuse of authority.

4.2. Initial Structure

Originally PCC displayed a hierarchical vertical structure in which power irradiated from top (leaders) to bottom (soldiers) in a stratified social structure with pre-defined roles. It presented goals that carried ideological ends as opposed to economic ends.

The Command adopted identification symbols and the acronym 15.3.3 (which stands for the alphabetical order of the letters P and C), as well as a written code of behaviour. Members refer to the PCC as “Family” or “Party”, in which each member is referred to as “brother”. In order to become affiliated, one has to be vouched for by a member and undertake a “baptism” ritual that entails vowing loyalty and commitment to the PCC.

PCC’s initial phase was marked by violence. Murders inside prisons aimed to eliminate opposition groups and build a reputation rooted in violence and the threat of the use of force. In 2001, the Command promoted a ‘mega-rebellion’ when 29 prisons in São Paulo rebelled simultaneously through coordinated actions that impressed the authorities: by the use of cell-phones (19) leaders communicated with other prison units and

orchestrated the starting point of mutinies, delimited the list of demands and guided negotiation processes. The event revealed the dimension of PCC’s power over the incarcerated population of São Paulo, causing the governments’ demoralization.

In early 2000s many leaders were transferred to other prison units which contributed to the dissemination of the Command’s ideals. PCC rapidly expanded gathering attention and adherence of other inmates, developing a unifying discourse with a political tone of “us” (the prisoners) versus “them” (the system). The group further overflowed the prison environment establishing a symbiotic relationship with urban poor communities - where the state is usually absent except for police repression - exercising its influence over illegal economies, notably drug trafficking.

4.3. Structural Reform

Around 2003, PCC went through a restructuring process after a clash of power between its leaders. The new configuration exhibited a complex and ramified structure formed by relatively autonomous cells with specific functions. The top level was composed by a group of 15 to 20 members that represented the core of the Command from which extended diverse nuclear cells - according to predefined activities - that, in turn, ramified into different branches according to more specific and regional functions that go all the way from state-level to the particular microcosmos of a “*quebrada*” (20) or a prison wing.

The outgrowth and branching of the new organizational model met the group’s more ambitious social and economic objectives, notably its expansion into the illicit drug market at the national level.

In 2006, PCC promoted the ‘May attacks’, as it was dubbed by the media. Dozens of prisons in Brazil rebelled simultaneously combined with armed attacks against symbols of the state, such as murdering of police and correctional officers, burning of public transports and damaging of government buildings. It is speculated that the attacks only ceased after an agreement between PCC’s leaders and the government of São Paulo.

PCC was able to use its dominance and power to orchestrate protest and violence as a bargaining chip to negotiate with authorities. This further eroded the state’s capacity to control the incarcerated population which led to a precarious relationship between inmates and prison staff in a fragile equilibrium through treacherous agreements, albeit necessary to maintain prisons functioning. A correctional officer stated: *“once you step inside a prison unit you are already a hostage of the prisoners. [...] they [PCC] are the bosses in prisons [...]. Many authorities had to sit down with the leaders of the PCC and make agreements and concessions in order to keep the prisons running”*.

Aside from setting the rules within the penitentiary system, PCC extended its regulatory body outside the prison walls due to the symbiosis between prisons and poor communities in urban peripheries which is fed by the state-provided threat of imprisonment of those inhabitants who are subjected to the selectivity of the criminal system as a whole (police, judiciary and prison). As police activity tends to be more pronounced in those areas, arbitrary arrests are customary due to the vulnerability of their inhabitants, who are predominantly black, poor and migrant.

In this context, the identity created in the prison environment is also fostered by others who are misrepresented by the broader society and who

perceive PCC’s discourse as legitimate. Thus, PCC expands and gains followers in the social fabric. Additionally, the deficiency of rehabilitation programs for prisoners ultimately leads to reoffending. Hence, PCC influences the behaviour of those in freedom and uses the high-likelihood of (re)incarceration to project its power (21).

4.4. National Empire and Drug Trafficking

PCC was able to spread to other states of Brazil as a result of multiple transferences of its leaders to other prisons in a frustrated attempt to fracture the organization. The expansion of the PCC throughout the prison system draw a new configuration of space and dynamics. A communication structure was established through multiple prison nodes and regional leadership, a which in turn allowed the development of new types of criminal opportunities and expansion of the group in the drug retail business in micro and macro levels.

PCC thrived in areas where the drug trafficking market is not yet structured or organized. The Command co-opted pre-existing local illicit actors in new territories by offering protection, goods and services through the payment of taxes. As stated by Lessing: *“PCC has used its coercive power to organize drug markets, operating as a primary wholesaler, tax collector, and arbiter of disputes among myriad small-scale retailers throughout the urban periphery”* (2014, p. 13).

Nowadays PCC is present in all states of Brazil exercising significant dominance over the prison system. Despite its expansion within Brazil, PCC was still dependent on middlemen to import and transport drugs to urban centres. Around 2008, the Command started to eliminate intermediaries on Brazilian soil and take control of domestic drug routes, gaining control over illicit goods from the moment they crossed the border all the way to their

final destination. That made the Command less dependent on third parties and it developed social networks with international ties. Consequently, the next step was to expand to neighbouring countries.

4.5. International expansion: gaining ground in Paraguay

4.5.1 Why Paraguay?

South America is home to cocaine-producing countries Colombia, Peru and Bolivia, as well as to a good quality cannabis producer, Paraguay. Brazil has over 15.000 km of border with ten different countries. An area of 150 km inland from international borderlines is subjected to different regulations and it represents 27% of the national territory. Yet, it only contains 5,6% of the population. The country's geographic position combined with established infrastructure is strategic for international drug traffickers that benefit from several seaports, airports and uneven presence of the state in large areas of its territory. These are some of the factors that led Brazil to occupy the foremost position within South American countries as the departure point for the cocaine that reaches Europe, Africa and Asia, according to the UNODC (2016).

Even though Brazil shares borders with cocaine-producing countries, the available routes in the country's northern region offer more risks and are time-consuming. The irregular topography of the Amazon basin makes the North routes hazardous and difficult to cross. Additionally, the precarious infrastructure of the northern states led drug traffickers to look for alternative and more lucrative routes.

The Paraguayan route features many benefits for illegal entrepreneurs looking for a less risky environment. This stretch of land is characterized by an extensive border (1.339 km) with Brazil's

South and Midwest regions which present developed infrastructures for the outflow of agribusiness products to the country's South and Southeast regions, as well as to international seaports and airports. The area presents a hinterland with a large concentration of farms, low population density and lack of state presence. Large ranches are perfect for clandestine landing strips where small aircrafts transporting cocaine can unload the drug which is then transported by land in hidden cargo compartments. Furthermore, Paraguay has no radar system to control its airspace.

Brazil's domestic drug market is predominantly constituted by cannabis and cocaine. The latter is imported mostly from Bolivia and Peru. It is speculated that 80% of Bolivia's cocaine is aimed at Brazil's consumer market, most of it is transformed into "crack cocaine". Paraguayan cannabis is extensively imported. It is estimated that between 80 to 90% of the cannabis grown in Paraguay ends up in Brazil (22). Paraguay also serves as a financial hub for money laundering with the existence of multiple exchange houses where money can be easily converted and later disappear without a trace. Paraguay's weak institutions and historically rooted bribe and extortion practices created the perfect environment for criminal groups to settle in the country and conduct their business with impunity. The National Police is regarded as extremely corrupt. Low wages and a strong bribe-culture facilitate illicit entrepreneurs' drug trafficking venture. Williams and Godson pointed out that "cultures in which the culture of lawlessness and corruption is endemic provide an important incubator for transnational organized crime looking for new opportunities" (2002, p. 330).

Accordingly, an experienced correctional officer explained: "*Paraguay is a failed State in terms of security.*

There is too much corruption and that resulted in a boom of PCC members entering and settling in the area. Many run-away prisoners from Brazil find a 'safe house' in Paraguay, where they bribe National Police officers and are even escorted into the country! They pay and the police allow them to stay there. [...] In Paraguay you can buy anything and anyone".

A Brazilian police investigator stressed the linkages between police corruption and politics in Paraguay: *"every order comes from a higher hierarchy and everyone in the political chain in Paraguay is involved, the National Police Chief, the governor, the senator, the congressmen... [...]. Everybody gets a share of the drug business... So, it is difficult to fight it. Because there is no interest in fighting it; [...] no one actually wants drug traffickers to go down. How can you combat it when there are high-rank politicians involved? No one will go against them... it is too dangerous!"*.

All local respondents had examples of the intertwining between licit and illicit activities at the border. A journalist from a border town in Brazil, summarized: *"over here you live in two worlds, the licit and the illicit, because you cannot tell who is what [criminal or not]. Or you know, but you are forced to live with it"*.

Drug traffickers also take advantage of the country's extreme poverty and lack of social programs for rural communities. With no incentives to grow licit sustainable crops, *"campesinos"* (peasants) see themselves dragged into cannabis production as a means of subsistence. Despite being looked down on, growing the *"hierba maldita"* (cursed herb) has become for peasants the only option in some regions.

4.5.2 PCC's aggressive take over in Paraguay

Around 2010, police investigations reported having intercepted a directive from the Command determining that the 'Family' should expand to neighbouring Paraguay through the dissemination

of PCC's ideological discourse. PCC's presence was intensified, especially at the border, and the Command's discourse started to captivate locals inside and outside prisons.

When enquired about the Command's presence and activity in Paraguay a PCC member commented: *"PCC is now in 7, 8 countries! Of course, PCC is in Paraguay!"*. The respondent disclosed that PCC has been in Paraguay for many years where it has developed a solid base. The inmate added: *"we have a lot of contacts, you know? We don't necessarily need to be in a certain country in order to operate there. Our contact network is huge"*.

Accordingly, a Paraguayan journalist added *"we know that PCC is present in all capital cities of Latin America. They hire the best economists in multiple countries [...], where they are investing and laundering money derived from drug trafficking. [...] PCC is highly developed and with a first world structure"*.

According to a correctional officer at the border, PCC has a long-term plan to take over strategic drug routes and production sites in South America, and it has started with Paraguay, *"Their goal is to eliminate all middlemen and become the direct distributor of drugs [...] both marijuana and cocaine"*. The respondent noticed that PCC started to conduct many 'baptisms' in Brazilian and Paraguayan prisons near the border with the objective of strengthening its presence and creating *"a league of local members to support them in their expansion plan"*.

Oscar Chamorro, Commander of the Paraguayan Special Force Anti-narcotics (SENAD), noted that PCC's perception regarding Paraguay has changed: *"Before they used to view Paraguay as a 'resting place'; a place to escape to when things got bad in Brazil. But not anymore, now they want to take control of illicit businesses, Paraguay is now viewed as an opportunity land for criminals"*. Chamorro asserted that PCC is

eliminating the ‘realtors’ or ‘dealers’ - who used to intermediate the cannabis purchase – and started negotiating directly with the ‘acopiadores’ - a type of ‘product manager’ that sponsors and funds cannabis plantation fields and is in direct contact with the fieldworkers (23). Federal police agents claimed that PCC would be eliminating not only the ‘realtors’ but also the ‘acopiadores’ and dealing directly with landowners and fieldworkers. *“One thing is to be responsible for the distribution; another thing is to be responsible for all of it, from production to distribution. You then control the source of income. [...] That doesn’t mean that the PCC is going to work on the cannabis plantation fields ‘per se’, rather, it means that they will be the ones setting the rules of this economy”* said Chamorro.

PCC is also trying to take control of the main cocaine trafficking routes that use clandestine landing strips in Paraguay’s countryside and the border with Brazil: *“We have information that PCC is acting like a mafia, charging a fee for other drug dealers who wish to use the landing strips in Paraguay. [...] They are taking over whole areas. Our intelligence analysts reported that this is just the first stage; the second step will be to directly own entire areas and have cells looking after these businesses, for instance renting clandestine landing strips. [...] We have concrete information derived from investigations [...] which indicated that even cases in which the cocaine did not belong to the PCC, the Command was involved in some part of the drug logistics. [...] So, this all points towards PCC consolidating its dominance here in Paraguay”* informed Commander Chamorro.

The Command formed strategic alliances with important ‘power brokers’ in the region, such as established drug lords and politicians, in order to benefit from their extended social network in Paraguay (24). In accordance, a regional police chief stated: *“it is part of PCC’s ‘modus operandi’ to eliminate*

all competition, gain full control and make business-profit-oriented alliances”.

Furthermore, PCC is taking over the illicit drug market in Paraguay by use of force and threat of violence, strengthening its reputation of violence and brutality: *“[...] they are killing many people. If you don’t agree with working for them or handing over your share to them, then they will kill you. [...]. They murder anyone not willing to ‘cooperate’, do it their way”* argued a Brazilian federal police agent.

In June 2016, PCC conducted a military operation to assassinate Jorge Rafaat, a well-established and autonomous drug lord that taxed criminal groups operating in the border area. The death of Rafaat is considered an important occurrence in the region’s illicit dynamics and the beginning of PCC’s dominance. Undeniably, the event had a significant impact on drug trafficking routes and reshaped relationships between prison-based criminal organizations throughout Brazil. In the aftermath of the murder, PCC broke alliances with Rio de Janeiro’s main criminal faction, the Red Command or CV – that also used the Paraguayan border intensively for drug trafficking. This rupture caused both organizations to arm up against each other and search for new alliances. The most visible result of this situation was the violent prison rebellions at the end of 2016 and beginning of 2017 when over 150 inmates were brutally murdered, displaying a new composition of power arrangements between prison factions in Brazil.

Paraguayan journalist, Candido Figueredo, argued: *“in my experience, it is not going to take long for a real war to happen here at the border... a war for the dominance over cannabis plantations and the cocaine routes [...]. Drug trafficking economy is very affluent here, it moves millions of dollars per year... [...]. Many criminal organizations want a share of it”*. Experts and respondents agreed that

this is just the beginning of a war for power and control over the drug trafficking businesses in the Paraguayan-Brazilian border.

5. Analysis.

For the purpose of this article, the theoretical framework will be examined in two perspectives: (a) regarding the theoretical developments on the topic of organized crime, examining the PCC from a sociological perspective; (b) concerning the effects of the application of the legal concept of organized crime in the context of the PCC.

5.1. PCC and Organized Crime Typologies

As seen above, PCC presents many characteristics and elements found in the literature of 'organized crime', notably the typologies of mafia, illicit enterprise, criminal networks and social embeddedness.

PCC's initial structure resembled Cressey's (1969) bureaucracy model of mafia-type organizations as it displayed a pyramidal-shape hierarchy and stratified roles. The Command presented ideological goals and focused on fighting state oppression. The development of an ideological discourse carefully woven in shared experiences further legitimized the PCC in the minds of the prison population. Similar to mafias, PCC made use of subcultural backgrounds (of the incarcerated population and poor communities) enforced by rituals and symbols, such as the 'baptism' initiation and behavioural codes, that are used to foster fraternal bonds between members.

In the view of the director of Paraná's Penitentiary Department, Luiz Alberto Cartaxo, PCC would function as a "*state within the state*", that he described as a mafia-style parallel power that not only fills the void where the state is inefficient or not present, but also enforces tax payments, has working capital

and generates revenues that are injected into licit and illicit activities. The director added that PCC enjoys a higher degree of effectiveness and legitimacy than the government in the communities where it is present.

Moreover, PCC's reputation for being extremely violent has played an important role in maintaining the continuity and longevity of the group. PCC also directs its military power against government agencies that threaten or pose a danger to the group (i.e. the 'May attacks'), as well as intimidates and coerces politicians, correctional officers and law enforcement agents when those are not co-opted through bribery and corruption.

After the restructuring process, PCC developed a more horizontal organizational model that can be analysed under the concept of criminal networks. According to Williams (2001, pp. 61-97), considerable sized criminal networks tend to exhibit power asymmetries represented by the presence of both a core and a periphery; the former providing the steering mechanisms for the network as a whole – as in PCC's higher rank based in São Paulo. The periphery is characterized by looser relationships, yet not less important: it is precisely the peripheries of a criminal network that allows the core to operate from a distance – PCC's multiple cells and branches, and operational "soldiers" at the front line.

As a result, PCC started to operate in a more business-like manner due to the enhanced complexity of its inner-workings and new demands from illicit markets. The group adopted profit-oriented and market-based guidelines. According to the enterprise approach, organized criminal groups thrive the same way as legitimate businesses: by responding to the needs and demands of the market

niche they are invested in. Thus, economic concerns shape the behaviour of the group.

Given the high risks of illicit enterprises, social relations and social networks play a crucial role in mitigating the problem of distrust as transactions are embedded within networks of personal relations. In this sense, social embeddedness can be seen as a strategy for criminal groups as it allows them to form connections, relationships and interact with the legal society, which in turn broadens their opportunities to commit crimes. PCC was able to overflow out of prisons and gain presence and dominance in vulnerable communities, multiplying its social connections and opportunities. Additionally, the Command established multiple commercial alliances with several prison-factions and criminal groups in other states of Brazil and abroad.

PCC also associated itself with important 'power brokers' in Paraguay, such as government authorities and local illicit entrepreneurs. By benefiting from their extended social network within Paraguay's licit and illicit worlds, PCC gained key contacts, access, and penetrated legal and illegal local economies.

Furthermore, PCC's advances in Paraguay can also be analysed under Garzón Vergara's concept of 'rebellions of criminal networks', in which the author examines factors that influence the constant changes in terms of structure and dynamics of Latin American organized criminal groups. According to the author: "[t]he current dynamic is marked by efforts of various criminal factions to break out of a state of subordination (internal and external), establish links to the global economy, raise profit levels, reduce the number of intermediaries, diversify products and investments, and, to the

extent necessary, reconfigure [their] institutional order" (2012, p. 1).

In summary, in the present scenario PCC can be viewed as a group of organized criminals who is, at the same time, ideologically-driven and profit-oriented; one that aims to control and influence the illicit drug market in the Paraguayan-Brazilian border, using violence or threat of violence to drive out competitors and to establish ties with the upper world (politicians, judicial system, police officers and licit entrepreneurs) by laundering money and injecting it into the licit economy. It has succeeded in maintaining cohesion over time through the reinforcement of shared cultural aspects and a strong ideological discourse.

5.2. PCC and the Legal Concept of Organized Crime

Many statutes tend to define organized crime as a list of (already existent) crimes. Finckenauer (2005) stated that a simple listing of crimes is not an effective way to solve the definition dilemma. Paoli and Vander Becken (2014, pp. 13-31) argued that policymakers and legal practitioners hesitate to welcome a less vague definition for fear of creating legal controversy that might unduly complicate criminal trials. The legal definition of organized crime is constantly 'watered down' so that it incorporates also prison gangs, networks, or any group composed of at least three people that engage in criminal activities. In this sense, organized crime has virtually been reduced to equate co-offending by more than two perpetrators (Ibidem; Zaffaroni, 1996; Hagan, 2006). As a result, those who appear on the tip of the organization are the ones detected by law enforcement and prosecuted by the criminal justice system, while the core of the group remains free.

It is possible to identify across different countries a policy-making pattern that promotes heavier sentencing and more extensive powers for law enforcement agencies based on the argument of a ‘threat’ coming from one or more allegedly powerful and well-structured criminal organizations (25). In the case of the PCC, it is not uncommon for the government and the media to point the finger at the group whenever a large magnitude robbery or a violent crime occurs. In doing so, it reinforces the myth-character associated with the group and a scapegoat nature that justifies populist punitiveness policies, which are applied to a broad range of offenders under the “umbrella-concept” of organized crime - including those who are remotely linked to the commission of criminal activities. These offenders will be placed in a criminogenic prison system and become part of a vicious cycle that benefits the very criminal organization law enforcement is willing to combat. Paoli and Vander Beken concluded that “organized crime remains a catchy label to appease popular anxieties and foster legislative and institutional changes” (2014, p. 26). In the case of Brazil’s Law 12.850/2013, the penalty for the commission of “organized crime” is three to eight years in prison, “without prejudice to the penalties correspondent to the other criminal offences committed” (26), that means that the offender will be punished for the crimes committed (i.e., drug trafficking and money laundering – both criminal behaviours that can be committed by more than three persons in an organized manner) in addition to the participation in a criminal organization. Moreover, the law also foresees aggravations, for instance, if the criminal organization commit crimes with the use of fire weapons or if the group has connexion with other independent criminal organizations, among others.

The law that criminalised “organized crime” has faced strong questioning by jurists and academics regarding its constitutionality. They pointed out that already existing types of crimes in the penal code incorporate a wide range of sanctions that allow sufficient punishment.

Zaffaroni argued that the legal definition of organized crime is a “frustrated category” as any attempt to categorize organized crime ends up in a diffuse notion. The jurist highlighted the consequences of its application: “The transport of a frustrated category to the criminal law field is nothing more than a criminalization underpinned by a diffuse, indefinite idea, lacking certain limits and, finally, an injury to the principle of legality - that is, the first and fundamental characteristic of liberal criminal law or guarantees” (1996, p. 58).

Bolstered by the tag “organized crime”, Brazil’s punitive system targets the most visible parts of the drug trafficking chain, namely the ones working at the most vulnerable and exploited positions, who are also the ones whose elimination will not affect the criminal structure. Only in rare occasions is it possible to reach high-level hierarchies of such organizations, and even rarer are the cases in which embedded ties of drug traffickers with political spheres are uncovered.

In this sense, Cirino dos Santos critically argued that the criminal response to organized crime is merely symbolic, “a sort of rhetorical satisfaction for public opinion through the official stigmatization of organized crime - in fact, a political discourse of obvious utility: it excludes or reduces discussions about the dominant neoliberal society’s economic model in contemporary societies and hides the responsibilities of international financial capital and the conservative elites of third world countries in creating conditions conducive to the expansion of

criminality in general and eventually local mafia-type organizations. [...] [T]he concept of organized crime functions as a discourse covering the political incapacity of local governments to institute democratic reforms: political incompetence regarding structural social problems [such as] employment, housing, schooling, health, etc., are compensated by the demonstration of administrative competence in the fight against organized crime” (2002).

It could be argued that the application of the legal definition of organized crime and its harsher sentences, coupled with Brazil’s criminogenic prison system and drug prohibition law, are the main factors in the maintenance of the illegal market. This market is aided by mechanisms derived from mass incarceration policies and selective punitiveness approaches by the criminal justice system. This method uses the penitentiary system to chronically incapacitate poor segments of society at the same time as it recruits them to work for prison factions, further enhancing criminal organizations’ profits by colluding with government institutions and the financial system through money laundering. Solving the conceptual quagmire is important, considering that how organized crime is defined affects and shapes policymaking and law enforcement actions, as well as determines how investigations and prosecutions are conducted, influencing international cooperation across borders. Moreover, broad, vague, and ambiguous definitions on criminal statues may hinder the due process of law and be deemed unconstitutional as they undermine the effective exercise of the right of defence.

6. Conclusion.

This work has approached the PCC phenomenon from the perspective of organized crime with two subdivisions: the theoretical developments on the field of organized crime studies were applied to the PCC in a sociological analysis taking into account the group’s particularities regarding its activities, dynamics, roles, behaviour, structure, etc. Furthermore, the issues and consequences of the application of the vague legal definition of organized crime were critically assessed in the specific case of the PCC.

The data collected showed the PCC to be an organization that presents elements of organized crime typologies, such as structure; membership; continuity; reputation; profit-oriented behaviour; capacity to penetrate legitimate economy and ability to maintain a mutual beneficial relationship with authorities through corruption schemes. Hence, examining the group under the theoretical perspectives of organized crime may contribute to the study of the group and their role in drug trafficking in South America.

The Command has been investing its capital and human resources into a new enterprise in Paraguay. The construction of a vast network of contacts and the establishment of a solid base in Paraguay show how serious their intentions are in the country. As one respondent speculated, PCC may be able to grow as big and strong in Paraguay as it did in its motherland. Conditions are favourable to support this hypothesis, given the corrosive generalized corruption in all levels of the Paraguayan state. PCC is embedding itself in Paraguayan social and political structure, entering key spheres of democracy and state organs, forming a hybrid power composed by treacherous ties between the licit and the illicit worlds. Moreover, PCC is displaying aggressive

market-oriented behaviour in order to become a major player in drug trafficking in South America.

Restraining the activities of PCC represents a huge challenge for both Brazilian and Paraguayan governments, which do not seem inclined to engage in any long-term strategies for it would necessarily entail discussing and promoting serious changes of the prison system and reviewing the drug prohibition policies.

The “war on drugs” approach provided the conditions for organized criminal groups to emerge as the suppliers of prohibited goods in a highly profitable manner, akin to licit businesses. In fact, PCC’s role in the illicit drug market has had a disciplinary effect on the activity in certain areas. In this sense, the group performs an economic function by organizing some segments of this market.

As for the illicit drug market, prohibition works to its advantage in that the continued non-regulation of this sector by lawful means allows criminal actors to expand their criminal network and become embedded in licit businesses and political spheres, hence perpetuating and strengthening relations of power and influence. In addition, independent criminals and first-time offenders, once imprisoned, will eventually become a member of a faction for a better (or only) opportunity to “work” or merely for survival.

Within this context, prohibition and the application of the legal concept of organized crime to groups such as the PCC lead to mass incarceration, which in turn strengthens these very same groups by indirectly assuring the monopoly of criminal activities by bigger groups, and also by recruiting more members for the Command.

Thus, the legal discourse that links the PCC (and other similar prison-based drug trafficking groups)

and organized crime is not a harmless one inasmuch as it possesses economic and social consequences. Commonly, the first response is focused on repression, which has proven to be ineffective in combating those groups.

The diffuse and vague notion of organized crime that encompasses all forms of criminal aggregations is the legal framework through which arbitrary punitive interventions are justified and legitimized. In this context, it seems like the broad generic concept of organized crime (and the confusion that derives from it) works as it is intended to: to perpetuate the ineffectiveness in combatting drug trafficking, which victimizes vulnerable segments of the population (including the very own police enacting on it) while creating a vicious cycle of mutually beneficial obscure relationships between the illicit, political and financial sectors. All of this, in the case of Brazil’s criminal factions, is fed by the prison system.

The whole punitive system is, therefore, self-perpetuating considering how criminal selectivity operates as the “invisible hand” of the illegal market’s labour force: by targeting a specific segment of the population, the prison system feeds the PCC and maintain drug trafficking as the most profitable (and viable) prospect for the incarcerated population.

Notes.

(1) There are many ‘criminal factions’ throughout prisons in Brazil, their extension and power vary according to regional characteristics. Nonetheless, São Paulo’s PCC and Rio de Janeiro’s CV (*Comando Vermelho* or Red Command) are the major ones and they influence criminal dynamics and disputes on a national scale.

(2) Dias’ work is paramount for the comprehension of the background that preceded and propelled PCC’s emergence, growth and continuity, as well as to comprehend its role as a dominant force and a mechanism of social control within the prison environment (Dias C. N., *Da pulverização ao monopólio da violência: expansão e consolidação do Primeiro Comando da Capital (PCC) no sistema carcerário paulista*, PhD Thesis, Universidade de São Paulo [USP],

2011). Further readings include Salla F., “Prisão e Crime Organizado no Brasil. Seminário ‘Crime, violência e cidade’”, *Universidade de São Paulo, Programa de Pós-Graduação em Sociologia*, USP and NEV, São Paulo, 2009; Biondi K., *Junto e Misturado: Imanência e Transcendência no PCC*, Master Thesis UFSCar, São Carlos, 2009; Jozino J., *Cobras e lagartos: a vida íntima e perversa nas prisões brasileiras: Quem manda e quem obedece no partido do crime*, Objetiva, Rio de Janeiro, 2005; Adorno S., Salla, F., “Organized criminality in prisons and the attacks of the PCC”, *Estudos Avançados*, 21(61), 2007, pp. 7-29. Lessing B., “How to build a criminal empire from behind bars: Prison gangs and projection of power”, 5 May 2014, Available at: www.iza.org/conference_files/riskonomics2014/lessing_b9947.pdf; Souza F., *PCC: a Facção*, Record, São Paulo, 1997; Souza P., *O Sindicato do Crime: PCC e outros grupos*, Ediouro, Rio de Janeiro, 2006, among others.

(3) For example, the work of Biondi K., *Junto e Misturado: Imanência e Transcendência no PCC*, Master Thesis UFSCar, São Carlos, 2009; Marques A., *Crime e Proceder: um Experimento Antropológico*. Alameda, São Paulo, 2014; Jozino J., *Cobras e lagartos: a vida íntima e perversa nas prisões brasileiras: Quem manda e quem obedece no partido do crime*, Objetiva, Rio de Janeiro, 2005; Shimizu B., *Solidariedade e Gregarismo nas Facções Criminosas: um estudo criminológico à luz da psicologia das massas*, Master Thesis, Faculdade de Direito da Universidade de São Paulo, São Paulo, 2011, among others.

(4) For example, Freitas Jr. R., *Prisões e Quebradas: o campo em evidência*, Master Thesis, Universidade Federal do Paraná [UFPR], Curitiba, 2017; Telles V., Hirata D., “Ilegalismos e jogos de poder em São Paulo”, *Tempo Social, Revista de Sociologia da USP*, v. 22 (2), 2010, pp. 39-59; Marques A., *Crime e Proceder: um Experimento Antropológico*. Alameda, São Paulo, 2014; Feltran G., *Fronteiras de tensão: um estudo sobre política e violência nas periferias de São Paulo*, PhD Thesis, Universidade Estadual de Campinas, Campinas, 2008; among others.

(5) See the work of Biderman C., Lima S. R., Pinho De Mello J. M., Schneider, A., *Pax Monopolista and Crime: The Case of the Emergence of the Primeiro Comando da Capital in São Paulo*, CAF, Caracas, 2014, available at: <http://scioteca.caf.com/handle/123456789/712>; Denyer Willis G., “Deadly symbiosis? The PCC, the state and the institutionalization of violence in São Paulo”, In Jones G.A., and Rodgers D. (Eds.), *Youth Violence in Latin America: Gangs and Juvenile Justice in Perspective*, Palgrave, New York, 2009; Denyer Willis G., *The Killing Consensus: Police, Organized Crime and the Regulation of Life and Death in Urban Brazil*, University of California Press, Berkeley, 2015; among others.

(6) For example, Ministério Público de São Paulo, *Procedimento Investigatório Criminal n. 336/10 - GAECO/SP*, São Paulo, 2013.

(7) Own translation. Presidência da República, “Lei n. 12.850 de 2 de Agosto de 2013”, Casa Civil: Subchefia para Assuntos Jurídicos, 2013, Available at: www.planalto.gov.br/ccivil_03/ato2011-2014/2013/lei/12850.htm

(8) Coupled with the fact that without previous elaborating on trust people would not open up to the object of inquiry.

(9) This research population is of importance for the understanding of the PCC as these areas constitute a place in which criminal selectivity is enacted at its most repressive and stereotyped form – which is closely related to PCC members’ common background: state negligence, poverty, crime and prison.

(10) Thus, it should be acknowledged as a research limitation the fact that the research population was largely constituted

by law enforcement and security agents which could generate a biased reflection on the research object, as commonly officers and authorities tend to display a more conservative or mainstream view over topics such as crime, security and control. Furthermore, the relatively small amount of data generated by PCC members and the absence of data from inhabitants of communities in which the group is present may impact external validation. Despite not being the primary focus of this research, it is of importance to examine the PCC from those perspectives, therefore this facet was largely approached through literature review and informal conversations.

(11) In total, ten respondents were not audio recorded.

(12) An inductive approach was used in which codes evolved from the content of the data collected. (See Noaks L., Wincup E., *Criminological Research: Understanding Qualitative Methods*, Sage Publications, Los Angeles, 2004; Hudson B., “Critical Reflection as a Research Methodology”, In Davies P., Francis, Jupp V. (Eds.), *Doing criminological research* [eBook Kindle], Sage Publications, 2011).

(13) It is important to acknowledge the different perspectives on the topic. In this sense, much thought was given to the fact that the PCC is a multifaceted phenomenon that cannot be fully comprehended through solely one facet or theory, and that an interdisciplinary approach is needed to comprehend its complexities.

(14) Media plays an important role in portraying and constructing reality. It may exaggerate the portrayal of a criminal group or crime, creating moral panics that fuel public anxieties that unravel in support for punitive and repressive measures (Cohen, S. *Folk Devils and Moral Panics: The Creation of the Mods and Rockers*. Routledge, New York, 2002). At other times, media may undermine respect for police and law enforcement agencies, building public discontentment and distrust (See Happer C., Philo G., “The Role of the Media in the Construction of Public Belief and Social Change”, *Journal of Social and Political Psychology*, 2013, Vol. 1, No. 1, 2013, pp. 321–336.; Jewkes Y., *Media and Crime*, Sage Publications Ltd, London, England, London, 2004; Jewkes Y., “The Media and Criminological Research”, In Davies P., Francis, Jupp V. (Eds.), *Doing criminological research* [eBook Kindle], Sage Publications, 2011).

(15) Local, regional, as well as national newspapers from both countries were analysed.

(16) Provided by respondents and open sources (judicial cases and media).

(17) Provided by respondents.

(18) The public security sector resisted new approaches and rationalities partly due to the common practice of arbitrary violence cultivated during the twenty-year period of dictatorship.

(19) Technological advances, notably cell phones, were paramount in PCC’s expansion process. Despite being prohibited, the devices are smuggled inside by visitors, corrupt prison staff and even drones.

(20) Freitas Jr. provides a definition of ‘quebradas’ as “corners of extreme poverty in suburban neighbourhoods of big cities and urban centres” (Freitas Jr. R., *Prisões e Quebradas: o campo em evidência*, Master Thesis, Universidade Federal do Paraná [UFPR], Curitiba, 2017, p. 4).

(21) As stated by Lessing: “Why do people on the streets obey the orders of prison-gang leaders who may spend the rest of their lives behind bars? [...] A former drug boss I interviewed in Rio put it even more simply: ‘Whatever you do on the outside, on the inside you’ll have to answer for it’” (Lessing B. “How to build a criminal empire from behind bars: Prison gangs and projection of power”, 5 May 2014,

Available at:
http://www.iza.org/conference_files/riskconomics2014/lessing_b9947.pdf

(22) It should be highlighted that Paraguay itself does not have a cannabis domestic market – production is export-oriented. The country presents one of the lowest levels of marijuana consumption in South America.

(23) Previously PCC, as well as other groups, used to contact different ‘realtors’ that would then contact multiple ‘acopiadores’ who in turn would collect the cannabis with the landowners and gather sufficient quantities of the drug to be transported to the border.

(24) Power brokers are important actors in transnational criminal networks as they are able to “manipulate information, maintain key contacts and establish connections among illegal factions and also between the legal and illegal worlds”. (Garzón Vergara, J. C., *The Rebellion of Criminal Networks: Organized Crime in Latin America and the Dynamics of Change*, Woodrow Wilson International Center for Scholars, Washington, D.C., 2012, p.1).

(25) As critically argued by Zaffaroni, the ‘concept’ of organized crime serves the purpose of finding a culprit for the ‘evil’ or ‘threat’ that a specific group represents (Zaffaroni, E. R., “Crime Organizado: Uma Categoria Frustrada”, *Discursos Sediciosos: Crime, Direito e Sociedade*, Ano 1, n. 1, Instituto Carioca de Criminologia, Rio de Janeiro, 1996).

(26) Own translation. Presidência da República, “Lei n. 12.850 de 2 de Agosto de 2013”, Casa Civil: Subchefia para Assuntos Jurídicos, 2013, Available at: www.planalto.gov.br/ccivil_03/ato2011-2014/2013/lei/l12850.htm

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