

## DRUG TRAFFICKING AND THE UPPERWORLD: CRIMINOLOGICAL AND NORMATIVE REFLECTIONS

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*This author deals with the problems of defining and analyzing upperworld crime in the context of drug trafficking and attitudes toward that criminal activity in society. The paper aims at facilitating such analysis by focusing on the interface of legal and illegal actors. In order to consider the role of drug trafficking activities in upperworld crime, the author determines the main meeting points of legal and illegal actors, giving a broader social context of their cooperation. Furthermore, insight into the notion of upperworld crime was given taking into account its key criminological and normative determinants. Finally, as organised crime, as well as its activities, especially drug trafficking, are in significant part a consequence of the social constructing of the image, the sociological aspect of upperworld crime was considered.*

*KEY WORDS: drug trafficking / organised crime / upperworld crime / economic crime*

### INTRODUCTION

Organised crime has been a significant part of the popular discourse, political, criminological, sociological, legal, media etc. Regardless of the phenomenological conception of organized crime, drug-related activities are today considered a commonplace when it comes to the organised crime. In the accepted relevant discourse organised crime is generally applied to denote a group of people who act together on a continuous basis to commit crimes for a gain using the threat of violence (Levi, 2002: 880).<sup>1</sup> However, the term was applied not only to describe the involved actors, but also to mark the set of criminal activities. Although the nature of organised crime remains deeply contested domain (Levi, 2002: 885), it seems that the doctrine accepts the binary division of organised crime in relation to the most frequently undertaken (criminal) activities. In this regard, distinction between organised crime of the traditional, mafia

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<sup>1</sup> According to Article 2 of the UN Transnational Organized Crime Convention "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.

type and organised crime that seeks to benefit on abusing conventional activities should be made. The main criterion for making this distinction lies in the core business from which the group makes a profit. If it is *per se* illegal, as it is the case with drug trafficking, racketeering etc., it could be reasonably inferred that it is about an organised criminal group of the mafia type. This premonition becomes a fact if it is a group based on a stable hierarchical structure and if it often resorts to violence. In light of this, the drug trafficking upperworld will be further on discussed taking the mafia type organised crime into account. Drug trafficking activities are traditionally associated with the organised criminal groups for a quite logical reason. As it is stated in the literature, the drug business industry is divided on "import, wholesale and retail" (Ignjatović & Škulić, 2012: 50) with the required high degree of organization and coordination between all actors involved.

Drug trafficking is nowadays considered one of the most lucrative businesses reserved for criminal groups and one gets the impression that this has always been the fact. However, this has not always been the case. Historical data indicates that different types of opiates were used by the Sumerians, Babylonians, Greeks, Arabs, as well as the peoples who inhabited the areas of Central and South America, before those areas were conquered by the conquistadors in the Middle Ages mostly for the medical purposes (Bajović, 2017: 518). The opium trading was not specifically prohibited, nor did public policy makers pay special attention to this type of activity. Moreover, opium has in many cases been prescribed to patients for medical treatment (Bajović, 2017: 521). After the opium war that took place in the second half of the 19th century, the awareness of the harmfulness of this substance came to the fore. Afterwards, the first international convention that treated the control of opium, morphine, cocaine and heroin was passed - the Hague Convention of 1912. A decade later, the Geneva Convention was adopted, establishing the first ban on trade in these substances.

It is believed that opium came to Europe from the Middle East in the 13th century, however, the beginning of mass use of narcotics in Europe is recorded in the 19th century (Petrović, 2003: 10). Following the trends from the beginning of the 20th century, drug availability and consequently the activity of official organs were minimal compared to the current situation. However, by the late 1950s a drug sub-culture seemed to be emerging and establishing (Tyler, 1995: 170) and the period of the late 1970s was known for new sources of heroin that were "opened", leading to an increasing availability of "new social evil". So far, the trend of drug consumption is constantly increasing, creating high demand and organised criminal groups traditionally misuse the lucrative nature of drug-related activities.

In order to tackle the upperworld crime issue in the context of drug trafficking, the first step that need to be conducted is to define upperworld crime in functional criminological sense. As we previously referred to a binary distinction between organised crime of the traditional, mafia type and other organised crime groups and activities, it could be said that such definition should be made around that fact. Although there is no a completely unanimous and homogeneous academic position on the nature of the acts that are considered the acts of organized crime, drug trafficking is included in the activities of the underworld that are traditionally prohibited regardless of the social, economic and political framework.

The starting premise is that violent members of organised criminal groups are involved in drug trafficking, who intensively and extensively use various types of violence to protect their business, ie those who are stigmatized as criminals, without formal social

legitimacy. In addition, drug cartels are generally considered to be homogeneous group with a stable hierarchical structure and rules of conduct within the group. The dominant narrative from the media content dealing with these issues also contributes to that conclusions. Nevertheless, according to data from the end of the last century, earnings from drug trafficking amounted to over \$ 670.00 per week based only on the dealership at the one New York street (Beirne & Messerschmidt, 1995: 68). Recent data show that the revenue from drug trafficking is estimated in more than \$ 20 billion a year only in Europe.

The previously stated statement on extremely lucrative nature of drug-related activities raises at least two crucial questions. Basically, both are related to the legitimization and legalization of "dirty money". In the first case, we could examine how criminal groups redirect such money into legal flows, while in the second case we can consider the ways in which criminals try to spend and use the acquired wealth far from the edge of criminal prosecution. This is the first point of overlapping of the two worlds, the underworld and the upperworld.

The second point that will be discussed is the issue of cooperation between legal and illegal actors. One should take into account different types of business arrangements of underworld criminals whose basic profit activity is illegal with different legitimate business entities and the state authorities as well.

Finally, the mechanism of the criminal law reaction directed against the so-called members of the underworld, and the legal actors who commit various crimes, on the other hand, need to be examined. The effort of trying to explain the points of interfering of the two worlds should take into account the important socio-economic factors that affect crime in general, with reference to the nature of organized crime.

## 1. THE NATURE OF ORGANISED CRIME AND TRENDS IN DRUG TRAFFICKING

Reflecting on the conditionality of the emergence of organised criminal groups and their ability to carry out inherent activities, Jay Albanese posed the question: Do criminal groups organize each other around a criminal opportunities embodied in a number of socio-economic circumstances or do they create them themselves (Albanese, 2000: 414)? The answer should not opt for one of the possibilities offered, but should underline the complex causality that leads to the commission of organised crime.

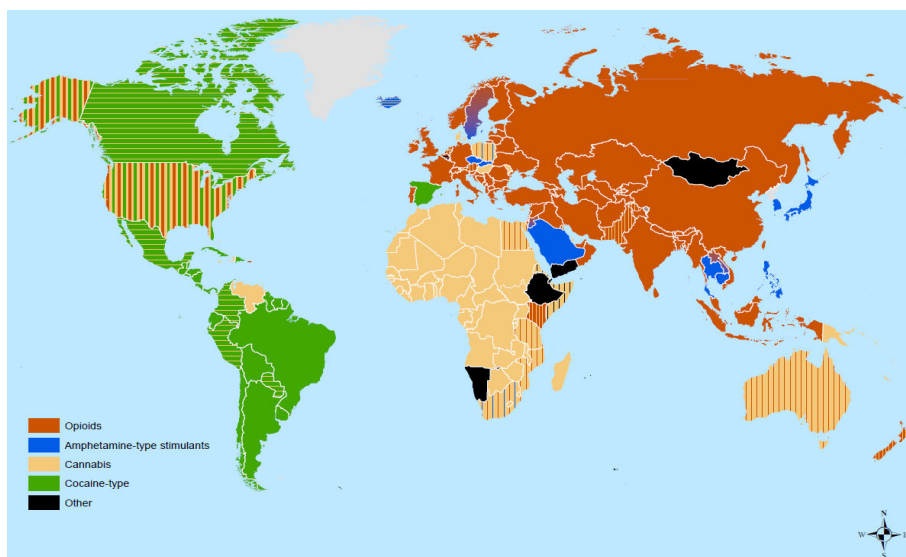
It is generally accepted academic position that organised crime did not originate out of the society or as Edward Kleemans stated, did not originate in the "social vacuum", but emerged from the social environment that have to be well understood and researched (Ignjatović & Škulić, 2012: 69). Having in mind Hegel's claim that the basis of all violence is the desire to own objects, the importance of economic or material conditionality for the occurrence of crime is obvious, especially when it comes to the organised crime which is in the doctrine classified as a property rather than violent crime since its goal is to make illegal profits (Stevanović, 2019: 114). This is indicated by the fact that in over 80% of the different definitions of organised crime, there is consensus that the acquisition of material gain as a goal of organised crime is one of the essential characteristics of that phenomenon (Albanese, 2000: 3).

The basic hypothesis of all the authors who explain crime by economic factors is that crimes are committed due to economic deprivation of individuals and the collective,

what is usually considered as a consequence of poor economic conditions and high unemployment in a society, as systemic generators of property crimes. Leaving aside the conditions for the emergence and development of organised crime, we will further look at the market orientation of drug trafficking and the criminal groups dealing with it. Drug-related activities as a market-based crimes are most often associated with organised crime and organised crime groups (McIntosh, 1975: 22). Thus, it could be reasonable concluded that establishing a monopoly position is one of the main strategic goals of organised criminal groups dealing with drug trafficking. Market and urbanization processes, which are considered to be the most important socio-economic conditions for the emergence of organized crime, have contributed to the expansion of “business” relating to the criminal structures (Howell & Moore, 2010: 23).

The above-mentioned processes went hand in hand with other political and socio-economic processes. The most significant among them are certainly the general globalization of society, both cultural and economic, as well as the rapid technological development that are moving criminal activities increasingly to the Internet. (Wall, 2015: 80). Processes of globalization have multiplied cross-border links and intensified interconnectedness in the economic, political and cultural spheres. Geopolitical equilibration of suppliers and receivers of illicit goods was establishing situation in which suppliers of criminal flows are not anymore mostly from developing world and countries in transition. On the other hand, receivers are not only from North America and West/Central Europe, Asia etc.

Picture 1. The demand on the market of narcotics and other opiates (Source: *UNDOC, Annual Report questionnaire and other Government Report*)



Criminal enterprises have also become global and became adapted to the circumstances (Passas, 2002: 11). Analyzing the main actors in the cigarette smuggling chain, Klaus von Lampe concludes that they are mostly small entrepreneurs with a simple structure and flexible organization as well as individual “entrepreneurs” (Von Lampe, 2003: 59). Lettizia Paoli shares this view based on the results of her own research on the drug smuggling and drug market (Paoli, 2003: 20). The dominant form

of criminal organization today is a "team" of a temporary character, which consists of a small number of members and whose hierarchical structure is loose (Bulatović, 2016: 74). When it comes to the structure and organization of organized criminal groups, the formation of structural networks around specific projects and short-term plans, which in business terminology could be compared to joint venture association are now prevailing model.

## 2. INFILTRATING IN LEGAL FLOWS - A STEP TOWARDS UPPERWORLD CRIME

Positivist and stereotypical conceptions drew clear lines dividing the law-abiding and conventional society from 'the underworld' (Passas, 2002: 12). Nevertheless, over the time, this state of affairs has completely changed due to the sophistication of both criminal groups and their activities, ie due to the aspiration of legal business entities to beat their business competitors by relying on underground services.

When it comes to the so-called 'upperworld crime' one can read almost anything into it likewise the Rorschach blot. However, it is important to take into consideration that criminal activities that fall under this term have two defining specifics. The first one refers to the perpetrators of these acts, and the second to the nature of their activities. The perpetrators of the upperworld crimes are people who have a certain reputation in their community, ie who are not stigmatized as criminal on a private and professional level. On the other hand, their basic business activities are conducted on the legal basis.

The term 'upperworld crime' as a concept and criminological-legal category still represents a point of academic dispute that has caused the existence of many different views on the concept itself and its most important characteristics. Hence, we can argue the non-existence of a single definition, as well as a theoretical concept that would to some extent frame and systematize the understanding of the term and contribute to its more adequate understanding. It can often be the case that many corporations and the goods they produce negatively impact our society without breaking any laws<sup>2</sup> by establishing various cartel agreements which legal nature is fluidly determined or when illegal actors doing "dirty work" for legal actors including here a whole range of different activities such as threats, intimidation, abuse etc.

To enter a criminal market, organised criminal groups need significant financial resources including but not restricted to it, credit facilities. Therefore, money from the legal sector is often needed by criminal groups to carry out illegal activities. *Vice versa*, money derived from the illegal activities is equally needed by legal actors who use it in order to be as competitive as possible in their legal market.

On the other hand, the huge amounts of money that criminal groups earn by trafficking drugs and engaging in illegal activities in general, must be infiltrated into legal flows. Otherwise, the motive for committing profit-driven crimes is lost. As we mentioned previously, this is the first and the most significant point where the legal and illegal sectors meet each other.

Money laundering therefore appears as a kind of entrance door from the underworld to the upperworld. However, this is where the potential mistakes of the involved actors occur, which we could label here as the principle of illogicality that could be useful to

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<sup>2</sup> Nikos Passas and Neva Goodwin used to say that such *activities are legal but ain't right*. It is also the title of their book, which we warmly recommend to interested readers.

detect the origin of money, involved actors and main sectors that serve to redirect illegal money into legal flows. What exactly does this principle mean? Individuals who strive to present themselves as successful businessmen are becoming enormously rich "overnight", while the origin of that wealth remains under a veil of secrecy. They establish numerous companies with large capital whose activities are not entirely clear even to the corporate experts. It can also be indicative that such companies, registered within the competent authority a few days ago with only a few employees, receive capital and million-dollar jobs on the state tenders. This state of affairs almost unmistakably indicates that, as Klaus von Lampe says, criminals are not alone and that organised crime can count on the help of certain legal business actors and state structures.

When it comes to the criminological theory, terms such as economic, financial, corporate or white-collar crime are increasingly used to describe what we previously marked as upperworld crime. Basically, all of them are reflection of reliance on different elements in the analysis of economic crime and the different starting hypotheses and premises of the authors who write about it (Stevanović & Cvetković).

According to the relevant literature, *Corporate crime* is distinguished by the fact that the benefit obtained by a prohibited act belongs to the company (Lukić, 2017: 1). Đorđe Ignjatović, on the other hand, underlines that it is difficult to distinguish between personal and company benefits, since the latter one, as a rule, leads to personal (at least indirectly) (career advancement, monetary reward, etc.). *White-collar crime* puts the "social capital" of the perpetrators in the foreground, emphasizing their high social status and social reputation. Previous practice and empirical indicators confirm that the perpetrators of economic crimes are mostly situated individuals, often with a significant social reputation, but it cannot be reasonably claimed that only individuals who possess the above social characteristics, conduct economic crime. *Financial crime* includes criminal activities in the financial market (Friedrichs, 2009: 169), which is an important part of any economy, but it leaves aside many behaviors whose harmful consequences have an immeasurable impact on the economic system. Therefore, the notion of economic crime should be understood as a genus notion for all legally prohibited behaviors (not only criminal ones) that threaten the economic system and society's trust in it.

The fact that today is increasingly difficult to draw a clear line between legal and illegal business, has its repercussions on criminal prosecution and the realization of criminal justice. It is a characteristic of the crime of the upperworld that it is sometimes difficult to find the criminal act in the respectable person in one and the same figure. A basic problem is clearly identified by the Assistant U.S Attorney: "It is not like a bank robbery where you have eyewitnesses that didn't take part in crime, but merely saw it happen. You don't have it on official corruption..." (Hagan & Bernstein, 1979: 472) and the same is when establishing linkages between legal and illegal actors. It is a complex criminological and legal phenomenon that emerged in modern society with the development of the economy and the market, and which is characterized by a diffusion of responsibility and victimization, poor visibility for the bodies of formal and informal social control, ie. significant difficulties in identifying the perpetrators and acts which, according to the valid criminal law regulations, are classified as criminal acts against the economy (Walklate, 2007: 102). Hence, it could be said that criminals dealing with the drug trafficking enter the upperworld in order to avoid criminal law.

On the other hand, on the example of criminal law and criminal practice of the Republic of Serbia, it is noticeable that prison sentences for acts of unauthorized

production and distribution of narcotics are most common in criminal statistics, with as much as 41% (Stevanović et. al, 2018: 18). However, an insight into the database conducted by the Institute for Criminological and Sociological Research during the research on recidivism in Serbia in 2018, leads to the conclusion that convicted persons are mostly members of lower social scales with weak social capital.

## 2.1. State and the drug trafficking

There is probably no better example of the use of the specific discourse of powerful elites in relation to state crime and the routineization of crime by the state than in the selective war against "narcotics." This continuous war actually encourages the spread of violence in Latin America what is fruitful for the interests of legal and ilegal actors that are in constant search of new resources and markets. The "logic of the war on drugs, which is still firmly embraced in both Washington and much of Europe," dates back to a period when cocaine powder or other cosmopolitan drug were using intensively and decades ago "creates a vicious circle of murders and other incidents that unite arms manufacturers in the United States, drug traffickers from South America, while creating a kind of habit of cocaine consumption by the middle class, from Berlin to Los Angeles" (Barak, 2017).

State-routinized crime (SRC) takes place in real time, relying on the integration of historical recurrences. The SRC also implies, as political scientists say when analyzing a complex financial system, the "capture of regulators", ie the situation when regulatory agencies are strongly influenced by those sectors of the economy, whose work they should supervise (Barak, 2017).

The position that the state government as a whole takes towards organised crime and drug trafficking, speaks of the state's strategy towards organised crime and the profiling of ties with the "underground" that are individually established by representatives of the state government and members of the political elite. These relations could be classified as follows:

- Tolerance
- Encouragement and active participation
- Selective control

Tolerance in the context of this issue could be described as an established practice of the existence of a "non-aggression agreement" between the state and the mafia, which is usually a consequence of the mutual benefits that result from such an "agreement".

When it comes to encouraging and actively participating in organised crime by the state, in addition to non-aggression as an accepted model of behavior, there is a greater degree of will on both sides to create a "criminal symbiosis" that often makes the state with the underworld partners. In that sense, the allegations of the European and American police services indicated that Guinea-Bissau characterized as the world's first "drug state" put its state mechanism completely at the disposal of organised crime.

Conducting "dirty" or other important tasks for the state is a common form of connection between ilegal actors and state which does not necessarily have a purely criminal motive, but the consequences are mostly harmful for the society, undermining its system at all levels. It is most applicable model of connection during wars, other armed conflicts or in situations of diplomatic tensions when the state uses subversive

activities for which it usually engages its underworld members in order to receive protection over its illegal activities or the possibility of infiltrating legal business. This type of connection between the state and crime was especially actual during the 1970s in the American public, and have provoked strong reactions from the general and professional public. Because of strong public pressure the director of the FBI was ordered by the public prosecutor to investigate the connections between the mafia and state authorities. However, the results of that investigation were never presented to the public (Ignjatović & Škulić, 2012: 57).

### 3. SOCIAL IMAGE OF UNDERWORLD/UPPERWORLD MEMBERS AND CRIMES

Organised crime, at least the one that is referred to in the literature as syndicated, could not even exist if there was no need in society for the goods and services it provides on the black market. Diego Gambetta basically treats organised crime as an element that is able to provide citizens with everything that state bodies and institutions are not, in a faster and more efficient way. In that sense, it can be concluded that organised crime implies a very specific interest that is able to provide a cooperative individual making him able to neglect abstract and general interests such as the rule of law, democratic society, free market, free competition and similar values that are severely endangered by organised crime. This statement can be represented in the most adequate way with the well-known maxim "I know it's bad, but I have individual benefit from it."

It could be pointed out that organised crime could not exist and develop its activities if a formal and informal form of social control showed a zero degree of tolerance towards it. This is also indicated by the aspiration of all criminal organizations to create positive image of themselves and present themselves as saviors, fighters against the corrupted system, patrons or successful entrepreneurs, businessmen or investors and most importantly, as people of reputation and honor. Such cases should be treated as attempts to gain some social legitimacy. Hence, it is not unknown situation that criminals and mobsters were the founders of schools and universities, foundations of a "humanitarian" character etc. The most illustrative example of this was Pablo Escobar, able to flirt with the people in an exceptional way by distributing food, clothes, building houses, and even helping a local football club what is especially appreciated in Latin American countries (Ignjatović & Škulić, 2012: 108).

In addition, by using the money earned in the drug business, the actors from the underworld try to enter the upperworld carrying their illegally earned money with them. One should agree with the claim that members of the underworld are increasingly seeking to take control of legitimate and legal entrepreneurship. Moreover, they tend to infiltrate the most important socio-economic flows of society to such an extent that it would even be inappropriate to sanction them in accordance with the law, viewed from the social need perspective. Thus, large economic legal entities which do not operate with high income, do not employ a large number of people and which activities are not vital for the functioning of a society are far more exposed to the sanctions for violating the regulations. In other words, frequent and harsh sanctioning of "economic giants" would jeopardize their business and consequently the existence of a large number of employees in such systems, leading to a higher unemployment rates and the opening up of a range of socio-economic issues and making great pressure on every state government. Hence, it should be concluded that the important economic systems in the



aforementioned sense have some kind of "factual immunity" as a benefit when it comes to the responsibility for breaking the law (Stevanović, 2015: 305).

The attitude of society towards organised crime needs to be considered in the light of the currently prevailing social model shaped by globalism, capitalism and neoliberalism processes. The acquisition of profit is one of the main goal and measure of social success. Hence, especially among young people, the mafialike model of behavior is accepted and recognized as successful. The members of the underworld are defined as capable individuals, who have achieved what is perceived as success beyond "boring" social channels such as education, expertise and work, which requires great effort, dedication and time.

Finally, one should not ignore the significant influence of the mass media on the creating the image of organised crime and the fact that free media with the possibility of uncensored reporting are a real rarity. Organised criminal groups and their activities are the subject of artistic expression in the form of books, movies, television series that are able to shape public perceptions of that phenomenon. The mafia is mostly portrayed in the light of mysticism and fairytale manner permeated with intrigue and glamor.

## CONCLUSION

Drug and crime relation could be analyzed from several points of view. In addition to criminal law, (material and procedural) and criminological aspect, psychological, sociological, cultural and economic prisms are also important for a comprehensive understanding of this important socio-economic issue. It can be concluded that the clear and sharp boundaries between good and bad guys are becoming less and less clear and noticeable. The wide range of socio-economic events influenced the change in the nature of crime in general. When it comes to organised crime and its traditional underworld activities, it is obvious that these changes went in the direction of increasing and intensive reliance on the legal and legitimate business sector, ie the state and its bodies, while on the other hand these legal actors equally used the services of the underworld.

Drug-related businesses are considered the most lucrative criminal business. Therefore, it is very important for criminals to be able to use that money without fear of criminal prosecution. The first step towards that is certainly the transfer of dirty money into legal flows by actions that the comparative criminal legislation criminalizes as money laundering. Within that process, many members of the underworld as well as legal actors who cooperate with them, leave criminal traces, which embodies the principle of illogicality. This principle basically implies the incompatibility of the lifestyle with the legal affiliations of the individual. Such phenomena should be the first signal that something is going wrong and that the criminal reaction of the state should direct its edge there.

## REFERENCES

1. Albanese, J. (2000) The Causes of Organized Crime – Do Criminals Organize Around Opportunities for Crime or Do Criminal Opportunities Create New Offenders? *Journal of Contemporary Justice*, 16(4), pp. 409-423.
2. Bajović, V. (2017) Zloupotreba opojnih droga i legitimnost krivičnopravne zaštite. *Crimen, Revija za kriminologiju i krivično pravo i Crimen*, 55(2-3), pp. 517-539.

3. Barak, G. (2017) *Unchecked corporate power: Why the crimes of multinational corporations are routinized away and what we can do about it*. Routledge.
4. Beirne, M., Messerschmidt, J. (1995) *Criminology*. Fort Worth.
5. Bulatović, A. (2016) *Ljudska prava u savremenoj politici borbe protiv transnacionalnog organizovanog kriminala*. Pravni fakultet Univerziteta u Beogradu.
6. Friedrichs, D. (2009) *Trusted Criminals: White Collar Crime In Contemporary Society*. Belmont: Cengage Learning.
7. Hagan, J., Bernstein, N. (1979) The Sentence Bargaining of Upperworld and Underworld Crime in Ten Federal District Courts. *Law & Society Review*, 13(2), pp. 467-478.
8. Howell J., Moore J. (2010) History of Street Gangs in the United States. *National Gang Center Bulletin*.
9. Ignjatović Đ., Škulić M. (2012) *Organizovani kriminalitet – drugo izdanje*. Beograd: Pravni fakultet Univerziteta u Beogradu.
10. Lukić, N. (2017) *Kriminalitet kompanija*. Beograd: Pravni fakultet Univerziteta u Beogradu.
11. McIntosh, M. (1973) The Growth of Recketeering. *Economy and Society*, 3.
12. Paoli, L. (2003) The invisible hand of the market: the illegal drugs trade in Germany, Italy and Russia. U: van Duyne P., von Lampe K., Newell J. (ur.) *Criminal Finances and Organising Crime in Europe*. Nijmegen: Wolf Legal Publishers.
13. Passas, N. (2002) Cross-border crime and the interface between legal and illegal actors. In: van Duyne, P., von Lampe, K., Passas, N. (eds.) *Upperworld and Underworld in Cross-border Crime*, pp. 11-43.
14. Petrović, S. (2003) *Droga i ljudsko ponašanje*. Beograd: Partenon.
15. Stevanović, A. (2015) Ekološki kriminalitet. In: Ignjatović Đ. (ed.) *Kaznena reakcija u Srbiji V deo*. Beograd: Pravni fakultet Univerziteta u Beogradu, pp. 301-312.
16. Stevanović, A. (2019) Uticaj ekonomskih faktora na nastanka i razvoj organizovanog kriminaliteta. *Zbornik radova Instituta za kriminološka i sociološka istraživanja*, 38(1), pp. 113–125.
17. Stevanović, A., Cvetković, D. (2019) Pojam i karakteristike privrednog kriminaliteta. *Revija za kriminologiju i krivično pravo*, 57(1), pp. 45-62.
18. Tyler, A. (1995) *Street Drugs*. London: Holder and Stoughton.
19. von Lampe, K. (2003) Organising the nicotine racket. Patterns of criminal cooperations in the cigarette black market in Germany. In: van Duyne P., von Lampe K., Newell J. (eds.) *Criminal Finances and Organising Crime in Europe*. Nijmegen: Wolf Legal Publishers.
20. Walklate, S. (2007) *Criminology: the basics*. London: Routledge.
21. Wall, D. (2015) Dis-organised crime – towards a distributed model of the organization of cybercrime. *European Journal of Organised Crime*, 2.

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## KRIJUMČARENJE DROGE I KRIMINALITET BELOG OKOVRATNIKA: KRIMINOLOŠKA I NORMATIVNA PERSPEKTIVA

*Krijumčarenje droge tradicionalno se smatra aktivnošću koja se vezuje za organizovane kriminalne grupe. Ujedno su ti poslovi među najlukrativnijim poslovima koje obavljaju kriminalne grupe. Ogromne količine novca koje se slivaju u „džepove“ pripadnika podzemlja, se prema prirodi stvari peru i infiltriraju u legalne tokove kako bi se mogle trošiti na miru i bez straha od krivičnog progona. To je ujedno i prva tačka susreta legalnih i ilegalnih aktera koji usled aktuelnih društveno-ekonomskih okolnosti, sve više uspostavljaju svojevrsne „simbioze“. Sa druge strane, ne samo da privredni subjekti koji posluju na legalnoj osnovi, koriste usluge podzemlja, već to čini i država, iz različitih motiva.*

*Kada je reč o kriminalitetu belog okovratnika u koji ubrajamo dela suprotna mala in se inkriminacijama koje se tradicionalno vezuju za mafijaške organizacije, ukazujemo na to da se radi o složenom kriminološkom i pravnom fenomenu koji je nastao u savremenom društvu sa razvojem privrede i tržišta, a koji se odlikuje izraženom difuznošću odgovornosti i viktimizacije, slabom uočljivošću za organe formalne i neformalne socijalne kontrole, tj. značajnim poteškoćama u otkrivanju učinioca i dela koja se prema važećim krivičnim propisima svrstavaju u krivična dela protiv privrede.*

*KLJUČNE REČI: krijumčarenje droge / organizovani kriminalitet / kriminalitet belog okovratnika / privredni kriminalitet*