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From Crimes of the Powerful to Colonial State Crimes: Contributions to a Research Agenda

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Abstract

This paper aims to apply Frank Pearce's (1976) critical methodology and Marxist theoretical framework to the development of the concept of colonial state crimes. By doing this, the paper will show how, even though Pearce does not develop a colonial perspective in his analysis of the crimes of the powerful, his theory and his methodological emphasis in the study of what has been normalized and naturalized constitute a foundational contribution to the development of the colonial perspective in the analysis of state crimes. This colonial approach will be developed in three sections: 1) an exposition of the concepts of the crime of the powerful and state crimes; 2) an exploration of the relation between the anticolonial tradition and state crimes; 3) a discussion of how the concept of colonial state crimes can illuminate the global south's experiences with regards to state violence and criminality. The intention is to show how Pearce has contributed to the development of the colonial state crimes concept, allowing for a better understanding of colonial violence.

Introduction

Again, many British fortunes have been built on the terrorisation of colonial peoples as earlier the aristocracy had become rich through forced enclosures. But we do not have enough detailed work on either the present activities or the growth of the major corporations (Pearce, 1976:159).

Crimes of the powerful are an integral part of the history and of the political, socio-legal and economic daily experiences of the global south¹ and of colonial contexts. Years of colonial regimes, dirty wars, systematic violations of human rights, paramilitarism, corruption, and plundering by local elites and transnational corporations have become the day-to-day of the global south. That is, on the one hand, what is considered exceptional

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¹ I am using Santos' (2009) descriptions of the global north and south.

in the global north, in the south and in the colonies is normal or a part of everyday life; and, on the other hand, the history of the crimes of the powerful in the global south and in the colonies has been defined by an intense relation between the global and the local, as well as being the result of a capitalist world-system and of a series of colonial epistemologies.

Despite the quotidian nature of the crimes of the powerful in the global south, the local experiences with state violence and criminality have been systematically interpreted from conceptual categories coming from the global north. An example of this is how dictatorship regimes of Latin America have become the example *par excellence* of many scholars (particularly for those in human rights, transitional justice and orthodox criminological² traditions) committed to interpreting and defining state crimes as an endemic phenomenon of the global south. Conveniently, these traditions exploited examples of state crimes in the global south, while simultaneously silencing the long history of the global north's involvement in and support of state crimes in the global south. As a result of this short-sighted framework, global north scholars have made a tradition of employing reductionist and colonial interpretations of the diverse global south histories and complex realities.

This hegemonic epistemological and methodological approach to state crimes is what I will call the criminology and the sociology of the exceptions. That is, a hyper-emphasis on what seems abnormal, different, or the exceptional case that proves the norm. My contention is that this approach cannot be applied to the global south, since it silences the reasons behind state criminality. In the colonies and in the global south, sociology and criminology have to focus on what has been constituted as part of everyday life, instead of looking at what is exceptional from the experiences of the global north. Additionally, a critical approach to these experiences would not only attempt to articulate reality, but would try to think of ways in which such reality could be transformed.

This paper aims to apply Pearce's (1976) critical methodology and a Marxist theoretical framework to the development of the concept of colonial state crimes. By doing this, the paper will show how, even though Pearce (1976) does not develop a colonial perspective in his analysis of the crimes of the powerful, his theory and his methodological emphasis in the study of what has been normalized constitute a foundational contribution to the development of the colonial perspective in the analysis of state crimes. In this way, I intend to contribute to the development of a better understanding of the experiences of the global south with regards to the crimes of the powerful³.

My contention is that Pearce's (1976) contribution to the critical analysis of state criminality, and especially the study of how domination and criminality have become an integral part of capitalism, can be expanded when it is explored from a colonial perspective. As Agozino (2003) has shown, colonialism was fundamental in the development of contemporary criminology. That is, criminology was implemented to

² I am using Chambliss, Michalowski, and Kramer (2010) definition of orthodox criminology.

³ Iadicola (2010) and Lasslett (2012) have made important contributions into the colonial approach to crime of powerful.

regulate the lives, bodies and resistances of colonial subjects. Furthermore, the common sense (knowledge) produced by criminologists served to legitimize metropolitan interests in colonial territories, and to depoliticize anticolonial mobilizations. As Fanon (1999, 2009) shows, anticolonial mobilizations were quickly transformed into behavioural, legal and psychological problems. Hence, criminology played a key role in colonialism, but also, colonialism transformed criminology⁴.

This colonial approach will be developed into three general sections. The first section is devoted to the exposition of the concept of state crimes. The second section discusses the relation between the anticolonial tradition and state crimes. The third section presents the concept of colonial state crimes as a notion that can portray the global south experience with regards to state violence and criminality. That is, in this third part, I expose what could be considered as an approach to colonial state crimes from the perspective of the sociology and criminology of everyday life. Therefore, the intention is to show how Pearce's (1976) analysis and methodology have contributed to the development of the colonial state crimes concept, allowing for a better understanding of colonial violence.

I Crimes of the powerful: state and critical criminology

Crimes of the powerful and critical state crime approaches are relatively new in the socio-legal and criminological traditions⁵. In this sense, Pearce's (1976) contribution helped to give form to this tradition within sociology and criminology. Looking back at the impact of his book, Pearce comments that it "was a tentative beginning of analysis, which could be built upon to develop more comprehensive accounts of State(s), economy(ies), society(ies) and ideology(ies)" (Pearce, 2015: 4). As is well known, Pearce (1976) managed to lay down the foundations for the development of a critical approach to these institutions and to the detailed explorations of the mechanisms that explain these correlations. Furthermore, Pearce's (1976) analysis and methodology can be understood as some of the most important critiques to the sociology and the criminology of exceptions. That is, Pearce's (1976) emphasis on historical, political, socio-legal and economic aspects of state-corporate criminality aimed to show that the crimes of the powerful are only possible if there is a permanent structure of power - they are not a result of specific actors or specific time periods, contrary to what sociology of exceptions claims.

My focus here is on one of the challenges proposed by Pearce (1976) which has been relatively neglected; that is, the relationship between the state, colonialism and corporations -with some important exceptions- has not been properly developed by the crimes of the powerful tradition. Hence, I will return to Pearce's (1976) text through a perspective of colonialism and in search for the development of a colonial state crimes

⁴ For a similar analysis, see Kitossa (2012).

⁵ There is a long tradition of analysis of state violence in both the global north and south. These analyses came from different academic traditions, however, what makes the crimes of the powerful approach relevant is the efforts to show the intertwined relationship between the local and the global, the state and the corporations, the class interests and the reproduction ideologies.

research agenda.

In what follows, I will briefly describe some key concepts set out by Pearce (1976), starting by analysing the concept of the powerful. It is my contention that the questions of the constitution of the powerful and of the relation between the powerful and the powerless remain important for colonial contexts; in the latter, the ontological definition of the powerful is not as clear-cut as it seems. An easy answer is that in a colonial society, the powerful are the colonizers, but this is a reductionist answer. Thus, when one is to study the crimes of the powerful in a colonial society, one has to start by looking at the process of ontological definition by the powerful and the powerless. That is, one has to look at the colonial history, at the configuration of the colonial society and at the distribution of power, but also, one has to look at the negotiations and dialogue among local colonized elites and the colonizers. The key question is how colonialism has been established and what has been the role that corporations, local elites, colonizing countries and the colonized state itself has played.

A second aspect to consider is the relation between state and criminality. My contention is that the Marxist reading of the state proposed by Pearce (1976) continues to be pertinent for the analysis of state crimes in colonial contexts. For Pearce, one of the major problems in criminology and sociology at the time was the poor theorization about the state. Hence, the author pointed out that “the concept of the state itself must be in part reconsidered, and finally the relationship between crime, law and the state clarified” (Pearce, 1976: 52). For Pearce, “the state institutions are not separate from society, over and above it, but are an integral part of the mode of production [...]. The state apparatuses have been developed as instruments of the ruling-class interests and cannot simply be treated as tools – to be taken over by this or that group” (Pearce, 1976:58). Hence, it can be argued that the state is a formal and informal structure in which a series of public and private institutions converge; in which the monopoly of violence is executed; and, in which a series of hegemonic discourses, ideologies, and technologies of power determine life in a specific political context.

This definition allows us, in turn, to understand how states operate even in colonial contexts. In colonial contexts, the state operates as power structures that, given their anti-democratic configuration, systematize, institutionalize and normalize the oppression of colonized subjects. The colonial state is the dispositive/apparatus that makes possible the domination of a country or nation by an empire. In this sense, colonial states are the other, yet equally modern, side of the bourgeois state⁶ widely analysed by Pearce (1976), since they were born from the same matrix of power. Therefore, any effort to understand state crimes, both in the global north and in the south, should not overlook the definition of the state, as it is the dispositive that defines and naturalize the exercise of power since modernity.

Moving forward in the analysis of ideology, economy and law, Pearce (1976) suggested that the state, as any power structure and as a system of hegemonic reproduction of the interests of the ruling classes, operates through ideological, economic and violent apparatuses. In this sense, the law and the rule of law play an ideological and

⁶ For a similar analysis, see Mignolo (2005).

violent role in the reproduction of ruling class interests. The law and the ideology of rule of law, serve as tools that depoliticize conflicts, simultaneously creating the false image of neutrality and objectivity, even leading the oppressed classes to guarantee the interests of the elites and the state through recognition of the law.

As Pearce points out, the state is responsible, through its structures, for guaranteeing the economy and the functioning of capitalism. At the same time that the state approves laws that guarantee the production and reproduction of life, the state is an essential part of the modes of production. Thus, “its objective function is to help guarantee the reproduction of the economic system. It will not be the only nexus of institutions responsible for this task nor will its functionaries necessarily be the major beneficiaries of the system it protects” (Pearce, 1976:61). A clear example of these processes of transformation and normalization of violent practices initiated by the state is found in various forms of slavery legislation and their subsequent abolition (Beckles, 2013). In these cases, one can see how the state produces the reality through the law while simultaneously adapting it to the economic and political interests of a given period.

In this sense, economics and the law go hand in hand with capitalist societies. This is the case with colonial territories as well. Unsurprisingly, this link between capital, the law, and the state structures creates conditions for criminal practices. “Corruption and partiality within the police, the class bias of the judiciary, and the use of harassment, terror and violence of both a legal and illegal kind against socialists better describes the working of the law within these societies” (Pearce, 1976: 51). It can be noted that state corruption and the repression of social movements go hand in hand, constituting an example or a manifestation of state crimes.

The analysis of what seems normal or natural, and the ways in which the state reproduces the interests of the powerful is precisely what Pearce (1976) aims to show as problematic. Likewise, Green and Ward (2012) argue that modern states claim for themselves the monopoly over the use of legitimate violence, but at the same time, they are the main perpetrators or instigators of the most serious uses of illegitimate violence, causing suffering, injury and death in contravention of their own laws. Additionally, Green and Ward (2004) evidence how states that claim to be democratic (as does the USA) are serious offenders of their own laws and have become criminal states⁷. In their study, the authors broadly describe the exercise of state violence, defined within the framework of state terrorism and support to pro-state terrorism, torture, genocide, war crimes and police violence, both in the local and international sphere.

Critical studies of state crimes show that there is a critical consensus on the violent and repressive nature of democratic states. However, cases of studies and empirical research have focused on the global south and in what seems exceptional and not on everyday violence. As will be shown, this disproportionate approach in the experiences of the global south obeys the *coloniality of knowledge*⁸ constitutive of the criminology and sociology of the exceptions.

Finally, Pearce (1976) had shown that capitalist societies, by their own structure

⁷ Elsewhere, I have made an analysis of US colonial state crimes (Atiles 2012, 2016).

⁸ For a detailed analysis, see Maldonado (2007).

of power and corrupt nature, allow and even encourage state-corporate criminality. Some 15 years later, the concept of ‘state-corporate crime’ was identified, in 1990, when Michalowski and Kramer defined this phenomenon as signifying “illegal or socially injurious actions that occur when one or more institutions of political governance pursue a goal in direct co-operation with one or more institutions of economic production and distribution” (2006: 15). More recently, Tombs and Whyte (2015a) have argued that there is a complicit relation between state and corporate crimes and harm, and also, have shown that in the state-corporate crimes tradition there exists a consensus regarding the colonial origins of this complicity. Corporations have played a key role in colonialism, and in some colonial contexts some corporations operated as states. My contention here is that the colonial role of corporations remains a key aspect of their contemporary existence. That is, the legal, ontopolitical and economic nature of corporations are embedded in their colonial origins.

II State crimes and the anticolonial tradition

Studies on colonialism have shown that this phenomenon exemplifies the utmost expression of violence and power impositions on subjects and spaces. In colonial territories and in the global south, we find the normalization of everything that is considered exceptional in the global north. As Maldonado (2007) proposes, colonial territories are spaces where the normalization of the non-ethics-of-war takes place. Césaire (2000) and Fanon (1999, 2009) have clearly exemplified the strategies of power and subordination imposed through colonialism. The authors have shown how colonies are constituted in contact zones between geopolitical and biopolitical forms of power. That is, colonial practices are not limited to the control of a specific territory outside of the metropolitan state, but that the imposition of epistemologies, the introduction of forms of social organization and of legal transplant, and the reduction of the colonized to a being-less-than-human are key strategies of domination implemented in the colonies. My understanding is that colonialism operates as an *ontopolitical* system of domination. Thus, colonialism manifests itself in a four-dimensional way.

First, as I mentioned before, colonialism implies the geopolitical control of territory. This is the definition of the classical colonial practices implemented by European empires in the Americas, the Caribbean, Africa and Asia from the 16th century to the present. This involves taking control over the territory, transforming the landscape, plundering natural, mineral and fossil resources, and the genocide of the indigenous inhabitants and their replacement either by slaves or indentured labour. In the geopolitical practices, one can find the first manifestation of colonial state crimes, since the processes of land acquisition and power imposition require systematic use of violence.

Secondly, colonialism implies a biopolitical form of domination, that is, the construction of a truth and the promotion of the idea of the racial, epistemological, economic, and socio-legal superiority of the metropolis (Mbembe, 2003). Thus, biopolitical domination is not only external or imposed from without, but it is also internal or from within, as it produces colonized subjectivities. Through biopolitics, colonialism breaks into the totality of the space of life, constituting itself in the truth of the colonized

being. As a result, as Fanon (2009) shows, the colonizer and the colonized cannot perceive reality beyond the conceptual framework constituted by colonialism. This aspect has been widely studied by the currents of thought denominated *coloniality of power, of knowledge and of being* (Maldonado, 2007). These traditions show that colonialism operates as an ontological form of subjection and interpretation of reality, and despite political and legal emancipation, the global south and north continue to be intertwined through the colonial logic inaugurated by modernity.

Thirdly, colonialism uses the law and the state of exception as dispositives of regulation and administration of the colonized territory and subjects (Atilas, 2016). The law normalized the violence of colonialism through the design of a legal truth about the colonial subject and the political alternatives. Elsewhere, I have shown that the colonial state of exception has served as a dispositive of legitimation and normalization of the exceptionality that takes place in colonial territories (Atilas, 2016). That is, the colonial state of exception has become the norm in colonies, which entails that the law in colonial territories always operates in exceptional ways. Furthermore, the colonial state of exception has been used to criminalize and to repress anticolonial movements. Thus, the law and colonial state of exception play key roles in colonial societies, since they make possible the domination of colonial subjects.

Fourthly, colonialism also implies a series of indirect mechanisms and administration techniques. Traditionally, these techniques of indirect ruling have been categorized within the framework of neocolonialism and they refer mainly to economic domination. However, it is important to note that these forms of economic colonial power are not limited to neocolonialism, but include practices of economic domination that existed during the colonial era, and which continues to exist today. Moreover, colonial domination was not limited to the government of colonies, but colonial states made systematic use of national and transnational corporations and local elites to ensure the survival of colonial rule.

Not surprisingly, Marx and Engels (1968) made multiple references to colonialism, mostly associated to the role of corporations in the colonies. In addition, as shown by Tombs and Whyte (2015a), British public and private corporations (e.g. British East India Company) played a central role in the colonization of India and various African countries. These corporations behaved like states in the colonies -developing, in many cases, armies, collecting taxes, organizing commercial relations and local and international political relations-, even though colonial sovereignty belonged to the British crown.

As Pearce (1976) has shown, this is one of the areas to be developed by the crimes of the powerful tradition, since corporations functioned in multiple colonial contexts as proto-states. As noted above, corporations and corporate criminality developed jointly or at the same time with colonialism and colonial state crimes. For this reason, one cannot define colonial state crimes without referring to the centrality of corporations.

Postcolonial criminology has, to a certain extent, sought to address central aspects of the crimes committed by colonial states. For example, McLaughlin (2001) suggests that a broader definition of postcolonial criminology would involve the analysis of the relations that persist between the colonial and postcolonial, pointing to new forms of

thinking that emerge in a heterodox way. For McLaughlin (2011) when reading the texts of contemporary postcolonial criminology, one notices the plurality of cultural meanings, mostly problematic, applied to concepts and words usually used in criminology, such as: crime, criminal, law, state, rule of law, culture and justice. For this reason, McLaughlin (2001) considers it pertinent to transform criminology and the dominant criminological practices in the orthodox academy. Despite its important contribution, postcolonial criminology approach is problematic since it assumes that colonialism has ended, and thus omits an analysis of colonial state crimes as current phenomena.

Finally, it is interesting to note that theories on state crimes have not considered colonialism as a form of criminality, even though it is widely acknowledged that colonialism is a crime against humanity (Beckles, 2013). As Ward (2005) shows, violence in colonial territories was not generated by excesses of certain state representatives or by corporations, but it was a part of systematic and organized practices for the attainment of colonial domination. In this sense, the concept of colonial state crimes recognizes that violence in the colonial context has been legitimized through various discourses of power. Blakeley (2009) has pointed out that the record of European and USA colonial powers is extremely violent. Many of the strategies they used, both to acquire territory and to exploit their resources, involved the use of state violence on a mass scale. In the early stages, this was justified as part of the *civilizing mission*. Colonial state crimes were then justified in order to stop the decolonization of territories dominated by colonial powers. At present, state criminality is legitimized through economic discourses and relies on the need to maintain the colonial regime in order to guarantee economic development.

Therefore, the study of colonial state crimes should emphasize colonialism as a *dominating rationality* (that is, how power has been imposed and how the powerful perceive themselves, but also how the colonized or powerless perceive those in power) and as a part of an epistemic regime that determines the relations between the global north and south. Furthermore, it is important to note that colonialism has a dynamic character, therefore, its study should not be limited to the interpretations or theorizations of the criminology of the exceptions, but rather it should denounce state crimes, even if they happened in the past. In this sense, I consider that it is necessary to assume a colonial perspective in the analysis of the global south realities.

III Colonial state crimes: a research agenda

The concept of colonial state crimes, as has been shown, is based on Marxist and anticolonial studies traditions. Thus, it is based on the emphasis of critical analyses of what has been normalized or naturalized in colonial contexts. This critical analysis is done not only with the intention to explain the histories of state criminality, but to transform such realities. Thus, with the concept of colonial state crimes, I am proposing an epistemological and methodological framework that allows us to explain what has become normal in a way that one can denaturalize it and change power relations. In what follows, I am going to set out some general ideas of the concept of colonial state crimes, which will serve for the future development of a research agenda.

Firstly, colonial state crimes operate within the *dominating rationality*, and/or

through an epistemological form that assumes, at the outset, the inferiority of colonized people. Thus, the global south and its inhabitants are a space and subjects of domination. This aspect is what has been named as *coloniality*, which entails the ontopolitical definition of one being inferior for mere reasons such as race, gender, or precedence. If a being is dehumanized, then the uses of violence against it do not constitute a crime in terms of the *dominating rationality*. In other words, colonial subjects and territories cannot be victims of the crimes of the powerful, since they are not seen as human beings. This rationality has made possible colonial crimes such as slavery, genocide and colonialism itself.

This first point emphasizes the ontopolitical analysis of the imposition and the definition of power in colonial societies. As can be noted, in colonial societies, power is constituted in a different manner than in the global north. That is, ontopolitical definitions of reality must be highlighted from the very beginning of any research on colonial state crimes. Thus, when orthodox scholars look at the global south and argue that a specific state is a criminal state, they are probably overlooking many aspects of day-to-day experiences with violence. Therefore, in a society where the non-ethics-of-war and the colonial state of exception are the norm, it is important to look at what has been naturalized, rather than looking at what appears as exceptional. Furthermore, colonial state crimes, as manifestations of the crimes of the powerful, operate through the confluence between local and global interests. As Pearce (1976) reminds us, this aspect must be considered from an international or global perspective.

Secondly, the concept of colonial state crimes begins with the recognition that the terms ‘crime’ and ‘state terrorism’, as orthodox studies have understood them, are reductionist, and do not recognize the socio-historical roots of the conflicts they seek to define. Hence, when studying colonial state crimes, one must look at how certain practices have been defined in colonial societies and how that reflects a better understanding of state violence. As has been stated, the normalization of exceptionality and state violence in colonial societies makes it very difficult to define certain practices of state violence as crimes⁹.

Additionally, the colonial state crimes concept acknowledges that a frequent error in the studies on colonialism is to equate state terrorism with state crimes. My contention is that state terrorism refers to very specific strategies implemented by the colonizer and colonized states to ensure their domination. Elsewhere, I have shown that colonial state terrorism refers to the systematic use of repression, criminalization, and support of pro-state organizations to delegitimize anti-colonial mobilizations (Atilés 2016). Colonial state terrorism is located within the matrix of colonial state crimes, but it is not comparable to the totality of forms of violence that colonial state crimes entail.

Thirdly, the concept of colonial state crimes is based on the political understanding of the use of state violence, which means that the latter is instrumental and

⁹ A current example of such difficulties can be found in the CARICOM mobilization for reparation for years of British slavery, genocide and colonialism. Great Britain has refused even to apologize for these crimes against humanity because they claim their action were not crimes, since slavery was legal in that time (Beckles, 2013). Here we have a clear example of colonial state crime in which concepts, as defined by orthodox scholars, does not allow us to deal with colonial violence and to resolve such injustices.

used as a repressive and criminalizing dispositive. Therefore, the concept proposes to avoid the depoliticization of violence and state criminality. Colonial state crimes are always political; therefore, legitimations of state actions under the alleged technical, bureaucratic, and security discourses operate as depoliticizing strategies. In this sense, when looking at colonial state crimes, one must emphasize what has been constructed as technical or as not problematic. In that way, one can re-politicize state criminality and human suffering in colonial contexts.

Fourthly, the concept of colonial state crimes does not make a distinction between manifestations of political violence exercised by governments, the paramilitary and pro-state organizations and corporations. Paramilitary and corporate actions, in most cases, take place under the auspices of colonial states. In colonial societies, crimes and political violence always take place within the umbrella of *dominating rationality*, so, there is an intense relation between pro-state, corporate and state interests and uses of violence. For this reason, one must emphasize the intertwined relations between multiples actors.

Fifthly, colonial state crimes involve the use of the state's economic and administrative resources either for the enrichment of elites or to facilitate and sponsor the repression of anticolonial movements. An example of the previous is the implementation of the diversion of funds for the purchase of equipment and subsidies from pro-state organizations or from state special military forces to deal with the alleged terrorist threats of anticolonial movements (Atilés, 2012). Therefore, when analysing colonial state crimes, one has to look not just at the specific cases of corruption, but also at what is considered as corruption in local contexts. For many colonial states, the uses of public funds in the repression of anticolonial and social movements are not seen as corruption, but rather as part of the normal function of the state. Highlighting such practices must be a key aspect of the research on colonial state crimes.

Sixthly, colonial state crimes emphasize the depoliticizing capacity of counter-terrorist policies. One must bear in mind that colonial states interpret any group that opposes colonial rule as an enemy or as a terrorist. By showing how counterterrorism and counterinsurgent practices are forms of state terrorisms, colonial state crimes re-politicize descriptions of state violence. A key aspect here is to show how the so-called terrorists are ontopolitically constituted and how those practices tend to depoliticize and criminalize sociopolitical sectors that are not necessarily armed movements (Atilés, 2013, 2014).

Finally, it is important to note that colonial state crimes are dynamic; they cannot be understood as static practices, but rather as being transformed at the same time that historical reality changes. The proposed concept of colonial state crimes simultaneously contemplates the exercise of violence by state power structures and by its legal and economic systems, and admits the historical fluidity of its manifestations. Therefore, I understand that the concept of colonial state crimes is the one that best represents and defines the complex history of violence in colonial contexts.

Conclusion

This paper has proposed a general definition of the concept of colonial state crimes,

starting with the foundational analysis of Frank Pearce (1976). The long history of state criminality and impunity in colonial contexts and in the global south shows that it is necessary to develop a concept that allows us to understand the experiences of the global south from their own categories and from a perspective that prioritizes what has become normal, rather than prioritizing the exceptions.

Additionally, I consider that for the development of the concept of colonial state crimes, it is pertinent to conduct, as Pearce (1976) suggested in his book, empirical investigations into colonial contexts. In my own work on the Puerto Rican colonial context, I have shown how this concept operates (Atilés 2012, 2013, 2014); however, it is necessary to expand the case studies. For example, I have focused on state crimes resulting from political repression, but I have not developed a deep analysis of colonial state-corporate crimes; economic crimes; or systematic violations of the human, civil and political rights of Afro-descendant and migrant communities. My contention is that these possible case studies will show that colonialism is central to all manifestations of state political violence, since, although the cases do not seem to be related or exceptional, they are the product of a colonial system. Hence, the concept of colonial state crimes may involve these areas of analysis.

As has and should continue to be done in Puerto Rico, I believe that the concept of colonial state crimes can be applied to other areas of the global south. It is only in this way that we will be able to establish an area of criminological and socio-legal research that reflects global south and colonial experiences with regards to oppression, such as the one Pearce (1976) foresaw forty years ago.

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