

The Italian Mafia: The Idealtypical Form of Organized Crime?

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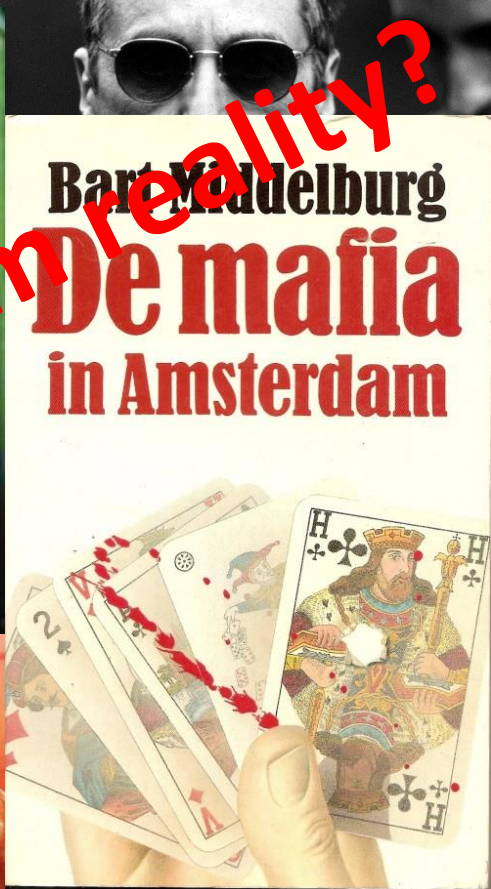
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The Godfather



The Godfather Part III



How to distinguish myth from reality?

Media images reflect and shape reality

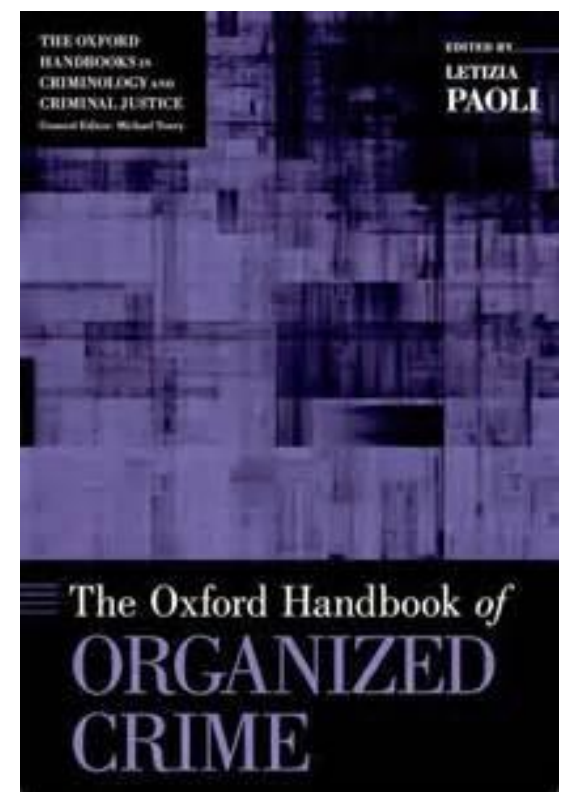
- Fears of Italian mafia's power are not without grounds
- Fears have driven organized crime policy at EU and UN levels and in many European countries



Two main questions

What are the typifying characteristics of Italian mafia organizations?

To what extent can these mafia organizations be considered the idealtyp of organized crime in Western Europe?



TRIBUNALE DI PALERMO
 UFFICIO ISTRUZIONE PROCESSI PENALI
PROCESSO VERBALE
 DI INTERROGATORIO DELL'IMPUTATO

L'anno millenovecentottanta quattro il giorno 16
 del mese di luglio alle ore 12.30 in Roma - Pinnacolo
 Avanti di Noi Dr. G. Felone
 Giudice Istruttore presso il Tribunale di Palermo sez. 6^a
 assistiti dal sottoscritto Cancelliere.
 E' comparso Buscetta Tommaso
 il quale interrogato sulle sue generalità e ammonito sulle conseguenze cui si espone chi si rifiuta a darle o le dà false.
 Risponde: Sono Buscetta Tommaso, fu Benedetto e fu
Baucio Felice, nato a Palermo il 13.7.1928, scuola
elementare, non ho militato, esimpato con figli,
imprenditore agricolo, già condannato.
 Avvisato l'imputato che ai sensi dell'art. 1 Legge 5 - 12 - 1969 n. 932 egli ha facoltà di non rispondere, salvo quanto disposto dall'art. 366 primo comma C.P.P., ma che anche se non risponde, si procederà oltre nelle indagini istruttorie, dichiara: Si intende rispondere.
 Quindi richiesto se abbia o voglia nominarsi un difensore, risponde: non ho gli
avvocati di fiducia. Si dà atto che è stato nominato
d'ufficio, l'avv. Pina Maria Carrici, del foro di Roma,
avvocato e non costituto.
 Invitato poi a eleggere il proprio domicilio per le notificazioni, risponde: Eleggo domicilio in
detenuto.
 Contestategli i reati di cui al mandato di
 del risponde:
Preliminarmente si dà atto della presenza, per
azioni istruttorie, del Dott. Giovanni De Gennaro, di



Pentiti describe mafia world “not only from the outside but also from within”



Mafia v. organized crime

- Four characteristics distinguish mafia-type organizations from other organized crime (OC) actors
 1. Longevity
 2. Organizational and cultural complexity
 3. Claim to exercise a political dominion over areas of settlement
 4. Resulting ability to control legitimate markets
- Cosa Nostra and 'Ndrangheta meet all four characteristics, some camorra groups latter two

Outline

- Mafia organizations in Italy
- Four distinguishing characteristics
- Government antimafia action since 1992
- Mafia v. organized crime and

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Cosa Nostra and 'Ndrangheta

- Cosa Nostra (“Our Thing”): confederation of about 150 mafia groups, primarily located in western Sicily
 - No groups outside Sicily, only single individuals
 - 2,000-3,000 ritually affiliated members
- 'Ndrangheta (“Society of Men of Honour”): confederation of about 150 mafia groups, primarily located in southern Calabria
 - Groups are present also in Northern Italy, some European countries, Canada and Australia
 - Up to 10,000 ritually affiliated members

Strongholds of Italian mafia organizations



Camorra

- Multiplicity of independent groups located in Campania, particularly Naples and Caserta provinces:
 - Mafia-type groups, often family based, such as Casalesi
 - Groups formed around a charismatic leader, such as Nuova Camorra Organizzata
 - Youth gangs and common criminals
- Groups and alliances are so unstable that offence of “mafia-type criminal organization” (art. 416*bis* Italian penal Code) cannot frequently be charged

Other mafia organizations?

- Stidda (“Star”) in southern-west Sicily and gangs in northern Calabria
 - Much lower cohesion and political resources
- Sacra Corona Unita (“United Holy Crown”) and other Apulian groups
 - Sacra Corona Unita no longer exists, but criminal activities go on
- Foreign criminals active in Italy
 - Mostly illicit entrepreneurs but Chinese groups sometimes also aim at political power in their communities

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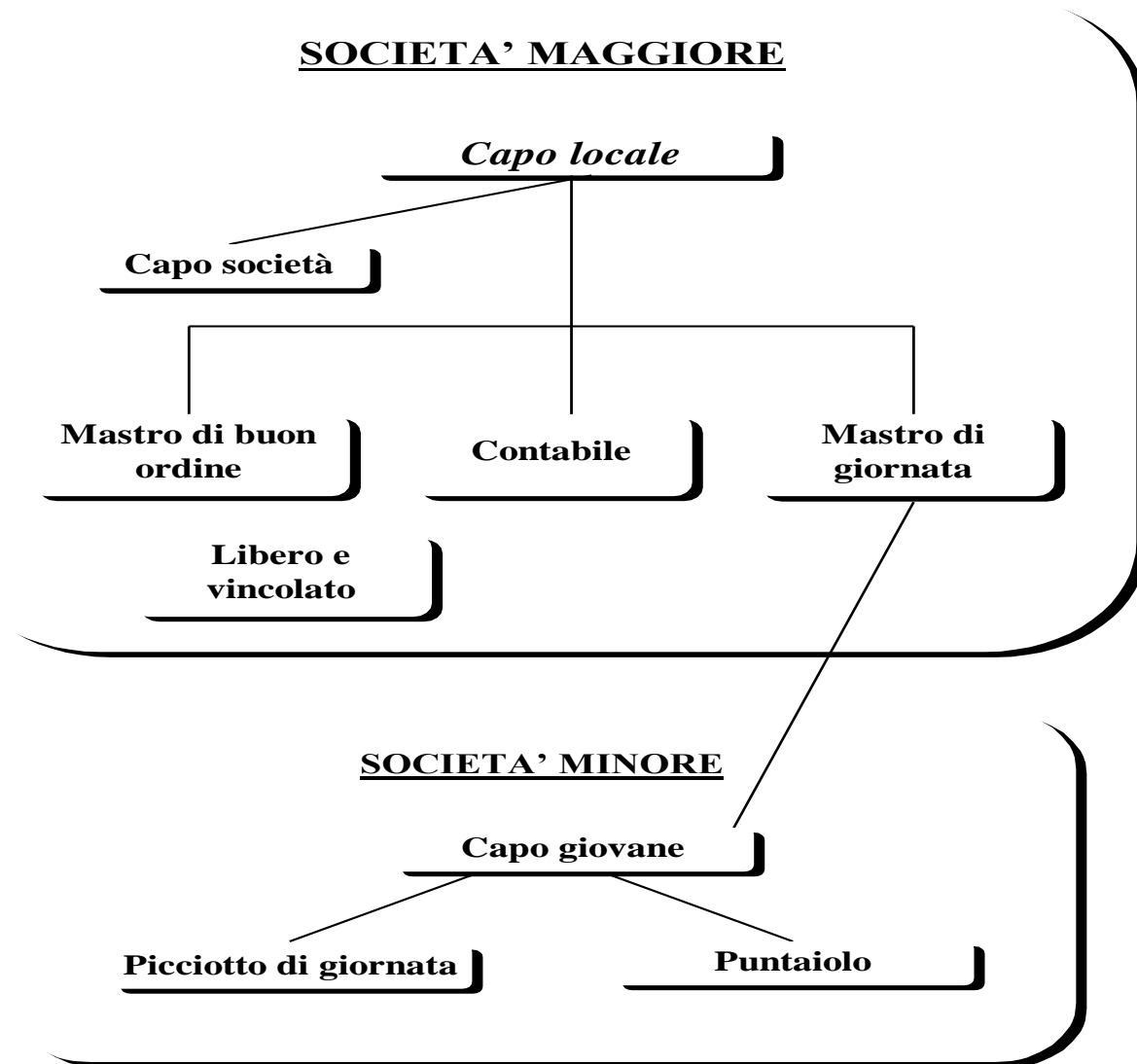
1. Longevity

- Antecedents of Cosa Nostra and 'Ndrangheta were active from 1880s on
- Cosa Nostra and 'Ndrangheta still possess pre-modern traits, such as “status and fraternization contracts” (Weber)
- Contemporary camorra groups do not descend from 19th century camorra

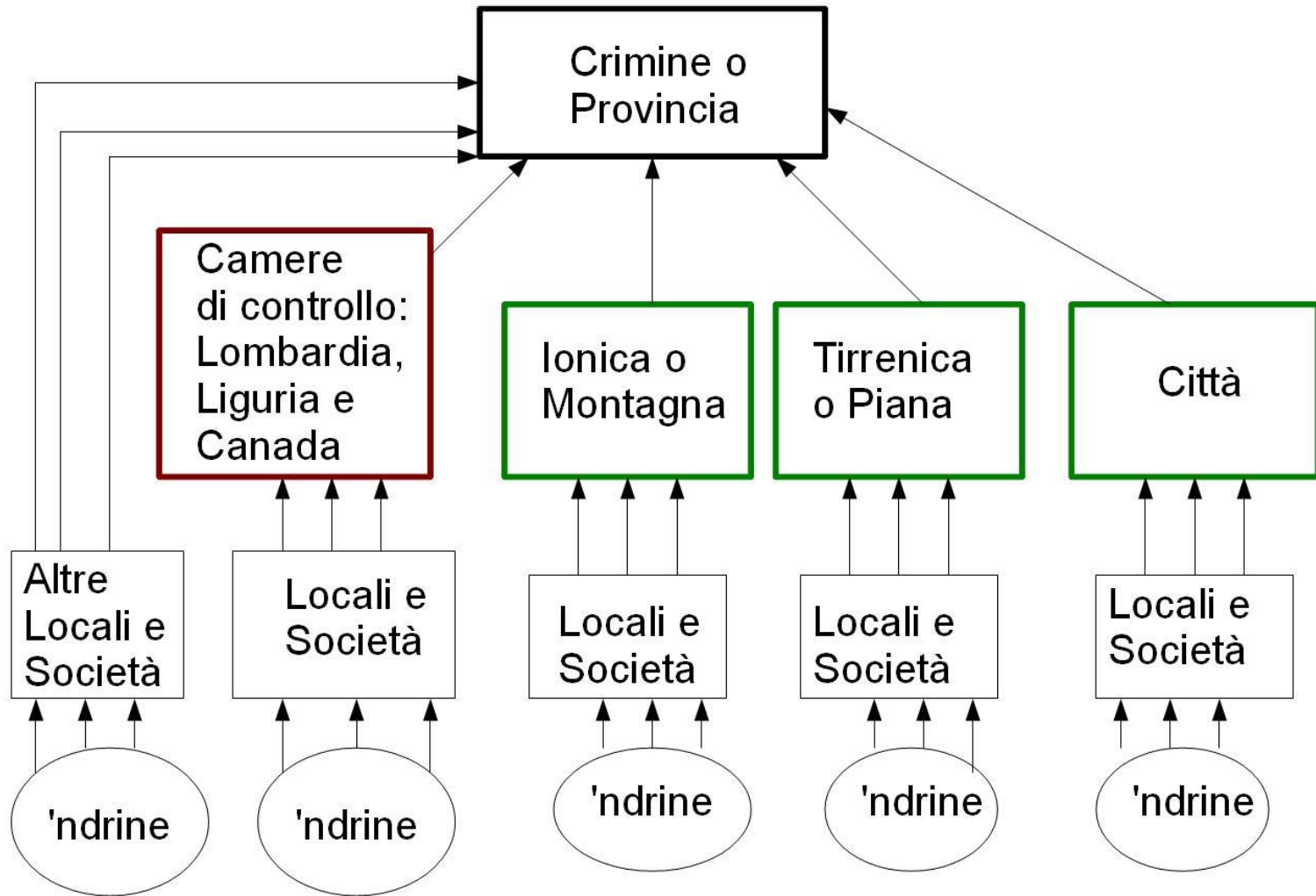
2a. Organizational complexity

- Groups are called “families” but are distinct from blood families and have their own ruling bodies
 - Due to larger size, 'Ndrangheta groups have more complicated structure than Cosa Nostra's
- Superordinate bodies of coordination were created since 1960s in Cosa Nostra, since 1990 in 'Ndrangheta, but have limited powers
 - Unity is guaranteed by sharing of cultural codes and organizational formula

Ruling offices of an 'Ndrangheta group



'Ndrangheta structure



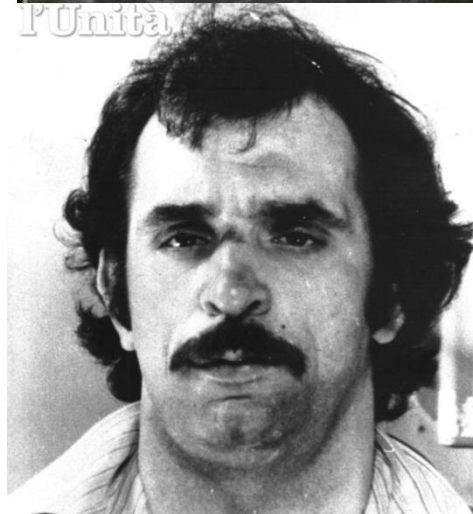
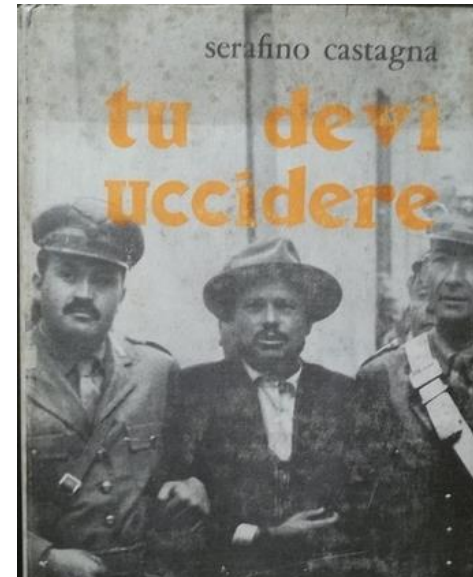
2b. Cultural complexity

- Both organizations have sophisticated cultural apparatus, consisting of symbols, rituals and a set of rules comparable to rules of simple society
- Honor and *omertà* are two main subcultural codes
- Ceremony of initiation is most powerful ritual, creates “status and fraternization contracts” (Weber)
 - New members are required to become “men of honor” and behave brotherly with each other



Mafiosi used to take mafia initiation ceremony seriously

- Serafino Castagna, former 'Ndrangheta member:
 - ‘At the end of the meeting, I felt as if I had grown in stature; I was no longer a nobody, but a *camorrista*, somebody who had to respect the law of honor and to ensure that it was respected by others’ (1967)
- Cosa Nostra defector, Gaspare Mutolo:
 - ‘When I became a member, it was for me a new life, with new rules. For me only Cosa Nostra existed’ (1993)



Mafia groups' strength and weakness lie in status and fraternization contracts

- Contracts guarantee extraordinary flexibility
 - Mafia bosses dispose of members' workforce – and even life – to reach their goals
- Contracts can be imposed only on persons socialized to specific values
 - Acquisition of resources to compete on international illegal markets is difficult
- Growing contradiction between contract value system and *mafiosi's* concrete activities
 - Mafia legitimacy is questioned and many members defect
 - 'Ndrangheta's cohesion strengthened by blood ties

3. Political dominion

- Mafia-type groups do not just aim at profit, are multifunctional
- Claim political dominion over specific territory
 - Town, village or neighbourhood in larger cities
- Mafia power has long had higher degree of effectiveness and legitimacy than government's
- It was long recognized by the state



Contemporary manifestations of mafia political ambitions

- 'Tax' local productive activities
- Mediate conflicts and guarantee property rights when asked
- Have allies among local politicians, control local life
 - Since 1991 over 200 city councils have been dismissed because of mafia infiltrations, including Reggio Calabria
- Share favours with national politicians
- Kill or intimidate dangerous government representatives
 - Cosa Nostra even organized several terrorist attacks

4. Control of markets

- Extortion:
 - Pizzo (protection money) imposition/payment +
 - Forced purchase of unnecessary products and participation in public tenders
- Mafiosi have played since 1950s crucial role in construction market and manipulation of public tenders
- Locally, they have also gained control of other markets
 - From food to new energies
- Camorra groups are specialized in counterfeited products



Mafia control should not be exaggerated

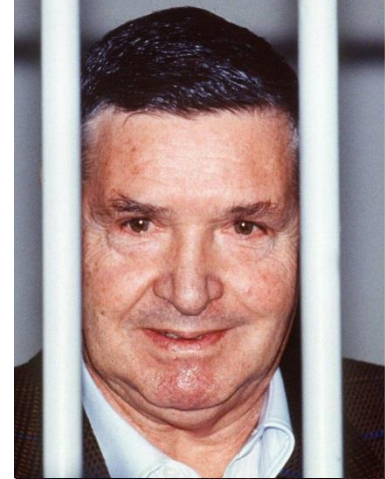
- Estimates of mafia turnover published in Italy are “mythical numbers”
 - E.g., 'Ndrangheta's turnover equals 3% of Italy's GDP or mafia groups turnover is €137 bl (Eurispes and Confesercenti)
- Mafia groups have not established monopoly on any legitimate or even illegal market outside Southern Italy
- Rarely seek political dominion outside southern Italy
- Cosa Nostra's power is challenged even in its strongholds

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Mafia groups sharply hit by repression since 1992

- All Cosa Nostra chiefs and many 'Ndrangheta bosses were captured
 - Totò Riina in January 1993
 - Bernardo Provenzano in April 2006
 - Pasquale Condello in February 2008
- Rank-and-file mafiosi were also decimated
 - 2,032, 2661 and 2,941 people arrested for *416bis* in Sicily, Calabria and Campania by DIA alone between 1992 and June 2014
- Given previous membership estimates, probability of being arrested has become very high



Mafiosi are imprisoned and impoverished

- Many *mafiosi* were convicted to heavy sentences
 - 6,758 Italians served sentences for crime of mafia association (Art. 416*bis*) as of June 2013
 - 645 *mafiosi* were held under special incarceration regime (Art. 41*bis* of the penitentiary law) as of Dec. 2009
- Financial drain was also heavy
 - DIA seized assets worth of over €13 billion in 1992-June 2014
 - Sketchy sentences confirmed by qualitative evidence
 - Many mafia groups stopped paying salaries to imprisoned members

Law enforcement successes often made possible by *Pentiti*

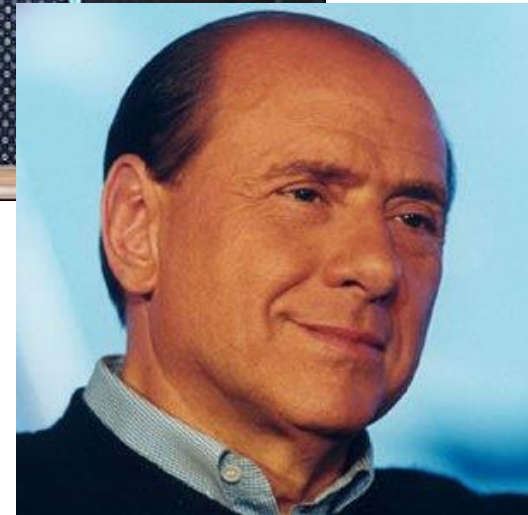
- Over 1,200 former OC members were under state protection programme at peak in late 1996
- Two factors fostered *pentiti*'s boom
 - Legislation granting them sanctioning and penitentiary benefits and creating a state protection programme in 1991
 - Crisis of mafia legitimation system and Cosa Nostra's use of violence
- After 35% decline, new growth since 2006: 1,093 *pentiti* in 2011
- *Pentiti* also enabled investigations on “mafia protectors”



Giulio Andreotti: former Italian Prime Minister, tried but acquitted for collaboration with Cosa Nostra (statute of limitation applied until 1982)



Salvatore Cuffaro: former President of the Region Sicily, sentenced to 7-year imprisonment for favouring Cosa Nostra



Silvio Berlusconi: former Prime Minister, accused by several mafia defectors of ordering Falcone and Borsellino's murders and Cosa Nostra's terroristic attacks in 1993, but never charged



Marcello Dell'Utri: former right-hand of Berlusconi and European MP of PdL, sentenced to 7-year imprisonment for favouring Cosa Nostra

Mafia groups' reaction to repression has been manifold

- Minimisation of mafia groups' visibility
 - Reversal of open challenge to state sovereignty
 - Drastic reduction in mafia murders (see next slide)
 - Focus on entrepreneurial activities not raising public alarm
- In Cosa Nostra, return to segmentation and “old rules”
 - No meetings of commissions since mid-1990s

Crime statistics indicate strong decline in violence in all of Southern Italy

Source: Istat, several years.

	Calabria		Sicily		Campania	
	Murders	Mafia murders	Murders	Mafia murders	Murders	Mafia murders
1990	326	141	428	150	347	201
1991	277	165	481	253	378	232
1992	151	46	399	200	290	181
1993	126	43	252	85	197	86
1994	121	42	249	90	165	65
1995	95	24	223	88	228	113
1996	103	30	180	66	204	94
1997	100	32	131	34	185	103
1998	85	28	140	35	199	107
1999	82	26	116	28	151	65
2000	84	34	86	13	163	73
2001	88	28	82	20	127	57

Crisis, but no defeat

- Cosa Nostra is weakened as never before, other mafia groups also hit hard by antimafia government action
- Government action is part of a long-term process of delegitimation of mafia subculture
 - Supported by ever larger strata of Southern Italian population
- Other typical values and institutions remain widely accepted
 - E.g., primacy of family, particularistic interests and patronage
 - Basis for corrupt exchanges with politicians
- Chronic underemployment provides manpower

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**Is the Italian mafia an idealtype of
organized crime in Europe?**

It depends ...

... on definition of organized crime

Who has been more dangerous and why?



**It depends ...
... on the criteria chosen**

- Background

Offense: “Associazione a delinquere di tipo mafioso”

- A mafia-type delinquent organization consists of three or more persons
 - “who belong to it make use of the power of intimidation afforded by the associative bond and the state of subjugation and criminal silence (*omertà*) which derives from such a bond to commit crimes, to acquire directly or indirectly the management or control of economic activities, concessions, authorizations or public contracts and services, either to gain unjust profits or advantages for themselves or for others.”