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Center and peripheries in Mafia connections

Abstract

The Sicilian Mafia was born as the armed wing of the feudal nobility with the aim of suppressing the claims of the peasants. In some relevant aspects, the Sicilian Mafia is a product of its geography and history: Italy has a very vast territorial and cultural diversity, a complicated process of national unification, state building, democratisation and modernisation. In other aspects, the Italian criminal system is also characterised by a fierce political struggle that has dramatically divided the country, accentuating and exacerbating the problems derived from its geographical and social legacy.

The present study is divided into five sections. In the first section I deal with some of the juridical issues related to definitions of "illegal" compromises, connections, ties, and links, and in the second section I outline the path of the classical Italian school, from Gaetano Mosca to Giovanni Falcone, including Giovanni Sartori and his lesson on democratic vulnerability. The third section focuses on various problems relating to the United States: I expand on standard reference point in sociological and criminological theory, underlined by theorists such as R.K. Merton and Daniel Bell and, regarding drug dealing, I focus on Gary Becker's dissertation on decriminalization. The fourth section explores the Sicilian Mafia issue whose origins are deeply connected to the growth of a democratic identity in the West, between the mid-nineteenth and late twentieth century. The fifth and final section discusses democratization and its discontents.

Key words: Mafia, sociology, Italy, law, democracy.

Definitions of illegal connections.

In Italian history, there is a relevant corpus of procedures, laws, trials, and heroes against crime enterprise. Some observers see that history as a sign of political incapacity to solve social problems; other observers prize that history as a sign of the nation's ability to frame menaces¹.

As regards the juridical definition of the Mafia, it is important to note that even the concept of *organized crime* has been for decades not clear in the international legal culture. Organized crime definition emerged first in the United States in the 1920s². After a multi-decennial debate, we had a universal definition only thanks to Article 2 of the U.N. Palermo Convention of 2000 on transnational crime³. In that definition, which is now used internationally by the United Nations and G8 countries, organized crime is 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 the U.N. Palermo Convention, in order to obtain, directly or indirectly, a financial or other material benefit. Moreover "structured group" means a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members nor continuity of its membership.

The difference between Mafia and organized crime is clear. In fact, Sicilian outlaws do not label their organization as Mafia, but as *La Cosa Nostra* ("our thing" in Italian). Mafia was a broader concept, while the true criminal association was known as *La Cosa Nostra*. In terms of threat to national security⁴, Mafia is much more than organized crime; Mafia means threats that are very dangerous to an open society, such as rooted connections to politics, control of the territory, and capacity to produce acquiescent behaviors only through its intimidator presence, without a direct menace. Because of Mafia scare, there are intentional failures or forbearance to discover a fault. There are many forms of adaptation in an environ-

1 Sidoti Francesco, *Il crimine all'italiana. Una tradizione realista, garantista, mite*, Guerini, Milano, 2000. I would laid to thank Francesco Sidoti, who carefully revised this article and allowed me to avail myself of his previous research on the same subject.

2 McLaughlin Eugene, Muncie John (eds), *The Sage Dictionary of Criminology*, London, Sage, 2006, p. 280.

3 United Nations Office On Drugs and Crime, *Convention Against transnational Organized Crime*, preface of Kofi A. Annan, Secretary-General, United Nations, New York, 2004.

4 Sidoti Francesco, Italy: A Clean-up after the Cold War, *Government and Opposition*, 28, 1, 1993, pp. 9-37; Sidoti Francesco, *The Italian Secret Services, in AA.VV. Geheimdienste in Europa*, Verlag für Sozialwissenschaften, Wiesbaden, 2009.

ment characterized by Mafia control of the territory: voluntary oversight, passive consent or active complicity. Guilty assent to wrongdoing is also quite common, thus not involving actual participation in, with knowledge of illegal activities, and absence in preventing and opposing. These characteristics are the focus of current Italian anti-Mafia legislation. Article 416-bis of the Italian Penal Code, under which all organized crime is prosecuted, classifies an organization as being of *Mafia-type* “when people belonging to the organization use the potential for intimidation which membership gives them, and the compliance and honor code which membership involves and which lead to the committing of crimes, the direct or indirect assumption of management and control of financial proceedings, concessions, permissions, enterprises and public services for the purpose of deriving benefits for themselves or others”. Article 416-bis of the Italian Penal Code distinguishes clearly organized crime and “mafia-type associations”, such as the ‘Ndrangheta and the Camorra, which are strongly active in Southern Italy. In Italy, as in the rest of the world, many organizations are “mafia-type associations”. The Sicilian one is only the first and the more glamorized.

Since 1982, the Italian legislation against the Mafia has seen an enormous growth, able to accommodate different new threats and to criminalize them. The Italian legislation has other equivalents in the world. Analysis and implementations in enforcement widely diverge, but theoretical concerns are similar. On connections and compromises there is a large international literature⁵. In the 1970s, the US RICO was used to prosecute crime syndicates, but its applications afterwards have been more widespread. It is very difficult⁶, but not impossible, to circumscribe and prosecute “connections”, “ties”, “relations”, “links”, “compromises”, and so on. The Italian legislation is important in order to understand a general problem of democratic countries, fought and studied in Italy more than in other countries (obviously, fighting and studying do not imply immediate victory).

Under Italian laws, Mafia members can be prosecuted even if not specifically involved in individual crimes. Italian legislation removed one of the most common Mafia schemes: avoiding negative public appearance, affirming trust toward authorities, and sending low-level people to commit the serious crimes so they could never be prosecuted.

5 Garrett Brandon L., *Too Big to Jail: How Prosecutors Compromise with Corporations*, Harvard U. P., Cambridge, 2014.

6 Chambliss William J., *On the take. From Petty Crooks to Presidents*, II ed., Indiana University Press, Bloomington 1988.

Mafia jurisdiction usually does not require proof of specific intent by the defendants to injure any specific person to establish an illegal agreement⁷. Instead, the law usually only requires the Mafia affiliates have agreed to engage as members of the criminal organization. This is enough to circumscribe a “general intent” to violate the law.

Under Italian anti-Mafia jurisdiction, for a person to be convicted, an “overt criminal act” is not necessarily required. The “external” contribution to Mafia association is enough. There are provisions of law enacted with respect to Mafia contiguity, clearly more subtle to demonstrate that open participation. The jurisprudence tackles the problematic issue of dogmatic configurability of external contribution to the criminal association discipline.

Some jurisprudential contrasts occurred within the same Supreme Court, the highest court in the Italian judicial system. Among its major functions, there is the duty “to ensure the correct application of the law and its uniform interpretation, together with the unity of the national objective law and respect for the limits between the different jurisdictions”. In a decision issued as third-instance judge, one of the main issues of the Supreme Court’s challenge has been the infringement of provisions of substantive law (*errores in iudicando*) or of procedure (*errores in procedendo*) or defects concerning the grounds of the decision or, furthermore, questions relating to jurisdiction.

When the Supreme Court singles out one of the above-mentioned defects, it is considered an important “precedent” and a reference point. Actually, Mafia “connections” have been discussed many times. Following Beccaria⁸, the Italian legal culture is very sensitive to possible arbitrary judicial power⁹. Ordinary Mafia convicts have applied to the Supreme Court for infringement of the law made by the second-instance courts. In the past, the Supreme Court was fully skeptical, denying genuine associative responsibilities. In that approach, Italy had the same skeptical approach existing in Western aptitude, afraid of inquisitional tendencies. For that reason, in the past, the word Mafia was inexistent in law and in jurisdiction (even

7 Fiandaca Giovanni, Il concorso “esterno” tra sociologia e diritto penale, in *Scenari di Mafia. Orizzonte criminologico e innovazioni normative*, a cura di G. Fiandaca e C. Visconti, Giappichelli, Torino, 2010.

8 Canzio Giovanni, Prova scientifica, ragionamento probatorio e libero convincimento del giudice nel processo penale, *Diritto penale e processo*, 10. 2003, pp. 1-49; Canzio Giovanni, La valutazione della prova scientifica fra verità processuale e ragionevole dubbio, *Archivio Penale*, 3, 2010, pp. 3-15.

9 Ferraioli Luigi, *Diritto e ragione. Teoria del garantismo penale*, Laterza, Bari, 1989.

if studied by criminologists, including Lombroso¹⁰). The Mafia was reputed as a sociological and political concept. The jurists believed that a specific crime should be condemned, not an association, in order to defend the particular ideal role of the human person in the process¹¹. After 1992, the situation changed resolutely.

For some observers the real Mafia issue is political and not juridical. Obviously, for a person to be convicted of Mafia he or she must not only agree to take unambiguous responsibilities, but he or she must have also carried out an overt act in furtherance of the Mafia connections. One important feature of a Mafia charge is that it relieves prosecutors of the need to prove the particular actions an individual is being accused of. It is necessary to specifically prove and that the offense was committed. Accomplice liability involves primary actors who actually participate in the Mafia transgression. Most courts hold that accomplice liability applied not only to the contemplated wrongdoing but also to other complicities. The defendant is a willful member of the Mafia network, which is different from the strict Mafia organization. There are distinct sanctions for distinct crimes, specified and discussed almost every day in a large democratic debate (where criminals too have the right to say why they are the way they are).

Controversies are not surprising. In the international juridical arena there is a large literature on compromises, corporate personhood, and so on. Many judgments of the United Sections in the Italian Supreme Court have definitively consecrated the admissibility of subtle Mafia charges, focusing on the legal reasoning adopted by the specific legislation. Italians have working operational definition of Mafia, applied to multiple realities, from city councils dissolved for criminal charges and assets confiscated from criminal groups. Millions of euros have been sequestered and hundreds of assets have changed property, going from Mafia ownership to Anti-Mafia association ownership.

The Sicilian Mafia, from Gaetano Mosca to Giovanni Falcone.

In our analysis, we trace the more classical Italian thought: the footsteps of Gaetano Mosca, Leopoldo Franchetti, Sidney Sonnino, Leonardo Sciascia, and Giovanni Falcone, including Giovanni Sartori and his lesson on democratic vulnerability.

10 Gammone Mariateresa, Sidoti Francesco, *The Lombroso Biologism: A Centenary of Controversies*, *Salute e società. Polis genetica and society of the future*, 9, 3, 123-137.

11 Scruton Roger, *Gierke and the corporate person. The Philosopher on Dover Beach, Carcanet, Manchester*, 1990.

As regards as the Italian political system we follow the interpretation given by Joseph La Palombara¹².

Gaetano Mosca's enduring contribution to modern political thinking is the observation that all but the most primitive societies are ruled in fact, if not in picture, by a numerical minority. He is an exponent of the Italian elitist school¹³. Although his theory is correctly characterized as *elitist*, it should be observed that his conceptual basis is clearly moderate and conservative. In the European meaning, he could be defined a liberal. He opposed the racist Nazism; he opposed authoritarian Fascism. Serving as a senator, his final speech in the Italian Senate was an attack on the fascist leader Mussolini.

In Mosca's conception, elites are not hereditary and must come from all classes of society. In his theory, the concept of the circulation of elites is very important, which was adopted later by Schumpeter as a characteristic of modern political systems, where there is a constant competition between elites, with one group replacing another repeatedly over time. Coherently, Mosca viewed the most enduring social organization as a mixed government, with several tendencies balancing each other and tempered by a gradual but continuous renewal of the ruling class by the addition of men of lower socioeconomic origin who have the will and the ability to rule. In different ways, theories of mixed government and of the "circulation of elites" are part of reflection on poliarchies, pluralism, interest groups, and so on¹⁴.

Proudly liberal, Mosca was not a democrat¹⁵. His reflection regarding the Mafia is a clear explanation of the reason why he mistrusted democracy. Mosca sees the greatest threat to liberal institutions in the extension of suffrage to "the most uncultured strata of the population". Suffrage represented a great possibility for Mafia manipulating abilities. They were not bandits¹⁶. At the end of the nineteenth century, the Mafia tightened the bonds with politics. To Mosca, even the Sicilian word Mafia is almost inexistent before the nineteenth century. Only the extension of suffrage gave birth to the influence of the Mafia. His ideas were common in Italy at that time, in the conservative opposition against the democratic drive. In

12 LaPalombara Joseph, *Democracy, Italian Style*, Yale U.P., New Haven, 1987.

13 Burnham James, *The Machiavellians: Defenders of Freedom*, John Day, New York, 1943.

14 Acemoglu Daron, Robinson James A., *Persistence of Power, Elites and Institutions*, Massachusetts Institute of Technology, Boston, 2006.

15 Nye Robert A., *The Anti-Democratic Sources of Elite Theory: Pareto, Mosca, Michels*, Sage, New York, 1977.

16 Hobsbawm Eric, Social Bandits: Reply, *Comparative Studies in Society and History*, 14, 4, 1972, pp. 503-505.

the nineteenth century, Sidney Sonnino sounded the alarm about the threats that democrats, Catholics, and socialists posed to liberalism. He called for the abolition of parliamentary governments and a return of the executive power to the King of Italy. In 1876, he and Leopoldo Franchetti travelled to Sicily and conducted an unofficial inquiry, where we find the notorious definition of the Mafia as an “industry of violence”¹⁷. The term Mafia was used for a class of criminals, different from criminals in other countries. To that vision, Gaetano Mosca added his specific outlook as the greatest political scientist in that age. He focused on the link between Mafia and democracy.

Mosca was not an authoritarian thinker and during the Fascist dictatorship, he retired to teach and research. He often observed the vulnerability of democratic systems in the face of Mafia organizations. Born in Sicily and educated at the University of Palermo, Mosca taught law there and later also in Turin and Rome. For years he commented Mafia affairs in academic journals and on the front pages of the most important Italian newspaper of that age. His reputation outside Italy was enormous; in 1937, he wrote the entry “Mafia” in the very prestigious *International Encyclopedia of social sciences*. In that entry, he described clearly the historical link between democracy and the Mafia. The mafiist attitude, of which there were many degrees, was common in western Sicily and almost unknown in the eastern provinces. It was practically non-existent among educated people as well as among the large class of sailors and fisher-men and rare among all urban classes. It was most firmly rooted among peasants and large landowners. Only democracy gave Mafia a chance. Before democracy, Mafia was confined in the 100 kilometers between the Sicilian cities of Palermo and Trapani. In a vast part of Sicily, the Mafia was completely unknown.

Mosca noted that the Italian democratic governments were long powerless to stop Mafia crimes, for many reasons. “But the chief obstacle to legal action was the political influence of the mafiists, who in some communes dominated political elections. This power developed after the first important extension of the franchise in 1882 and increased after universal suffrage was adopted in 1912”¹⁸. Gaetano Mosca explained that the poorest classes, given the right to vote, yielded most easily to mafiist threats and supported candidates endorsed by mafiists (because of ignorance and fear). The Mafia was a “business of private protection”¹⁹, but good

17 Dickie John, *Cosa Nostra: A History of the Sicilian Mafia*, Hodder, London, 2007.

18 Mosca Gaetano, “Mafia”, *Encyclopedia of the Social Sciences*, Macmillan, London, 1937, vol. X, full text: <https://archive.org>.

19 Gambetta Diego, *The Sicilian Mafia: The Business of Private Protection*, London: Harvard University Press, London, 1996.

political connections were the main reason for Mafia survival in Sicily, both economically backward and politically passionate.

Sartori's reflection is rooted in an international literature focusing on the governability of democracies, which started after the first oil shock in 1974²⁰. He adds a genuine concern for democratic idealism to this literature, following the Italian tradition, from Machiavelli thereafter. To Sartori, democracy is not an ideology as such, but it risks to be understood as an ideology. And ideologies, like utopias, are abstract speculation that fail gloomily when they are implemented. Democratic ideologism, which sprang from the events of 1968, is something completely different from a realistic theory of democracy.

According to Sartori, vulnerability of democracies means that "an attack is easy but defense is difficult". Our modern democratic society is therefore "structurally unbalanced" in the sense that it is easy and quite possible to cause enormous and irreparable damage. He also underlines other factors that he believes to be important in terms of vulnerability of democratic society: the great potential for blackmail on the part of those employed in service industry, who are indispensable in a technological complex society; the growth in the demand for protection by the State and the ensuing expansion of bureaucracy; the affirmation of a counter-culture. All these aspects of political vulnerability, says Sartori, are linked to the technological complexity of a technotronic society²¹. "The fact is that the world we live in is the most dangerous world in which humanity has ever lived. Partly, this is because of the proliferation of weapons of mass destruction that could wipe us all out; and partly it is due to the insane growth in population, which common sense ought to have prevented. Together, these issues have triggered a further series of crises from drought, to the climate and energy resources"²². In the past, the mafiosi was a rifleman in an agricultural society. Now he is a rifleman in a technotronic society, owner of a fantastic amount of money. Obviously, he is targeted as a very dangerous threat and his tendency to build connections is even more dangerous.

20 Crozier Michel, Huntington Samuel P., Watanuki Joji, *The Crisis of Democracy: Report on the Governability of Democracies to the Trilateral Commission*, New York University Press, New York 1975.

21 Brzezinski Zbigniew, *Between two ages: America's role in the technetronic era*, Penguin Books, New York, 1976: "In the technotronic society the trend would seem to be towards the aggregation of the individual support of millions of uncoordinated citizens, easily within the reach of magnetic and attractive personalities exploiting the latest communications techniques to manipulate emotions and control reason". Cfr. Lubowski Andrzej, *Zbig: The Man who Cracked the Kremlin*, Open Road, London 2014.

22 Cfr. Sartori Giovanni, *La Democracia en 30 Lecciones*, Taurus, Madrid 2008.

Giovanni Falcone, the anti-Mafia judge murdered by the Mafia in 1992, comes on the scene almost a century after Gaetano Mosca. He has little to do with abstract thinking on vulnerability: as an investigating prosecutor he was accustomed to walking into the blood of his close friends, assassinated by Mafia killers. His appearance on the Italian judicial scenario was a thunderclap, changing alliances. From the extreme periphery of the West, he adopted above all a strict partnership with US authorities²³. His most important connections were with the Federal Bureau of Investigations, which recognized his capacity for changing the interpretative paradigm regarding the Sicilian Mafia, which, before him, was obscure to American investigators, something like the Bolshevik rituals within the Kremlin²⁴.

The big change in the perspective was the focus on politics. Giovanni Falcone objected to confusing the Mafia with organized crime in general: “While there was a time when people were reluctant to pronounce the word *Mafia* ... Nowadays people have gone so far in the opposite direction that it has become an overused term ... I am no longer willing to accept the habit of speaking of the Mafia in descriptive and all-inclusive terms that make it possible to stack up phenomena that are indeed related to the field of organized crime but that have little or nothing in common with the Mafia”²⁵. Connections, links, ties, compromises, between Mafia and politics were to him the big problem, considered not in an extremist aptitude.

Giovanni Falcone made several major historical advances in Mafia boasting, penetrating inside the darkest secrets. For instance, he used intrusive investigative means such as the *pentiti*, “those who have repented”, correctly: collaborators with the justice system, testifying as witnesses for the state against their associates or accomplices. They trusted him, because they knew he was a sincere man, not a double faced hypocrite. He attacked the Mafia’s financial power, underlining that the economic field was vital from an investigative point of view (because of the insuperable evidential force of numerical mapping). He greatly affected the grey Mafia area, asking for new invasive legislation and for new incisive jurisdiction, but, at same time, he was aware of the necessity of an institutional support. So, he admired the American law enforcement model, where judges are clearly connected to political (not partisan) power and, in that way, can rely on public support and mandate. He realized great part of the operation *Pizza Connection*, which determined the beginning

23 Falcone Maria, *Giovanni Falcone. Un eroe solo*, Rizzoli, Milano 2012.

24 Cfr. Freeh Louis J., *My FBI, Bringing Down the Mafia: Investigating Bill Clinton, and Fighting the War on Terror*, St. Martin’s, New York, 2006.

25 Falcone Giovanni, *Interventi e proposte (1982-1992)*, a cura della Fondazione Giovanni e Francesca Falcone, Sansoni, Milano 1994, p. 69.

of the end to the Sicilian-American Mafia, both in Italy and in the United States, at different times and in different ways. This does not mean that the *Cosa Nostra* is thrashed or that the law enforcement control should be reduced.

Frequently, journalists, investigators, judges, politicians, describe the Mafia as an all-powerful enemy able to control everything and everyone. This simplification is factually incorrect and counterproductive under the ethical and the political point of view. In fact, stating that the Mafia has had almighty power may lead to the argument that it is not to be opposed, prompting people and public opinion in despair and passivity. On the contrary, the Mafia has been fought with noteworthy success both in Italy and in the United States since the beginning of the 1980s, thanks to new people, new laws, and new institutions specialized in the fight against Mafia, drugs and crime enterprises. We have appreciated dramatic internal conflicts within Sicilian and US Mafia which have brought many affiliates to cooperate with the authorities and reveal the secrets and the names. Giovanni Falcone was murdered by the Mafia in 1992 and many others illustrious institutional Italian figures have been murdered, but today the top Mafia mobsters are in jail and will die in jail. Nowhere have the Mafias been investigated and prosecuted as they have in Italy. Nowhere has corruption been as thoroughly analysed and comprehended²⁶. Nowhere else does the power elite has to be as careful as in Italy; there are impartial prosecutors and judges. Historical victories have been achieved since the early 1990s and the Sicilian Mafia has entered a period of acute crisis.

The Italian government claims the Mafia has been defeated: in Sicily government says it is winning the war. But, suspicious experts say, can the Mafia ever be defeated? The Italian government can have delivered only a temporary setback. “Arresting a few godfathers is like cutting the head off a Hydra, they say – others will simply take their place. Just because you arrest some top people doesn’t mean the Mafia goes away”. Upon the *toe* of Italy’s boot-shaped peninsula, the Ndrangheta in recent years is thought to have overtaken its better-known counterpart in Sicily and it is regarded as another unassailable Mafia group, able to control a billion-dollars trade in smuggling cocaine from Colombia cartels into Europe. The problem is real, but the successes are also real.

In life Giovanni Falcone was “subjected to an infamous lynching” for advocating ideas that led to isolation. Twenty years later, his specific contribution to the culture of international security becomes increasingly clear, which must be seen within a

26 Gammone Mariateresa, *Corruption in classical European criminology, 1876-1914*, International Forum on Crime and Criminal Law in the Global Era, Beijing, 2013.

wider international contribution (often misunderstood). Italy is not only the country of the Mafia; it is also the country of the best Anti-Mafia. In twenty years, there have been important achievements, sometimes underestimated. If global democracy must gradually erode ethnic identities and replace them with a global citizenship identity, people as Giovanni Falcone are the best we can present to future global citizens, not as a victims, but as a luminous examples of a battle that democracies have won.

Giovanni Falcone is remembered in the United States as the Italian who allowed for the greatest international victory against the Mafia, *Pizza Connection*. In former communist countries, such as Poland, the Italian experience has been prized as very instructive, with the aim of avoiding similar problems²⁷. In fact, crime and the Mafia in Italy had enormous international visibility, but the commitment of so many Italians in the fight against the Mafia has not had the same visibility. Furthermore: the magnificent collaboration between the Italian judge and the US authorities has not been appreciated enough. Giovanni Falcone loved the US law enforcement model and advocated the introduction in Italy of some key aspects, such as the special US relationship between prosecutors and judicial police.

In definition and prosecution of the associative crimes, Italy has scored some spectacular successes in its decades-long fight against the Mafia, capturing top bosses, persuading turncoats to testify, and encouraging ordinary citizens to resist shakedowns. Social anti-Mafia movements have been strong and influent. Today there is in Palermo a genuine and effective anti-Mafia mayor and there is in Sicily a genuine and effective anti-Mafia regional president. In Italy, the glamorized Mafia narratives of Hollywood and Hong Kong are the past narrative, which can be completely understood only in a general perspective about simplistic fictional accounts²⁸.

Mafia connections in the United States

The Sicilian Mafia issue is far from just being an Italian issue or an American issue, for its origins are deeply connected to the growth of a democratic identity in the West, between the mid-nineteenth and late twentieth century. Its history in the United States is a criminological lesson about the possibility on handling organized crime with reference to democratic ideas and ideals.

27 Podemski Piotr, Razzano Roberto, Una celebrazione a Varsavia di Giovanni Falcone. Il contributo dell'Italia alla legalità internazionale, *Sicurezza e scienze sociali*, 1, 2, 2013, pp. 182-196; Sidoti Francesco, Gammone Mariateresa, *Che cosa significa essere europeo? Una ricerca al cuore e ai confini dell'Europa*, Milano, FrancoAngeli 2013, pp. 102-108;

28 Greer Chris (ed.), *Crime and Media: A Reader*, Routledge, London, 2009.

In the US, the Sicilian-American Mafia has been in existence since the end of 1800s, created by Italian immigrants, mostly from Sicily. At the beginning, it was a typical ethnical crime organization: immigration imported poor people and worst Sicilian outlaws in America. But they were living in horrible ghettos, frequently hanged, shoot, lynched (as in New Orleans, 1890).

Thanks to a mistaken absolute idea of purity, from 1920 to 1933, Prohibition led to unintended consequences such as the growth of various criminal organizations, including a new Mafia, born in America. Criminal organization began a means to provide liquor to the normal citizen, including politicians and the police. The profits were huge and far exceeded conventional activities of extortion, prostitution, and gambling. The organization was important in order to sell and distribute alcohol products. Criminal gangs and businessmen saw the opportunity to make fortunes and began shipping larger quantities of alcohol to all American cities. Alcohol was imported from Canada to the Caribbean. Prohibition transformed ordinary and petty crooks in a vast and rich association, present everywhere in the country, accustomed to bribe authorities. Police officers, public officials, prosecutors, lawyers, judges, politicians, and, above all, ordinary consumers became part of the criminal net of smugglers and bootleggers²⁹.

This organization was the first one to be labeled “Mafia” and became part of the popular imagination through Mario Puzo’s book, *The Godfather*, from which the series of Francis Ford Coppola films originated.

In 1929, Walter Lippmann carried out a fundamental analysis of alcohol, gambling, prostitution and drug control³⁰. America’s frequent gangland shootings and corruption scandals, he argued, demonstrated that the machinery enforced by US laws was not working. We have in the end, he argued, “to deal not only with all the vices we intended to abolish but with the additional dangers which arise from having turned over their exploitation to the underworld”. Moreover he argued that the underworld was not a mortal enemy, but a kind of hidden servant, allowing a vast part of society a real demand of illegal sex, drugs, and risk.

Reputed as the father of modern American law enforcement, leading figure in the development of criminal justice in the United States, already in 1936 Vollmer wrote in favor of federal drugs control and dispensation. In his vision, prohibitionist laws

29 Hawkins Ernest R., Waller Willard, Critical Notes on the Cost of Crime, *Journal of Criminal Law and Criminology*, 26, 1936, pp. 679-694.

30 Lippmann Walter, *The Underworld as Servant*, *Esquire*, 1937.

led to police corruption and “engenders disrespect both for law and for the agents of law enforcement. Drug addiction, like prostitution, and like liquor, is not a police problem; it never has been, and never can be solved by policemen”³¹.

About the United States, we must firstly remember a classical reference point in sociological and criminological theory, underlined by theorists such as R.K. Merton and Daniel Bell. In R.K. Merton and Daniel Bell, reasons of eminent observers became parts of a general theory about the functioning of the social system, generally speaking about United States and, in a broader meaning, about universal human societal systems³².

Robert Merton gave a intense statement about organized crime³³. It was the end of a long road, beginning with Mandeville and concluded by Lombroso and Durkheim: in precise meanings, crime is frequently normal, useful, and innovating. Crime is frequently generated by market laws of supply and demand. The cultural system (including subcultures and institutional principles) clarifies what we value the most. In Robert Merton’s outstanding pages, organized crime is above all an answer to a real and effective social demand, not fulfilled by legal structures. The prohibitionist experience was very important to him.

After R.K. Merton, Daniel Bell was even more explicit: “Americans have had an extraordinary talent for compromise in politics and extremism in morality... The jungle quality of the American business community, particularly at the turn of the century, was reflected in the mode of ‘business’ practiced by the coarse gangster elements, most of them from new immigrant families, who were ‘getting ahead’ just as Horatio Alger had urged. ...For crime, in the language of the sociologists, has a ‘functional’ role in society, and the urban rackets--the illicit activity organized for continuing profit, rather than individual illegal acts--is one of the queer ladders of social mobility in American life. Indeed, it is not too much to say that the whole question of organized crime in America cannot be understood unless one appreciates (1) the distinctive role of organized gambling as a function of a mass-consumption economy; (2) the specific role of various immigrant groups as they, one after another, became involved in marginal business and crime; and (3) the relation of crime to the changing character of the urban political machines”³⁴.

31 Vollmer August “Gus”, *The Police and Modern Society: Plain Talk Based on Practical Experience*, University of California Press, Oakland, 1936, p.118.

32 Parsons Talcott, *The Social System*, Free Press, New York, 1951.

33 Merton Robert K., *Social Theory and Social Structure*, Free Press, Glencoe, 1949, pp. 341-368.

34 Bell Daniel, *The End of Ideology: On the Exhaustion of Political Ideas in the Fifties*, (first edition 1960), Free Press, Glencoe, 2000, p. 128.

In Daniel Bell's perspective, criminal activities were the upward mobility channel taken by many immigrants, imbued with the Horatio Alger prescriptions. Every ethnic group has its own peculiar status history and important differences. The status history of the older immigrant groups like the Germans and the Irish is quite different from that of ethnic elements like Hebrews, Italians, Poles, Russians, and the numerous Asian groups. A relative non-acceptance in some social spheres, ensured an unusually ambiguous status. In many ways they have lost, while in others, particularly in some criminal field, they have won. In this context, prevention means the right definition of what we permit and what we forbid.

Sociologists underlined that, until the 1920's and 1930's, as business became more organized so did racketeering and gambling, becoming "industrial racketeering" and "gambling industry". Bell notes that in New York in the 1930's dominated sections of the clothing industries, house painting, fur dressing, flour trucking, etc. "In a highly chaotic and cutthroat industry such as clothing, the racketeer, paradoxically, played a stabilizing role by regulating competition and fixing prices. When the NRA came in and assumed this function, the businessman found that what had once been a quasi-economic service was now pure extortion, and he began to demand police action". Daniel Bell prolongs his analysis to the 1950's, questioning the Kefauver Committee investigation on the tentacles of the vice syndicates. He rejected Kefauver's idea that a Mafia rules the underworld, "failing to understand three of the more relevant sociological facts: (1) the rise of the Italian- American community, as part of the inevitable process of ethnic succession, to positions of importance in politics, a process that has been occurring independently but also simultaneously in most cities with large Italian constituencies--New York, Chicago, Kansas City, Los Angeles; (2) the fact that there are individual Italians who play prominent, often leading roles today in gambling and the mobs; and (3) the fact that Italian gamblers and mobsters often possessed 'status' within the Italian community itself and a 'pull' in city politics. These items are indeed related, but not as to form a *plot*"³⁵.

In this sociological outlook, the road of crime, in other words, was taken by some late coming immigrants trying to become respectable owners: Italians and East European Jews were on the same road previously travelled by Irish immigrants. In that historical advancement, many outlaws became "legitimate" property holders. Many criminals derived their income from "legitimate investments (real estate in the case of Costello, motor haulage and auto dealer franchises in the case

35 Ibidem, p. 129.

of Adonis) or from such quasi-legitimate but socially respectable sources as gambling casinos”³⁶.

Compared to the 1950’s and 1960’s, today the international context is very different. But we can analyze a different context with the same methodology, legitimate in the past by the large appraisal of the scientific community. So we can find many similarities in the ups and downs of the observers of today’s Mafia’s overwhelming presence in peripheral countries and of its hidden presence in core Western countries³⁷.

The US’s “war on drugs” is in the order of billions. Moreover, there are the associated effects of increased deviance and health problems. The market is completely controlled by criminals. To many observers legalization and a system of taxation, comparable to that applied to tobacco and alcohol, is the right way. To them, western policies are only useful to ruin the lives of nonviolent drug users by incarcerating them. In the human nature, there is much worse than crime, for instance cruelty and fanaticism, chaos and starvation.

Talks on decriminalization does not mean a kind of free-for-all where there is no care for people addicted to drugs, and letting anyone use what he wants. The decriminalization argument is about regulation and control. Thanks to decriminalization, more resources and energy should be devoted to research, prevention, and treatment, involving each citizen and institution responsibility to combat every misuse and addiction. Presidente Obama said: “nothing is more important than giving everyone the best education possible”. Even about crime, education is very important. Active citizenship requires an inherent openness to be exposed before to a good information and after to personal responsibilities. Even about crime, it is very important distinguish rights and duties, good hopes and effectual possibilities. Utopias and ideologies are misleading.

Authors suggest that prohibition may serve to “produce a scarcity value irresistible to producers, smugglers and dealers” thus contributing immensely to corruption³⁸.

36 I’m insisting on that book because it is considered a landmark of mainstream western culture. In the renowned speech at the Yale commencement in 1962, John F. Kennedy echoed Daniel Bell, proclaiming the triumph of “practical management of a modern economy” over the “grand warfare of rival ideologies”. In December 30, 2008, *The Times Literary Supplement* named that book as one of the 100 most influential books since the end of War World Two.

37 **Gaviria Alejandro, Mejía Daniel**, *Anti-Drugs Policies In Colombia: Successes, Failures And Wrong Turns*, Ediciones Uniandes, Bogotá 2011.

38 Neild Robert, *Public Corruption; The Dark Side of Social Evolution*, London, Anthem Press, 2002.

Governments and civil society in the Third World are often “undermined, sometimes destroyed” by the illegality that goes with the drug trade. “This is probably the most important way in which the policies of rich countries foster corruption and violence. Yet the effect on the Third World seems scarcely to enter discussion of alternative drug policies in the rich countries”.

To decriminalization supporters, major legal drugs kill far more people than illegal drugs; for instance, tobacco and alcohol. An excess drinking culture is affecting many people everywhere and all over the world people are killed by cancer related to tobacco. Although these drugs are legal and regulated, they continue to put enormous strains on institutional structures such as police and health services. Obviously, on this issue there are opposite points of view, but both frequently agree on one conclusion: the war on drugs constitutes one of the greatest catastrophes the West has ever known. Peripheral countries are unenthusiastic protagonists in a central core problem. Drug legitimacy, economic wealth, and legal risks do not seem correlate perfectly.

The 1992 Nobel Prize recipient in economics, Gary Becker gave outstanding motivation regarding drug decriminalization and illegal connections. He recalled that the disastrous effects of the war on drugs were clear to observers such as former Mexican President Felipe Calderon, who suggested new “market solutions”, to cut drug gang revenues, providing safety and security. After him, Mexican president Enrique Pena Nieto announced: “I’m in favor of opening a new debate in the strategy in the way we fight drug trafficking. It is quite clear that after several years of this fight against drug trafficking, we have more drug consumption, drug use and drug trafficking. That means we are not moving in the right direction”. Gary Becker considered the war on drugs as an enormously destructive policy experiment and noted that prices of illegal drugs are pushed up whenever many drug traffickers are caught and punished harshly. Higher prices can compensate traffickers for the risks. “This explains why large-scale drug gangs and cartels are so profitable in the U.S., Mexico, Colombia, Brazil and other countries”. In terms of a cost-benefit analysis, an aggressive war against drugs can exacerbate the societal and institutional costs, while the large profits for drug dealers encourage them to try to bribe and intimidate police, politicians, the military and anyone else involved. “Mexico offers a well-documented example of some of the costs involved in drug wars. Probably more than 50,000 people have died since Mexico’s antidrug campaign started in 2006. For perspective, about 150,000 deaths would result if the same fraction of Americans were killed. This number of deaths is many magnitudes greater than American losses in the Iraq and Afghanistan wars combined, and is about three times the number of American deaths in the Vietnam

War. Many of those killed were innocent civilians and the army personnel, police officers and local government officials involved in the antidrug effort”³⁹. Such a reflection was against conventional thought on drugs, related to moral apprehension, mental illness, and social oppression. In Becker, drug dealers rationally see that the benefits of their crime outweigh the cost. Connections, ties, compromises are consequences of rational decisions, in terms of opportunities.

In the same perspective, the comparison with Prohibition is typical. Prohibition didn’t work for alcohol. Prohibition isn’t working for drugs. Becker explains: “Just as gangsters were largely driven out of the alcohol market after the end of prohibition, violent drug gangs would be driven out of a decriminalized drug market. Since the major costs of the drug war are the costs of the crime associated with drug trafficking, the costs to society would be greatly reduced even if overall drug consumption increased somewhat”.

Mafia connections in Italy

The current narrative regarding the Mafia focuses on countries like Afghanistan or Columbia, which have had their economies rocked and destabilized by the illegal drug market. However, it is not useful to consider every local Mafia without reference to the international context. In terms of the Sicilian Mafia the context explains the local evolution. If there are dangerous connections, the main significant connections are rooted in the international context.

When, in 1937, Gaetano Mosca wrote the entry “Mafia” in the *International Encyclopedia of social sciences*, he stated clearly that the Mafia in Sicily (and in Italy) at that time was no longer a problem. For authoritarian reasons, the Fascists cut the historical link between democracy and the Mafia. If democracy gave Mafia a chance, no democracy, no Mafia. This does not mean that all crime was inexistent; it means that, in an authoritarian state, specific forms of crime are prevalent. To some observers, in an authoritarian state crime is embodied in the ordinary functioning of the state⁴⁰. Neumann argued that behind the legal façade of the Nazi regime, there was ultimately nothing but unbridled terror, arrogance and arbitrariness. Many observers noted that behind the anti-Mafia façade of the Italian fascist regime, there was ultimately nothing but centralization of power. For totalitarian

39 Becker Gary S., Murphy Kevin M., Grossman Michael, **The Market for Illegal Goods: The Case of Drugs**, *Journal of Political Economy*, 1, 114, 2006, pp. 38-60.

40 Neumann Franz, *Behemoth. The structure and practice of National Socialism 1933–1944*, first edition 1944, Octagon, New York, reprint 1983.

reasons Mafia was restricted: the Fascists had fought the Mafia because they could not bear any obstacles to their control of Italian society.

In Mafia mythologisation, a key point has been the idea that the Sicilian Mafia owes its rebirth to an agreement made with the allied antifascist alliance, when they disembarked in Sicily in 1943. In fact, the Allies were inclined to make a deal “even with the devil”, in order to beat the Nazis. Even the Mafia was fiercely antifascist, although for very different reasons. An agreement was really made: the Allies used mob bosses to maintain control in the United States and in Sicily. In 1943 the Mafia was used in order to facilitate the landing of the troops in Sicily and the control of the territory.

In the postwar period, the strength of the Mafia needs to be seen as the result of the long-term reciprocal influences between Sicily and America. At the beginning of World War II, Luciano was serving a 30-to-50-year prison term. Worried about possible Nazi sabotage of docks and other shipping facilities in New York and East Coast ports, U.S. military intelligence officers promised him a pardon for his collaboration. In a all-out war, that kind of agreements were not unusual.

In France, the Union Corse enjoyed various degree of collaboration within French law enforcement. During World War II, that criminal organization rendered harmless German sympathizers in Marseille on behalf of the French Resistance. Institutional collaboration continued into the postwar years. Historians relate close, mutually beneficial relationships, which prompted governments of Italy, France Japan to somewhat de-emphasize law enforcement in regards to criminal connections. Because of the Cold War, the Union Corse and the Yakuza ⁴¹Yakuza were enlisted, in order to act as strikebreakers in France and in Japan, persuading unions to return to work. In Sicily, as in Corse, Mafia members held public office. From 1945 to 1948, ballot outcomes were highly uncertain. In Sicily, in order to keep a good democratic victory, intricate relationships developed between the Allied administration, the Mafia, local business leaders, the church and the political class were again renewed.

The Sicilian case was special in that: Mafia support was necessary in order to win Sicilian elections, strictly connected with Italian national elections. The local Sicilian context was strictly linked to the national context and this was strictly connected to the international context.

41 Reischauer Edwin Oldfather, *The United States and Japan*, third ed., Harvard University Press, Cambridge, 1970.

Luciano returned to Sicily, carrying the expertise cultivated in his American life. Unwillingly, not only the Sicilian Mafia was reborn, but also returned to great power. In the face of Luciano's international expertise, his Sicilian friends were pupils grown in a feudal past. Gradually they learned how to become cosmopolitan criminals. The transplant of a new brain in an old body went unnoticed. In the slow infancy of the new creature, feudal Mafia was engaged in the countryside (Sicily was completely rural and backward), while Luciano's narcotics network was extensive and complex and he had many deported former friends to help him run his empire throughout the late 1940s. The main drug specialty commerce, imported into Italy by Luciano at that time, was heroin and the main sources were French underworld clans that made up the core of the Union Corse, ethnic criminal enterprise far more secretive and tightly knit than the Mafia. Luciano and his American colleagues were interested in Italian business and industry; they were active mainly in Milan and Rome, looking to the Italian stock exchange and to the high spheres of politics. Silently, they invested money in banks and pharmaceutical companies. Over time, they understood that the world of communication was the future and also paid close attention to this business.

Meanwhile, the rural Sicilian cousins looked with admiration to their strong uncles from America. If the great mass consumption of drugs had not been in the Sixties, the Sicilian mobsters most likely would have been crushed by the relentless progress of modernization. In Sicily, in the fifties, crimes such as extortion and robbery made for a difficult life. The old, local protection network had become unprofitable, overwhelmed by the progress of modernization, as was the case for other old social figures and economic activities⁴². Suddenly, the global mass drug-consumption sounded the alarm and promised to give the day. With the outbreak of the international consumption of drugs, the Sicilian mobsters became billionaires. In the past, Mafia men were submitted to politicians; now they were proud billionaires, well intentioned to submit politicians.

According to mainstream mafiology, the first Sicilian Commission was formed in Palermo after a series of meetings between top American and Sicilian mobsters that took place in Sicily, in October 1957. US mobsters suggested that their Sicilian counterparts should form a permanent collegial body, in order to establish competencies and to settle conflicts among Mafia families. Following the example of the American Mafia that had formed a similar commission in 1931, a kind of permanent commission was formed in 1958.

42 Sidoti Francesco, *Istituzioni e criminalità*, Cedam, Milano 1996.

Before that time the Mafia was not a military structure, but “a mosaic of small republics with topographical borders marked by tradition”⁴³. The nature was agricultural and peripheral, a relic of pre-modern society, which was almost tribal, characterized just by “families”. In the sixties, drugs gave them money, influence, power, and “good connections”.

Only in the 1980s, the Sicilian Commission became a central leadership body, enforcing the decisions made by a new winning group. Before, eminent observers, as the Judge Terranova, did not believe in the existence of a tightly unified structure. On the contrary, Judge Falcone argued that *Cosa Nostra* was a unified hierarchical structure and that its bosses could be held responsible for activities that were committed to benefit the structure. Thus from a juridical point of view the Mafia was identified with the *Cosa Nostra* organization, and defined as a unique pyramidal organization.

Luciano had built a massive narcotics organization spanning Italy and America. In Sicily Luciano lieutenants were engaged in shipping drugs to their U.S. contacts in New York. East Coast partners would then distribute the drugs all along the East Coast.

By the late 1950s, at the famous Mafia summit held at the Grand Hotel des Palmes in Palermo, the Sicilian and American mobsters organized a joint drug trade that would eventually grow into one of the largest global narcotics operations ever. Luciano’s narcotics network was big and complex and he had many allies to help him run his empire throughout the late 1940s. The main drug imported by Luciano’s network at the time was heroin.

Without a doubt Luciano was one of the architects of the American illegal network, which begins with alcohol and continues with drugs. From Cuba to Montreal, satellite groups and individual operations were connected in a ring of massive narcotics distribution. Outside US borders and awareness, La Havana was the capital of the Mafia. In 1959, when Batista was overthrown by Fidel Castro and Che Guevara, the Mafia had to look elsewhere. For years, Lucky Luciano and Meyer Lansky friends hoped for a fall of revolutionary Cuba.

The new era of the Mafia in Sicily started in the 1970s. Between the 1930s and 1970s, heroin refined in Marseilles was smuggled to New York, in the commerce which was labeled as “the French Connection”. This trade for a good part of the

43 Gambetta Diego, *The Sicilian Mafia: The Business of Private Protection*, op. cit., p. 111.

20th century was heavily linked to the French rule of Indochina. In 1954, the French retreat from South-East Asia left an heredity involving the Golden triangle: the nearby border triple point area of Thailand, Laos and Myanmar, an area of around 367,000 square miles that, along with the Golden Crescent, has been one of the most extensive drugs-producing areas of the world since the 1920s. Corsican and French mobsters were heavily involved in the heroin trade, until the international cooperation between law enforcement agencies in 1972 dismantled it and the French connection started to crumble. Sicilian Mafia took the heredity and made it an extraordinary global business.

In the years 1970-80, the Sicilian Mafia became protagonist of the international drug trade, weaving relationships with many foreign international organizations. In the 1970s, a violent Mafia war occurred aimed at removing obstacles to its growth with the murder of politicians, police, and judges. In the meantime, a violent internal war broke out, with great conflicts, from which emerged a new victorious group, intent to intensively employing killings, bombs, and terror.

In the past, Mafia people had never intended on ordering the murder of women, police officials, prosecutors, judges, politicians, journalists, and lawyers. In the rural past, the mafioso saw himself as a law-abiding citizen rather than an outlaw. He had a code of honor and he was aware that infamous killings could provoke retaliation by law enforcement.

Democratization and its discontents

We have previously seen the link between democratization and Mafia in two countries, Italy and United States, which are very different, but equally suffered embodiment of peripheral Sicily within democratic frontiers, procedures, values, and expectations.

Global democratization means the enlargement of democratic borders to countries such as Kosovo, Zimbabwe, Ethiopia, Uzbekistan, Nigeria and Kenya. With embodiment of numerous peripheral countries in a new world order, global democratization transferred again Mafia problems at the core of international system. So Mafia issues are not a Third World Problem. Europe is a case in point. Extremist organizations have been proliferating in the Balkans even prior to the attacks in the United States of September 11, 2001. Al Qaeda's presence in Bosnia and Herzegovina was significant over the decade prior to 9/11. Now the Balkan region is a logistical base to terrorist adventures beyond the original locality. According

fine observers, in the Balkans a low intensity Mafia is burgeoning within a vast area of state complicity, in a mix of religious, ideological, national, economical, and tribal motivations⁴⁴.

By allowing billionaire drug trafficking to go unpunished, criminal enterprises erode the foundations of the international system, which requires that governments be capable of enforcing mutual police collaboration and the rule of law⁴⁵. Some sovereigns of the world bottom billion⁴⁶, made sensitive by colonial heritages, reject democracy as an ideology and use representative language as an empty rhetoric. In the meantime, these people are prone to all the pragmatic criminal transactions and their governments typically do not really have democratic sovereignty, but only “presidential sovereignty”. The fact of the matter is that the same authorities who engage in fields such as drug trafficking also contribute to the deepening criminalization of the global economy, operating in close institutional fields, often in association with corrupt officials around the mainstream world system. Pragmatic criminal transactions can be described as institutional costs, informal adaptations which would contribute to the perpetuation of order, in a situation of state’s limited coercive force⁴⁷.

There are few aspects of the global village that have been subject to such sustained mythologisation as the word “Mafia”, which has become a generic term, popping up everywhere from Sicily to Brazil, from Nigeria to Albania, from flimsy virtual universe in outer space to domestic screen adaptations in house space: a blanket term used to describe every type of organized crime enterprise. In a high influential book, Putnam said that “Palermo could be the future of Moscow”, speaking about the opportunities for organized crime in post-communist States⁴⁸. But organized crime and Mafia are not synonymous concepts. Mafia and Mafia states are two very different conceptual domains.

44 Simeunović Dragan, Dolnik Adam, Security Threats of Violent Islamist Extremism and Terrorism for South East Europe and Beyond, *Shaping South East Europe’s Security Community for the Twenty-First Century*, Palgrave Macmillan, London, 2013, pp. 87–113.

45 Baker Raymond, *Capitalism’s Achilles Heel: Dirty Money and How to Renew the Free-Market System*, John Wiley & Sons, New York 2005.

46 Collier Paul, *The Bottom Billion: Why the Poorest Countries are Failing and What Can Be Done About It*, Oxford U. P., Oxford 2007.

47 North Douglass Cecil, Wallis John Joseph, Weingast Barry R., *Violence and Social Orders: A Conceptual Framework for Interpreting Recorded Human History*, Cambridge University Press, New York, 2009.

48 Putnam Robert, *Making Democracy works: Civic Traditions in Modern Italy*, Princeton U. P., Princeton 1970.

The definition of Mafia states, given by Moisés Naím, is clear: due to global economic crisis, some governments have taken over the illegal operations of criminal groups. “In Mafia states, government officials enrich themselves and their families and friends while exploiting the money, muscle, political influence, and global connections of criminal syndicates to cement and expand their own power. Indeed, top positions in some of the world’s most profitable illicit enterprises are no longer filled only by professional criminals; they now include senior government officials, legislators, spy chiefs, heads of police departments, military officers, and, in some extreme cases, even heads of state or their family members. ...Unlike normal states, Mafia states do not just occasionally rely on criminal groups to advance particular foreign policy goals. In a Mafia state, high government officials actually become integral players in, if not the leaders of, criminal enterprises, and the defense and promotion of those enterprises’ businesses become official priorities”⁴⁹. Naím quoted as Mafia states countries such as Bulgaria, Guinea-Bissau, Montenegro, Myanmar (also called Burma), Ukraine, and Venezuela. In those places, he said, the national interest and the interests of organized crime were inextricably intertwined. After Naím’s dissertation, many changes took place and the concept of Mafia states has been applied or unapplied to many critical situations.

The fact that a category used by ordinary people, journalists, scholars, and politicians can be commonly used in this manner calls into question its reliability. If the Mafia is universally widespread, even the meaning of democracy is at stake. Our analysis provides further support for those who have criticized the unclear and illogical nature of the Mafia states label. This also raises important questions regarding the forms of intervention that democracies themselves should pursue in front of illicit commodities and within the states they categorize as “democracies”. Electoral victories of German Nazis and Italian Fascists are behind famous Churchill definition: “Democracy is the worst form of government, except for all those other forms that have been tried from time to time”.

Mafia groups, as other crime syndicates, deal in different fields: they sell and seek to monopolize the supply of illicit commodities; drugs are only one of them. True Mafia criminals want to make money, want to control territorial space, have ethnic unity, and so on, but, above all, are characterized by good connections with democratic political power. This is the dividing line between organized crime and Mafia; it’s a very crucial point: ordinary crime is a policing issue while Mafia crimes are political issues.

49 Naím Moisés, Mafia States, *Foreign Affairs*, June 2012.

Many scholars argued that the Mafia was prevalent when feudalism was crumbling and the rural population increasing. The Mafia had a quasi-governmental role and supplied services for both the landed aristocracy and the peasantry. In the past, the old Mafia was a by-product of the imperfect transition from traditional society to modern society. Now, the new Mafias are a by-product of the imperfect transition of all world countries to a global society and to a unified human history. World-historians debate frequently about the theme of the “rise of the West”. In our perspective, we have been firstly interested in the theme of the “rise of international organized crime”. Not the center, but the peripheries were at the core of our reflection.

The worldwide rise of organized crime has been an unintended effect of globalization. According to many scholars, illegal trade accounts for one-fifth of the global GDP. Some observers say that the Mafia -- actually, a collection of Mafias -- have spread their tentacles globally. But this radical perspective runs the risks of helping a conceptual misunderstanding and of fuelling ideal despair: imperfect democracies have Mafias and organized crime. Only authoritarian states do not have not such problems.

Global democratization has not magically dissolved local differences, histories, and problems. The worldwide rise of organized international enterprises has been an unintended effect of globalization. The old-fashioned Mafioso has been replaced by a kind of globetrotting-businessman Mafioso. Their existence must be explained in sociological terms. They are answering to a huge social demand. In that specific meaning, Mafia and organized crime are as “functional” as “innovating”. In the past, many interventions have been tried, from law enforcement to poverty reduction; in any case, intense educational programs are the best option (including, within education, fair perspectives on major social trends).

Transnational criminal networks constitute significant elements of contemporary democratization. However, illegal trades are not disembodied flows imbued with some kind of invincible and invisible necessity. Global democratization has facilitated unprecedented criminal power and visibility. But faulting villains on economic markets and in world capitals are better organised than Mafia bosses in promoting dangerous forms of “disaster capitalism”⁵⁰.

50 Klein Naomi, *The Shock Doctrine. The Rise of Disaster Capitalism*, Metropolitan Books, New York 2007.

Globalization has multiplied the number of problems: economic crises, nuclear proliferation, illegal migration, pandemics, environmental crises and more. No country can face them on its own. The global integration of humanity is an inexorable historical trend and improving global governance is an urgent priority. Mafia and organized crime are messy networks grounded in the everyday realities of social and political life. They can really be fought only as such. The necessity to collaborate in facing global problems is as obvious as the difficulties in achieving result.

In the idea of a working globalization⁵¹, built on knowledge, education, compassion, civility, rule of law, inclusiveness, there is the rebirth of classical human thought. The fight against illegal links, connections, ties, compromises, is a fight for the rule of law in the international global system. It is not only a fight against the Mafia, but against illegal states, tribal nationalism, ideological extremism, religious lunatics, and fanatical terrorism.

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51 Stiglitz Joseph E., *Globalization and Its Discontents*, W.W. Norton, New York, 2002; *Making Globalization Work*, W.W. Norton, New York, 2006

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CENTAR I PERIFERIJE U VEZAMA MAFIJE

Apstrakt

Sicilijanska mafija je rođena kao oružano krilo feudalnog plemstva sa ciljem suzbijanja zahteva od strane seljaka. U nekim bitnim aspektima, Sicilijanska Mafija je proizvod njene geografije i istorije: Italija poseduje široku teritorijalnu i kulturnu raznolikost, složeni proces nacionalnog ujedinjenja, izgradnje države,

demokratizacije i modernizacije. Sa druge strane, italijanski krivični sistem takođe karakterišu žestoke političke borbe koje su dramatično podelile zemlju, ističući i pogoršavajući probleme proizašle iz njenog geografskog i društvenog nasleđa. Ova studija je podeljena u pet delova. U prvom delu bavila sam se nekim od pravnih pitanja vezanih za definicije „nelegalnih“ kompromisa, veza, povezanosti i kanala, a u drugom delu naglašavanjem putanje klasične italijanske škole od Gaetana Moske (Gaetano Mosca) do Đovani Falkonea (Giovanni Falcone), uključujući i Đovani Sartorija (Giovanni Sartori) sa njegovim predavanjem o demokratskoj ranjivosti. Treći deo fokusiran je na različite probleme koji se odnose na Sjedinjene Američke Države: proširujem standardne referentne tačke u sociološkoj i kriminološkoj teoriji, koje ističu teoretičari poput R.K. Mertona (R.K. Merton) i Daniel Bel (Daniel Bell), zatim, vezano za trgovinu drogom, fokusiram se na Geri Bekerovu (Gary Becker) disertaciju o dekriminalizaciji. Četvrti deo istražuje pitanje Sicilijanske Mafije čiji su korenu duboko vezani za razvoj demokratskog identiteta na Zapadu, između sredine devetnaestog i kraja dvadesetog veka. Peti i poslednji deo raspravlja o demokratizaciji i njenim nezadovoljstvima.

Ključne reči: Mafija, sociologija, Italija, zakon, demokratija.