

Reinterpreting the Mafia: American Cosa Nostra vs. Italian Mafia

By

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Author's Declaration

I hereby declare that I am the sole author of this master's research paper. This is a true copy of the MRP, including any required final revisions, as accepted by my examiners.

Abstract

The most common conglomerate in the association of organized crime is the mafia. In the cases of the American La Cosa Nostra and the Italian mafia's two most powerful faction – the Sicilian Mafia and the Calabrian Ndrangheta—their organized activities have arguably transcended the traditional hierarchical structure and image. The modern mafia associations are more transnational than before. This paper critically and comparatively examines the cases of the American Cosa Nostra, a branch of the earlier Sicilian mafia, and the Italian mafia. It will discuss their similarities, but more importantly the differences, especially the notion that the mafia should be reinterpreted as less organized crime groups on the basis of evidence in the last 15 years of their persistent struggle and gradual decline.

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Introduction

Long-gone are the days of glamorizing the mafia through a Robert DeNiro, Al Pacino or a Martin Scorsese directed film. The capturing of the mafia as an entertaining, fascinating group to be associated with is due to the American romanticizing of the characters played by actors. The mafia is real. Sure some seek the limelight, like John Gotti, and Al Capone before him. Yes, the mafia has extraordinary ways to maximize profit and create personal wealth, but one must begin to realize that the mafia is a global phenomenon, whose power and legitimacy was built on one fundamental factor, organization. In addition to the organization, there are many other rules, and cultural codes which *Mafiosi*¹ must live by, however the operative word is organization. For over a century, the Italian mafia has been regarded – in Italy and elsewhere, as the prototype of organized crime. In Italy itself, however, the identification between mafia and organized crime was frequently questioned and even denied up until the mid-1980s. The mafia is, and justifiably so, organized crime. It is the oldest apparatus of organized crime, and has set the foundation for cohesiveness, and effective governing of all facets it is associated with.

The Italian and American Mafia comparison is an interesting one. There have been few phenomenons since the Second World War that has fascinated the American public more than the Italian mafia. As argued by many scholars including the single most important scholar on the issue of the mafia, Letizia Paoli suggests that,

Since the 1960s several sociologists, historians, and criminologists have tried to dispel the mystifying images created by the media and reinforced by the first congressional hearings and public reports. Most academic scholars, however, have overacted, categorically denying up to the early 1980s the existence of the mafia as a structured and long standing criminal organization. Due to these contradictory

¹ *Mafiosi*-is a term, also coined as *Mafioso*, which describes an individual involved in the mafia. *Mafiosi* is a social type, and gives way to the career of the mafia “man of honor”.

representations, a great deal of confusion dominates the public debate, which oscillates dangerously between self-serving myth and radical skepticism.²

Despite this confusion, some facts have now become undeniable in the United States. Since the later part of the 1970s, “a presidential commission, numerous congressional hearings, the legal testimonies and autobiographies of dozens of mafia members, and hundreds of criminal and civil cases have proved the existence of the Italian mafia in America, thus providing rich and valuable information about its structure and activities.”³ Looming in the shadows was the often-ignored confederations in Italy. The Sicilian Cosa Nostra and the Calabrian ‘Ndrangheta⁴ have been singled out as Italy’s largest and most powerful mafia associations, and now a wealth of information has been disclosed about their inner organizations and ideologies. In short, many scholars including Paoli have compared the Italian mafia with the American case, stressing the similarities of being powerful and criminal organizations.

This paper is concerned with analysis of the case of the Italian-American Mafia (La Cosa Nostra), and the Italian mafia’s based in southern Italy, the Sicilian Mafia (Cosa Nostra) and ‘Ndrangheta. “It was from the Sicilian Cosa Nostra’s nineteenth-century forerunners that the Italian American mafia developed, as millions of Italian immigrants settled in the United States, most of them coming from southern Italy.”⁵ Significantly, the largest and most influential Italian American mafia confederation is called Cosa Nostra as well. The Calabrian ‘Ndrangheta also has many offshoots in the Anglo-Saxon world. In

2 Letizia Paoli 2003, *Mafia Brotherhoods: Organized Crime. Italian Style*, New York: Oxford University Press, 3.

3 James B. Jacobs, and L.P. Gouldin. 1999. “Cosa Nostra: The Final Chapter? In *Crime and Justice: A Review of Research*, Vol. 25, Chicago: University of Chicago Press, 12.

4 The Sicilian Cosa Nostra and the Calabrian ‘Ndrangheta are the two largest criminal organizations in Italy. Not only are they the most dangerous and lucrative, they have also profoundly influenced the mafia phenomenon in North America.

5 Paoli, *Mafia Brotherhoods*, 4.

the twentieth century, 'Ndrangheta groups were established in both Canada and Australia. This paper is not concerned with basic analysis of the offshoots, or transnational settlement of these consortiums. Rather this paper, will argue that the mafia in both cases, that in the United States and in Italy, are less organized in the last twenty years than their descendants before them. In the notion of organized crime, the emphasis on being organized is a critical factor for success of mafia's abroad. These three distinct confederations, one settling in the United States and the other two almost 7100 kilometers away, have undergone different processes of stability, with many similarities – many that include a rapid movement against organized crime.

This paper aims at using the cases of the American and Italian mafia to reinterpret the development and transformations of the mafia. It will examine whether differences are now outweighing similarities, and if so, what are these differences that has been neglected by academics and observers. This argument will contend that, with the passage of time, the Italian mafia has become transnational in their activities; nevertheless, their persistent struggle and a process of gradual decline, domestically in Italy, have accompanied the process of globalization. Hence, there are dialectical processes of development of the mafia, which are marked by an increase in trans-border activities but also an ironical process of gradual decline internally in Italy.

This research will show that the mafia is not organized the way they were in the past, and therefore should not be impacted by law in the same manner. It has moved from a cohesive entity, in both southern Italy and the United States, as the direct result from policing and policy implementation to fight the mafia organizations, changing network values in an era of transnational culture, and changing business and economic incentives.

Methodology

For this paper, the analysis based upon mostly qualitative review. This is because it is very difficult to quantify organization, very little remains on the issue. This research will however, display quantitative findings by way of chart, tables and graphs where needed.

My research will be understood conceptually through logic and theory. This research is intended to show what caused the mafia to become less organized within the last 15 years. Furthermore, I rely mainly on the existing literature and news reports to reinterpret the mafia development in Italy and the United States. The limitations of this paper are the inability to interview more people related to the mafia development and the impossibility of conducting fieldwork. Still, my methodology is sufficient to reinterpret the recent developments of the mafia.

For clarification purposes, the independent variable (effect) of mafia decline, and the independent variables (causes) - outlined as the three factors discussed; policing, changing network values, and changing economic/business incentives. The effect will be determined through statistics of Figure two and three in the chapter of "Common Decline." The hypothesis is simple: the tougher the anti-mafia measures, the more likely the decline of the mafia will be; the more changes in network values, the more likely the decline of the mafia; and also the more economic opportunities, the more likely the mafia decline as well. I chose this method of cross-analysis of time, as it will show over a certain period, what caused disorganization, in the two cases studied, the American and Italian cases respectively. Over a period of time, what was applicable in each case, my counter-factual being the earlier to later time periods.

Literature Review

Letizia Paoli states “mafia’s are not just organizations, or small niche groups of the illicit market, they are well beyond that. The Italian mafia is a very complex network. They are brotherhoods, and as brothers they possess a complex network of mutual rights and obligations to cement their partnership.”⁶ Paoli is one of the first scholars who write extensively on mafia relationships, and familial ties. She was one of the first to suggest that the traditional theory of the mafia as radical groups was far from the truth. She agrees that in theory the mafia is indeed without a doubt very organized. However, she suggests that in the case of the Italian mafia’s it is rooted in their familial ties and familial foundation. She suggests “the mafia remains strongly cohesive because it emphasizes the importance of betterment for the entire family.”⁷ The overall importance in the mafia, in Italy, is not personal wealth but the improving wealth of the family as a network. Moreover, Paoli’s research is critical for this paper, because she is the only scholar who thoroughly examines the traditions, the cultural codes, and the ideologies, that bears any significance to the study of the mafia. She legitimizes the mafia as a political dimension, and further explores the changing dynamic of transnational influences of the mafia, specifically in the United States. Little would be known or readily examined if she did not graze the surface. Her main focus is emphasis on the organizational element through way of status contract and fraternization.

Paoli focuses on the Sicilian Cosa Nostra and ‘Ndrangheta as the two largest consortiums not only in Italy but also in the world⁸. She makes several claims that they are

⁶ Paoli, *Mafia Brotherhoods*, 35.

⁷ *Ibid*, 37.

⁸ By today’s standard, this is often debated, as scholars of other organizations such as the Chinese Triad and the Japanese Yakuza claim these institutions are now the largest. However, the Italian mafia is one of the

“the single most important entity that contributed to this global phenomenon of the mafia.”

⁹ Her thorough analysis of secrecy, mobilization, brotherhood and family, contributes to her overall theory that those factors lead to cohesiveness and centralization from the top of the hierarchical spectrum. Paoli’s perspective represents the traditional view of the mafia as hierarchical, unified and dangerous organization with the possibility of their global outreach.

Unlike Paoli, Nicaso adopts a global perspective to analyze the development of the Italian mafia and also notes the decentralized and less organized trends of the mafia. His emphasis on decentralization is understood through his theory of transnationalisation, when mafia’s become too widespread they lose their central command figure, thus leading to individual factions of reckless control. He writes extensively on the mafia’s role in North America, and what caused this transnational nature of the new era of the Italian and Italian-American mafia. It is his work titled *Global Crime* that expands the scope of Italian mafia influence. He links ‘Ndrangheta as the largest Italian factions to develop into North America. He claims, “The mafia has no borders. When Lucky Luciano came to the United States in the early 20th century, he had a vision of bridging the Sicilian Cosa Nostra, and his newly created American Cosa Nostra, as partners in global crime.”¹⁰ He also makes a similar claim to my argument that the mafia has become less organized when he suggests “I’ll propose a new theory, that decentralization is more opportune for the Italian-American mafia, because it allows for members to become more permeable, however, this will lead to a disruption in the claim to be organized because it detracts from the proper order of

earliest beneficiaries of organized crime, if not the first.

⁹ Ibid, 48.

¹⁰ Antonio Nicaso, 1995, *Global Mafia: The New World Order of Organized Crime*, Toronto: Macmillan Canada, 54.

command, thus allowing for easily injected fight against organized crime.”¹¹ With this forms the idea that this transnational nature, is without a doubt contributing to changing network values. Traditional mafia functions in the area of public contract through extortion. Since the Italian mafia emphasis is on maintaining the status quo, the focus on transnational crime, through illicit market deals is less viable in Italy than in the American-Italian promotion of transnational crime.

Raimondo Catanzaro has adopted a combined historical and sociological perspective in his work titled *Men of Respect: A Social History of the Sicilian Mafia*. Diego Gambetta’s publication titled *The Sicilian Mafia: The Business of Private Protection*, integrates history and economic theory to analyze the markets of organized crime. I categorize the two together in this literature review because the findings in the book are similar. In addition, the two are co-authors on the issue of the mafia on the state. The Gambetta and Catanzaro books have been chosen because they expand on the methodology of historical sociology and our theoretical conceptions of state development. Catanzaro’s work is focused on organized crime as a central component of the processes of the state development and modernization in Sicily. These two works were integral in outlining the successes of the mafia in Sicily. As Catanzaro’s explains, “certainly the more efficient the mafia became, the greater were the difficulties faced by the government in exercising its own authority.”¹² For Gambetta, “the furnishing of protection”¹³ is a central element of his economic theory of the mafia. For Catanzaro, “instrumental friendships, so much part of Sicilian life” serve as the base of the “exchange of economic resource and political

11 Ibid, 56.

12 Raimondo Catanzaro, 1992, *Men of Respect: A Social History of the Sicilian Mafia*, New York: Free Press, 82.

13 Diego Gambetta, 1993, *The Sicilian Mafia: The Business of Private Protection*, Cambridge: Harvard University Press, 100.

influence.”¹⁴

Pino Arlacchi, a sociologist, adopts a business and perhaps economic perspective to stress the lucrative nature of the activities of the Italian mafia. His groundbreaking work *Mafia Business* had been followed by lucid comments in the media that has ultimately led to his post in the Italian Senate. Arlacchi wrote on the culture of the mafia as a business. Furthermore, he is crucial to the overall framework of this study because he offers theory into the long-lasting business and economic incentives, which the mafia once swore by. This is one variable which I will focus on, when arguing against the organization of the mafia, in both the American and Italian contexts. Arlacchi has remarked “Italy is distinguished in Europe today by the penetration of organized crime into the state.”¹⁵ Although this source is more than 20 years old, surpassing the timeframe for this research, Arlacchi is perhaps the single most necessary scholar on the issue that vigorously writes on more than just the mafia as an organization.

My perspective in this MRP is to combine the global perspective as articulated by Nicaso with my own argument on the inevitability of the decline of the mafia. The reasons are that, policing, network values, and business/economic incentives have made mafia less organized and less powerful than ever before. Policing strategies have curbed mafia activities; network values have created looser networks of organized criminals, with no real central governing body; and economic and business incentives have changed from collective wealth to personal greed and profit. New theory would suggest that the mafia has become less organized because of its newly adopted transnational culture. As suggested first by Antonio Nicaso, “the transnational nature of new age mafia, it deters

¹⁴ Catanzaro, 53.

¹⁵ Pino Arlacchi, 1986, *Mafia Business: The Mafia Ethic and the Spirit of Capitalism*, London: Verso, 40.

from old norms and codes. The involvement and participation in the illicit world market – specifically the drug trade, has moved the mafia from concerned with just public contracts to where their influence was monopolized, to a highly competitive global playing field.”¹⁶ The mafia in this world of economic uncertainty has shifted away from its traditional framework. This paper will settle the notion of disorganization by analyzing the Sicilian Cosa Nostra, and ‘Ndrangheta, to its offshoot in the United states, and pinpoint the variables responsible for its ignorance to traditional organizational framework.

16 A. Nicaso, *Global Mafia*, 60.

Conceptualization

It is for purpose of this paper that a working definition of key concepts be clearly defined. I will establish a working definition of organized crime by way of the mafia. In specific, defining organized crime in two distinct cases like that in the United States and in Italy may interpret differently; however, I will settle a single definition that coincides with the two cases specifically.

Organized Crime is a broad term that has been distorted through time. According to key scholars on the issue, people in general have an overall understanding of what organized crime entails. For example the illegal use of force and violence, illicit goods and services, gambling, loan-sharking are some of the main features. Letizia Paoli, a prominent figure on organized crime in Italy and abroad states the following:

If you take the broader meaning of this term and is referred to that is the actors and the activities of illicit international markets, the identification between mafia crime is far from the obvious. It is indeed operation that not only lacks empirical foundation, but may lead to adoption of policies to prevent inadequate enforcement ineffective.¹⁷

The framework of organized crime, which includes its structure of command¹⁸, is defined in both U.S. statutory law and Italian Penal code. Comparing both definitions, the U.S. Statutory definition best suits the meaning for purpose of this paper. It states: “The unlawful activities of the members of a highly organized, disciplined association engaged in supplying illegal goods and services, including but not limited to gambling, prostitution, loan sharking, narcotics, labor racketeering and other unlawful activities of members of

¹⁷ Letizia Paoli, 2007, “Mafia and Organised Crime in Italy: The Unacknowledged Success of Law Enforcement”, *West European Politics*, Vol. 30, No. 4, 855.

¹⁸ **Structure of Command** refers to positions within the hierarchy in the chain of command. To follow later in this section is a basic illustration of the typical mafia spectrum.

organizations.”¹⁹ This definition is an excellent general assumption of organized crime. What is not accredited for is that this is a general definition. The structure of this particular definition of modern organized crime groups often does not exhibit the rigid hierarchy of more traditional organized crime groups such as the Italian and the Italian-American mafia. For this reason, I will reinterpret the definition of organized crime in the following as the fundamental definition for this paper.

My definition of Organized Crime is as follows. Organized crime as it relates to traditional mafia terms is defined as, a tight-knit, hierarchical structure of standing members of an illicit group/family, where they share the common cultural codes, and lifetime membership. The primary goal of these specific organized crime groups is money and profit; these groups are profit-driven rather than ideology driven²⁰. Moreover, the specific attributes of organized crime involve most of the following: structure, restricted membership, continuity, violence or the threat of violence, illegal enterprises, legitimate business penetration, corruption and lack of ideology²¹. It must be noted that when referring to organized crime in this paper, it strictly refers to the mafia. The Italian mafia is a hierarchical and restrictive society of networking, whose key primary goal is making money.

19 Organized Crime Control Act of 1970 (P.L. 91-452), RICO is codified at 18 U.S.C., 1961-1968, in U.S. Statutory Law.

20 A key distinction between organized crime groups and terrorist groups.

21 This lack of ideology differs between the mafia and other organized crime groups. Both the Italian Mafia and Italian-American Mafia follow a set of codes that are sworn upon to death that may be considered ideology. For example, the fundamental code of *Omertà*, the code of silence, is the key code sworn upon death, and over a blood ceremony. Silence is the most important emphasis of *Mafiosi*.

The Mafia, in theory

Presidente: Non facevate parte della mafia?

Imputato Mini: Non so che significa.

The above dialogue is taken from a case of an alleged *Mafiosi*, who when asked if he was a member of the mafia, simply responds by saying that he does not know what that means. Most people take this for a lie, because they think they know fairly well what the mafia is (thus, Mini should know it, too): “a big and well-organized secret society, with initiation rituals and statutes and hierarchic command structure, the criminal organization par excellence.”²² Those who make the effort to look into the facts and pursue the chain of tertiary and secondary sources right back to the primary ones get a somewhat different picture. They will come to the same conclusion as Mini did – that he is not lying in his response to the question whether he is a member of the mafia. Mini, of course knows that there are individual “strong-arm men” to whom he refers as men of honor or men of respect²³. He knows that they have their henchmen and that they exercise violence of all sorts. He also knows that they play an important role in everyday Sicilian economy and political life.

The theory about the mafia phenomenon is based on testimony similar to that of the above dialogue. According to scholars,

Mafia has to be understood as a plethora of small, independent criminal organizations rather than the secret society of common belief. Secondly, the mafias (or at least was) more than just crime. To treat it as crime alone misses much of its essence and fails to explain the reasons for its strength and durability – that being credited to its organized structure and restricted membership.²⁴

It was Henner Hess whose theory really emphasizes that the mafia is highly organized,

²² Henner Hess, 1996, *Mafia & Mafiosi: Origin, Power and Myth*, New York: New York University Press, 9.

²³ *Men of Honor/Men of Respect*, refer to individual Mafiosi.

²⁴ Hess, *Mafia and Mafiosi*, 34.

hierarchical and non-permeable. It is vital to use this theory and its emphasis on organization to discredit it. This theory is exemplary to the traditional mafia, in the case of both the Italian-American and Italian mafia's perhaps as early as twenty years ago. However, in these past fifteen years, the mafia has moved away from its organizational foundation, and has become relatively loose, decentralized and forever changing its dynamic. This is not to say that there is little emphasis on organization, however, practice of codes and tradition is now faltering, leading to a widespread dismantling of mafia groups abroad.

Who are the Sicilian Cosa Nostra, 'Ndrangheta, and La Cosa Nostra?

A. Sicilian Cosa Nostra, and 'Ndrangheta: Secret Brotherhood

As late as 1983, Pino Arlacchi in his groundbreaking book, *La Mafia Imprenditrice*, opened with the following statement: “Social research into the question of the mafia has probably now reached the point where we can say that the mafia, as the term is commonly understood, does not exist.”²⁵ Contrary to what most scholars claim, judicial inquiries do claim the existence of two distinguished mafia consortiums, the first accredited to the foundational apparatus widely known as the Sicilian Cosa Nostra.

Considered the organized crime core, along with its southern Italian counterpart 'Ndrangheta, the Sicilian Cosa Nostra are considered the foundational base for mafia culture and operation. The mafia's roots date back to the late nineteenth century, when southern Italians were defending their land against foreign invasion. These “mafia” groups first established to be a defender of foreign invasion, and to command continuity in the southern region of Italy. These factions created a way to ensure protection from its people. For example, in today's southern region of Italy the mafia are regarded as a “nuisance” by way of policy, but in fact the mafia's strict emphasis on maintaining the status quo gives these groups the legitimacy to self-govern the people of its society. It is stated by Leoluca Orlando that,

The Sicilian Cosa Nostra and 'Ndrangheta act as de facto governments. Essentially, the central government often neglects the needs of the south, simply because it is not the economic driving force of the country. So what these two groups do is offer some sort of governing, albeit through extortion, and protection services, but nonetheless their needs are heard.²⁶

25 P. Arlacchi, *Mafia Business*, 3.

26 Leoluca Orlando, 2001, *Fighting the Mafia, and Renewing Sicilian Culture*, San Francisco: Encounter Books, 23.

Cosa Nostra and the 'Ndrangheta possess the distinguishing trait of organizations: independent government bodies that regulate the internal life of each associated family and that are clearly different from the authority structure of their members' biological families. According to Raimondo Catanzaro, "starting from the 1950s, moreover, superordinate bodies of co-ordination were set up – first in the Cosa Nostra, then in the 'Ndrangheta as well."²⁷ The Sicilian Cosa Nostra is as mentioned credited with setting up the foundational institution, and incorporating the cultural codes, and rituals, creating this highly organized, hierarchical institution of family members, composed of the most important family chiefs known as 'commissions'. The *Commission*,

Is a body of leading Cosa Nostra members who decide on important questions concerning the actions of, and settling disputes within the organization. It is composed of representatives of a mandamento (a "district" of three geographically contiguous Mafia families) that are called *capo mandamento* or *rappresentante*. The Commission is not a central government of the Mafia, but a representative mechanism for consultation of independent families who decide by consensus. "Contrary to the wide-spread image presented by the media, these superordinate bodies of coordination cannot be compared with the executive boards of major legal firms. Their power is intentionally limited. And it would be entirely wrong to see in the Cosa Nostra a centrally managed, internationally active Mafia holding company."²⁸

Although the powers of these collegial bodies are rather limited, the unity of the two confederations, Cosa Nostra and 'Ndrangheta, cannot be doubted. In fact, it is guaranteed by the sharing of common cultural codes and a single organizational formula. According to a model it is frequent in pre-modern societies in fact, "the Cosa Nostra and 'Ndrangheta are 'segmentary societies'"²⁹ that is they depend on what Emile Durkheim called " 'mechanical solidarity', which derives from the replication of corporate and cultural forms."³⁰ Neither

27 R. Catanzaro, *Men of Respect*, 80.

28 L. Paoli, *Mafia Brotherhood*, 33.

29 Ibid, 34.

30 Emile Durkheim, 1964, *The Division of Labor in Society*, London: The Free Press, 12.

Cosa Nostra nor the 'Ndrangheta can be compared to Max Weber's ideal type of legal-rational bureaucracy, as was suggested by Donald Cressey in the late 1960s with reference to the American Cosa Nostra. "Far from recruiting their staff and organizing the latter's work according to the criteria and procedures of modern bureaucracies, mafia groups impose a veritable 'status contract' on their members."³¹

So in fact, what are the codes and rituals that these two groups follow? With the ritual initiation into a mafia *cosca* (group), the novice is required to assume a new identity permanently – to become a 'man of honor' – and to subordinate all his previous allegiances to the mafia membership. If necessary, he must be ready to sacrifice even his own life for the mafia family. Simply stated, "the 'men of honor' in Sicily and Calabria are obliged to keep secret the composition, the action, and the strategies of their mafia group."³² Establishing the universal and single most important code for these *Mafiosi*, that being *Omertà* (code of silence), Cosa Nostra in particular, understands the duty of silence is absolute. What this does is above all, constitutes a defense strategy. Since the unification of Italy in 1861, mafia groups, or groups linked to criminal means, have been at least formally criminalized by the state, and in order to protect themselves from arrest and criminal prosecution for their continuing recourse to violence, they have needed to resort to the political framework by which the mafia swears by was first established in the early stages of the creation of the Cosa Nostra. This is one of the most fundamental indicators of the mafia as a political entity and/or political body. Similar to a Bill of Rights, a Charter of Rights and Freedom, the mafia too has established a Code of Conduct susceptible to the comparison to the legalized documents of government and the populace. In the context of

31 Donald R. Cressey, 1969, *Theft of the Nation: The Structure and Operations of Organized Crime in America*, New York: Harper & Row Publishers, 4.

32 Michele Pantelone, 1966, *The Mafia and Politics*, London: Chatto & Windus, 23.

mafia governance, strict codes of conduct are necessary and outlined without a doubt loud and clear. Followed under the framework of Omertà, which means the Code of Silence, the mafia operates under its Code of Conduct set forth by the Cosa Nostra one hundred years prior. The cultural code that symbolizes, despite its many translations, the obligation of secrecy is Omertà. The core of this code consists in the categorical prohibition of cooperation with state authorities or reliance on their services, even if somebody is condemned for a crime. More generally, Omertà prescribes silence, as many Sicilian proverbs state:

*Lu parrari pica e'na bedd' arti (to talk only a little is beautiful art), La vucca e traditura di lu cori (the mouth is the betrayer of the heart), Passu lungu e vucca curta (long steps and short tongue), Zoccu nun ti apparent ne mali, ne beni (say neither good nor bad about what does not belong to you), La tistimunianza e bona sinu a quannu nnu fa mali lu prossimu (it is all right to witness things as long as they do not harm your neighbor).*³³

Clearly the obligation to secrecy is one of the most important duties associated with the status of “man of honor”, involving the symbolic and ritual apparatus of the group, its illicit activities, its membership and in Cosa Nostra of various degrees of secrecy. These rules extend to the household, in which every single faction of normalcy for a member is stratified by the system of Cosa Nostra. When you become entrenched in the system, not only are you involved in the system but also “you become the system.”³⁴ This code of conduct under the notion of Omertà has become the official Code of the mafia’s democratic tradition.

The ceremony of affiliation additionally creates ties of brotherhood among the members of a mafia family: the ‘status contract’ as argued by Letizia Paoli, is

³³ Paoli, *Mafia Brotherhoods*, 110.

³⁴ Orlando, *Fighting the Mafia*, 45.

simultaneously an act of fraternization³⁵. The new recruits become “brothers to all members and share what anthropologist call a ‘regime of generalized reciprocity’: this presupposes altruistic behaviour without expecting any short term reward.”³⁶ The emphasis on the collective benefit of the group, allows the organizational pattern to remain firm. Members buy into the betterment of the group as a whole rather than individual wealth. Scholars such as Michele Pantelone, point out that mafia groups constitute brotherhoods whose “‘essential character’ lies in the mutual aid without limits and without measure, and even in crimes.”³⁷ In this case, because of trust and solidarity created by fraternization contracts does it become possible to achieve specific goals and thus satisfy the instrumental needs of the single member. As secret brotherhoods using violence, Southern Italian mafia associations have many similarities to other associations, such as the Chinese Triads and Japanese Yakuza.

With their centuries-old histories, articulated structures, and sophisticated ritual and symbolic apparatuses, all these associations – and the American descendant of the Sicilian Cosa Nostra – few parallels in the world of organized crime. None of the other groups that systematically traffic in illegal commodities have the same degree of complexity and longevity.³⁸

This is true of the overall dynamic and framework of the Southern Italian mafia’s in this paper. Their complexity and longevity is hardly replicated. The systematic organization will show to its true cohesiveness nature.

35 L. Paoli, “Mafia and Organised Crime in Italy”, 857.

36 Ibid, 857.

37 M. Pantelone, *Mafia and Politics*, 61.

38 Henry Farrell, 2009, *The Political Economy of Trust: Institutions, Interests, and Inter-Firm Cooperation in Italy and Germany*, New York: Cambridge University Press, 25.

i. The Traditional Perspective of Mafia as Structured and hierarchical Organizations

The structure of the entire system is interestingly similar. The hierarchical dimension of the mafia structure, contrasts very much that of a government system, which too serves very hierarchical. Figure one, below shows the hierarchy of a Cosa Nostra in the most basic terms, adopted by the American Cosa Nostra. “In a general sense for all mafia’s in Italy and globally, the relation to a legitimate governing system is striking. The Italian mafia in the southern Italian context (Sicilian, Ndrangheta) is systematically organized and represents a very comparable governmental system. One can make the argument that the mafia is a governing system, how one does this is a whole other challenge.”³⁹ This is a development that is worth examining. The mafia has both a governing body in the *Commission* (la Commissione) and *Capo di Tutti Capi* ("boss of all bosses").

The central government body goes specifically to the *Capo di Tutti Capi*. This translated to English means simply “boss of all bosses”. This is the central government figure, which heads the *Commission* delegations. It is the *Capo di Tutti Capi*, whom is named representative of all families, and leader of all families through family election. This figure has usually carried out illicit acts, and showed a great deal of power throughout his career. Similar to that of a ruling head of state, the boss of all bosses is in command of the “entire thing, the entire structure, the entire process of mafia functions. It is important to note, that this paper refers to only comparisons to the Italian Mafia(s), so where the Italian Mafia uses a *Capo di Tutti Capi*, the American mafias do not, they simply regard this person as a *Boss*. The function of a *Sotocapo* is simple, they are the first hand advisors to only the *Capo di Tutti Capi*, and are simply placed with high authority and power, and

³⁹ Hess, *Mafia and Mafiosi*, 33.

serves as a replacement shall the *Capo di Tutti Capi* fall to some illness, prosecution, or anything else one can think of. The *Caporegime (capodecina)*, which represents the constituency and headed by a *Capo* (“captain”) are leaders of the regime that serve as representatives of the commission whom collect money, concerns, and ensure the protection of people, through the use of soldiers. All answer to the *Capo* whom if there is a lingering problem or concern will answer to the *Capo di Tutti Capi*. Each *Capo* has a *Consigliere*, an advisor of close relation, familial or friendship. It is important to note that the *Capo di Tutti Capi* also exercises the use of a *Consigliere*. The last position, in which the Italian mafia structure links itself to its people, is through the role of the Soldier. Soldiers are very much like civil servants, who through the monopoly of force, implement taxation, both enforcing and collecting, and clearly represent the concerns of the people they collect from. They are the direct link between the public and the government (ruling mafia elite). The relationship between the structure of mafia government, although considered illegitimate, should in the case of the Sicilian Cosa Nostra and Ndrangheta be considered legitimate government for the southern region of Italy, as central legitimate government has neglected the concerns and fundamental rights of southern Italians.

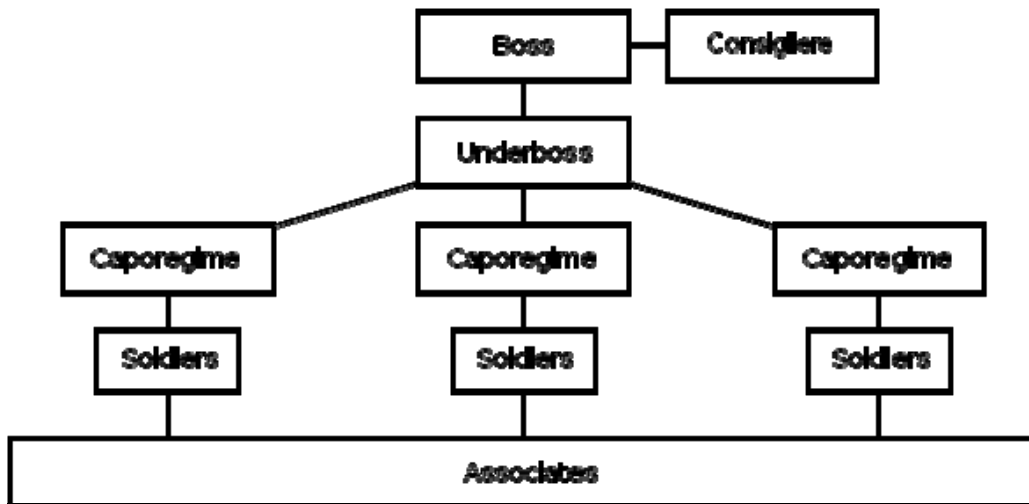


Figure 1-Hierarchy of a Cosa Nostra Clan

Source: Letizia Paoli, *Mafia Brotherhoods: Organized Crime, Italian Style*, New York: Oxford University Press, 35.

ii. The ‘Will to Power’

This phrase termed by many scholars; however, it was Letizia Paoli who coined the term in the most peculiar way. To pinpoint the single goal of the mafia in southern Italy is difficult. In fact, many times theory is created around the “presumed” goals of the mafia. Cosa Nostra and the ‘Ndrangheta have a particular peculiarity. Unlike other contemporary organized groups, they do not content themselves with producing and selling illegal goods and services. Although these activities have become increasingly important over the past 25 years, neither trade in illegal commodities nor the maximization of profits has ever been the primary goal of these organizations. As a matter of fact, according to *The Anti-mafia*, “at least in the case of the southern Italian mafia coalitions, it is hardly possible to identify a single goal.”⁴⁰ The Sicilian Cosa Nostra and the Calabrian ‘Ndrangheta are multi-functional organizations. Among their tasks is the exercise of political domination that has

40 Alison Jamieson, 2000, *The Antimafia: Italy’s Fight Against Organized Crime*, New York: Macmillan Press Ltd., 20.

always been pre-eminent. It is said, and very hard to argue that keeping the organizational element ever-so-strong, that the ruling bodies of Cosa Nostra and 'Ndrangheta claim, above all, "an absolute power over their members. They control every aspect of their members' lives, and they aim to exercise a similar power over the communities where their members reside."⁴¹ This reaffirms the claim that was made earlier that, these two associations are claimed as the de facto governing body of the people of the south. Furthermore, for a long time their power had a higher degree of effectiveness and legitimacy than that exercised by the state. "In western Sicily and in southern Calabria mafia groups successfully policed the general population, settling conflicts, recovering stolen goods, and enforcing property rights."⁴² This act of governing, as the illegitimate government, has instilled faith in these associations. This proves very important as the mafia is defined as having three aspects why they do not challenge militarily the state. The three aspects are: 1) the organized (but not always centralized) formula of organization, 2) the dependence on the preservation of the status quo, and 3) the potential criminal repression of the law enforcement agencies. Now these three aspects are critical, as later in this paper, the fight against the mafia, along with changing network values, and economic/business gains has led to the disorganization of the mafia.

The political dimension of mafia power should not go overlooked. This is also proven by the fact that in the second half of the twentieth century southern Italy's mafia organizations have participated in at least three plots organized by right-wing terrorist groups. Moreover, "since the late 1970s, Cosa Nostra has assassinated dozens of policemen, magistrates, and politicians. The mafia challenge to state power reached a

41 Ibid, 23.

42 L. Orlando, *Fighting the Mafia*, 71.

climax in the early 1990s.”⁴³ This fact will be argued further when discussing the reaction of the state in response to challenging the mafias concerns with national power. Despite their power, Cosa Nostra and ‘Ndrangheta have been unable to guarantee themselves a monopoly in any sector of the illegal economy outside of Italy. Their threshold is in allocating public goods and contracts through extortion. Their influence on a global scale in the illicit market is more or less non-existent. “In the early 1980s, Cosa Nostra families played an important role, pivotal in that sense, in the transnational heroin trade from Asia to the United States via Sicily. But in the second half of that decade, they lost this position after being targeted by law-enforcement investigations and replaced in the US market by a plethora of Mexican, Chinese, and more recently, Colombian heroin suppliers.”⁴⁴ The power of the Cosa Nostra is not unchallenged even within its strongholds. Because of the extreme rigidity of their recruitment policies, such as those pre-conditions for recruitment, where only men born in either Sicily and Calabria are eligible to be members, all others excluded, these two consortiums often find themselves in a position where they are unable to control the entire underworld.

The notion of control was further emphasized by Giovanni Brusca,⁴⁵ the man who was supposed to become Toto Riina’s⁴⁶ successor in Cosa Nostra leadership, but became a witness after his arrest in 1994,

Many believe that Cosa Nostra heads all criminal activities. That in Palermo or in Sicily, and even Calabria, the Mafiosi controls every illegal activity. People believe that prostitution and burglaries, bank robberies, and car thefts are all entries in the budget of the Mafia Inc. Those that I have just listed are external

43 A. Jamieson, *The Antimafia*, 40.

44 L. Paoli, *Mafia Brotherhoods*, 215-216.

45 Giovanni Brusca was a former *sotocapo* of the Sicilian Cosa Nostra, and soon to be leader in waiting, who was arrested in 1996 for the killing of Justice Falcone, and since has infiltrated many members of his crew.

46 Toto Riina is the head of the Sicilian Cosa Nostra.

activities, known about, tolerated, and controlled by men of honor. But they are separate worlds, which only rarely come into contact with each other. In some cases, there might be some collaboration, but there is only in very special cases.⁴⁷

Despite the growing relevance of economic activities, “the mafia has not become a set of criminal enterprises. Its history as well as its cultural and normative apparatus prevent this transformation and today constitute a constraint as much as a resource.”⁴⁸ With this statement is shown the inability of these southern consortiums to become involved as a relevant global influence. On the one hand, by building a strong collective identity, shared cultural codes and norms, as discussed, enhanced group cohesion and create trustful relationships among mafia members. With this you have a reliance on status and this notion of fraternization contracts, thus avoiding an involvement in illicit markets. For example, the prohibition on exploiting prostitution, which exists in both Cosa Nostra, and ‘Ndrangheta, has blocked their entrance into one of the most profitable illicit trades: the smuggling of humans and the exploitation of migrants in the sex industry⁴⁹. On the other hand, the mafia’s self-imposed rule of rigid recruitment aims at strengthening the cohesion of the mafia consortium. As we will see with the analysis of the American Cosa Nostra, the multi-race affiliation allows for the experience necessary for the illicit market, whether it would be the drug trade, arms, money, etc. It is the mafia’s true goal of power that trumps a life strictly of luxury and riches. Sure they live lavish lives, but what ultimately affects the security and business decisions, is the ‘will to power’. One Prosecutor in Palermo, Sicily states that,

the true goal is power. The obscure evil of organization chiefs is not the thirst for money, but the thirst for power. The most important fugitives could enjoy a

47 Saverio Lodato, 1999, *Ho ucciso Giovanni Falcone. La confessione di Giovanni Brusca*. Milan: Mondadori, 12.

48 Ada Beechi, and M. Turvani, 1993, *Proibito? Il mercato mondiale della droga*. Rome: Donzelli, 156.

49 L. Paoli, “Mafia and Organized Crime in Italy”, 859.

luxurious life abroad until the end of their days. Instead they remain in Palermo, hunted in danger of being caught or being killed by internal dissidents, in order to prevent the loss of their territorial control and not run the risk of being deposed.⁵⁰

Unlike other Western forms of organized crime, the meaning (and danger) of the two main Sicilian and Calabrian mafia organizations cannot be limited to their involvement in illegal markets. Simply because their peculiarity lay in their will to exercise political power and their interest in exercising sovereign control over the people in their communities.

⁵⁰ Roberto Scarpinato, 1992, "mafia e politica", in *Mafia: Anatomia di un regime*. Rome:Librerie Associate, 45.

B. American Cosa Nostra: an International Offshoot

Organized crime in the United States has a long-standing history. Although this history has its origins prior to the 20th century, organized crime flourished around the time of Prohibition and grabbed the attention of policymakers. The truest success, and greatest international influence of the Sicilian Cosa Nostra comes in form of the Italian-American Mafia, otherwise called *La Cosa Nostra*.⁵¹ The Italian-American mafia emerged in New York City and the lower east-side in the late 19th century, following a great wave of Sicilian and Italian immigration to these areas of the eastern United States. As a direct offshoot of the Sicilian Cosa Nostra, the membering factions, began to exercise power, and gained a monopoly over banned goods. These banned goods included, gambling, prostitution and liquor, the overvalued goods of the underworld. Although already noted that the American Cosa Nostra originally stemmed from the Sicilian Mafia, it has since at least the late 1930s been a completely and independent organization.

Just like the Sicilian Cosa Nostra, America's largest and most powerful mafia associations is a loose confederation of mafia families that mutually recognize each other but are independent on most issues. Extortion became a vital tool for these early mafia factions in the United States. To establish a hold on this particular monopoly, the American mafia groups established into a "Five Points Gang,"⁵² to ensure cohesiveness. In addition, the rising issue of prohibition firmly established the entity of organized crime in the United States. At this time, organized crime units were not just local to New York City. It had spread rapidly into other cities like Philadelphia, Chicago – with a dominant and

51 The term "Cosa Nostra" was revealed by Joseph Valachi in 1963 and subsequently confirmed by electronic surveillance and the testimony of organized crime figures that became government witnesses. The term Cosa Nostra was mistakenly coined as confusion with the Sicilian Cosa Nostra.

52 **Five Points Gang**-established as this, until it later became the five families of New York City. The Gambino, Lucchese, Genovese, Bonnano and Colombo, are the modern day five families, the once largest organization in the entire United States.

influential leader in Al Capone, leading the Chicago Outfit, New England, Detroit, and eventually a mainstay on the west coast in California and Las Vegas. What this did, was rapidly increase the influence and presence of the entire *La Cosa Nostra* network. Prohibition was being undermined, to a great deal of success through the enormous flow of banned alcohol, and contacts in other states were involved in a multi-lateral movement of these goods. “Prohibition in the 1920s and early 30s greatly strengthened the wealth of the cooperators of La Cosa Nostra – the entire thing. The system of organization remained that. Fear of all organizations was at an all time high. And violence was on the upsurge. The economic and business magnitude of the prohibition era, created a more strong mafia network.”⁵³ This proves very interesting because during this time of prohibition, law enforcement had heard, and to some degree were very aware of illegal actions in the underworld, however they lacked the fundamental tool to combat a growing network. As one agent said, “it seems as if these networks are working closely with their ancestors in Italy. I don’t want to suggest that we fear it, but how do we combat such a fairly organized and non-cooperative entity.”⁵⁴ This shows an already established organizational dynamic. The emphasis on organization, through common incentive and values is vital, however what this paper will later examine if the focus away from these factors, creating a disorganized network.

Perhaps the most important era for the growth and power of the American Cosa Nostra was the period following World War II. This was an era, where political opponents and policy-makers did not stand any significant chance of opposition. Around the mid-21st Century, the mafia began to exercise mobilization of labour unions. The creation of labour

53 A. Nicaso, *Global Mafia*, 61.

54 Alessandro Allegri, 1997, *The Mafia and Prohibition in the United States*, New York: Oxford University Press, 45.

jobs, unions proved a significant ally and excellent framework for monetary gain. During this period, the mafia had infiltrated many labour unions, most notably the Teamsters union⁵⁵ led by Jimmy Hoffa. The mafia had one main goal during this period: a monopoly over contracts. This would ensure “legitimate” business practice, and a way for the mafia to infiltrate public contracts and extort money, and later re-allocating it to the higher chains of command. In a U.S. Federal case against Robert Sasso, Teamsters Local 282 President, it was disclosed that the Gambino crime family had a strong hold on major city road projects, and building projects. In *United States v. Robert Sasso*, “it was confirmed that the Local 282 President had close ties with the Gambino crime family. As a result, the defendant pleads guilty on charges of accepting monetary contributions to secure the rights to building.”⁵⁶ The influence of mafia had on newly created sectors further strengthened their network values, and began to see incentives seen only in its Italian ancestors before them.

The American Cosa Nostra is was built on the following three conditions: 1) over time execute a wide membership, this would prove troublesome as membership is not restricted to only Italian blood, 2) share common codes, norms and values, 3) personal wealth. These factors will be instrumental as time goes on because the shift from these three conditions is significant in the disorganization of the mafia.

⁵⁵ Teamsters Union-International Brotherhood of Teamsters (IBT) is a labor union formed in 1903 by the merger of several local and regional locals of teamsters. The union represents blue-collar workers. Its General president, Jimmy Hoffa, had apparent ties to organized crime, which leads to speculation that he was killed by the mafia. He disappeared in 1975, and was never found.

⁵⁶ U.S. Federal Law, *United States v. Robert Sasso et al.* (EDNY)

i. Similarities to the Italian Mafia

As mentioned, the American Cosa Nostra stemmed from the Sicilian Cosa Nostra, so it is important to note the very few similarities for comparative purposes. Mentioned earlier was that “just like the Sicilian Cosa Nostra, America’s largest and most powerful mafia association is a loose confederation of mafia families that mutually recognize each other but are independent on most issues”, however the way issues are resolved is through the hierarchy and structure of the mafia. For instance, the formal hierarchy of the families is very similar. Stated by Paoli, she makes the claim that “both the Italian mafia and the Italian-American mafia groups contain basically the same command positions, which are called by the same (or, similar) names.”⁵⁷ Figure 1 in the structure section (p. 24) shows the basic hierarchy of the Cosa Nostra. In that section the titled names are translated from Italian – which are used by Italian mafia, to English – for readership purposes. In both contexts, super-ordinate bodies of coordination were set up, ‘in the United States allegedly as early as the 1930s, and in southern Italy first in the late 1950s – to reduce internal competition and violence, resolve disputes, and plan and implement common actions.’⁵⁸ This particular super-ordinate body described by Paoli is the so-called “commissions”. As suggested by Paoli, “these commissions attracted a good deal of curiosity, their powers have always been rather limited, particularly in the economic realm, and their institutionalization is still uncertain.”⁵⁹ To question its institutionalization is rather provocative. Since the 1960s, the role of the commission has grown to become the central podium for mafia issues. In particular, the advised – arranged annihilation of another member, or dealings with multiple families over territorial disputes. The commission is

⁵⁷ L. Paoli, *Mafia Brotherhoods*, 13.

⁵⁸ Ibid, 15.

⁵⁹ Ibid, 16.

central to the hierarchy and cohesive principle of the mafia, because it acts as a rational platform for dealing with concerns at a forum where grievances are heard and settled, without acting outside the commission in any irrational way.

Striking similarities can be made at the level of culture. As discussed earlier, the Sicilian Cosa Nostra and Calabrian 'Ndrangheta, become 'family members' through a ceremony of initiation. Claimed by Paoli is "similar to Sicilian Cosa Nostra and the 'Ndrangheta, members of most Italian-American mafia families become so through a ceremony of initiation establishing brotherhood bonds between the novice and other family members."⁶⁰ Likewise, the three-mafia associations use the code of honor and *Omertà* to teach their members how to behave and to create a collective identity. These codes and norms were first created by the Sicilian Cosa Nostra and later adopted by those who immigrated to the United States such as Charles "Lucky" Luciano in the early 1930s. It was first revealed in the case of *United States v. Joseph Aiuppa*⁶¹ that the mafia traditions were confirmed. Through electronic surveillance, specifically wiretaps had the Chicago Outfit boss claiming that people must "respect silence and the codes established by the forerunners."⁶²

An interesting analysis of the similarities between the three organizations is best put into perspective when Ernesto Savona made the claim that "reinforced by violence and secrecy, in the hands of the members of all three criminal organizations the bonds of brotherhood and organizational reputation become formidable tools to achieve personal and

60 Letizia Paoli, 2001, "Mafia: Modello Universale di Crimine Organizzato?" *Rassegna Italiana di Sociologia*, Vol, 42, No. 4, 12.

61 *Joseph Aiuppa* was the boss of the Chicago Outfit, a notorious mafia group established by Al Capone, and was convicted by a Federal Grand Jury in 1986.

62 *United States v. Joseph Aiuppa et al* (NDIL), *Chicago outfit boss, convicted 1986*.

collective goals.”⁶³ These two factors are key motivating factors for standing members and it is code that mafia members are obliged to absolutely remain obedient to their chiefs. Personal goals are subordinated to the goals of the group. As emphasized earlier, the collective success of the group comes first and foremost. This element, contributes to the group remaining highly organized. In addition, the personal goals are subordinated to the mafia family before all previous ties, including blood ties, “and even to be ready to sacrifice their own lives if the mafia boss orders it.”⁶⁴ Interestingly enough, the codes adopted become your life. As evidenced by Vincent Cafaro, a known associate of the New York five families, when questioned by congress upon his entry into witness protection gives great insight into the newly framed mindset of a mafia member, he states: “Once you accept, you belong to us. We come first. Your family and home come second. We come first no matter what.”⁶⁵ However, what remains very interesting is in the economic sphere. Here is where “men of honor” (as they are called in southern Italy) or “made members” (as they are called in the United States) enjoy a very high degree of autonomy. Though family leaders, even low-ranking “soldiers are free to set up any lawful or unlawful venture they want, centrally manage some profit-making activities –most notably, extortion and business cartels –. As argued by Paoli when describing this interesting fact,

they are in no way obliged to select their partners from within the mafia community. In the United States, for example, mafia members have profited since the 1920s from business alliances with shrewd criminal entrepreneurs belonging to other ethnic groups. “Made” members are, however, expected to deposit some of the profits drawn from criminal activities into the family’s common account and to give a varying percentage of the revenue to their chiefs.⁶⁶

63 Ernesto U. Savona, 1998, *Organised Crime around the World*, Helsinki: European Institute for Crime Prevention and Control (HEUNI), 77.

64 L. Paoli, “Mafia: Modello”, 16.

65 James Jacobs, 1999, *Gotham Unbound: How New York City was Liberated from the Clutches of Cosa Nostra*, New York: New York University Press, 30.

66 L. Paoli, *Mafia Brotherhoods*, 9.

These strict foundational apparatus' shared by the three mafia consortiums seems like it built this strong foundation, highly organized network relatively unchallenged. However, the differences in the two cases, between the three consortiums will offer a clearer picture when analyzing why the mafia has become much more disorganized in the last 15 to 20 years.

ii. Differences – Italian v. American Mafia

This analysis of the differences between the Italian consortiums and the American one will hopefully give some insight and evidence as to where the claim to disorganization is possible. To follow this section are the factors for why this paper argues against the mafia's organization elements.

This comparative analysis highlights not only the few similarities but also the considerable differences existing between the American and southern Italian mafia. The most obvious and immediate disparity concerns the dimensions and manpower of the two associations, "which are inversely proportional to the size of their area of settlement. The Sicilian Cosa Nostra – like the Calabrian 'Ndrangheta – is composed of about a hundred mafia families and has at least thirty-five hundred full members. The American Cosa Nostra was traditionally constituted of twenty-four families, but during the 1980s and 1990s several groups were effectively dismantled."⁶⁷ In 1983, data disclosed by the FBI to the President's Commission on Organized Crime, there were seventeen hundred "made members", down from three thousand in the early 1970s.⁶⁸ What is even more intriguing is that the numbers in the last twenty years seem even more astonishing, to the once most powerful faction in the United States. As argued by Alessio Comisso, the claim that the

67 J. Jacobs et al, "Cosa Nostra: The Final Chapter?" 25.

68 Ibid, 26.

mafia “is more widespread and powerful is absurd, the Italian-American mafia is nothing more than a once-dominant group of racketeers. The Italian-American mafia is completely decimated, and membership is fewer than one thousand.”⁶⁹ On the contrary, the decline of membership is also evident in the southern Italian case. The argument that the Italian context is much more steady in terms of membership is further presented through interesting statistics claimed by scholars. The numbers collected by Letizia Paoli are very, because they show the real number disparity between the two cases. She breaks down the disparity in the two cases like this.

Considering that Sicily contains about 1.8 percent of the U.S. population and represents less than 0.3 percent of the United States in size, the number of mafia members per inhabitant – and thus the territorial rooting – of the Sicilian Cosa Nostra is much higher than that of its American counterpart, indeed much higher than the mere comparison of membership figures would indicate. Whereas one out of fifteen hundred Sicilian residents are likely to be a Cosa Nostra member, and in Reggio Calabria province ‘Ndrangheta members represent almost 4 percent of residents, in the United States the ratio is over 1:165,000. Even considering that American Cosa Nostra families are traditionally concentrated in the eastern part of the United States, the gap remains impressive.⁷⁰

The sheer disparity in membership offers one differential factor in the analysis of two cases. The overall membership is often described as contributing to the overall effectiveness of such an organization, because the man-power to execute strategy and goals is attainable, however, this same attribute is responsible for the disorganization, as law enforcement are able to infiltrate much more permeably because the increasing numbers of targets, this ultimately is this case with the declining number of membership in the case of the American Cosa Nostra.

Considerable differences can also be singled out in the goals pursued by mafia

69 Alessio Comisso, 2006, “Who are the Mafia? Where are they”, *Global Crime*, Vol. 12, No. 4, 10.

70 L. Paoli, *Mafia Brotherhoods*, 10.

families. It is worth noting that there are many activities that exist that all three mafia associations consider forbidden. These are activities such as, the organization of prostitution, pornographic material, which are considered dishonorable, and drug dealing. The differences become even more striking once we move from the forbidden activities to those considered legitimate and most frequently practices by all three associations under examination. “The illegal business that has provided Italian-American mafia groups with the largest revenues since the repeal of Prohibition – gambling, has never gained any sort of foothold in southern Italy.”⁷¹ The main reason this is avoided by the Italian associations because lotteries are state-run and gambling and betting are by large lawful activities, so therefore no large-scale illegal market open to prey by Mafiosi for these services has developed.

Even more significantly Italian-American mafia groups soon had to give up the claim of exercising a political dominion over a specific territory. This is where mafia once had consolidated power and achieved the greatest successes. “True, attempts to extort the successful residents of the Italian immigrant communities were recorded from the late nineteenth century on, and at the beginning of the following century a wave of blackmail, swept Italian colonies in New York and other American cities.”⁷² Interestingly enough, the American Cosa Nostra was unable, in any attempt, to systemically extort rackets even within immigrant communities. So what did they do instead? Italian mafia families, not only “tax” the main productive activities carried out within their communities but also claims “a full-fledged political power over their territory, which usually corresponds to a

71 Matteo Gasparro, 2008, “Where Mafia’s seek Power and Wealth?”, *Crime, Law and Social Change*, Vol. 18, No. 5, 13.

72 Ibid, 15.

village or town or to a neighbourhood in larger cities.”⁷³ Except for New York, American cities did not contain high concentrations of Italian immigrant populations, so therefore the consolidation of power and dominion over specific territory would not occur. In America, mafia political power never attained the degree of legitimacy with which it has long been endowed in the western Sicilian and southern Calabrian countryside’s and towns.

The Italian state and the mafia long shared power in large parts of Sicily and Calabria and the power of mafia groups was accepted and even legalized by government representatives. Further explained by Alessio Comisso “the mafias in the southern cases specifically, were idealized as ‘government’ entities and single handedly responsible for solving disputes.”⁷⁴ This power-sharing mechanism was far from reached or even tolerated in the United States. Although leaders of Cosa Nostra in New York and Chicago did exert great influence over politicians, the political process, and the police, their power, which was largely local, declined in the 1990s, “as urban machines disappeared and the growth of large federal law enforcement agencies discouraged the development of corrupt long-term relationships between Mafiosi and the local police.”⁷⁵ Most striking from the early 1990s onward – American Cosa Nostra members were unable to rely on the same ‘organic’ ties with high-ranking politicians and government officials that their southern Italian counterparts have enjoyed even to this day.

As a result of their inability to superimpose political domination in their communities, and unlike their Italian counterparts, had to look elsewhere. “Too weak and scattered to impose a real political dominion on Italian immigrant communities, American Cosa Nostra families came nonetheless to exercise considerable power through labor

73 L. Paoli, *Mafia Brotherhoods*, 33.

74 A. Comisso, “Who are the Mafia?”, 21.

75 L. Paoli, “Mafia and Organised Crime”, 17.

racketeering.”⁷⁶ This activity is virtually unknown to southern Italian mafia groups, is the closest to the political power exerted by Italian Mafiosi in their areas of influence. In a Federal case against alleged Gambino family capo, an associate of his recalls “we got our money from gambling but our real power, our real strength came from the unions...In some cases we got money from our dealing with the unions, in some cases we got favors such as jobs for friends and relatives, but more importantly, in all cases we got power over every businessman in New York.”⁷⁷ The involvement of Cosa Nostra with the unions began in the 1920s when mobsters were recruited by employers to break a strike or, more frequently, by labor leaders to enforce union discipline. “For several decades Cosa Nostra controlled the International Longshoremen’s Association, the Labourers Union, the Hotel Employees and Restaurant Employees Union, and the International Brotherhood of Teamsters.”⁷⁸ Over time, union power was frequently turned into profit, as Cosa Nostra members embezzled and defrauded unions and their pensions and welfare funds, sold labour peace, and most importantly used their leverage on unions to obtain ownership interests in business and establish and police business cartels. Translating this union control into economic gains fits perfectly into Cosa Nostra’s more general patterns of action. Ever since its inauguration in the 1920s, the emphasis of violence, brotherhood ties and organization has been merged into one major goal: making money. “Mafiosi and other gangsters have thus adjusted to the materialistic nature of American society, which preaches honesty, virtue and hard work, but places value on the possession of money, no matter how it has been acquired.”⁷⁹ The transformation of the Mafiosi into an entrepreneur has its own adaptations to why the mafia has begun to falter.

76 Ibid, 17.

77 J. Jacobs et al, “Cosa Nostra: Final Chapter?” review of *United States v. James Failla et al (1994)*, 45.

78 L. Paoli, *Mafia Brotherhoods*, 11.

79 Ibid, 13.

This entrepreneurial transformation experienced in the United States took place much later in the Italian south. There in the Italian south, Mafiosi continue to adhere the value system prevalent in their backward, rural settings and long placed acquisition of respect above the mere accumulation of wealth. It was not until around the late 1960s “Cosa Nostra and ‘Ndrangheta members start to invest an increasing amount of energy in economic accumulation.”⁸⁰ By increasing their economic threshold, this allowed for the Sicilian Cosa Nostra and ‘Ndrangheta to react to wider modernization processes occurring in Italian society. Much like bootlegging enabled American Mafiosi to build large fortunes, “almost fifty years later it was drug trafficking that provided their southern Italian counterparts with the same opportunity to make money.”⁸¹ True this was a violation of mafia ethics, never before have they ever entrenched themselves with such illegal magnitude. From the late 1970s to mid -1980s, the production and export of heroin into the United States turned out to be particularly profitable for several Sicilian mafia families. To distribute narcotics, these southern Italian families relied on a network of recently immigrated Sicilian “men of honor.”

In the last fifteen years of the twentieth century Sicilian Cosa Nostra families were progressively marginalized from international heroin and cocaine trafficking, and now that same fate seems to be hanging over the Calabrian ‘Ndrangheta as well. As far as the Sicilian Cosa Nostra is concerned, the manipulation of public contract bids has thus become the major source of revenue since the late 1980s, to the very early twenty-first century. “Unlike their American counterparts, Sicilian and Calabrian mafia families could not rely

80 F. Varese, “How Mafia’s Migrate,” 413.

81 Ibid, 415.

on the support of corrupt labor unions to acquire power in legitimate industries.”⁸² In an effort to counter this claim, it is a widely understood notion that the southern Italian mafia’s were built on two critical factors; 1) to govern their territory, and 2) exercise monopoly of force. These two important factors settle the notion that according to Modesto Imbusco

solves the dispute as to what the southern consortiums objectives are. To clearly identify even one additional objective of the mafia is very difficult. Besides money, it is will remain only theory that the mafia is only concerned with organization and cohesiveness. Thanks to the actual use of the mere threat of violence Cosa Nostra and ‘Ndrangheta families succeeded not only in extorting money from virtually all the building firms active on their territory, but even in imposing their presence on the preexisting cartels, made up of politicians and legitimate entrepreneurs, that controlled the bidding process. It is fair to suggest, that as a result of transnationalisation, the resistance to mafia power will be widespread. Will they still emphasize the importance of organization.⁸³

Analyzing the difference in the two cases, will now allow the paper to outline and effectively argue that in the last fifteen to twenty years, the mafia has moved away from its historical political and economic values, of organization and collective profit sharing, thus concluding that the mafia should be reinterpreted as a much more “disorganized” network of crime. Most notably, three variables will be examined that are main causes for disorganization in the past fifteen to twenty years, they are: 1) policing/anti-mafia legislation, 2) changing network values and 3) changing business/economic incentives.

82 Ibid, 416.

83 Modesto Imbusco, 2001, “Has the Mafia Adapted to Change?”, *Contemporary Crisis*, Vol. 12, 18.

The Common Decline-the Collapse of the “Organization” Element

A. i) The Anti-Mafia: Italy’s fight against Organized Crime

The Italian mafia has experienced an inevitable and a gradual process of decline, as well as near collapse, because of the policing strategies, which include an emergency law decree, the protection of witness protection, the establishment of anti-mafia institutions, and increased law enforcement. In the case of the southern Italian associations, the fight against these groups, almost non-existent for most of its history, dating back to the mid-nineteenth century was monumental. However, the use of extreme violence in the southern region has caused some extreme concern. For instance, the heightened murders of Mafiosi, and notable politicians (see below, Figure 2 and Figure 3). Perceptions of domestic and international security risks have changed significantly over the last 15 to 20 years. New forms of threats have developed and that is specifically to the case of the southern Italy, the world of organized crime.

Leoluca Orlando suggests when referring to the heightened widespread mobilization for the fight against organized crime that “Italy suffered a very hard tear down on their operations. The government responded to a series of what they claim terrorist attacks on state security, and swore to oppress the mafia’s actions to legitimize their power.”⁸⁴ Interestingly enough, Sicilian Cosa Nostra and the ‘Ndrangheta’s economic activities, political relationships and overall associational life have been seriously hit by the intensification of law enforcement action that followed the ‘terrorist’ attacks staged by Cosa Nostra in 1992-1993. This event was the single most significant occurrence that sparked the state’s fight against the threat. Leoluca Orlando states, “the significance of

⁸⁴ L. Orlando, *Fighting the Mafia*, 97.

1992 would reshape the organization sentiment of the mafia, and suffer the most powerful knockout blow to its cohesive element.”⁸⁵

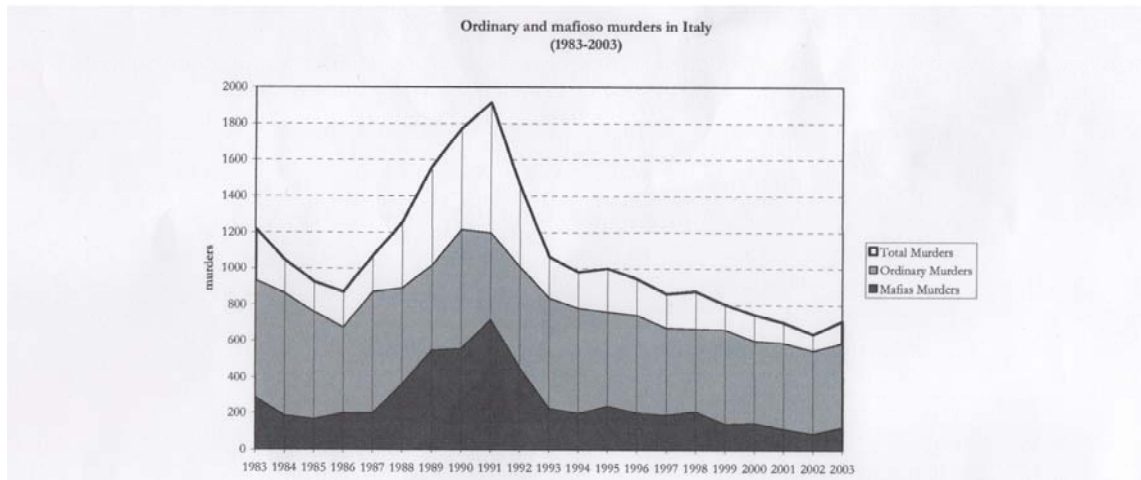


FIGURE N. 1 Ordinary and mafioso murders in Italy (Istat, Rapporto sulle questioni giudiziarie, 1983-2003).

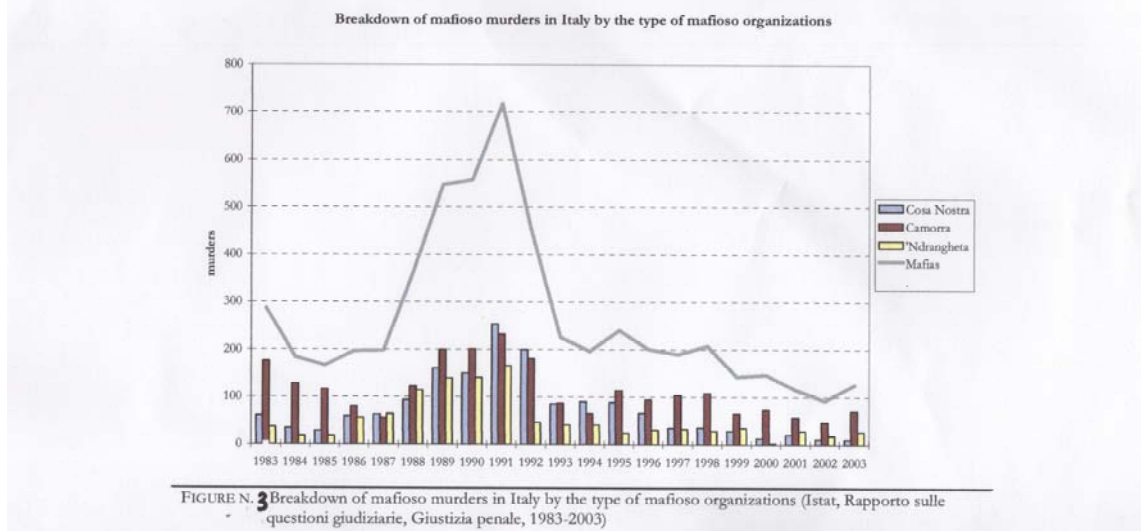


FIGURE N. 3 Breakdown of mafioso murders in Italy by the type of mafioso organizations (Istat, Rapporto sulle questioni giudiziarie, Giustizia penale, 1983-2003)

Source: Istat, *Rapporto sulle questioni giudiziarie*, (1983-2003)

85 L. Orlando, *Fighting the Mafia*, 100.

1992 as a Watershed in the Mafia Decline

On the morning of 12 May 1992, Sicilian judge Giovanni Falcone had just delivered a paper to a conference audience in Rome on the possible developments of international organized crime and the illegal drug trade when he found a note beside his briefcase.

Unsigned, the note claimed that the Italian state was co-responsible with the Mafia for the expansion of drug consumption because it had allowed heroin use to spread among young people during the years of student rebellion, a convenient 'tool' for reducing levels of aggressiveness against state institutions. Implicit in the bizarre message was a warning – Falcone should beware of the duplicity of a state, which pretended to the fight the mafia but in reality was colluding with it.⁸⁶

Falcone was a judge, but above all, was the key implementing factor of key anti-mafia measures. He built his career on combating the underworld in Sicily, shortly after because of his skills and determination, he was appointed as Director of the Office of Criminal Affairs. For over thirty years, he dodged threats from high-ranking Mafiosi, and because he opposed the mafia was almost executed a number of times. “He learned to live with the round-the-clock protection of bodyguards and armored vehicles, the impossibility of eating unobserved in a restaurant or of taking a stroll through the streets of his beloved Palermo.”⁸⁷ For what would become a short-lived life, Falcone would live his years knowing he was on the mafias hit list. When Falcone took his position as director of the Office of Criminal Affairs, it was traditionally known as “moribund backwater of the ministry”⁸⁸ however because of him, it had become a powerhouse of innovation and strategic planning. Anti-mafia policies were being developed in a medium and long-term perspective, taking into account the internationalization of organized crime and its activities. Falcone worked toward three main objectives: 1) the increased

86 A. Jamieson, *The Antimafia*, 12.

87 Ibid, 13.

88 L. Orlando, *Fighting the Mafia*, 34.

professionalization of the investigative forces, 2) the internationalization of criminal investigations and of legal norms to fight organized crime, and 3) the means to identify, seize and confiscate illicit wealth wherever it might be concealed.⁸⁹ Falcone's determination, and success at pursuing Parliament to approve institutions such as the *Direzione Nazionale Antimafia*⁹⁰ angered the mafia, and despite various and multiple threats, Falcone did not slow down, until the afternoon of May 23, 1992.

On the afternoon of Saturday, May 23, 1992 Falcone and his wife flew from Rome to Palermo's Punta Raisi airport in a small aircraft. On their arrival an eight-man bodyguard squad took responsibility for the half-hour journey to the couples home in the city-centre. Helicopter followed Falcone's trip down the roadway. As the three-car convoy approached the exit to the town of Capaci, a massive bomb exploded under the motorway.

The attack sent Italy into a state of shock, "all the greater because it had occurred in an institutional vacuum."⁹¹ What this institutional vacuum meant was that Italy was in an era of political uncertainty. Italy had no Head of State, as President Francesco Cossiga had resigned, and its largest political party, the Christian Democratic Party (DC), was leaderless. The anti-mafia police force created by law six months previously was barely functional, while the national anti-mafia prosecution service which Falcone helped to create and had hoped to lead was stagnating in the wait for a chief prosecutor to be appointed.

Following the funeral, the administrative and political mess in Rome still stood. With many positions not filled, Italy still had a problem on their hands; the act of terrorism in the form of bombings was still a threat. With Falcone dead, it was widely believed that his childhood friend – the only comparable anti-mafia judge to Falcone in experience and

89 A. Jamieson, *The Antimafia*, 13.

90 *Direzione Nazionale Antimafia (DIA)*- was established in 1992 as an investigative unit that reports to Parliament and law enforcement on particular Mafia issues.

91 L. Orlando, *Fighting the Mafia*, 34.

ability, Paolo Borsellino, would be appointed national anti-mafia prosecutor. Borsellino was mightily opposed in principle to the establishment of the national prosecution office, “fearing that under any direction but Falcone’s it might become an instrument of political interference with the independence of the judiciary.”⁹² With this Borsellino remained the greatest threat to *Cosa Nostra’s* activities. For *Cosa Nostra*, to have killed Falcone without killing Borsellino would have been, in a sense, to leave business unfinished.

On Sunday July 19, 1992, some 55 days after the Capaci attack, Borsellino’s motorcade parked outside the apartment block where his elderly mother and sister lived, accompanied with a security entourage, Borsellino had been killed by an exploding car, killing him and five bodyguards. For thousands of Italians, Italy’s last hope of winning against the mafia laid under the rubble. However, the significance of the 1992 bombing triggered a mass movement of anti-mafia measures that took aim at the organizational element of the Italian mafia.

The mafia’s attacks on its two most influential opponents in the event of these 1992 bombings would demand sudden recourse. It was these events that triggered the mafia’s decline. Increased policing strategies, and policy was needed, to rapidly respond to the mafia’s unjust attack on the state. Whether they knew it or not, the mafia was about to face a much larger test, its ultimate decline.

Combating the Organization-Measures taken

Italy’s response to the 1992 bombing was sudden. Almost instantly were anti-mafia measures carried out, thus marking the beginning of the state’s attack on the mafia. The goal of the crumbling government was simple, to abolish the stronghold of the mafia confederations in the south, in fact decimate them. No longer just a political concern but

92 A. Jamieson, *The Antimafia*, 34.

also an internal security problem as well. As of late, and specifically after the 1990s offensive against the Italian government, the Cosa Nostra and its counterpart 'Ndrangheta are seen as an ever growing concern for southern Italian security. It is said that Cosa Nostra has been perceived and treated by the government as national threat to the security of the state only in the occasion of the Mafioso offensive in the early '90s. "The shift from politicization to securitization – i.e. from political issue to security problem – of Cosa Nostra was held by the state, despite the fact that the power and the violence exercised by the criminal organization had already affected the security of Sicily in the previous decades."⁹³ The purpose of this paper however is not to analyze the threat to democracy, but rather how the implementation of policy and heightened policing has affected the organizational element of the mafia, hence making it less organized, as a result of this anti-mafia sentiment.

Distinguishing between Cosa Nostra and 'Ndrangheta members or other mafia groups is very difficult for the *Direzione Investigativa Antimafia (DIA)* or the Ministry of Interior to pinpoint. However, there is no doubt that the former account for the bulk of the mafia-type organized crime in the two regions and they are prioritized by law enforcement agencies. There are many ways in which the fight against the mafia was carried out; the first was a strengthened penal system.

The effective anti-mafia measures included heavy penalties on arrested mafia members, parliamentary legislation and the protection of state witnesses. "Given the previous estimates of 3,500 and 5,000 males respectively composing Cosa Nostra and the

93 Salvatore Sberna, 2008, "Democracy and Domestic Security: The Challenge of Cosa Nostra in Italy", *Journal of European Studies*, Vol. 6, No. 3, 6.

‘Ndrangheta, it is clear that the probability of being arrested has become high.’⁹⁴ Of all the national democratic institutions with public order responsibilities, it is Parliament alone, unlike the police, judiciary or military forces that is directly accountable to the population. Therefore, it was the events of 1992 which finally held the Parliament responsible for reacting to a near national security crisis. Italian Parliament has three principle tasks: “a) to intervene to restore calm and guarantee public order; b) to evaluate the appropriateness of existing anti-crime measures and introduce modifications or new legislation where necessary; c) to ensure that these are implemented, and that all persons with relevant institutional responsibilities are fulfilling their duties.”⁹⁵ As a result three fundamental changes to law and the combativeness of government directly against the mafia significantly affected the organizational element of the mafia.

On June 8, 1993, Parliament passed into law, the law decree 306, and the investigation of serious crime. Set up officially was the aforementioned *DIA*. This was fundamental in the investigation into illicit matters, however specifically to that of all mafia crimes.

The maximum period permitted for the preliminary investigation of specific serious crimes – that is, the period within which investigations can be carried out in secrecy – was extended for the more serious type of crime (aggravated robbery or extortion, terrorism, detention of army and of large quantities of drugs) from 6 to 12 months. This period could in certain circumstances be extended to 18 months and, in the case of Mafia-type crimes, to two years.⁹⁶

This decree was significant at targeting specific mafia-heads (members) or operations. The establishment of the *Direzione Investigativa Antimafia (DIA)*, and the officials of the interagency anti-mafia police force, could be delegated by a public prosecutor to hold

94 L. Paoli, “Mafia and Organised Crime”, 862.

95 A. Jamieson, *The Antimafia*, 40.

96 Ibid, 43.

“investigative conversations”, proved vital. It was efficient in the prosecution of multiple mafia establishments, through its national anti-mafia prosecution service, the DNA (*Direzione Nazionale Antimafia*). The means to combat the mafia came by way of Decree 306, and the further establishment of the DIA and DNA. It was stated by a member of the DNA “we represent those who fear the mafia and the oppressed. Furthermore, by attacking the very foundation, the organized faction of the mafia, it will be a matter of time before we force these groups to decentralize, which will cause disorganization, thus leading to loose criminal activities.”⁹⁷ The very essence of this statement is particularly true when legislation was passed to encourage state witnesses.

Instrumental in attacking the very organizational element of the mafia was the implementation of the Protection of State witnesses. Legislation to encourage state witnesses or collaborators, referred to as *Pentiti*, had been passed in 1991. The collaborator was defined as one who,

dissociating himself from others, acts in such a way as to prevent criminal activities from having further consequences, at the same time giving concrete assistance to the police or to the judicial authority in the gathering of evidence, which is decisive for the reconstruction of facts and, for the identification or the capture of those responsible for committing crimes.⁹⁸

The perceived collaboration was compensated by reduced terms for these collaborators, and often given new aliases in order to avoid death by former associates. Furthermore, the under law decree 306, state witnesses would be further protected and isolated by not having to testify in person but rather by way of video. The implementation of state witness program has had the most significant impact on attacking the mafia’s hierarchical organization. The sheer fact that the mafia was constructed and operated on the notion of

97 A. Nicaso, *Global Crime*, 110.

98 A. Jamieson, *The Antimafia*, 50.

silence and cohesiveness shows that with this particular pact between government and *pentiti*, that mafia is beginning to lose its organizational impact. As a result of this state-led implementation, a number of internal organizations within Cosa Nostra and 'Ndrangheta have been victims to life sentences and severe terms of imprisonment.

Law enforcement was able to substantially annihilate the threat of organized crime in the south. This tactic isolated the mafia activities, and threatened unstoppable sections should the mafia pose even the slightest threat. In order to fight the mafia, and attack its cohesive structure, there has to be a degree of enforcement. The most important law-enforcement initiatives introduced after the Palermo atrocities⁹⁹. First and foremost was the decision taken by Giuliano Amato's government in July 1992 to send 7000 army troops to Sicily for public order duties had been a significant attempt to destroy the mafia and restore order. Under the terms of Law Decree 349 of July 25 1992, which was converted into Law 386 on September 23, 1992, military personnel were granted temporary police status and had the power to identify and search vehicles and individuals. Military officials also had the authority to make arrests and surveillance. At first there was widespread concern of Sicilians that the troops would 'militarize' the island, the integration with civil society was handled with care and a conspicuous drop in general crime levels occurred. "In the first month of the army's presence 1272 crimes were reported, 60 per cent fewer than the same period of 1991. Thefts dropped during the month from 2553 in the same period of 1991 to 999 in 1992; car thefts from 411 to 109; property thefts from 144 to 80, and robberies by 50 percent."¹⁰⁰ The significance of the army in Sicily, and some parts of southern Calabria proved vital for the threat to public order. It was mentioned earlier in this paper that the

⁹⁹ These atrocities were the bombings of judges Falcone and Borsellino in 1992, which sparked this anti-mafia movement.

¹⁰⁰ Annual Crimes Report, Province of Sicily, www.istat.it, 1991-1992.

mafia has had pre-existing principles that included the dependence of the preservation of the status quo. This principle is central to the operation of the mafia. And as a result of its terror attack on the Italian government, Cosa Nostra, together with cooperating faction 'Ndrangheta was mainly responsible for their own decline. The army received an extension of services by way of provisions to Law 386 that saw the presence of the army as a mainstay until late 1998. In general, Sicilian judges in particular, saw the army presence as a symbol of the State's reacquisition of the monopoly of force and the repossession of the mafia-controlled territory, and feared it would send a message to Cosa Nostra that the period of special vigilance was over. It was the mayor of Palermo, Leoluca Orlando that "requested that a 'rapid reaction force' of some 500 men be retained for emergencies."¹⁰¹ This ultimately led to the stabilization of the economy, and also landing a significant blow to operations in Sicily specifically.

In Calabria, the spillover from the Sicilian case was also detrimental. The same decrees that were declared in the fight against Cosa Nostra occurred in Calabria as well against the 'Ndrangheta. In Calabria, "state repression has until recently not received much support from civil society, mafia groups have experienced severe restrictions."¹⁰² The strengthening of the penal system in Italy gained much praise specifically in 1999, at the end of the hearings concerning the *Olimpia-1 Operation*¹⁰³. The Reggio Calabria court handed down "62 life sentences and 141 sentences amounting to over 1, 380 years of imprisonment, while another 300 defendants are involved in three parts of the inquiry."¹⁰⁴

101 A. Jamieson, *The Antimafia*, 79.

102 L. Paoli, *Mafia Brotherhoods*, 114.

103 *Olimpia-1 Operation* was a 'sting' operation to indict standing members of 'Ndrangheta, in 1999.

104 Giovanni Tromboli, 2000, "Calabria's fight against 'Ndrangheta", *Journal of European Studies*, Vol. 5, no. 3, 10.

Similar to the Olimpia-1 Operation hearings, the 99 defendants of the Tirreno maxi-trial¹⁰⁵, which took place in Palmi against the greatly feared Piromalli and Mole families, “were sentenced to 89 life sentences and 731 years of imprisonment by the local first-degree court.”¹⁰⁶ These investigations did not focus on the core families in Calabria, but rather the branches of ‘Ndrangheta in central and northern Italy. In Milan, for example, between 1994 and 1998 “more than 1,000 members of the ‘Ndrangheta faced trial in about 20 maxi-trials, all of which ended with convictions and heavy sentences.”¹⁰⁷ The very operations of both the Sicilian Cosa Nostra and ‘Ndrangheta took even more of a hit financially during the era of anti-mafia mobilization

Anti-mafia measures were so effectively implemented that the mafia’s financial bloodline was severely undermined. “In a way never seen before, the seizure and confiscation of goods from the mafia, showed that both organizations suffered a significant rupture to its very organizational dynamic.”¹⁰⁸ During the *Olimpia-1* trial, for example, “the Reggio Calabria court seized properties worth almost € 80 million and confiscated goods worth over € 20 billion definitely.”¹⁰⁹ This is huge considering the once ‘untouchable’ nature of mafia activities. The *DIA* alone in 2007 claims to have seized assets worth over a billion euro from Sicilian mafia groups, thus the precision of these estimates is further confirmed by qualitative evidence, confirming the overall impact. Indeed, some mafia families now seem virtually bankrupt as a result of seizures and sentences.

105 *Maxi Trial*-is a legal process of trials that took place first in Sicily in 1983, and further continued in 1994 in Calabria to convict many defendants charged with mafia activities. In short, it’s a large trial against a number of defendants charged with being involved in illicit mafia activities.

106 L. Paoli, “Mafia and Organized Crime”, 864.

107 L. Paoli, *Mafia Brotherhoods*, 214.

108 G. Tromboli, “Calabria’s fight against ‘Ndrangheta”, 14.

109 Gazzetta del Sud, 20 January 1999, www.gazzettadelsud.it

However, what is most impressive is that the fight against the southern mafias has been most successful in implementing these factors that target the very organizational element of the mafia. Through the implementation of law decree 306, the state witness protection program, law enforcement and strengthening penal system, the 1990 offensive displayed by the southern mafia organizations is nothing more than a very distant memory. The government has achieved success in superimposing policies and policing tactics that will continue to disrupt the very organizational element of these southern Italian groups.

ii). United States v. American Cosa Nostra: a long fought battle

Combating the Cosa Nostra with successful legislation and law enforcement destroyed the mafia in the United States. Anti-mafia measures were established in the United States well before its Italian counterpart. The success of the specific anti-mafia measure gradually dealt blows to the very factions that operate in the United States. Unlike the case of Italy's recent fight against organized crime, the United States has been combating the forces of the underworld for many decades. Organized crime in the United States has a long-standing history. Although this history has its origins prior to the 20th century, organized crime flourished around the time of Prohibition and grabbed the attention of policymakers. Through most of the 20th century, U.S. law enforcement combated what many consider "traditional" organized crime networks operating inside the United States, however the emphasis has always been places on the Italian mafia, because of its long-standing organizational complexity, and its network of money making schemes. It was the United States who really pioneered the universal fight against organized crime. Specifically to the case of the American Cosa Nostra, law enforcement has been battling the mafia for over seventy years. It has not been until recently, the last 15 to 20 years in which the results were astonishing.

Presidential committees were so concerned about the mafia development that the outreach of mafia activities were under the eyes and ears of the American state. As such, the state-mafia struggle in the U.S. was tipped in favour of the powerful state apparatus. In James Jacobs's account of the mafia's influence in the United States, he claims that the mafia was the largest illegal faction visible in the United States. He suggests, "the American Cosa Nostra had built a foundation that at first seemed both untouchable, and unable to infiltrate. However, the United States were able to effectively policy initiatives

that made the mafia submissive and hesitant toward the federal government.”¹¹⁰ Interestingly enough, Jacobs’ assertion of what the mafia once was, this untouchable power, even with early legislation the mafia, like its Italian counterparts was permeable. It was able to extort politicians, and “buy’ their fate. Mafiosi in the United States seemed very powerful, however, it was not until the early 1990s that saw the dismantling of mafia families at an extraordinary rate.

The mafia’s universal code of Omertà began to disintegrate in the late 1970s, and by the late 1980s and early 1990s, high ranking organized crime figures agreed to testify for the government in exchange for leniency and placement in the federal Witness Security Program, which for the first time, offered a Cosa Nostra figure who turned against his comrades hope for survival. These defectors, or *Pentiti* as referred to in Italy, provided a wealth of information about Cosa Nostra’s membership, organizational hierarchy, rules and criminal activities. One of the first members to “flip”¹¹¹ was Aladema Fratianno, acting boss of the Los Angeles crime family. He testified for the government in the first Racketeer Influenced and Corrupt Organizations (RICO) prosecution against a Cosa Nostra boss (*United States v. Tieri, [SDNY], June 15, 1980*) and later in the “commission” case brought against the leaders of the New York five families (*United States v. Salerno, 1989*). The fight against the mafia’s organizational hierarchy came by way of three very specific factors; title III, witness protection, and RICO.

Title III and the American State’s Fight Against the Mafia

The American state’s implementation of Title III was monumental in successfully indicting members of Cosa Nostra. It is because of Title III that the state was able to

110 J. Jacobs et al, “Cosa Nostra: Final chapter?”, 129.

111 “*Flip*”-refers to a member of the mafia turncoat, who betrays the code of Omertà and cooperates with law enforcement to bring down certain particulars.

increase its hand on pursuing justice and legality over Mafiosi. Included in the act was the congressional finding that “organized criminals make extensive use of wire and oral communications in their criminal activities. The interception of such communications to obtain evidence of the commission of crimes or to prevent their commission is an indispensable aid to law enforcement and the administration of justice.”¹¹² However because of this finding, Title III of this act was implemented, which permitted federal law enforcement agencies to wiretap conversations of suspected criminals, specifically to those of organized crime. During this time, the primary targets of law enforcement were the American Cosa Nostra. It was best claimed by a former New York five family associate “bugs are what did it. It collapsed our entire system, and eventually conversations will no longer be discreet. Title III will fuck up this thing we call ‘La Cosa Nostra’.”¹¹³ Electronic wiretapping authority granted the Omnibus Crime Control and Safe Streets Act of 1968 immediately provided American law enforcement and policymakers with an indication of organized criminals’ activity, specifically their involvement in illegally importing and distributing narcotics. Title III offered an outlet into the lives of Mafiosi. With this piece of legislation charges could be brought against mafia figures. This was the crucial factor in the collapse of the once powerful, Teflon Don, John Gotti of the Gambino Crime family (*United States v. John Gotti*, [EDNY], 1992) and the ultimate demise of the entire five family structure, as electronic surveillance was widespread and everywhere. However despite tools to combat criminals, the federal government still lacked the tools to combat the actual organization.

112 Task Force on Organized Crime, 1976, *Organized Crime: Report of the Task Force on Organized Crime*, National Advisory Committee on Criminal Justice Standards and Goals, Washington, 5.

113 Mina Chaudri, 1997, *Mafia Power*, New York: Oxford University Press, 56.

The Organized Crime Control Act, RICO and the Inevitable Mafia Decline

The powerful fist of the state's battle landed the biggest blow to the face of the mafia, by introducing a stable mechanism to decimate the mafia, ultimately contributing significantly to its untimely decline. "We define organized crime as a whole 'legal' definition, but when we speak of organized crime through the 1990s we speak of the vast mobility of American Cosa Nostra's influence."¹¹⁴ This act strengthened the ability of the federal government to combat and prosecute criminal organizations. "It provided for Special Grand Juries to investigate multi-jurisdictional organized crime; these grand juries are able to produce reports outlining public corruption and organized crime conditions in their respective districts."¹¹⁵ What some consider the single most important piece of organized crime legislation enacted was Title IX of the Organized Crime Control Act of 1970, creating the Racketeer Influenced and Corrupt Organizations Act (RICO). "RICO allows for the prosecution of anyone who participates or conspires to participate in a criminal enterprise/organization through two acts of 'racketeering activity' within a 10-year period of time."¹¹⁶ The predicate offenses for racketeering include various state and federal crimes listed in U.S. Code. Interestingly enough, since RICO has been used as one of the dominant tools used in organized crime prosecutions, it was responsible for the increasingly powerful convictions of top mafia rank and file. For instance,

in 1990-1995 alone, RICO was responsible for 86 per cent of the convictions to higher Cosa Nostra members. Furthermore, approximately, 770 cases which included the Cosa Nostra alone was brought by way of RICO case(s), all of which were successful in securing minimal 10 years sentences. Of the 770 cases, specific to New York, the largest enclave of American Cosa Nostra, more than 380 resulted in life sentences.¹¹⁷

114 Ibid, 57.

115 Howard Abadinsky, 2003, *Organized Crime*, Belmont, CA: Wadsworth, 65.

116 H. Abadinsky, *Organized Crime*, 34.

117 J. Jacobs et al, "Cosa Nostra: Final Chapter?" 144.

These results are very convincing that since the 1990s, that most mafia members fear RICO charges. In that sense, the American government was very successful in attacking the organization, and decimating the organizational hierarchy. Since the passage of RICO, Congress enacted legislation that on top of the RICO charges if it is found that profits and assets were resulting from the proceeds of crime, than asset forfeiture and money launderings now exist to take that all away. So far, we have seen two specific factors in fighting the American Cosa Nostra, however in addition to the two preceding factors, is the Witness Security Program that had also a positive affect on rupturing the organizational element.

Witness Security Program, as another Anti-Mafia State Policy

The tattle-tail approach to cement a concrete case against the Cosa Nostra came by way of the Witness Security Program. Aiming at the heart of mafia code, Omertà, the state was able to curb the growth of the mafia but stopping it in its tracks, undermining its only ideological element, the code of silence. Very similar to its Italian counterpart, the American Cosa Nostra had to fear the ultimate betrayal, that of mafia turncoats, or *pentiti*. The U.S. was successful in targeting the Cosa Nostra by first implementing specific witness protection programs. Like mentioned earlier, by way of the Organized Crime Control Act, it allowed for witnesses of organized crime to be granted immunity from prosecution in exchange for testimony. Further, it authorized security for government witnesses or potential witnesses in organized crime cases. This measure in that specific act laid the groundwork so to speak for the Witness Security Program (WITSEC)¹¹⁸. “This program

118 18 U.S.C. § 3521. Although the Organized Crime Control Act of 1970 authorized the foundation for the Witness Security Program, the program was established under Part F of Chapter XII of P.L. 98-473. In addition to this federal WITSEC program, legislation has been introduced in the 111th Congress that would establish a grant program that would provide funding to states and localities to establish or maintain programs that provide protection or assistance to witnesses involved in homicide, serious violent felony, or serious drug

allows for the protection and relocation of witnesses and their families, whose lives may be in danger as a result of their testimony in organized and other major crime cases.”¹¹⁹ This particular tool created together with Title III and RICO a network of tools that covered a number of areas that would not allow Cosa Nostra to be as permeable. This particular program was crucial in bringing down once again the New York five families. Specifically, through witness protection, the high profile Don of the Gambino crime family, John Gotti, was taken down by the government, after years of unsuccessful attempts by law enforcement, by way of a collaborator, his underboss, Salvatore “the bull” Gravano. In *United States v. John Gotti* [1992], Gravano testified to some dozen murders on specific order from John Gotti, and spoke to specific illicit activities. In exchange, Gravano was granted leniency in his what would have been life sentence, and was relocated. This tool as evidenced in this case, negatively impacts the organizational element of the mafia. And hence, as a result has been a leading cause as to why the mafia has become less and less organized.

cases.

¹¹⁹ H. Abadinsky, *Organized Crime*, 37.

B. Changing Network Values

The changing network values, as evidenced in the prominence of greed, self-interest, egoism among the mafia members, have already undermined mafia development both internally and externally. Internally, there have been factional struggles, and externally mafia development has encountered various crisis. The emphasis on the mafia's values, and what made them at one time a very organized hierarchical consortium has been explained thoroughly throughout this paper. What remains even more interesting is that in a number of ways the mafia has moved toward a less organized sentiment. As seen in the previous section of policy and policing, the mafia has been on a steady decline. The shift from a central ruling body, as described as this super-ordinate body, "the commission", and the abandonment of the most critical code Omertà has contributed to the "disorganized" claims in the past 15 to 20 years. In the context of the Italian and American mafia's, the policing and anti-mafia legislation has forced these networks to take a less organized approach moving forward. In Italy the role of the mafia in local public goods contracts was exposed by investigations in the mid 1990s, and southern Italian mafia families were also hit by the sharp reduction of public investment in the following years. Likewise, in the United States Cosa Nostra's labor and business racketeering have been seriously disrupted since the mid-1980s by successful RICO suits. "As the civil RICO legislation prompted a thorough reform of most corrupted unions and businesses, it is unlikely that Cosa Nostra will gain much of its former power again."¹²⁰

Greed and power have emerged as the dominant network values that undermine mafia development in both the U.S. and Italy. Power has changed hands so often, that very little appreciation for mafia codes were upheld. Mafiosi were killed off, until the next one

120 L. Paoli, *Mafia Brotherhoods*, 19.

took power. The abandonment of ‘men of honor’ was just a ceremonial status. In fact, the mafia in the context of the United States had no one goal.

The mafia in the United States is dead. It died when John Gotti was considered the infamous Teflon Don. He took power from Paul Castellano in another ego-murder. This began the process of ignoring original codes established long before the Cosa Nostra’s existence. These were crucial tools for network success. Omertà, organizational profitability and maintaining the status quo, were replaced with drug trafficking, snitching, and individual wealth.¹²¹

With its traditional emphasis on mutual aid, honor, and Omertà, mafia ideology is not only increasingly unattractive for prospective recruits but also proves to be less and less effective in securing the compliance of “made members.” Due to the growing importance of profit-making activities, the gap between what is described in the initiation rituals and what Mafiosi really do in everyday life has widened. More and more mafia members in Italy and the United States thus realize that primarily family chiefs ignore the values inspiring mafia ideology in daily activities. Consequently, they feel authorized to deviate from these precepts whenever compliance entails heavy personal sacrifices.

While loyalty was the most important ingredient in the traditionally hierarchical organization like the mafia, it has arguably eroded since. The price of loyalty has also become much higher, as law enforcement repression has increased enormously in both countries since the 1980s. As a result, an unprecedented number of Mafiosi, including some high-ranking members, have chosen to testify against their former associates. “On both sides of the Atlantic Ocean, these testimonies – and, especially in the United States, the conversations intercepted by “bugs” planted in Mafiosi’s cars, homes, and social clubs – have been far-sighted police and justice officials to launch a series of breakthrough

¹²¹ Nicaso, *Global Crime*, 81

investigations, destroying whatever was hailed as organized.”¹²² Interestingly enough, virtually all American Cosa Nostra leading figures of the 1980s and early 1990s are now in prison serving life sentences without a chance of parole. Moreover, even in southern Italy, as never before mafia criminal prosecutions have affected associations.

The impact of the government’s blow to the face of mafia development has triggered the decline of mafia influence in the legal and illegal markets. There, the local Cosa Nostra seems unable to recover its power over either legitimate or illegitimate markets. Even the Sicilian Cosa Nostra and the Calabrian ‘Ndrangheta have been seriously hit. “Traditional mafia and familialistic values are still at odds with the mainstream southern Italian mentality than they are with the Weltanschauung and lifestyle of second- or-third generation Italian immigrants, by now fully assimilated into the American melting pot.”¹²³ The southern Italian mafia example is to a lesser degree on a similar course to the virtual non-existent American Cosa Nostra. The reason being, specifically that thanks to their territorial rooting and political connections, Italian mafia families still hopes to reassert their grip on public contracts, as soon as the funds pledged by the European Union and the Italian state start to pour into the Mezzogiorno (the rural south of Italy) – yet again. “Approximately €5,000 and €9,000 million, is to be invested in Calabria and Sicily”¹²⁴, these funds are part of the European Unions Agenda 2000, which the Sicilian Cosa Nostra and ‘Ndrangheta are eager to intercept. What remains evident is that in Italy and the United States there are significant mechanisms in place to battle the once highly organized mafias.

The emergence of various illicit global markets since the 1990s has undermined mafia development in terms of exacerbating their internal political and power struggles,

122 L. Paoli, *Mafia Brotherhoods*, 32.

123 Ibid, 33.

124 Ibid, 36.

worsening the network values of greed, individualism and egoism, and directly contributing to their decline. The most significant change in the mafia values was in the area of market competition – both legal and illegal. There is no doubt that in Italy and the United States mafia control over illegal and legal markets has undergone a rapid decline, as have the mafia’s political power and legitimacy. Nor have the mafia families become a model for organized criminals on either side of the Atlantic. “Though some southern Italian criminal gangs have tried to imitate the mafia’s complex canopy of rituals and codes to strengthen their internal cohesion and impress both competitors and victims, the mafia subculture has so far not proved to be either exportable or credible beyond the boundaries of its original communities.”¹²⁵ The transition from cohesiveness to decentralization created a loose network of Mafiosi in both cases. The dynamics of the illegal markets does not require or even favor the development of large, mafia-like organizations. Indeed, small, flexible enterprises seem to have the advantage, as they can be more easily managed in conditions of uncertainty and ‘lawlessness’ and are more likely to avoid law enforcement detection, so therefore decentralizing is more feasible to compete in the much sought after global illicit market competition.

125 Letizia Paoli, 1996, “The Integration of the Italian Crime Scene”, *European Journal of Crime, Criminal Law and Criminal Justice*, Vol. 3, No.3, 131.

C. *New Economic/Business Incentives*

The attention has been turned to the international or transnational illicit markets. These are markets that found it both difficult for the Italian mafia's to compete, and led to the American Cosa Nostra's eventual insignificance. With the changing nature of traditional money making schemes, there lays this curiosity into the illicit global market. For the case of the American Cosa Nostra, the focus from labor contracts, extortion of businesses and public goods had transcended to the focus on other illicit market dealings such as drug smuggling, arms dealing, and international money. Activities like this were never before practiced by mafia organizations, however because of the domestic fight against the mafia, the organizational dynamic took a very devastating blow. In addition, the growth of the illicit global market offered competition to not necessarily the largest mafia associations, in fact it does not necessarily promote large factions, rather mafia's have split and created little niche groups, which instead of the cohesive profitability of the organization as a whole has changed to an individual pursuit of wealth. This is what Antonio Nicaso calls "individualistic made men dishonor."¹²⁶ Suggesting that the individual is more concerned with his own individual profit, and wealth rather than that of his brotherhood, thus abolishing the status contract set forth by Letizia Paoli, "where the preconditions for recruitment are cemented by the process of fraternization."¹²⁷ The emphasis used to be placed on the cohesive-institutionalization and allocated wealth to the entire organization, however it now remains evident that emphasize on cohesive units is no longer the norm. What makes the American Cosa Nostra case quite interesting is that they are able to compete in the illegal global market because of its loose recruitment criteria.

126 A. Nicaso, *Global Crime*, 74.

127 L. Paoli, *Mafia Brotherhoods*, 45.

Unlike its Italian counterpart, the American Cosa Nostra was built on inter-culture relationships. Included in its networks were African-Americans – for drug trade, eastern Europeans – for arms, and Irish – for smuggling. This proves very interesting when analyzing from this perspective. They gain an advantage that was never achieved or shared by the Italian mafias. Thus operating in this individualistic-goal driven dynamic, the Cosa Nostra would exist no more, but rather a group of former members operating as its own individual criminal network, further showing the abandonment of the phrase “organized crime.”

In Italy, the Sicilian Cosa Nostra and ‘Ndrangheta have traditionally been dominant in its local communities, however it today remains very much transnational with off shoots all over North America, South America and Australia. The larger Italian mafia associations maintain their posts in southern Italy targeting public goods taxes, protection, smuggling and a high level of political corruption – the access to public contracts. However, the fight against the mafia has forced these two groups to turn to other means of profitability. The expansion of the Italian mafia into the global illicit market has proved ineffective. “Because the Italian mafia has strict recruitment process, and only accept men born of Calabrian and Sicilian blood, it gave them a disadvantage in competing in the global market. They had shut themselves off to a world full of arms trade, and the largest – illicit drug trade.”¹²⁸ ‘Ndrangheta had a hand in the heroin drug trafficking market in the early 1980s because of its expansion and connections when it branched into northern Italy. ‘Ndrangheta for about a decade had connections to most of South America, and Canada, however was decimated when two large cargo ships were seized by U.S. military. In the early 1990s ‘Ndrangheta further expanded its influence in response to the anti-mafia

128 A. Nicaso, *Global Mafia*, 67.

movement at home, and established thresholds in Canada, specifically the Toronto and Hamilton area – where today the largest faction of ‘Ndrangheta are established, and in Australia. This has added to new economic and business incentives. As fellow ‘Ndrangheta saw this as an opportunity and relocated to these areas in order to maximize, what was once never the goal of the Italian consortiums profit.

The case of the Sicilian Cosa Nostra much like its Calabrian brethren has found success from changing its focus domestically to again relocating where its ally has. The Sicilian Cosa Nostra suffered significant losses, however establishing strongholds in Montreal and in Colombia have further implemented their new economic reform. “Long behind the Cosa Nostra are just public contracts. Forget top-down command, the Cosa Nostra has expanded and are popping up throughout the North and South.”¹²⁹ The mafia in the two cases analyzed in the United States and in Italy has under gone process of challenge and globalization. No more can they rely on domestic achievements, as organized crime groups no longer look at traditional mafia norms or mechanisms relevant for new ideals of international competition. The organized element is abandoned; mafias are no longer organized.

129 A. Nicaso, *Global Mafia*, 56.

Conclusion

This paper reinterprets the mafia development by combining the globalization perspective with my contention that mafia organizations have declined inevitably. This dialectical development is attributable to the enormous business and lucrative opportunities in the illicit global markets, and to the three major factors of strong anti-mafia measures taken by the state, rapidly changing values of networks from loyalty and obedience to greed and egoistic individualism, and the rise of various illicit global markets and economic incentives. Hence, mafia development in both Italy and the United States are characterized by a neglected similarity: their dialectical development of transnational activities but ironically their decentralized, less organized and perhaps less dangerous operations.

The definitive defeat of the Sicilian and Calabrian mafia still seems out of reach. They have suffered significant set backs, and even had to rethink its tradition mafia ideology, created on norms, codes and values, and forced to jump into the illicit market. Triggered by the 1992 bombings of judges Falcone and Borsellino, the Italian state was able to successfully target the mafia groups in southern Italy and effectively destroy the once untouchable cohesive element by various means. In lieu of the increased fight against the mafia, in the past 15-20 years, to ensure cohesion and reduce the number of defectors, three main pillars must be implemented: 1) returning to Cosa Nostra's traditional rules, which had in the past allowed the organization to operate consciously, 2) Drastically reduce the number of 'men of honor' forming in fact a criminal elite set apart from manpower to create some layers of protection around 'men of honor' and thus protect them from possible defectors among low-ranking staff, 3) raising the cultural standard of Cosa Nostra leaders and members, by recruiting candidates with high educational standards and a good social position. Until these three pillars are revisited, the mafia as it exists will be no more, and

its presence as a once catalyst of organized crime will be lost in the era of transnationalisation, and thought of as only a distant memory.

Appendix B: Map of Calabria



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