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Organized Crime: Less Than Meets the Eye

"Less here than meets the eye," a Venusian documentary maker calling home might say. Books, films, and mass media portray organized crime as larger than life, a fearsome monster among us, an awesome money-making machine. Reality is different. Organized crime organizations are life-size, understandable outgrowths of local cultures, political systems, and markets. In some times and places, they control markets and peoples' lives, just as state institutions do in other times and places, but that too is understandable and can be explained. Organized crime organizations are not enormously profitable. Frightening, malevolent, and lethal, sometimes yes. Practically useful to ordinary law-abiding people, sometimes also yes. Economically important in any larger scheme of things, almost never.

Novelists, filmmakers, journalists, law enforcement officials, and policy makers have long paid attention to organized crime; scholars not so much. Mario Puzo's novel *The Godfather* and Francis Ford Coppola's follow-up films on the American Cosa Nostra exemplify long lines of popular novels and films in many languages and countries. Organized crime is a regular topic on the front pages of newspapers and a recurring subject of in-depth investigative reporting, exemplified by Roberto Saviano's *Gomorrah* on the Campanian Camorra and its eponymous film version. Organized crime is blamed for many modern ills, ranging from contraband cigarettes in Britain, high condominium prices in Miami, and the impossibility of conducting business honestly in Albania, to human smuggling, drug epidemics, and destabilization of communities and countries.

Organized crime has not, however, been a longtime, mainstream subject of research by social scientists. Part of the explanation is intellectual fashion. Criminologists traditionally focused on understanding crimes by

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individuals, especially young ones, and operations of the criminal justice system. Other subjects including organized and white-collar crime received and receive shorter shrift, as contents pages of criminology journals attest.

Several things contribute to the dearth of scholarly work. One is the increasingly quantitative character of contemporary social sciences, including criminology. Until recently, little research on organized crime was quantitative or easily could have been. Few numerical data sets provide much insight into its origins, operation, or effects. Important scholarly works were mostly qualitative. That is beginning to change, but mainstream statistical data on crime and victimization continue to shed comparatively little light.

A second is that there are only two quality journals, *Global Crime* and *Trends in Organized Crime*. Because tenure-seeking academics need and established scholars want their writings to be published in refereed journals, important work appears in a wide range of disciplinary and professional journals. Much important work is self-published by government and international organizations and research institutes. As a result, much of the literature is fugitive. No one purposely hides important work, but it is often hard to find.

A third, far from least important, is that research on organized crime presents special challenges. Participant observation or ethnographic study of transnational drug, human smuggling, and other markets, or of deliberations and activities of organized crime leaders, for example, are neither welcomed nor feasible. Representative surveys of participants in illegal markets or of members of organized crime groups are unsurprisingly rare. These are among the reasons why much writing on organized crime continues to draw heavily on journalistic sources, courtroom testimony, surveillance transcripts, biographies and autobiographies of offenders, and law enforcement officials' reflections.

Despite those challenges, comparatively rich literatures are beginning to emerge, especially in the Netherlands and Italy. Notorious events in those countries focused attention. A huge uproar occurred in the Netherlands when it became known that a police team had facilitated import of several tons of drugs, reportedly in order to help informers move up in trafficking organizations (Kleemans 2014). A parliamentary inquiry, charged to investigate the nature, seriousness, and scale of organized crime in the Netherlands, appointed an academic study group, chaired by Cyrille Fijnault, to establish what was known and knowable (Fijnault

et al. 1996, 1998). A key finding was that remarkably little was known. The then minister of justice undertook to remedy this by promising regular reports on Dutch organized crime; the ministry's Research and Documentation Centre has continually followed up. The Dutch Organized Crime Monitor was established to support and conduct an ongoing program of research and to create new, cumulative, databases on organized crime activities and participants. Essays in *Organizing Crime: Mafias, Markets, and Networks* draw on their fruits (e.g., Kleemans and Van Koppen 2020; Selmini 2020; von Lampe and Blokland 2020).

In the late 1980s and early 1990s, a wave of assassinations of police officers, prosecutors, judges, and other public officials in Italy culminated in the 1992 bombing deaths of judges Paolo Borsellino and Giovanne Falcone, joint leaders of an antimafia task force (Catino 2020). Their deaths precipitated enactment of unprecedentedly severe antimafia laws; a relentless series of investigations, prosecutions, convictions, and imprisonments; and an explosion of interest among Italian scholars. Researchers gained access to hundreds of thousands of pages of wiretap transcripts and the testimony of hundreds of mafiosi who changed sides.[1] Over time these records have been mined to create new databases on organized crime activities, participants, and revenues and to develop large and growing literatures. Essays in *Organizing Crime: Mafias, Markets, and Networks* draw on them (e.g., Catino 2020; Paoli 2020; Reuter and Paoli 2020; Selmini 2020; Varese 2020).

Those Dutch and Italian developments, and an international diaspora of Italian organized crime researchers, may have catalyzed work in other countries, though that would be difficult to prove. In any case, new literatures emerged, old ones adapted, and Dutch and Italian scholars played major roles. Specialists in network analysis explore webs of relationships and activities among organized crime members and between them and outsiders (Bouchard 2020). Criminologists explore similarities and differences between youth gangs, outlaw motorcycle gangs, and organized crime organizations, and interactions among them (Selmini 2020; von Lampe and Blokland 2020). They draw on criminal careers, developmental psychology, and life-course research traditions to learn about initiation, continuation, and desistance in crime involvement of participants in organized crime organizations and transnational criminal activities

[1] Similar sources generated by unprecedented federal antimafia efforts in the 1970s, 1980s, and 1990s have enriched understanding of the operations, organization, and effects of American organized crime (Jacobs 2020).

(Kleemans and van Koppen 2020). Economists and others develop and test theories about operations of and changes in illegal markets (Levitt and Venkatesh 2000; Cook et al. 2007). Traditional small-scale qualitative studies and journalists' investigations continue, as has publication of biographies, autobiographies, and professionals' reflections.

Much more is known than even a decade ago and incomparably more than 20, 30, or 40 years ago. The essays in this volume speak for themselves so we neither describe nor summarize them. Instead, we identify a few important lessons that have been learned.

Every society gets the kind of criminal it deserves.
(—John F. Kennedy)

Research on organized crime has long faced the difficulty that its conceptualization is contested. Definitions vary widely and no widespread agreement is in sight. There is agreement that transnational organized crime and long-enduring organized crime organizations, usually shorthanded as mafias, are distinguishable albeit overlapping phenomena. Illegal markets, ubiquitous in modern societies and present in many premodern ones, generate a wide variety of organizational forms. Some are evanescent, a couple of people seizing a tempting opportunity. Others that last longer as small change—three students selling marijuana in a college dormitory—fall within formalistic organized crime definitions set out in criminal codes and international agreements. Still others are more and less stable networks in which individuals collaborate opportunistically over time, switching partners as market conditions change. Occasionally, but not often, large and enduring organizations emerge.

"Mafias" are large, enduring criminal organizations that serve multiple functions. Japanese yakuza, Chinese triads, and the Italian 'Ndrangheta and Cosa Nostra are prominent examples. These exist only in a few countries and are in sharp decline. Illegal markets and social disruption have precipitated criminal organizations in other countries, particularly in Russia and Eastern Europe, that acquire mafia-like reputations, but they have typically proven to be short-lived. In still other countries, typically in South and Central America, combinations of lucrative illegal markets and weak governments have fostered large, conspicuously violent, criminal organizations that may or may not prove long-lived.

Societies get the crime they deserve, President Kennedy observed. That appears to be true of criminal organizations. Violent crime represents

a failure of social control, but is rooted in human behavior; the impulse to violence is universal and manifests itself everywhere. So do the impulses to steal and defraud. Organized crime in various of its nontrivial senses is, by contrast, a response to a specific kind of governmental failure—inability to prevent ongoing coordinated actions to earn money from predation or illegal markets. The emergence of powerful organized crime groups in the Northern Triangle of Central America (El Salvador, Guatemala, and Honduras), for example, is indicative of weak, almost failed, states. The emergence of similar groups in Venezuela and Brazil is associated with state failures to provide security in prisons and urban ghettos. The influence and power of mafia groups in the United States through much of the twentieth century was attributable in part to their successful, long-term accommodations with urban political machines. Similar accommodations in Mexico during the long reign of the Partido Revolucionario Institucional (PRI) broke down when the PRI lost its political monopoly; this and fundamental state weakness are among the reasons why violent drug gangs have since 2007 seemed beyond the reach of state control. By contrast, the Netherlands' modest organized crime problem, despite being the principal entry point for cocaine and heroin into Europe because of the importance of the Port of Rotterdam and Schiphol Airport, shows that a well-run democratic state can maintain order and provide adequate services even in the presence of large-scale drug trafficking. Similarly, the Scandinavian countries in which quasi-legal motorcycle gangs have in recent decades symbolized organized crime have experienced only modest violence.

Every community gets the kind of law enforcement it insists on.
(—John F. Kennedy)

Violence, theft, and fraud are parts of the human condition. So, *Homo sapiens* being social animals, are collaborative efforts to commit them. Neither individual nor collaborative crimes will ever cease, but both can be contained, and more elaborate forms of collaborative crime can be weakened and controlled.[2] Enforcement campaigns against mafias have been unexpectedly successful. Unceasing law enforcement attacks

[2] Though the matter is not free from controversy, the prevalence of individual crimes also can be contained, though more effectively through the delivery of social welfare programs and services than through law enforcement efforts.

by local US Attorneys' offices, the US Department of Justice, and the FBI greatly weakened the American Cosa Nostra and eliminated it in some US cities. Italian campaigns against the Sicilian Cosa Nostra and the Campanian Camorra have resulted in imprisonment of generations of their leaders, largely dissuaded them from the use of lethal violence, and greatly reduced their power and influence. Similar stories can be told about the Japanese yakuza and Chinese triads in China, Hong Kong, Taiwan, and Southeast Asian countries. The organizations endure but wield much less power than they once had. Essays in *Organizing Crime: Mafias, Markets, and Networks* tell some of these stories and other similar ones (e.g., Catino 2020; Jacobs 2020; Paoli 2020; Reuter and Paoli 2020).

Each of these stories needs to be understood in its own terms. In the United States, for example, important contextual changes coincided with law enforcement attacks on organized crime. These included the declining power of labor unions after 1970, the breakdown of urban political machines in the Northeast and Midwest, and increasing professionalism of policing in large cities. The Borsellino and Falcone assassinations prompted not only a massive and ongoing law enforcement response in Italy but also a change in national consciousness evidenced by the formation of countless local antimafia civic associations, large-scale asset forfeiture programs, and dissolution of hundreds of mafia-influenced local governments. The weakening of the yakuza and triads is partly a by-product of development of more effective centralized states. The elimination of the Medellin drug cartel in Colombia resulted not only from US pressures, a law enforcement crackdown, and government resolve, but also from active involvement of the military, responding to the cartel's challenges to the central government. The failures of weak states to control and diminish the power of organized crime organizations in Mexico, Argentina, Brazil, and the Northern Triangle of Central America each involve different kinds of stories. The bottom line nonetheless is that at least the more visible forms of organized crime can be suppressed by effective modern states.

Organized crime is the dirty side of the sharp dollar.
(—Raymond Chandler)

Cupidity and stupidity are, alas, also part of the human condition. Most people, probably all of us, want to enjoy pleasures, benefits, and

resources beyond their means. Efforts to obtain them unlawfully lead to both creation of organized crime organizations and individuals' willingness to collaborate with them.

Markets distribute goods and services. Most illegal markets operate without generating large criminal enterprises. One of us (Reuter 1983) offered an early theoretical explanation, focusing on the structural consequences of product illegality, which limits criminal entrepreneurs' and managers' use of many features of modern commerce, including advertising, open communication, systematic research and development, and access to legitimate forms of dispute resolution such as courts, mediation, and arbitration. Criminal entrepreneurs need to get jobs done, but many must do them on their own in unstable collaborations in chaotic settings. The optimal configuration of human smuggling, among the largest illegal markets, for example, is of small adaptive enterprises that specialize in specific market segments (Campana 2020). This is true even in regions with sizable criminal enterprises, such as the US-Mexico border, where large drug-trafficking organizations operate, and in Sicily where Cosa Nostra remains powerful and active albeit diminished.

Some large criminal enterprises employ thousands of individuals and create barriers to entry by other criminal entrepreneurs but lack access to facilities and services that empower legal enterprises. The traditional way to solve this problem is to collaborate with willing entrepreneurs, politicians, and governments. A major obstacle to effective antimafia efforts in Italy, wiretaps and court cases show, is that otherwise legitimate entrepreneurs are attracted by moneymaking opportunities mafias can provide, either earnings from providing noncriminal services to criminal actors, or purchase of mafia services such as debt collection that are faster, cheaper, and more effective than courts can achieve. Outlaw motorcycle gangs, which share many characteristics with mafias, typically achieve a borderline status in which clubs are legally chartered organizations, copyrighting symbols and suing infringers, while many members engage in active criminal careers. Drug markets in Brazil and Mexico have long been dominated by organizations that reached live-and-let-live accommodations with corrupt police, politicians, and armies. Illegal gambling in Rio de Janeiro led in the twentieth century to the emergence of a large criminal federation that became tightly bound to the city's politics; the federation was a major player in the operation of Rio's famous Carnivale celebrations (Misse 2007). However, like mafias, these are not the norm.

Illegal markets and legitimate institutions are often intertwined, particularly conspicuously in money laundering. Major international banks in Denmark, the Netherlands, Switzerland, the United Kingdom, and the United States[3] have paid billions of dollars in fines for knowingly accepting and transferring money that originated in illegal market activity (Levi and Soudijn 2020). Compelling evidence in all these cases showed that senior bank managers, often including boards of directors, knew or willfully disregarded the likelihood that transactions flowed from drug traffickers or mafias. Despite making large investments in money-laundering controls, in the hundreds of millions of dollars for large banks,[4] directors often have few scruples about banks accepting such money.

Such connections have not been unique to money laundering. Major tobacco companies have been shown to have collaborated with mafias in smuggling their products into high tax markets, thus avoiding local taxes and boosting cigarette sales (Beare 2003). The yakuza over many decades provided important services to the ruling Liberal Democratic Party in Japan (Kaplan and Dubro 1987). Long-term connections between American labor unions and American mafias have been well documented (Jacobs 2020).

> *Organized crime in America takes in over forty billion dollars a year. This is quite a profitable sum, especially when one considers that the Mafia spends very little for office supplies.*
> (—Woody Allen)

Office supply budgets are no doubt comparatively small, partly because organized crime organizations do not pay taxes, comply with administrative regulatory regimes, or file lawsuits to settle commercial disputes or collect debts. However, although Woody Allen's $40 billion was probably meant to show that mafia revenues are enormous, in any big picture perspective they are small. In 2018, the gross revenues of 17 companies exceeded $200 billion each. Of the 50 companies with highest revenues, the smallest took in $119 billion. The United Nations Office

[3] The list includes HSBC, ING, Wachovia, Credit Suisse, Danskbank, and Wells Fargo. The 10 largest European banks have all been fined for money-laundering violations.

[4] HSBC, following a then record fine of $1.9 billion, reported that its annual expenditures on anti-money-laundering efforts (AML) exceeded $750 million (Arnold 2014). LexisNexis Risk Solutions (2017) estimated that the average bank in five European countries spent about $20 million on AML activities and that the European total exceeded $83 billion.

on Drugs and Crime (2012) estimated that global revenues from a very broad definition of organized crime amounted to $900 billion, but that constituted just 1.5 percent of global GDP. A European Commission–sponsored study of organized crime revenues produced an estimate of about 1 percent of the European Union's GDP (Savona and Riccardi 2015). Both studies erred on the side of generosity in their estimates.

Extraordinary powers are often ascribed to organized crime, particularly in the United States. Donald Cressey's *Theft of a Nation* (1969) described a criminal conspiracy that embraced every level of government and caused enormous damage. Cressey seemingly seriously quoted the famous claim of Meyer Lansky, a well-known mafia figure, that "We're bigger than General Motors." This is a perfect illustration of a taste for uncritical exaggeration that once characterized organized crime research. Estimates of the revenues of Italian mafias suggest that they have imposed a massive tax on business in Sicily and southern Italy in addition to corrupting many municipal governments (Calderoni 2014). Government agencies occasionally produce social cost estimates of the harms from organized crime that point to it as a major social problem (Fell et al. 2019; National Audit Office 2019).

None of these estimates have a sound conceptual basis or a strong empirical base. Part of the problem is empirical; the activities of organized crime are clandestine, and its finances are hidden. The conceptual problem is to define the counterfactual; what does Sicily look like without the Cosa Nostra? Corruption will be less serious. The Cosa Nostra is efficient in its subversion of government at every level, but how much will corruption decline? Drug markets may be less efficient and more violent; how does one value that? The data in support of the estimates are fragmentary and require what economists unblushingly call "heroic assumptions." This is illustrated by Pinotti (2015), who used sophisticated modeling techniques to estimate that the presence of 'Ndrangheta in two southern Italian provinces reduced per capita income by about one-sixth but with a long list of arguable assumptions.

Arguments are made that organized crime provides some social benefits. Fifty years ago, James Buchanan, a Nobel laureate economist, suggested that organized crime, by monopolizing illegal markets, reduced the cost of crime since a rational monopolist would raise the prices of illegal goods whose consumption produced harms (Buchanan 1973). Studies of Italian mafias that operate mechanisms to resolve internal conflicts, the true mafias, show that historically they have lower homicide rates than other organized crime organizations (Catino 2020).

Organized crime organizations can cause still other harms, such as threats to the state, that are impossible to value in monetary terms; rare but important. The provision of a criminal infrastructure may serve to expand the supply of illegal goods. Effective dispute settlement services, for example, allow for lower cost provision of goods and services. Similarly, organized crime can connect criminals with complementary skills more efficiently.

Nonetheless, it is hard to imagine that the harms of organized crime, net of any improvements in societal well-being à la Buchanan, are comparable to those resulting from violent or property crime. Credible estimates of the latter for the United States are in the many hundreds of billions of dollars per year (Miller et al. 2020).

In the broader context of important societal problems, organized crime is a minor one. Consider by contrast the apparently unending line of banking industry schemes that rake money from vast numbers of their customers. In the last decade alone that list includes the subprime mortgage scandals in the United States (Sorkin 2010) that precipitated a global recession, the Personal Protection Insurance scheme in the United Kingdom (Ferran 2012), bank scandals uncovered by the 2018 Royal Banking Commission in Australia (e.g., charging customers for services not provided; Hayne 2019), and similar frauds committed by Wells Fargo Bank against its customers. The LIBOR (London Interbank Overnight Rate) scandal is another instance of financial fraud with large-scale consequences, conducted by employees of the most respectable of City of London financial institutions (Bryan 2016).

Power tends to corrupt and absolute power corrupts absolutely.
(—Lord Acton)

Mafias may be less common than some might expect, organized crime may take many forms, and its economic consequences may be less than many believe, but none of that gainsays the reality that impunity empowers and sometimes has massive human costs. Living outside the law can mean living beyond reach of the law. Italian mafias, South American urban and prison-based gangs, and Colombian and Mexican narcogangs have at times been extravagantly violent (Reuter and Paoli 2020). So have gangs in the Northern Triangle of Central America. Much violence by Italian mafias has been intragroup, but not always as the 1980s and early

1990s spasms of the Sicilian Cosa Nostra demonstrate. Violence by South and Central American gangs has been mostly intragroup, in Mexico it has been both intra- and intergroup, and some in all these places, especially in Mexico, has targeted state employees and ordinary citizens. National homicide rates in many of these places (but not Italy) have at times as a result been among the world's highest. Within Italy, homicide rates are highest in Sicily, Campania, and Calabria, home bases of the three major mafias.

However, at least in effective modern states, extreme violence does not inexorably accompany the presence of mafias and other organized crime organizations. The American Cosa Nostra traditionally used violence instrumentally; murders usually occurred within or between mafia families, at least in part because of anticipated repercussions if law enforcement and other government personnel or ordinary citizens were often targeted (Jacobs 2020). The antimafia crackdown after the Borsallino and Falcone assassinations appears greatly to have suppressed killings by the Italian mafias (Catino 2020). Neither the yakuza nor the triads were historically or are now known for violence against outsiders.

It thus appears that effective modern and centralized states can restrain violence, especially against outsiders, by mafias and other organized crime organizations. Prospects in failed and demonstrably weak states are not reassuring.

There is always a well-known solution to every human problem—neat, plausible, and wrong.
(—H. L. Mencken)

Organized crime in some form is surely a permanent feature of modern societies. The most prominent new form, or at least new label, is transnational organized crime, invoked by many scholars and governments as the source of manifold evils. Twenty-five years ago Louise Shelley (1995, p. 463) warned, "Transnational organized crime has been a serious problem for most of the 20th century but it has only recently been recognized as a threat to the world order. This criminality undermines the integrity of individual countries but it is not yet a threat to the nation-state."[5] Similar sentiments are echoed in books from distinguished

[5] A quarter-century later she added, "What has changed from the earlier decades of transnational crime is the speed, extent and the diversity of the actors involved" (Shelley 2019, p. 223).

policy commentators (e.g., Naim 2010) and in countless government documents (e.g., Executive Office of the President 2011; Council of Europe 2014).

The definition of transnational organized crime offered by the US Department of Justice (no date) is broad indeed:

> Transnational Organized Crime refers to those self-perpetuating associations of individuals who operate internationally for the purpose of obtaining power, influence, monetary and/or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption or violence. There is no single structure under which international organized crime groups operate; they vary from hierarchies to clans, networks and cells, and may evolve to other structures. The crimes they commit also vary.[6]

It may be unfair to mock the vagueness of this definition—the phenomenon is widespread—but it is fair to ask whether putting a label on something as amorphous as this serves a useful purpose. How can organized crime not be affected by globalization as crime more generally is transformed by technology and social change? Criminal organizations are no less likely than auto makers, oil companies, and IT companies to become more international. Whether that importantly changes organized crime and justifies new laws and controls is a question, not a conclusion.

There is no answer to the problems posed by organized crime. There are many answers. They are as diverse as the separate problems they address. Italians and Americans have shown that the activities, powers, effects, and social influence of mafias can be curtailed. Dutch and Scandinavian experience shows that mafias are not an inevitable feature of modern states. More narrowly focused problems can be attacked in various ways, some more effective than others. Continued construction of effective modern states governed largely by rule-of-law values will help, as will growth of modern welfare states that improve human life chances and diminish the allure of lives in crime. Organized crime, including in its nontrivial forms, will always be with us, just as individual crimes of violence, property, and fraud always will be.

Organized crime organizations, including mafias, and the less dramatic types of criminal collaboration come in many forms. *Organizing Crime:*

[6] See https://www.justice.gov/criminal-ocgs/international-organized-crime.

Mafias, Markets, and Networks offers insights into many. It also demonstrates major advances in understanding of the diversity, organization, operations, and effects of organized crime. It shows that mafias such as the American and Italian Cosa Nostras, the Chinese triads, and the Japanese yakuzas are more controllable and containable than fatalists expected. Those successes will not prevent criminals from finding new ways of organizing to execute complex and profitable crimes. The beat will go on.

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