Transnational Organized Crime between Myth and Reality: the Italian Case

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Workshop 8
Organized Crime and the Challenge to Democracy
1. **Introduction: the transnational dimension of organized crime**

Globalization and growing economic interdependence, that have long been regarded as pacifying and stabilizing factors of financial transactions and international relations, have also encouraged and promoted the transformation of crime beyond borders, places, people and, in some cases, even identifiable victims. Improved communications and information technologies, increased blurring of national borders, easier mobility of people and services across countries, and the emergence of a globalized economy are considered to be some of the factors which have moved crime further away from previous conventional explanations.

During the 1970s, some international organizations had already identified this new characteristic feature of contemporary forms of organized crime. In 1975, during a United Nations’ Congress on the prevention of crime and the treatment of offenders, the expression ‘transnational crime’ was introduced in the discussion in order to describe the complex link existing between organized crime, white-collar crime and corruption - in the words of the Congress, the serious problem posed by “crime as business” (United Nations, 1975). The management of criminal activities across state boundaries and the consequent violation of different national laws appeared to be the most dangerous characteristics of criminal groups active at international level.

In the intervening decades, transnational crime has been closely linked to the context of globalization as one of the most representative feature of the current social, economic and cultural condition. Consequently, most of the debate has been focussed on the opportunities of engaging in various activities, criminal or legal, that a growing borderless world offered to a variety of actors generally defined as transnational organized groups, transnational organizations, and transnational networks.

During the 1990s the international debate on organized crime phenomena existing in several countries started to focus, in a more systematic way, on the emergence of a new dimension, characteristic of the organized crime groups involved in the management of the major criminal markets: the **transnational** dimension. This term, which belongs to the field of international relations, is generally used to refer to the movement of information, money, physical objects, people or other tangible or intangible items across state boundaries, when at least one of the actors involved in this movement is not governmental (Kehoane and Nye, 1972). According to this perspective, transnational criminal organizations, although involved in activities considered criminal or illegal, share with other transnational actors – such as corporations and multinationals – the desire to maximize their freedom of action and to minimize the effects of both national and international control over their activities (Williams and Savona, 1996). In this pursuit, they both engage in activities that readily cross national borders and are concerned with strategies aimed at creating new market opportunities.

However, it should be emphasized that the growing transnationalization of the contemporary world has been accompanied by peculiar trends within the main criminal markets which have also fostered organized crime beyond its ‘traditional’ local dimension. The emergence of criminal markets with a global dimension, such as trafficking in drugs, arms and human beings, has significantly contributed to the establishment of more frequent interactions among the major organized crime groups.
and to the expansion of their activities outside their home territories. Illegal markets within state boundaries have become more and more interlinked, while criminal groups from different countries and nationalities have established a thick network of illicit businesses, trading goods and services, information and funds (Della Porta, 1999). Hence, applied to the organized crime phenomenon, the term ‘transnational’ would emphasize both the process of growing *ethnicization* of criminal groups – which are more and more often composed of individuals belonging to different ethnic groups – and the increasing *internationalization* of criminal markets and illicit activities.

2. Ethnicization processes

One of the aspects on which it might be interesting to focus our attention is represented by the process of growing ethnicization which currently characterizes the organized criminal underworld. If we look at the annual reports on organized crime published by several European law enforcement agencies during the past few years, we can notice that the most dangerous organized crime groups identified by the police are those groups composed of foreigners and usually structured on a homogeneous ethnical basis. In the majority of the cases, these groups are composed of foreigners who are based and operate in a specific national context and, at the same time, have various kind of relationships both with *other* organized crime groups active in the same country and with *similar* ethnical criminal networks operating in other countries.

In this regard, the Italian case could be particularly significant.

During the 1990s, the annual reports on organized crime published by the Ministry of Interior started to focus on a regular basis on the activities and strategies carried out by foreign criminal groups active in several Central-Northern regions and in some Southern areas. In the report on the evolution of organized crime phenomenon during 1996, a full section was devoted to the analysis of the peculiar features of some foreign criminal groups and, in particular, some criminal markets in which these groups had shown a certain interest, such as the exploitation of prostitution and the management of illegal migration (Ministero dell’Interno, 1997: 287-489). In this regard, the report emphasized “the growing activity of some foreign criminal groups structured both on a homogeneous and non homogeneous ethnical basis” which were still placed at a marginal stage of the criminal underworld (in comparison with the traditional Italian mafia groups), but had already displayed a potential dangerousness and a possible “future advancement within the national criminal scenario” (Ivi: 273).

This concern was further confirmed in the reports concerning the evolution of organized crime phenomenon in Italy in 1997, 1998 and 1999 (the last report currently available), where the Ministry of Interior emphasized not only the presence of various foreign criminal associations structured on the basis of a common ethnical origin, but also the progresses achieved by these groups which had shown “a concrete capacity to manage high-level criminal contacts and networks which would had been unthinkable for newly formed criminal groups” (Ministero dell’Interno, 1998: 5). According to investigative sources, the most dangerous ethnic groups operating in Italy were those formed by Russian, Albanian, Chinese, Turkish and Nigerian citizens. Russian groups were said to possess large funds and to invest these in the financial sector as well as in the tourist business. Albanians were indicated as being involved in both the smuggling
of migrants and the supply of illicit drugs. While Chinese groups appeared to limit their illegality within their own ethnic communities, Turkish organizations were said to be extremely active in the heroin business. Finally, Nigerians were pinpointed as major operators in the sex industry (DIA, 1999). Moreover, from the initial involvement in a limited number of criminal activities – such as property crimes, prostitution and illegal migration –, these groups had been able to engage in more complex illegal businesses which “required contacts and relationships at international level and a certain level of integration within the social and economic system of certain areas” (Ministero dell’Interno, 2000: 17).

According to these sources, within few years, the Italian criminal scenario had sensibly changed and the level of dangerousness displayed by foreign organized crime groups had significantly increased. In some cases, these groups had provoked such a profound impact on the national criminal underworld that they “had been able to conquer operational spaces also in those areas which were traditionally under the control of Italian mafia groups with whom the foreigners had established agreements and pacts aimed at avoiding the insurgence of any conflict” (Ministero dell’Interno, 1998: 6).

In the illicit drug market, for example, organizational patterns may vary according to the specific situation and the strength of the groups involved. In some territories a precise division of roles may take shape whereby importation of large quantities of drugs is carried out by foreign groups, while wholesale distribution is covered by locally established groups. Street-level distribution, in such cases, may also be left in the hands of immigrants, who may also become ‘runners’ for Italian suppliers. On the contrary, according to the results of investigation, it may occur that, due to the particular power relations in a specific territory, members of traditional Italian groups initially cooperate with and then end up becoming subordinate to foreign organizations, which have easy access to drugs trafficking networks abroad (Procuratore Generale della Corte di Appello di Milano, 1999).

This strategy seems to reflect some of the trends currently operating within the main international criminal markets where different actors cooperate with each other in order to achieve specific economic or strategic goals. However, the presence of more frequent contacts and relationships among criminal networks composed of citizens of different nationality should not open the door to easy and unmotivated generalizations and concerns – as, on the contrary, it happens more and more often in Italy.

Although the involvement of foreign criminal groups in activities traditionally carried out by mafia-type criminality is increasing, the level of this involvement seems to be still limited. If we look at the composition of the prison population for organized crime offences in Italy, we can see that on 7,510 individuals detained for these crimes at the end of 1999, only 566 were foreigners, which means 7.5%\(^1\). The increasing visibility of crimes committed by foreign citizens and the growing concern for the social impact caused by some violent crimes have led some sectors of the Italian public opinion to raise the alarm on the dangerousness posed by criminal groups composed of Kosovar,

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\(^1\) Organized crime offences refer to the following crimes: membership in a mafia-type association (art. 416 bis of the Criminal Code); kidnapping (art. 630) and criminal association aimed at drug trafficking (art. 74 T.U. 309/90); see Gruppo Abele, 2000: 236-239.
Albanian, Russian, Chinese, Turkish and Nigerian citizens who would have substituted, in some areas, the traditional mafia-type groups.

However, it should be noted that predominant images of powerful foreign criminal networks are largely based on journalistic accounts rather than on sound empirical research. These concerns seem to be based more on a sort of unjustified ‘fear of the other’ than on an evaluation of the concrete criminal potential displayed by these groups. Without denying that foreign criminal groups do play a recognizable role in various manifestations of organized crime, it may be better to abstract from the social or ethnic backgrounds of the actors and look at their criminal activities (van Duyne, 1997).

Moreover, while foreign criminal groups are involved in a variety of illegal activities, such as smuggling of migrants, drug trafficking, and prostitution, Italian traditional groups still maintain an absolute monopoly in the gray area of licit business, where these groups invest criminal proceeds or forge alliances with official economic actors. In this sense, while Italian groups may be set to evolve into organizations engaged in both conventional and white collar criminal activity, the new comers seem, at least for the time being, destined to confine their exploits to the conventional arena of criminal business.

Finally, an overestimation of the role played by foreign groups in the Italian criminal underworld could lead to an underestimation of a relevant prerequisite for the success of any illegal operation: an in-depth knowledge of the places and a certain level of control over the territories within which criminal markets and activities should be organized. As far as these issues are concerned, the new comers should still rely upon the know-how provided by traditional mafia-type groups or on agreements aimed at dividing territories and markets into specific areas of interest.

3. The growing internationalization of criminal markets

The second process which needs, in my opinion, to be addressed in this attempt to outline the transnational organized crime phenomenon in Italy is represented by the growing internationalization of criminal markets and illicit activities. The transnationalization of the contemporary world, altogether with the impact of globalization on specific contexts, institutional processes and patterns of relationships, has been accompanied by peculiar trends within the main criminal markets.

Globalization has, inter alia, contributed to the emergence of locality as a social dimension with its own distinctiveness (Robertson, 1992). Most illegal markets in which goods are produced and services provided have a local basis. There are countries of origin of these goods and services which can be easily identified according to the type of goods and services produced or provided, as well as countries of destination where these products are distributed and commercialized. Local trading networks assure the commercial viability of these products, and their subsequent further transformation, through different connections at local level which follow the routes and flows of the main global markets. This suggest that illicit goods are produced locally, and only their distribution takes place internationally.
The dialectic between the local and the global seems to determine both the legitimate as well as the illegitimate markets.

The extent and success of the business depend very often upon the degree of connectivity between sets built on the basis of familial, interpersonal, geographic, ethnic and commercial links. According to this approach, criminal organizations undertaking transnational activities function as interdependent local units which are incorporated into wider ‘commercial’ networks that operate at global level (Hobbs, 1998). In many cases, family, kinship and ethnicity ties are an important component of what has been termed ‘networks of affiliation’: diffuse and constantly changing networks of individuals and groups with binding ties based upon family hierarchy and more extensive social mechanisms such as common ethnicity, shared experience (e.g. prison, street gangs) or reciprocal obligations (Williams, 1999). The very new aspect which characterizes transnational organized crime would be the network of links, contacts and relationships being forged between actors in different parts of the world, being them compatriots or foreigners, criminals or businessmen, revolutionary movements or politicians, state or illegitimate enterprises.

However, the ethnic dimension associated to the existence of organized crime groups within specific countries might not represent a peculiar qualification or category of the contemporary organized crime phenomenon. Given the increasing social, economic, geographical and inter-cultural mobility, ethnicity may be seen less as a facilitating factor than mobility itself. More attention could be consequently given to analyzing how geographical, social and cultural mobility may facilitate criminal undertakings (Williams and Savona, 1996).

Moreover, in focussing on cross-border transnational aspects, there could be a risk to remove the serious crime activity from the originating political, economic and social context within which the criminal activity might be better understood and explained (Beare, 2000). In this context, it is important that countries face the obligation to confront the political and economic contradictions in their social milieu which promote crime and the provision of specific illicit goods and services. In many cases, in fact, organized crime provides a response to the demand for illicit goods and services: its source and origin are endogenous. As some scholars have pointed out, until some mobile and newly-formed social groups will not be allowed to have access to the legitimate economic arena and the legitimate structure of the society, through social and economic improvements aimed at reconnecting them to their communities, organized criminality will persist (Kelly, 1986).

Consequently, as long as organized crime is understood as an alien conspiracy dominated by ethnic groups, its operational existence might remain mystified. Empirical research reveals that criminal activities conducted by aliens need not only a receptive environment, but also a range of indigenous partners in the countries in which the activities are carried out. Reciprocal services are performed by professional criminals, mere manpower, customers and clients in an environment where contacts are made, crimes are planned, and the fruits of crime are often enjoyed.

The social alarm in relation to the emergence of ethnic-based criminal groups should not replace the social alarm in relation to home-grown crime syndicates, since partnerships between aliens and indigenous seem to represent the basis and, sometime,
the *condicio sine qua non* for the development of criminal enterprises. This strategy enhances their capacity to circumvent law enforcement agencies, facilitates risk sharing, makes it possible to use existing distribution channels and enables criminal groups to exploit differential profit margins in the different markets (Williams and Savona, 1996).

The establishment of various forms of cooperation between criminal actors also represents a chance to reduce the risks related to the management of activities which are illegal and expresses the need to cut some of the costs inevitably connected to the fact that criminal groups operate within markets which are not covered by any form of ‘legal’ protection.

**4. Some facilitating factors**

The supposed relevance assumed by foreign criminal groups in Italy is related, in many cases, to the role that they played in specific criminal markets (in particular in the drug market, in the exploitation of prostitution and in the management of illegal migration).

However, there are some factors which can help us to understand why the Italian law enforcement agencies and several sectors of the public opinion are more and more often raising the alarm on the level of threat and dangerousness displayed by criminal groups structured on an ethnic basis. Hence, the paradoxical situation in which it seems that in Italy there is not anymore any serious concern about home-based organized crime groups…

The further *enlargement of the scale of criminal markets on an international dimension* has been one of the factor which has facilitated the transfer to Italy of some individuals connected with foreign criminal networks. The emergence of criminal markets organized on a ‘global’ basis has significantly contributed to the elimination of traditional criminal territories and their accompanying historic practices, feuds and alliances (Hobbs, 1998). The *peculiar position hold by Italy within the geopolitics of the main illicit markets* – with Eastern Europe and the former Yugoslavia as source countries for some criminal goods and services destined to the western markets – has facilitated the movement to Italy of some criminal groups who wanted to enlarge the scale of their operations.

Moreover, some historical and social events particularly relevant – such as the wars and the conflicts in the former Yugoslavia and in Albania – caused incredible migration movements which have sensibly changed the composition of the foreign population living in Italy since 1989-'90. The *unprecedented migration pressure* which exploded in these countries within few months, altogether with the more restrictive migration policies adopted by several European countries, have suddenly created a strong demand for services aimed at facilitating the illegal entrance of thousands of men, women, and children into western countries. The demand to cross borders clandestinely has given rise to a market for services, such as the provision of fraudulent documents, transportation, guided border crossings, accommodation and job brokering and has created a large illegal market for trafficking in human beings. The role played by some criminal networks in providing these services has gradually increased and we are currently facing a situation in which some organized crime groups have become
more and more specialized in the provision of specific services, such as the case of Albanian criminal organizations specialized in shipping foreigners from Albania to the Italian coasts.

5. Conclusions

The growing importance assumed by foreign organizations within the Italian criminal scenario is not under discussion. It is self-evident that they are acquiring an increasing relevance in the management of specific illegal activities. However, the element which seems to be still missing in the debate on new and emerging forms of organized crime in Italy is represented by an adequate analysis, based on empirical research, of the forms of cooperation and partnerships established with local actors both criminal and legal. It is undoubted that in order to operate in certain areas, such as in particular in the traditional mafia areas, these actors should adopt various forms of cooperation with home-based criminal groups. In other areas, in particular in Central-Northern Italy, the results of important investigation in the field of illegal migration, for example, reveal that these illegal networks can rely upon the support of legal firms and enterprises, such as travel and home agencies, run by Italians (Becucci and Massari, 2001). These agencies provide traffickers and/or migrants with forged documents and statements aimed at dissimulating their illegal status. Except in the case of Chinese migrants, who can mostly rely on a well structured network fully run by compatriots, in other situations, the role played by Italian counterparts is becoming more and more visible. Cases that have come to public attention suggest that enterprises involved in migrants’ trafficking often derive their skills and expertise from the licit economic arena in which they operate. Many of the travel agencies, transport companies and employment agencies involved have no previous criminal record, they are just willing to maximize already high profit margins. The turnover produced by these practices is incredibly high and, in most of the cases, they tend to produce a situation which facilitates a further exploitation of the weakest counterparts, the migrants themselves, who are victimized twice: once by traffickers and once by false landlords, false employers, and so on, who, given their illegal status, can exploit them more and more.

Again, these reflections suggest to take into careful consideration the internal conditions which allow transnational organized crime to flourish and to be tolerated within societies to which it is supposed to be an external threat. For example, the conditions under which illegal migrants are forced to work would not seem to be attributable to traffickers, as responsibility for such conditions lies with the labour market in which migrants are employed. The increase in flexible work that can be observed in most developed countries has created a situation where workers with low social and economic expectations, such as illegal migrants, are highly desirable. In other words, illegal migrants employed in the hidden economy or in the sex industry meet a specific demand in economically advanced countries.

Focussing on the macro-effects of organized crime on the society at large, however, should not divert our attention from looking at the specific actors who commit organized crime acts – both criminal and legal -, their activities, and the social and economic landscape in which organized crime trade takes place (Van Duyne, 1996).
In conclusion, the acknowledgement of the threat posed by organized crime to political integrity and stability, to national economies, to democratization and development processes should be accompanied by a careful analysis of the strategies and modus-operandi adopted by criminal groups in carrying out their illegal and legal businesses and by an accurate evaluation of the practices and conducts which facilitate the emergence of organized crime within specific contexts. For this reason, it is essential to comprehend the context of crime and the political, economic, cultural and social factors which allow organized to flourish. As long as organized crime is understood as an alien conspiracy dominated by ethnic groups, its operational existence might, in fact, remain mystified.
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