

CRIMINAL ORGANISATIONS AND CORRUPTION IN ITALY

Introduction

Corruption is a commonplace phenomenon inherently coupled with the traits of the collective endeavours, and constantly diffused in the human society regardless of political regime, typologies of institutions, presence of public or private corporations.

Starting from the 80's, a great amount of research has been done on the causes, consequences and the impact of corruption from the economics discipline perspective. Such studies have mainly inferred hypothesis and conclusions drawing on desk analysis that have been relying on aggregate macro-economic data. Of course corruption is very much difficult to be studied more in depth, because of the lack of first-hand empirical observations.

Campos and Pradhan (2007) state that the presence of high level of corruption determines serious problems for economic and social development, not only for developing countries. They claim that high levels of corruption influence negatively the role and the functioning of public institutions, local governments, authorities.

The research carried out by Rose-Ackerman (1997) shows that corruption produces negative effects on economic development, and at the same time can be considered a symptom of a serious social crisis. A high level of corruption is strictly connected with a low degree of economic development, less investments (public and private), lower levels of trust, weaker economic context, stronger and more serious social conflicts, and finally, less competitiveness.

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Mauro (1995) carried out an empirical cross-section analysis in 67 countries using the corruption index elaborated by the Business International, concluding that there is a negative relationship between corruption and the ratio between investments and GDP.

Mauro's results appear perfectly coherent with Knack and Keefer (1995) and with Brunetti, Kisunko e Weder (1998:369) who found that corruption can be interpreted as a variable that determines the quality of the political institutions within a country.

The paper is articulated as follows. We depart by carrying out a critical analysis of the corruptive phenomenon, through the identification of three main different levels of analysis. Then we proceed in the explanation of the purpose of the paper and description of methodology adopted. After that, we analyse the entity and the density of corruption in Italy, also referring to the relationship between criminal organizations and corruption. Finally, we propose some concluding remarks on the systemic traits of corruption in Italy.

The Understanding of Corruption: Three Main Levels of Analysis

Being a multi-faceted yet elusive phenomenon, corruption has not received much attention in management studies in the past, as major bulk of the available research on corruption is related to the economic or sociological dimensions. Due to several big financial and economic scandals (see, Worldcom, Enron, Parmalat), the corruptive phenomenon has becoming a relevant topic in the managerial literature (see for example Academy Management Review, n° 33, 2008).

A vast theoretical debate has taken place among social scientists on the definition and framing of corruption: such effort represents undoubtedly a really stimulating and challenging task as many aspects do not appear so clear and understandable.

Following the scheme presented in the introduction to special topic forum of Academy of management review (2008, n. 33) devoted to the analysis of corruption, we can distinguish three main levels:

- the micro level;
- the organizational level
- the context level.

The micro level refers to single individuals that can be considered as bad apples (e.g., Brass, Butterfield, & Skaggs, 1998; Trevino, 1986).

From this point of view, Anand, Ashforth, and Joshi define corruption as "departure from accepted societal norms" due to the need to pursue either individual or organizational gain (Anand, et al., 2004: 40). Windsor states that corruption can

be considered as a failure of moral regard for the public interest or the commonwealth in favour of illegitimate personal interest” (Windsor, 2004: 141). At this level of analysis, corruption can be related to the ideas of fraud, white-collar crime, employee deviance, corporate and organizational illegality (see Baucus and Near, 1991; Daboub et al., 1995; Payne, 1980; Robinson and Bennett, 1995; Rossouw, 2000; Sz wajkowski, 1985).

As Alpaslan et al. (2008) state these definitions suggest that “corruption” implies deviance from moral values, and raises questions about the morality or values of individuals, groups, organizations that engage in corruption.

The second level, that can be defined as the macro-view, implies we have to look at the organization as a “bad barrel” (e.g., Baucus & Near, 1991; Brief, Buttram, & Dukerich, 2001; Hill, Kelley, Agle, Hitt, & Hoskisson, 1992; Lange, 2008).

The contemporary presence of individual and organizational issues characterizes the definition given by Lange, who says that corruption can be defined as: “the pursuit of individual interests by one or more organizational actors through the intentional misdirection of organizational resources or perversion of organizational routines” (Lange, 2008: 710).

As Luo states adopting an organizational perspective on the corruptive phenomenon is important for two reasons (2004: 120). First, organizations represent together with civil servants the most important players in the game. The second reason concerns the fact that organizational corruption, or the corruption realized by an organization cannot be simply condemned by arresting one person: you cannot arrest an organization.

The context perspective acknowledged that corruption presents different characteristics depending on the context and on the cultural features of each country. The main consequence is that it is really difficult to build up a single general definition.

In a recent article (2007) Mark Granovetter defines corruption by referring to elements of “destruction of integrity in the discharge of duties by bribery or favour”. In particular, he extends the notion of duties (originally coupled with the public sector) to a much broader extent, including private individuals that may act as “corrupted”, and entailing all abuse of the trust and formal responsibility someone has undertaken by virtue of a position held in some organization or social context. In his analysis he deals with the issues that may help explaining the presence of corruption in society. He refers to the inescapable link between corruption and manipulation of norms in any social context, and on the ability of social network manipulation that corruption entrepreneurs have in effectively altering the administration of economic activity.

In recent years, in fact, a number of studies have been claiming that corrupt behaviour seems to be caused by traits that go beyond the control of the single individual or firm.

In literature we find divergent opinions regarding the role of corruption within a social, cultural, and economic area. Some authors who think that corruption is everywhere the same phenomenon, without any concrete relationship with the context (Banfield, 1975). Following this stream of research, we can state that when we consider the essence of corruption we do not have many differences between different countries such as Germany, Greece, Denmark and Italy.

On the other side, we have many other authors who say that, on the contrary, social and economic characteristics represent a fundamental variable to explain the real features of the corruptive phenomenon (Shleifer and Vishny, 1993). Furthermore, Herrera and Rodriguez (2003) distinguish two main typologies of corruption in relation with the context. They use the expression “organised and structured corruption” to define the case of countries in which even the corruptive phenomenon presents a high degree of predictability. If you want to have a licence (for example) you have to pay a fixed amount of money; but if you respect this rule you will have what you need, without further problems.

Herrera and Rodriguez (2003) identify a second group of countries (a second typology of corruption) where there is not a high degree of predictability. It means that the amount of money you have to pay in order to have the licence you need (just an example) can vary; furthermore, it is also possible that even corrupting civil servants you do not have what you paid for. In this case, Herrera and Rodriguez (2003) say that corruption is disorganised and definitively not structured.

Following this stream of research we state that there is a strong relationship between the main features of the context and the corruptive phenomenon.

Cartier-Bresson (2002) identifies five main elements: the presence of natural resources that can be exploited; the rare and scarce availability of public goods with fixed and regulated prices; the low level of wages for civil servants; the high level of public intervention in the economy, the presence of a transition period in the economy.

Beyond the classification proposed by Cartier-Bresson, we think that in order to analyze and assess the influence and intensity of corruption it is also necessary to consider the role of organized crime. The corruption's phenomenon in many countries is closely connected and affected by organized crime.

The Purpose of the Paper and the Methodology

The main objective of the work consist in understanding the links between organized crime (Mafia, Camorra, Ndrangheta) and the phenomenon of corruption in Italy.

In our opinion it is impossible, especially in the Italian system, to analyse in-depth the corruptive phenomenon without considering this important dimension. Corruption, in fact, is not just a matter of single person or organization behaviour.

Applying our analysis to Italy, we claim that a systemic stance should be taken in order to fully grasp the complex intertwining of the corruptive phenomenon with the legal economy in such country.

In this view, our aim consists in showing that corruption is not conceivable as just a simple tool used by firms in order to gain competitive advantage. In our opinion corruption should be considered as a way to understand the relationship between criminal organizations and economic, social and institutional system.

We investigate the relationship between criminal organizations and corruption, departing from a clear-cut evidence: in the Italian context, the attention devoted to entrepreneurial mafia is not equivalent to a significant amount of studies carried out on this phenomenon by management scholars. Despite the fact that criminal firms account by far for the highest turnover in the country, the existent analysis of such reality have been proposed mainly by sociologists, public attorneys and economics scholars.

If we wish to understand the functioning logics of a great stake of economic activities in Italy, organized crime should be at the core of any realistic discourse. Of course this is not to say that Italian economy simply overlaps with crime, but still a general claim is that such phenomenon cannot be merely ignored. By the way, such broad statement holds true also at an international level, even if with different and more evasive contours (Varese, 2001).

Considering the difficulty and the novelty of the topic, on the methodological side we decided to articulate the research into two different phases. In the first one, in order to better frame the phenomenon we carried out a set of non structured interviews to a group of experts¹. We interviewed 2 judges, 2 public officers, 2 military officers. Each single interview was organised in order to give the expert the possibility to express his own point of view on the topic. We made the interviews never alone; at least two of us were involved. Our aim was to understand the internal functioning of criminal systems in terms of the use of corruption. Each single interview lasted more or less 1 hour.

In the second phase, we proceeded with an extensive and systematic analysis of secondary sources, relying on judiciary acts and specialised press articles. These typologies of data are inevitably the most powerful in order to understand the systemic implications of corruption in Italy.

¹ All the experts interviewed have a professional background which is fully consistent with the purpose of our research. At this stage, due to privacy reasons we are not allowed to disclose their names.

The Corruptive Phenomenon in Italy

In Italy the most important database is represented by official statistics and data collected by ISTAT and by the “*Alto commissariato per la corruzione in Italia*”².

The reliability of this statistics include several biases. The first one stems from the fact that people (in particular, in certain zones and territorial areas and for particular typologies of crimes) do not like to make a formal charge, asking for the intervention of police forces. On the other side we have to take into account that judges and police forces are able to discover and to punish only a fraction of the total corruptive phenomenon. It means that we should distinguish the “corruption that come to light” and the “real corruption”. Davigo and Mannozi (2007) define this bias as “black figure”. They also analysed the corruption in Italy until 2002. Until the end of the 1980-s the trend appears stable and steady. At the beginning of nineties, we register a significant growth of the intensity of corruption. In this period the gap between real and apparent corruption decreased, for several social and political reasons (e.g. a higher degree of trust in the institutions).

In the Italian law the general corruptive phenomenon can be distinguished in a set of different typologies of crimes:

- corruption tout court;
- embezzlement;
- abuse of authority;
- graft.

A survey conducted by the Alto Commissariato per la Corruzione in Italia, in Italy for the period 1996–2006 shaws there were:

- corruption tout court: 6603 crimes
- embezzlement: 4737 crimes
- abuse of authority: 4634 crimes
- graft: 2579 crimes

About the 35% of the total amount of crimes is represented by corruption crimes; the embezzlement represents the 25%, the abuse of authority the 24%, and the graft about the 14%.

² Website link: http://www.anticorruzione.it/site/ArtId__505/355/DesktopDefault.aspx

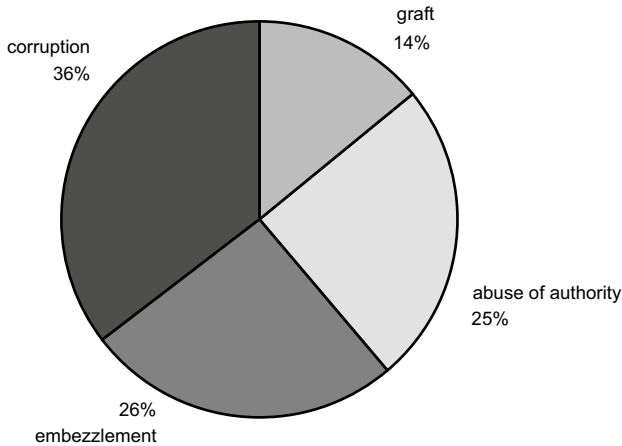


Figure 1. Number of crimes in Italy 1996–2006
(Alto commissariato per la corruzione in Italia)

The “Osservatorio per la Corruzione in Italia” conducted a survey also on the number of charges in the period 2004–2008. it is important to underline that in 2006 there was a significant growth in the number of charges.

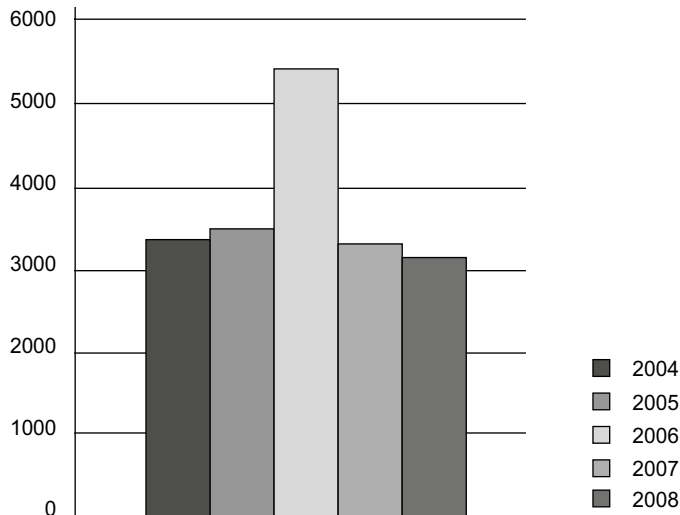


Figure 2. Number of charges for corruptive crimes in Italy 2004–2008
(Alto commissariato per la corruzione in Italia)

It is interesting to go broaden the analysis distinguishing different typologies of crimes, following the Italian law scheme.

Art.	Crime	n.	%
640 bis	Truffa per il conseguimento di erogazioni pubbliche	5912	31,08
323	Abuso di ufficio	5189	27,28
316-ter	Indebita percezione di erogazioni a danno dello stato	2663	14
314	Peculato	1326	6,97
322	Istigazione alla corruzione	962	5,06
353	Turbata libertà degli incanti	602	3,17
317	Concussione	593	3,12
319	Corruzione per atto contrario ai doveri di ufficio	505	2,66
356	Frode nelle pubbliche forniture	467	2,46
355	Inadempimento di contratti di forniture pubbliche	269	1,41
316-bis	Malversazione a danno dello stato	224	1,18
318	Corruzione per un atto di ufficio	91	0,48
316	Peculato mediante profitto dell'errore altrui	78	0,4
320	Corruzione di una persona incaricata di un pubblico servizio	60	0,32
319-ter	Corruzione in atti giudiziari	36	0,19
354	Astensione dagli incanti	33	0,17
322-bis	Peculato, concussione, corruzione, e istigazione alla corruzione di membri degli organi delle comunità europee di funzionari delle c.e. di stati esteri	9	0,05
	Totale	19019	100

Figure 3. Number of charges, typologies of corruptive crimes in Italy 2004/2008 (Alto commissariato per la corruzione in Italia)

In Italy there are also many differences among regions and territorial areas.

Region	n. of crimes	%Italy	n. crimes/1000 inhabitants	n. crimes / 1000 civil servants	
ABRUZZO	509		2,68	3,9	6,14
BASILICATA	488		2,57	8,2	12,03
CALABRIA	1557		8,19	7,8	11,19
CAMPANIA	2179		11,46	3,8	6,04
EMILIA ROMAGNOLA	636		3,34	1,5	2,71
FRIULI VENEZIA GIULIA	395		2,08	3,3	4,61
LAZIO	1269		6,67	2,4	2,84
LIGURIA	391		2,06	2,4	3,57
LOMBARDIA	1786		9,39	1,9	4,25
MARCHE	418		2,2	2,7	4,66
MOLISE	234		1,23	7,3	9,88
PIEMONTE	1263		6,64	2,9	5,59
PUGLIA	1795		9,44	4,4	7,69
SARDEGNA	465		2,44	2,8	4
SICILIA	2486		13,07	5	7,48
TOSCANA	963		5,06	2,7	4,29
TRENTINO ALTO ADIGE	405		2,13	4,1	28,78
UMBRIA	408		2,15	4,7	7,07
VALLE D'AOSTA	95		0,5	7,7	7,8
VENETO	1277		6,7	2,7	5,47
Total / average	19019		5	4,11	7,3

Figure 4. Corruptive crimes in Italy

As shown in the previous table, Sicilia, Lombardia, Campania and Calabria present the highest number of charges for corruptive crimes. At the same time, in relation with the number of inhabitants Basilicata, Valle d'Aosta e Calabria present the highest ratio (crimes/inhabitants).

In the last column in the previous table, the number of charges is related with the number of civil servants. Trentino Alto Adige, Molise, Calabria and Basilicata present the highest ratio crimes/1000 civil servants. In particular, the Trentino Alto Adige Region is reported to be the region with the highest corruption ratio (almost the 400% of the national average).

Criminal Organizations and Corruption

The relationship between criminal organisations and the theme of corruption is easily represented by figures and by the industries in which criminal organisations are typically involved. Analysing the figures reported in the previous tables, we can state that corruption represents one of the most important industries in Italy. Every year, all the criminal organizations gain more than 130 billion Euro and earn almost 70 billion Euro. It is definitively evident that criminal organizations are particularly efficient in exploiting their investments.

The commercial branch in the holdings controlled by the different typologies of criminal organizations (Camorra, Sacra Corona Unita, Ndrangheta, Mafia) exceeds

a turnover of 92 billion euro, accounting for approximately the 6% of the Italian GDP.

Every day, a very huge amount of money changes its owner, moving from legal activities to illegal ones, or to activities controlled by criminal organizations.

As it is stated in the SoS Impresa report (2008), it is simple to look at the Mafia as the first and most important organisation in Italy with a total revenue (estimated) of 130 billion Euro. More than 24 billions come from the commercial and entrepreneurial activities. The Italian Antimafia Commission [*Commissione parlamentare di inchiesta sul fenomeno della criminalità organizzata mafiosa*, 2008] and the Italian Commissioner on corruption in public administration [*Alto Commissario per la prevenzione e il contrasto della corruzione e delle altre forme di illecito nella pubblica amministrazione*, 2006] in two reports have provided a list of the main domains of economic activities in which corruption and criminal firms are more evidently intertwined: public works, waste management cycle, healthcare, financial services.

For instance, in public works the corruptive practices are strongly related with the technical and political mediation ensured by a number of intermediaries that may play a role in the awarding of the tendering. Such actors may be seen as the linking element between public administration and criminal firms and thrive on the inefficiencies of the technical departments within the municipalities. In a case referred by Vannucci (2008), in a Sicilian municipality a cartel of criminal firms, all assisted by the same private consultant, was reported to be in control of the distribution of public works. Such firms were able to exert an influence on the way in which tendering procedures were designed. In particular, it was proved that all these firms were regularly contacted before they presented their projects in order to predetermine in advance the offer that could allow an unfair remuneration and a 25% bribe to be divided among local politicians. Even before the expiration of the deadline for presenting the offer, all deals were settled and a consensual agreement was found, able to satisfy the firms, the politicians and the intermediaries.

The economic impact of criminal activities is underlined by the conclusive findings of the Italian Antimafia Commission (2008, p.13): “The picture conveyed by the President of Confindustria [the national association of industrial entrepreneurs] confirms the necessity to steer away from the current courses of action if we want to avoid the risk of handing a large amount of Mezzogiorno [Southern regions of Italy] economic system to mafia”.

This vision does not fully explain the overall picture of the country, because it seems to miss the fact that more and more criminal firms are at work in the most developed area of the countries, such as the Northern regions, as it is showed by an increasing amount of data (De Stefano, 2008).

In Italy 170 local Municipalities involved in Mafia affairs were dismantled in recent years as a result of a proved contiguity with criminal organizations (*sciolti per*

mafia): this is a very significant fact that shows the interconnection among political, economics and criminal power.

We need to refer to such criminal economic 'system' in order to understand its economic and social role, its degree of pervasiveness in the whole country. It is useful then to understand where the illicit money is invested, relying on the fact that criminal firms follow the same imperative of capitalistic economy: their income are invested in the most profitable and stable business opportunities. Illegal enterprises have proved over time to be flexible and proactive, reacting abruptly to every change in the business and political environment and still to remain covered and operate undisturbed. The main feature of legal evolution of criminal firms is the fact that they more and more operate as legal businesses.

One of the most interesting points refers to net of relationships among different typologies of actors.

If we focus our attention on how criminal firms and organizations gain the financial resources they need, we can underline several main points (Fantò, 1999; Arlacchi, 2007):

- a) the accumulation of a very huge amount of money through the most different criminal activities;
- b) the financial resources created through criminal activities are used both to guarantee the survival of the criminal organization (they have to pay people who work for them) and to increase their influence on the other side of economy, doing money laundering;
- c) after the money laundering process, money is definitively invested in new perfectly "clean" economic activities.

It means that, analysing the whole criminal phenomenon it could be impossible to distinguish in a very clear-cut way legal from illegal behaviours and firms. What we have in Italy nowadays is a set of firms that use resources that stem from criminal activities, but that definitively operate respecting the law and in a perfectly legal market. Adopting an organizational perspective on the issue, it emerges that criminal firms are just a temporary tool used by criminal organization in order to increase their power, to grasp money, but also to have a presentable face.

Conventional businesses are seen by criminal firms as an elective domain in which investing illegal profits. This is made possible by a substantial detachment between the capital raised and the criminal actors that have achieved illegally such accumulation. The border between legal and illegal economies are then blurred and may even disappear. The criminal firm is able to launder illegal profits by means of clean companies that operate regularly on the market. By doing so criminal firms avoid primary detection of investigators since they appear as clean in the light of constraining anti-mafia regulation.

Roberti (2008) reports that, in addition to the traditional approaches operated by criminal clans to conceive the identity of the actual entrepreneurs that operate apparently in a regular manner (the “prestanome” or “man of straw” way of doing), it is useful to consider that more refined strategies are being used. In particular, he refers to a progressive aggregation of the control of multiple businesses under the criminal domain, in order to diminish conflicts among clans, increase contractual power of the criminal organization, and obtaining economies of scale and scope.

“For example, the Camorra firms in the Province of Caserta have been organized in various cartels according to the type of activity for instance cement supplying firms; those active in the field of extraction and soil supply; those engaged in land reclamation schemes. Indeed, if the criminal activity appears as a legal enterprise and operates according to the rules of the market, this is because the rules of the market make no distinction between a legal firm and its real owner (between the possessor of money and its origin). The lack of a clear demarcation line between the legal and criminal spheres makes it difficult to identify the subjects operating in the economic circuits and above all to focus on their divergent interests. It is true that the traditional criminal firm, which was identified with the ‘business-camorrista’, has been replaced by the new legalized firms that often do not need to employ the threat of intimidation of the criminal organization to which they belong; the power of money, which they have in abundance, is sufficient. This has allowed criminal firms to secure significant slices of the legal market” (Roberti, 2008: 47).

Fantò (1999: 58) describes the tripartite relationship (typical of the ’90s) among politicians, entrepreneurs and criminal actors as an interdependence mechanism in which each pursues peculiar goals:

- politicians are interested in electoral consensus and in being recognized as unavoidable mediators;
- entrepreneurs are initially separate from the criminal actors but then subcontract to criminal firms relevant amounts of work;
- criminal actors are interested in participating to the public works through the subcontracting mechanisms.

In such a context each player has his convenience in cheating and having a corruptive attitude.

In particular many apparently legal firms tend to exploit criminal organisations and politicians in order to achieve a variety of purpose. Establishing a closing alliances with such actors allow firms to have access to new markets, to exploit workforce at minimum wages, to obtain smooth trade union relationships diminishing internal bureaucratic problems, and in sum to be more efficient saving on many cost items (external procurements, salaries, etc). On the other hand the advantage that criminal organisations derive from having a positive relationships with appar-

ently legal firms are related to money laundering diversification of activities, having ultimately the chance to exert a full control over many territories.

Politicians need criminal organisations and firms in order to broaden their consensus and obtain illicit sums of money.

In addition, at the end of the '90s the criminal organizations have begun to play a central role in the corruptive mechanism of public works.

An interesting point that deserves to be analyzed is the issue of public tendering procedures that end up under the control of criminal organizations. A commonplace phenomenon is the interorganizational network purposely built by criminal organizations in order to be stay hidden and still be able to take advantage of the public money. In particular, a number of judiciary acts have revealed that often a system of interconnected firms is established to submit similar tenders; this behaviour gives the idea of a competitive mechanisms at work among formally independent private companies, that in reality operate under the same direction, and subsequently share the overall work to be awarded adopting the subcontracts mechanism.

Criminal firms hence have directly overlapped with entrepreneurs and politicians, following the same progressive identification among legal and illegal economy.

In particular, public works allow criminal firms not only to earn profits related to the value of such contracts, but are also a powerful mechanism to set up extra-balance sheets funds, eluding the legal limitations to subcontracts, escaping the stringent constraints of safety on work legislation, and ultimately hiding increasing amount of revenues. These funds are more and more central in the sharing of business profits among apparently legal firms and criminal clans. Such earnings are of course levied on public money and ultimately on taxpayers. This is achieved through increase of initial price granted by politicians and by public managers, through money anticipation on advance payments for ineffective work in progress, and massively through issuing false invoices, particularly frequent in the construction industry for those stocks which are difficult to check.

Conclusions

Corruption in Italy presents a key issues for understanding many of the relationships in the world of business. Using similar words to those put forward by Zuckerman in his review of Callahan's book (2004) we could say that Italians have implicitly condoned a cheating culture, and that we are "not only cheating more, [but] feeling less guilty about it" (2006). In this article we claim that

- 1) within the business system is much more complex to understand where the line is between the legal and illegal dimension. As Riccio³ stated the Italian mafia is not anymore to consider as the Anti-State but as something perfectly coherent with the spirit of our society. On the contrary of the State, Mafia can provide money, rules and profits in a real effectiveness way.
- 2) the dimension of corruption in Italy is not simply to interpret and to analyze: the micro and macro view (Ashforth et al., 2008) are not the right key to explain the whole phenomena; the only way it is to look at the entire dimension including social, economic and cultural value. In this sense the role of the criminal organisations is a part of a network in which many actors play an important role in order to get their own goals.

In our opinion, looking at corruption in Italy it is not so relevant to analyze the single corruptive episode or the single organisation. It is much more useful to go in depth at the whole system. This perspective implies a logical consequence: to prevent corruption rules are needed, but they are not enough. Political choices may conflict with the fight against corruption. When we use the expression political choice, we refer to all the institutional organisations that play an important role in the economic and social system: government, political parties, local authorities, unions, etc. The question is: who really want to change?

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