

## **Organised Crime in Europe: Conceptions and Realities**

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### **Abstract:**

This essay and review attempts to provide an overview of the situation of organised crime in Europe, drawing on official and academic sources. The available information is put in perspective using a classificatory scheme which distinguishes three basic dimensions: activities, associational structures, and systemic conditions. Compared to other assessments of organised crime, a more differentiated view is advocated. Cautious inferences are drawn on the social relevance of particular types of phenomena. It is argued that the greatest threat posed by organised crime does not emanate from the potential of criminal groups in and by themselves but from the willingness of power elites to enter into alliances with criminal elements.

# Organised Crime in Europe: Conceptions and Realities

## Introduction

Organised crime reports addressing the situation in a particular country or in a particular geographical region such as Europe commonly focus on (ethnically defined) “criminal groups” and on “criminal activities” (Bundeskriminalamt, 2007; Council of Europe, 2005; Europol, 2007; Serious Organised Crime Agency, 2006). The problem is that broad categories such as these tend to be no more than superficial common denominators for the pooling of information from diverse sources about diverse phenomena. Little appreciation is given to empirical variations, and necessary differentiations on the analytical level are mostly ignored. Without going into any detail in the critique of current approaches to assess “organised crime” (see Van Duyne, 2007; von Lampe, 2004), I will sketch a classificatory scheme for describing and analysing the phenomena commonly labelled “organised crime”. In laying out this framework step-by-step I will try to put into perspective-in an exemplary fashion-some of the information available on the situation in Europe from official and academic sources, and I will cautiously comment on the societal relevance of the observed phenomena.

## What is “organised crime”?

While the term “organised crime” is used as if it denoted a clear and coherent phenomenon, it is in fact an ever-changing, contradictory and diffuse construct. Myriad aspects of the social universe are lumped together in varying combinations within different frames of reference depending on the respective point of view of each observer. While these various phenomena by themselves may be perfectly real, it is only on the linguistic and cognitive level that they are brought into one unifying context (von Lampe, 2001a). Accordingly, when we boil down the debate on organised crime we do not find one core understanding of what organised crime essentially is. Instead we find at least three different notions about the nature of organised crime. One view holds that organised crime is primarily about “crime”. Organised crime, therefore, is seen as a specific type of criminal activity characterized, for example, by a certain level of sophistication, continuity and rationality in contrast to sporadic and impulsive criminal behaviour. According to another view the emphasis is on “organised”. It is not so important what offenders do, but how they are linked to each other. Organised crime, therefore, is about some form of criminal organisation in contrast to lone offenders. Finally, there is a view that organised crime does not have to do primarily with specific forms of criminal activities or specific collective forms of crime, but with the concentration of power, either in the form of an underworld government and/or in the form of an alliance between criminals and political and economic elites. From this perspective organised crime denotes a systemic condition.

A lot of the confusion in the debate on “organised crime” can be explained by the failure to realize that there are different ways to conceptualize organised crime and that each approach can lead to different assessments of the very same situation. It is also important to acknowledge that the various facets of the overall picture are not static. Whereas definitions of organised crime have a tendency to frantically focus on one specific constellation of these facets, for example, criminal organisations using violence and corruption, it seems far more adequate to place the emphasis on the fluidity and diversity of the constellations in which the various attributes commonly ascribed to “organised crime” manifest themselves.

Rather than opting for one perspective, therefore, I will address the situation in Europe from different angles. On the most abstract level the discussion will follow the distinction of the

three basic dimensions elaborated above: criminal activities, criminal organisation and illicit power structures.

### **Organised Criminal Activities in Europe**

Organised crime situation reports tend to categorize criminal activities along the lines of certain offence types which are viewed as those being typically committed in an “organised” way, being most prevalent, and being most threatening by some implicit or explicit measure, including the number of reported offences, the estimated profits or the estimated damage. Without being able to go into any detail, there are three aspects worth noting with regard to the situation in Europe. First, contrary to the notion that “organised crime” is synonymous with the provision of illegal goods and services, predatory crimes such as fraud, theft and robbery figure prominently in European enumerations of “organised” criminal activities (Council of Europe, 2005; Europol, 2005; see also von Lampe et al., 2006). For Europe as a whole the Council of Europe “Organised Crime Situation Report” lists the following crime categories: trafficking in drugs, trafficking in human beings, smuggling of persons, cybercrime (including online fraud schemes), money laundering, and “other activities” (including extortion, property crimes and smuggling), with economic crimes, mainly encompassing fraud and tax fraud, receiving special attention in a separate section (Council of Europe, 2005). Europol, interestingly, does no longer highlight particular crime types since the replacement of the old “EU Organised Crime Report” by an annual “Organised Crime Threat Assessment”, but focuses instead on five “horizontal facilitating factors”, document forgery and identity fraud, technology, misuse of the transport sector, exploitation of the financial sector, and globalisation and borders (Europol, 2005; 2006a; 2007).

The second noteworthy feature of the crime landscape in Europe is its patchwork character. Illegal markets, especially, are neither evenly distributed across the continent, nor across individual countries. Perhaps best documented is the differential prevalence of particular types of illegal substances. According to the UN World Drug Report 2007, the most popular narcotics in Europe overall are cannabis (annual prevalence among 15-64 year olds of 5.6 %), cocaine (0.75 %), heroin (0.6 %), ecstasy (0.6 %), and amphetamines (0.5 %) (United Nations, 2007). However, there are substantial cross-national variations. According to recent estimates by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), annual use of cannabis among adults, for example, ranges from 0.8 % to 11.3 %, of cocaine from 0.1 to 2.7 %, and of ecstasy from 0.0 to 3.5 % (EMCDDA, 2006: 13). This means that particular substances may be virtually absent from certain national drug markets while playing a prominent role in others. Some of these variations may be due to historio-cultural factors. For example, production of methamphetamine in Europe has until recently largely been limited to the Czech Republic where it has been produced for local consumption since the mid-1980s under the local name of “pervitin” (EMCDDA, 2006: 48). In some cases, cross-national variations can best be explained by the proximity to source countries. Spain, for example, which serves as the main European transshipment centre for Moroccan cannabis, accounting for about three quarters of the total quantity of cannabis resin seized in the EU, also shows the highest prevalence rates for cannabis (11.3 %) (EMCDDA, 2006: 37, 39). The link between international transport routes for illicit drugs and local drug distribution and consumption can also be seen in other cases, significantly contributing to the dynamics of illegal drug markets in Europe. For example, a sharp increase in cocaine imports from Venezuela to Southern Italy in the years 2004 and 2005, for which Camorra groups have been made responsible, has been accompanied by substantially increased cocaine use in Italy (United Nations, 2007: 76, 92).

Interestingly, there are also regional variations in the prevalence of illegal markets within particular countries. Such variations have perhaps best been documented in the case of the cigarette black market. For instance, analyses of discarded cigarette packs in the United Kingdom, Europe's largest retail market for contraband cigarettes, show a clear concentration in certain regions of the country, namely the northern parts of England (House of Commons, 2005: Ev. 126), pointing to variations in socio-economic conditions and differential opportunities for link-ups in the distribution chain (von Lampe, 2005b; 2006). What may be derived from these observations is the realization that illegal markets cannot be created at will. Supply does not automatically meet demand and vice versa. Rather, illegal markets are the product of a fairly complex interplay of diverse factors.

The third significant feature of the European crime landscape is that certain criminal activities link particular countries and regions within Europe and also Europe with other parts of the world. One significant facet is the East-West dimension connecting former Soviet Bloc and Balkan countries (and also transition and developing countries outside Europe) with the older Member States of the European Union in such diverse areas of crime as trafficking in stolen motor vehicles, cigarette smuggling, serial burglary, so-called ram raids, and product piracy (Civil and Police Department, 2006; Council of Europe, 2005; Weenink et al., 2004; Yar, 2005). It must be noted, however, that the fall of the Iron Curtain has not only created opportunities for the victimization of Western countries by criminals from the East. Apart from the fact that Western Europe is a major source of synthetic drugs for the world market (United Nations, 2007), there are a number of areas of crime, such as child pornography and child prostitution, human trafficking, organ trafficking, trafficking in plundered antiquities, trafficking in endangered plants and species, and illegal waste disposal, where criminal victimization originates in Western Europe. Western European criminals serving tastes and desires of Western Europeans for illicit and illegally obtained goods and services are responsible for much suffering in transitional and developing countries, often but not always in collusion with local criminals (Alder & Polk, 2005; Fröhlich, 2003; Greenpeace, 2007; Jenkins, 2001; Lehti & Aromaa, 2004; Meyer, 2006; Morawska, 2007).

Corresponding to the patchwork character of illegal markets there are certain trade roots for illicit goods such as the infamous Balkan route for heroin (EMCDDA, 2006: 66), often but not always following the movement of legal goods, migration flows or traditional links between particular countries. These trade routes may shift over time, namely in response to increased control efforts (EMCDDA, 2006: 58), and they are not necessarily unidirectional. This is true for certain types of drugs moving in one direction while certain other drugs going in the opposite direction, such as heroin going west and ecstasy going east along the Balkan route (Europol, 2006b). But it may also be the case that the same type of drug is shipped in both directions, such as synthetic drugs between Belgium and the Netherlands (Blickman et al., 2003: 54). Another example for the diversity of cross-national links is provided in the area of human trafficking by individual countries, for example in South Eastern Europe, which at the same time function as source, transit and destination country (Limanowska, 2003; Surtees, 2005).

### **Criminal Organisation**

So far the focus has been on "organised crime" in Europe in terms of criminal activities. A somewhat different picture emerges when one looks at how offenders are linked to other offenders. To avoid comparing apples and oranges, the conceptual framework has to be refined. When analyzing criminal structures it is crucial to take into account that these may serve different functions and purposes, namely social, economic and quasi-governmental. Economic criminal structures aim at material gain. This category comprises such diverse

phenomena as a drug smuggling ring or a gang of burglars. The participants in these schemes are linked in a way that facilitates or even makes possible the completion of certain tasks necessary to obtain financial or other material benefits. These entrepreneurial structures in a broad sense have to be distinguished, analytically, from criminal structures that serve social functions. These non-economic structures support their members' illegal economic activities only indirectly. For example, they facilitate contacts, give status, reinforce deviant values, and provide a forum for the exchange of information. Examples for structures serving these social purposes include fraternal associations such as the Sicilian Mafia (Paoli, 2003), the Russian *Vory v Zakone* (Varese, 2001), Chinese Triads (Chu, 2005) and outwardly legal associations like motorcycle gangs (Wright, 2006). A third type of criminal structures serves quasi-governmental functions. They support illegal economic activities in a more abstract way by establishing and enforcing rules of conduct and by settling disputes in a given territory or market. A textbook example for this kind of criminal structure is once again the Sicilian Mafia.

It must be emphasized that while these three functions (economic, social and quasi-governmental) are not necessarily empirically distinct, it is unlikely to find the same criminal structures serving both economic and quasi-governmental functions. The reason for this is that illegal enterprises need to be adaptive and flexible to respond to a changing environment and at the same time avoid detection, whereas quasi-governmental structures benefit from centralized authority for being effective and avoiding internal conflict (Reuter, 1983). It is also important to stress that these different functions (economic, social and quasi-governmental) are not necessarily met by permanent, highly differentiated structures.

## **Enterprise structures**

Drawing on concepts from the field of economics, criminal structures serving economic functions can be expected to fall into one of three basic categories: markets, networks, and hierarchies. Pure market relations appear to be most common between street vendors and buyers of illegal goods such as drugs, counterfeit products or contraband cigarettes. Hierarchical enterprise structures, it seems, also form an exception rather than the rule. They have been observed in cases where groups have been formed and operate from countries with weak law enforcement, as is characteristic, for example, of burglary and ram-raid gangs from Eastern Europe (Weenink et al., 2004: 186). Criminal hierarchies can also be found where illegal and legal enterprise structures overlap, which typically occurs in the realm of economic crimes such as VAT-fraud, investment fraud and subsidy fraud (see e.g. van Duyne et al., 2001), but can also be found in the case of private security firms offering illicit debt collection services or engaging in extortion (Varese, 2001), or illegal gambling casinos operating under the guise of a legally licensed casino (Sieber & Bögel, 1993). Often, namely in media and police reports, it is also assumed that illegal enterprise structures are vertically integrated to form transnational criminal organisations. Some cases confirming the notion of vertically integrated criminal enterprises have indeed been documented, for example in the areas of drug trafficking (Dorn et al., 2005: 19), cigarette smuggling (Zoll Aktuell, 2005) and trafficking in stolen motor vehicles (von der Lage, 2003). However, it seems that the high demand on communication and the resulting risk of exposure sets limits to this organisational form (Zaitch, 2002). Overall, cooperation between offenders in Europe appears to typically occur either on a contractual basis, in the form of supplier-consumer or ephemeral employer-employee relations, or on a partnership basis in pairs or small groups with little overall horizontal or vertical integration, but embedded in some underlying network relations of trust (von Lampe, 2005a: 407; Paoli & Fijnaut, 2004: 608).

Some official reports claim that a shift has occurred away from hierarchical forms of organisation to criminal network structures (Commission of the European Communities, 2001: 8; Europol, 2006a: 7). But judging from past research this seems to be a misconception (Kerner, 1973; Mack & Kerner, 1975; Rebscher & Vahlenkamp, 1988). In fact, it may be necessary to fundamentally reconsider the importance media and official accounts commonly attach to particular organisational forms of criminal association and cooperation.

In the scholarly organised crime literature, drawing on insights from organisation theory, it has been argued that criminal groups are shaped by their environment and the specific tasks at hand (Southerland and Potter, 1993; Smith, 1994). This implies that it is unlikely to see group structures persist in a dynamic environment and across different areas of crime. Whatever continuity exists seems to lie not so much in a particular group structure but in the underlying networks of criminally exploitable ties, although these networks are also subject to change over time. Three important implications follow from these assumptions. First, the group structure observed in a given case is a mere snapshot. Second, the potential of a particular group structure can not be ascertained on an abstract basis. Instead, in each case it would have to be determined how well, measured by a broad set of factors, a particular group structure is adapted to the specific circumstances it is confronted with. Third, for the broad picture of “organised crime” it is more meaningful to assess the resilience, flexibility and reach of networks of criminally exploitable ties and the potential of the individuals integrated in these networks.

### **Associations of offenders**

What can be said about the relativity of structural design in the case of illegal enterprises is also essentially true for those associational patterns which serve social functions rather than economic functions, such as giving status and creating cohesion among offenders. While the focus is typically on easily discernible organisational entities with some degree of formalization, a look at the traditional underworld (McIntosh, 1975) suggests that less easily recognizable collectives such as local criminal milieus or cliques of individuals who share the same deviant values and socialize on a more or less continuous basis may provide a similarly effective support system for “organised” criminals. Among the more manifest structures that provide offenders with a framework of status and cohesion, four types appear to be most relevant for the situation of “organised crime” in Europe today: territorially based mafia-like associations, fraternal associations without a territorial base, family clans, and outlaw motorcycle gangs.

Territorially based mafia-like associations, such as the Sicilian Mafia (or Cosa Nostra) and the Calabrian ‘Ndrangheta are hierarchically structured and have a membership defined by formal induction, although familial relations may play an important role in the selection and promotion process, as is reported for the ‘Ndrangheta. The main feature of these fraternal associations is that they claim control over the illegal and also legal economic activities in a particular territory (Paoli, 2003).

Fraternal associations without a territorial base, such as the *Vory v Zakone*, also have a membership defined by formal induction, but they transcend territorially based groups rather than exerting control themselves. The *Vory v Zakone* (thieves in law) are a criminal fraternity that evolved in the Soviet prison system. The internal structure, interestingly, is non-hierarchical, although older members reportedly wield greater moral authority. Another interesting difference to Southern Italian mafia groups is that the use of violence is not emphasized by the *Vory*’s code of conduct (Varese, 2001; Volkov, 2000).

A third type of social support structure for “organised” criminals is constituted by smaller or larger family units who define their membership by blood ties and marriage. This refers not

only to the fact that kinship ties may create a basis of trust exploitable for criminal cooperation (von Lampe & Johansen, 2004), but to families and extended families functioning as organisational entities that provide status, protection and a communication infrastructure for their members in the context of criminal activities, even to the point that these activities are sanctioned and coordinated through familial authority structures (Bruinsma & Bernasco, 2004; Henninger, 2002). Families assuming this kind of role seem to be rooted primarily in countries in South Eastern Europe and the Middle East, including Albania, former Yugoslavia, Turkey, the Lebanon and Pakistan (see e.g. Arsovska, 2007); however, indigenous families in Western Europe may also be of relevance in this context to some degree (Hobbs, 2001).

Outlaw motorcycle gangs, finally, are fraternal associations with a formalized structure, including a hierarchy and membership defined by induction. What sets them apart from the kinds of associations just mentioned is the outwardly legal status as leisure clubs they typically hold, and their high visibility to outsiders through openly displayed insignia. Like family clans outlaw motorcycle gangs are not necessarily criminal organisations themselves. According to police analysts and other observers it is more characteristic that some of their members are engaged in criminal activities, most notably drug trafficking and extortion. Still, being a member of an outlaw motorcycle club provides protection and a web of contacts that can potentially be used for criminal endeavours (Wright, 2006).

As indicated, these various phenomena are not equally distributed across Europe. Mafia-like associations are rooted in Southern Italy while the *Vory v Zakone* have a presence mainly in Russia and Georgia. Family clans originating from countries within and outside Europe have been reported in various centres of immigration in Western European countries. Outlaw Motorcycle Gangs, finally, are most common in Northwestern Europe, especially in Germany and Scandinavia. All of these associational patterns, even when they have firm local roots, are believed to play a role in linking offenders over great distances: criminal fraternities with members operating abroad; geographically dispersed family clans; or outlaw motorcycle gangs with chapters set up in different countries or different parts of a country. However, reliance on tight-knit support structures may be less important in the modern world of illicit business than connectedness to diverse business partners (Hobbs, 2004; Ruggiero & Khan, 2006).

### **Illicit power structures**

Apart from economic and social functions, associational patterns connecting criminals may serve to maintain and exercise power. When discussing social associations of criminals I have already addressed the aspect of hegemony in criminal milieus. In these cases, involving, for example, mafia-like associations, criminal groups take on the function of quasi-governments that exert some form of control over other criminals within a given territory or illegal market (Gambetta, 1993; Paoli, 2003). This kind of control can range from pure extortion to fairly sophisticated mechanisms of regulation and adjudication. Once again it must be emphasized that criminal structures are not necessarily formalized. Quasi-governmental functions can be fulfilled by informal or ad-hoc structures within a deviant subculture (Rebscher & Vahlenkamp, 1988; Sieber & Bögel, 1993).

Quasi-governmental control can manifest itself in various forms (Anderson, 1995; Gambetta, 1993): Illegal activities are taxed so that offenders are forced to share their criminal proceeds. Entry to an illegal market is controlled, so that the number of offenders engaged in a certain type of criminal activity is restricted. Illegal markets are regulated in the sense that offenders are restricted in the way they can conduct illegal activities. The Sicilian Mafia, for example, is known to have punished thieves for stealing from protected businesses (Gambetta, 1993).

Conflict resolution is another important function of quasi-governmental structures. To the extent this mechanism is effective, overall levels of violence can be kept at a low level thereby avoiding drawing attention to illegal activities (Reuter, 1983).

While in Southern Italy quasi-governmental structures have existed over many generations, in other parts of Europe similar structures have emerged only recently or have come and gone in the past (see e.g. Pływaczewski, 2004: 476-477), and it remains to be seen if groups can establish a trademark of monopolized violence that survives generational change.

### **Control beyond illicit spheres**

In a number of cases territorial control of criminal groups is not confined to the underworld but also extends to legal businesses. Where this control does not simply take on the form of extortion the following services may be provided to a varying extent: debt collection, contract enforcement, market regulation, cartel organisation, and protection (see e.g. Varese, 2001). Most of these services are commonly provided by state institutions, namely legislature, civil courts, and the police. Accordingly criminal groups exerting territorial control are most often, but not exclusively, reported in so-called weak states where government is inefficient, corrupt and lacks legitimacy (World Economic Forum, 2005).

### **Illegal-legal nexus**

One central component of popular imagery of organised crime is the link-up between underworld and upperworld. This so-called illegal-legal nexus has been discussed with regard to business as well as politics. In both cases a broad spectrum of (isolated or widespread) relationships can be discerned, ranging from the victimization of legal businesses and the intimidation and infiltration of government by criminals to mutually beneficial arrangements between legal and illegal actors, and to the instrumentalisation of criminals for the furtherance of business and political interests, as exemplified in the case of post-Soviet Russia (Cheloukhine & King, 2007; Klebnikov, 2000; Varese, 2001; Volkov, 2000). Finally, criminal practices may be adopted by businesses and political actors without recurrence to the proverbial underworld (Ruggiero, 1997).

### **Instead of a Conclusion: A Typology of Organised Crime in Europe**

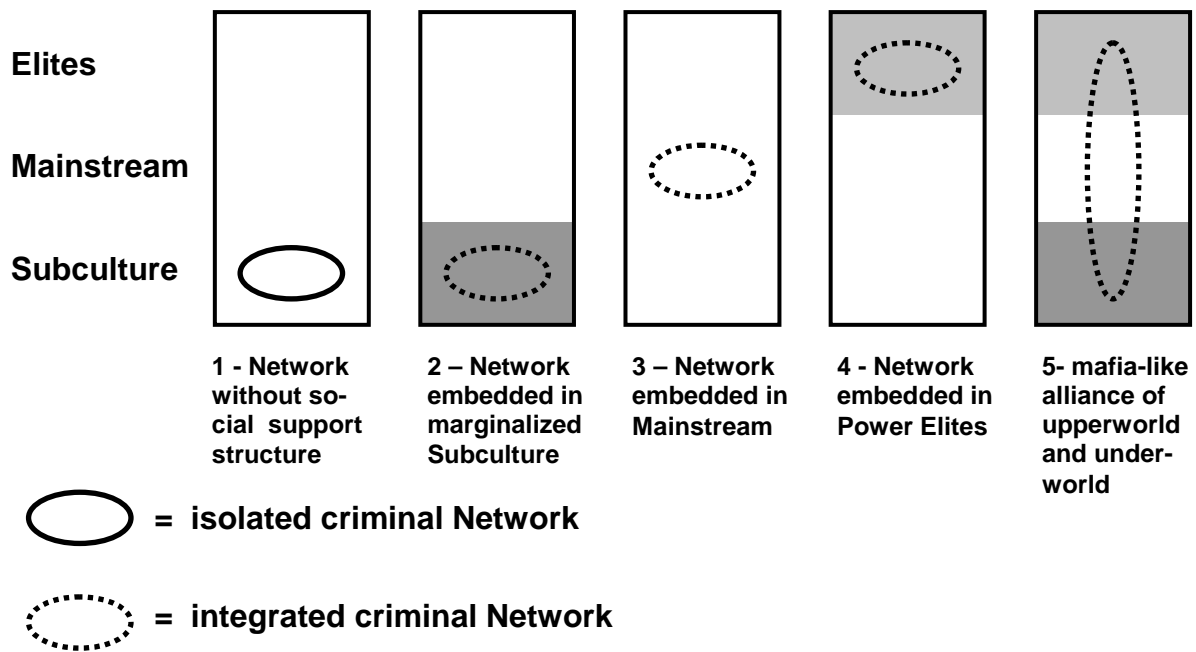
To sum up my argument I would like to present a typology of different manifestations of organised crime (Figure 2). This typology<sup>1</sup> is premised on two tentative assumptions: (a) the relative social homogeneity of criminal networks, and (b) a positive correlation between the social position of criminal actors and the quality of criminal opportunities. The higher the social position of an offender, the higher the impact of the crime and the lower the chance of apprehension and conviction. To keep it simple, I am dividing society into three strata: marginalized subcultures, mainstream society, and the political and economic elites.

### **Figure 2: Different Constellations of Organised Crime**

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<sup>1</sup> For earlier versions see von Lampe, 2001b; 2004; 2005a.





Following these assumptions, five types of organised crime can be distinguished. The first type comprises criminal networks with no social support structure within the countries of operation, as in the case of burglary gangs that use home bases in Eastern Europe as a hub for crime sprees in Western Europe. The recruitment and training of group members and the formation of teams takes place under relative immunity from law enforcement. These conditions appear to be favourable for the emergence of complex organisational structures, including a military-like hierarchy and a division of labour within and between teams (Weenink et al., 2004). The lack of social support in the countries of operation, in turn, corresponds to the predatory nature of the crimes and to the seemingly unrestrained willingness to use violence against persons and property.

The second constellation of organised crime refers to crime networks which are rooted in marginalized subcultures. In these cases criminal actors can rely on a social support structure which is larger than that provided by their immediate accomplices, but one more or less set apart from mainstream society and its institutions. While the seclusion is used to shield criminal activities from detection, criminal actors are familiar enough with the host culture to take some advantage of its infrastructure, including communication, business and finances. An illustrative example is provided by Turkish and Kurdish drug smuggling and distribution rings embedded in migrant communities in various Western European countries. Smuggling, storage, and distribution of heroin are typically organised through networks of familial ties (Pearson & Hobbs, 2001).

The third constellation includes criminal networks that are rooted in mainstream society. These networks comprise outwardly law-abiding actors who are not restricted by any practical, cultural or legal obstacles in taking advantage of the legitimate infrastructure. Mainstream crime networks are typically involved in organised business crimes like, for example, investment fraud or health insurance fraud. In comparison to subculture-based crime networks, they have a number of strategic advantages, including 'natural' interaction with office holders that may translate into crime opportunities or reduced risks of law enforcement interference (Van Duyne, 1997).

The fourth type pertains to criminal networks consisting of members of the power elites. In contrast to the former category, actors have direct access to socially relevant decision-making processes. Examples are provided by scandals involving the abuse or misuses of competencies

for profit and power by networks of public officials, politicians and business leaders. Some cases of government involvement in conventional criminal activities such as smuggling have also been reported (Griffiths, 2004).

The fifth type, finally, contradicts the assumption that criminal networks tend to be confined to certain social strata and milieus. In these cases, exemplified by politically entrenched mafia-like organisations, an alliance is formed between the political and business elites and the underworld. The balance of power may shift between the criminal and the legitimate spheres but essentially there always seems to be a congruence of interests. Political leaders, for example, may be willing to use violent groups in furtherance of their power interests while in exchange grant these criminal groups immunity from prosecution in other illegal activities (Klebnikov, 2000; Stojarová, 2007).

This typology, I would argue, depicts a scale from less serious to more serious constellations with regard to the integrity of European societies, going from left to right, with constellations 4 and 5 constituting alternative worst-case scenarios. And I would like to argue that for most of Europe today, constellations 1 through 4 are the most relevant ones with constellations 1 and 2 unduly receiving more attention from law enforcement and the public than constellations 3 and 4. Where alliances between underworld and upperworld exist, for example in Southern Italy or Russia, it is important to note that this appears to be less the result of criminals infiltrating business and government, and more an outgrowth of power elites being unchecked by moral and legal restraints, and operating beyond effective control by civil society so that they are in a position to freely employ and co-opt criminals in pursuit of economic and political interest. In the end, “organised crime” is not only a challenge for law enforcement; it is also a challenge for the democratic control of economic and political power by civil society.

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