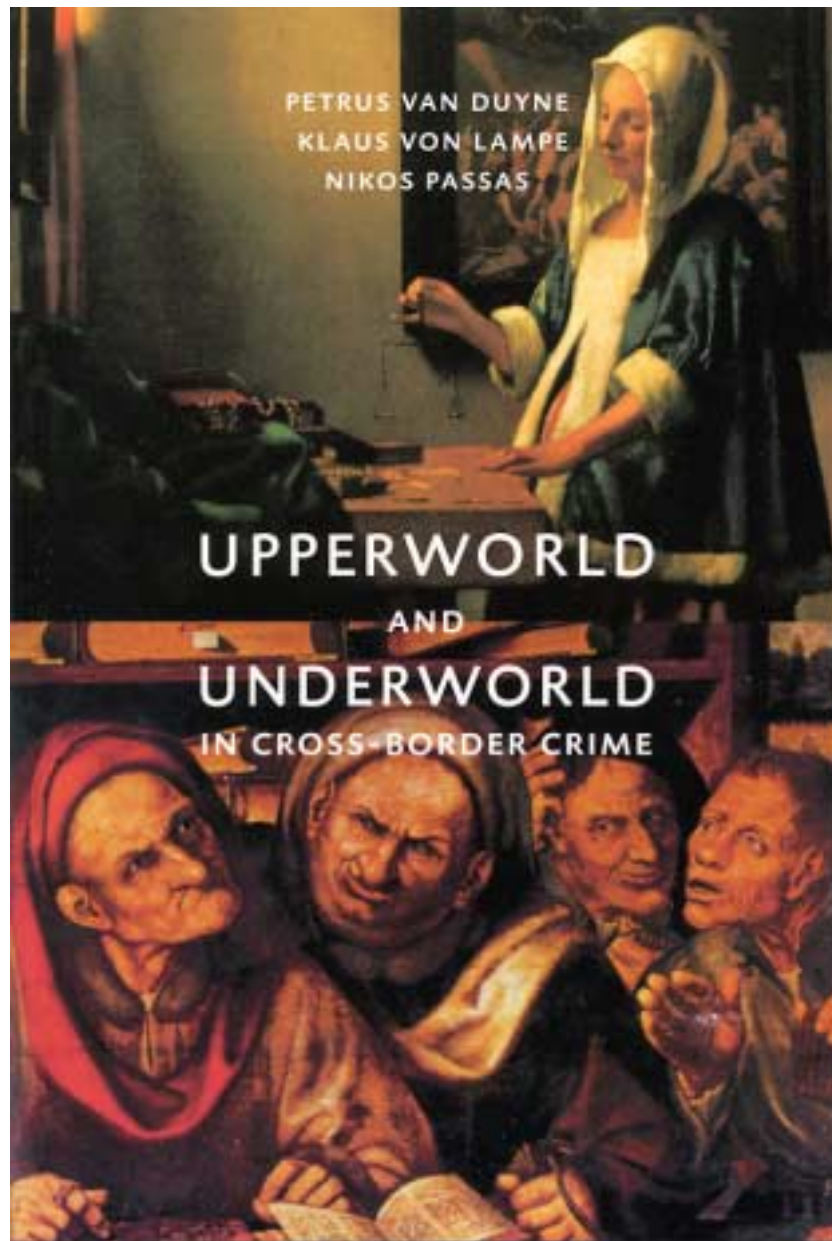


Organized Crime Research in Perspective

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Afterword

Organized Crime Research in Perspective

Klaus von Lampe

A glance at the international criminological literature conveys the impression that along with increasing concerns over the negative side effects of globalization there is a growing interest in the subject of organized crime, particularly in its cross-border variety. The Colloquia on Cross-Border Crime can be seen as another manifestation of this trend. At the same time one might wonder whether there is more to it than just talking and writing about this phenomenon. Despite an ever expanding volume of publications there is still little in the way of interrelated empirical research and theorizing in response to the excitements, uncertainties and anxieties characterizing the public perceptions on organized crime. What is needed, or at least appears to be desirable, is a concerted effort by interested scholars to confront media and politically induced imagery with well researched data and sober analysis. One may wonder why the scientific community has so far done so little in this direction. On the contrary, it has even added to the confusion by coming up with a myriad of conflicting definitions and conceptualizations. In this afterword, I take the opportunity to reflect briefly on the state of affairs of organized crime research and to discuss its prospects for the future.

The predominance of popular imagery

The first study on organized crime dates back to the year 1926 when Frederic Thrasher completed work on his epochal book *The Gang*, which included a chapter on 'The Gang and Organized Crime' (Thrasher, 1927: 409-451). Pioneering as his writings were, Thrasher faced the same difficulty all other scholars have been dealing with ever since: the pre-existence of popular concepts of organized crime. When Thrasher examined adult criminal gangs in Chicago in the 1920s he adopted the concept of organized crime from a civic association, the Chicago Crime Commission, whose members had coined the term in 1919. What has changed over the years is not the predominance of popular imagery over scientific conceptualizations, but the content and shape of these popular conceptions. In the announcements of the Chicago Crime

Commission, 'organized crime' referred to the orderly fashion in which the so-called 'criminal class' of Chicago's estimated '10,000 professional criminals' allegedly pursued 'crime as a business' (von Lampe, 1999: 29-38). Organized crime was treated from the perspective of the old established protestant middle class as just one facet of Chicago as a city which, after years of rapid growth and cultural change, was seen to be 'drowning' in crime, corruption and moral decay. Fortunate for Thrasher, this holistic perspective was not far away from a sociologist's point of view. Later generations of scholars have been less fortunate. Beginning around 1950 the *Mafia* as an alien conspiracy became the focal point of organized crime imagery in the United States. Soon after, through the double channels of Hollywood movies and international law enforcement cooperation, other countries followed suit.

Today, the same Mafia imagery still haunts the minds of law enforcement officials and policy makers around the world. However, the contemporary criminal policy debate, not the least in Europe (see Adamoli and Vermeulen in this volume), is more complex. On the one hand, the American concept of organized crime with its emphasis on ethnically homogeneous 'crime syndicates' still sets the tone. Attention is particularly paid to traditional crime societies such as the American and Sicilian Cosa Nostra and the Japanese Yakuza, as well as to more recent phenomena like the Colombian and Mexican drug 'cartels' and rather ominous entities such as the 'Russian Mafia'. On the other hand it is widely acknowledged that stereotypical criminal organizations are not necessarily behind every sophisticated criminal activity. Consequently, the concept of organized crime is extended to include patterns of criminal cooperation that do not qualify as organizations in the true sense of the word. This conceptual ambiguity provides opportunities for a 'flexible' use of the concept of organized crime to accommodate a diversity of political and institutional interests. For example, the debates preceding the implementation of anti-organized crime legislation are rich in warnings of the dangers constituted by well organized, powerful crime syndicates. Nevertheless, criminal statutes aimed at organized crime tend to apply to a wide range of criminal activities and types of criminal cooperation, including those not considered organized crime.

Challenges to sober analysis

The predominance of media and politically induced imagery poses three major challenges to the sober and thorough analysis of the underlying phenomena that serve as empirical reference points for the debate on organized crime.

First of all, there is the problem of delineating organized crime as an object of study. Organized crime is neither a clearly discernable empirical phenomenon, nor do we find an agreement on what its 'essence' or 'nature' might be. Rather, a broad range of people, structures and events are in varying degrees and combinations subsumed under this umbrella concept. Due to this elusiveness, the phrase 'organized crime' was allowed to take on an existence of its own quite independent from the social reality it supposedly relates to. Social scientists, then, not only face the challenge of nailing a 'conceptual pudding' to the wall. They also have to deal with the duality of organized crime as a facet of social reality and as a *social construct*. In the latter capacity its associative and luring power strongly influences public perceptions, policy making and law enforcement towards a warlike attitude.

The second difficulty has to do with the lack of a concise terminology. For example, basic concepts such as those of 'criminal organization' and 'criminal network' are sometimes used interchangeably and at other times are treated as analytically distinct categories (see Williams, 1998). As a result there is a great deal of confusion and misunderstanding. The use of specific terms does not guarantee a common level of understanding just as differences in terminology may give the false impression of disagreement in substance.

The third problem arises where commonly held views on the reality of organized crime are contradicted by empirical research. Often enough what is considered by the media, politicians and law enforcement officials as an established fact, under closer scrutiny turns out to be a misconception. For example, the existence of complex criminal organizations in illegal markets may be falsely assumed where in fact numerous independent actors cooperate within network structures (see e.g. Adler, 1985). Similar misconceptions and the fabrication of 'facts by repetition' can be found with regard to the informal financial sector (Passas, 1999a) or the effects of illegally obtained profits on the legal economy (van Duyne et al., 2001). Researchers are therefore potentially at odds with the media, politicians and law enforcement officials. Consequently –if the latter read their work at all– they run the risk of being blamed for arrogant intellectual denial or not knowing the hard reality of the workforce. This in turn may lead to difficulties in obtaining support in the form of access to data and research grants. Perhaps due to these pressures towards conformity

a considerable share of research and academic writing obediently follows the beaten tracks of popular imagery and official parlance.

The potential merits of international cooperation

Against this rather bleak background we can observe the emergence and extension of communication and cooperation networks that link organized crime researchers from various countries. These contacts, which are continuously intensified through meetings such as the Colloquia on Cross-Border Crime and journals such as 'Transnational Organized Crime' and 'Crime, Law and Social Change', may lay the foundation for more self-confident empirical research and theory construction in the future.

There are a number of apparent benefits from international scientific cooperation. First of all, organized crime researchers tend to be rather marginalized and scattered within their respective national scientific communities so that only on an international level can there be a sufficiently large forum for discussion. Secondly, international cooperation, especially among scholars from countries other than those with a 'traditional organized crime problem', may give rise to concepts and models which are better adapted to social reality than cliché-ridden conceptions of Mafia. Third, international cooperation facilitates and potentially enhances the quality of comparative research, which in turn promises deeper insights than research conducted within regional or national contexts. Fourth, international cooperation potentially gives more weight to researchers when it comes to obtaining data, including data on politically delicate issues such as government corruption and criminal conduct of large corporations.

For these opportunities to be fully exploited, however, researchers have to find some common framework beyond the mutual interest in the same-vaguely defined-subject.

Competing Paradigms

In the long run, I would suggest, the fruitfulness of cooperation will depend on whether or not there is—at least potentially—a general understanding of organized crime in the sense of a cumulative body of knowledge to which everyone may contribute. The problem is that thus far the common ground of organized crime research is more or less restricted to the term 'organized crime' itself, so that conceptually it has remained a non-committal label.

A certain degree of reciprocity of research has only been achieved either by taking Mafia imagery as a common point of departure or by reducing the concept of organized crime to partial, easier definable components, most notably illegal markets and illegal enterprises. Both approaches represent competing paradigms with conflicting implications for the study of organized crime. However, they perform a similar function in narrowing down the broad radius of application of the concept of organized crime.

The Mafia paradigm

The Mafia paradigm puts the focus on structural aspects. Organized crime is equated with criminal groups that display certain defining organizational attributes. Research conducted within this conceptual framework is in essence descriptive and compares the characteristics of a given criminal group with those ascribed to the American Cosa Nostra or Sicilian Mafia. The advantage of taking stereotypical images of Mafia as a yardstick is that everyone can relate to it. The heuristic value, however, of treating organized crime as an honorary title awarded to criminal groups that display a certain degree of organizational sophistication is rather limited. In addition, this approach depends very much on the validity of 'Mafia as yardstick'. There are solid reasons to question this validity (see Haller, 1990; 1991; Reuter, 1983).

The enterprise paradigm

In contrast, the enterprise paradigm rests on a dynamic perspective of organized crime. Action, not structure, is taken as a starting point. The question is not how criminal organizations take control of illegal markets, but how participants are *organizing* their crime-trade and adapt to and survive in illegal markets. Unlike the Mafia paradigm, the enterprise paradigm offers a set of abstract concepts-borrowed from economics, that can serve as building blocks for theory construction (see Smith, 1994). Therefore, the enterprise paradigm does provide a basis for the cumulative generation of knowledge. Economic concepts, however, have only a limited value for a comprehensive analysis of organized crime. Just as the Mafia paradigm tends to ignore the dynamics inherent in collective criminal behaviour, the enterprise paradigm is at risk of disregarding criminal structures that exist or emerge, due to other circumstances than the dynamics of illegal markets. These structures, which are crucial reference points for the organized crime debate, include criminal

fraternities (Paoli, 1998a) and criminal groups involved in non-market crimes such as fraud.¹

An Agenda for the Study of Organized Crime

Confining the analysis either to specific types of criminal structures or specific types of criminal activities, i.e. those in the context of illegal markets, may be a tenable methodological decision, and even a sound one given the confusion surrounding the concept of organized crime. Against the background of the public and scientific debate, however, it means that the broad scope of the concept of organized crime is arbitrarily narrowed down. Arbitrarily, because there are no universally accepted criteria that would justify the emphasis on certain aspects while disregarding others.

In essence, calls for shunning the concept of organized crime in favour of less inclusive concepts encounter the same objections as attempts to define organized crime by lumping together a wide array of phenomena. There is simply no sufficiently thorough understanding of the pertinent phenomena and the interplay between them (or the lack thereof) to determine what needs to be viewed in context.

Hence, while it appears to be a too easy way out to simply focus on partial aspects, it seems equally unrealistic to insist that the study of organized crime can be based on a clear and precise definition of the term 'organized crime' to provide a universal reference point for empirical research and theory construction. Such a definition, instead of being the starting point, can only be expected to flow out of research through successive approximations and empirical confirmations (Kelly, 1986: 28).

If this is true, then the common ground of organized crime research has to be found not in a mutual understanding of the nature of organized crime. What is required is a research program that promises either an eventually mutual understanding or a general agreement that the construct of organized crime has no counterpart in social reality and thus is obsolete as an analytical category. This outcome is in agreement with the principle of conceptual parsimony: select always the concept or theory which either explains more and/or is simpler. The rival theory should be abandoned as redundant as a scientific tool.

Strictly following this line of reasoning, for the time being the term 'organized crime' should be removed from the scientific vocabulary. However, according to the sociology of science cherished phrases are hard to die. This

¹ Notwithstanding the fact that criminal groups engaged in fraud may instrumentalize (outwardly licit) enterprise structures as is the case, for example, with most investment-fraud schemes (see van Duyne et al., 2001).

applies not least to 'organized crime'. Instead of adding to confusion and scholastic bickering, the term 'organized crime' may be used as an open, multi-dimensional and dynamic concept to mark out a field of study. Or, simpler formulated: it denotes a field of work, acknowledging that it is very wide, has much variety, while its fences are at many places absent or not clear.

In compliance with this line of reasoning, I would suggest the study of organized crime be guided by the following three notions.

First, the field of study should be outlined by the scope of the public and scientific debate. This includes just about any kind of cooperation for the rational, i.e. non-impulsive, commission of illegal acts, regardless of the social status or the motives of the perpetrators. Consequently, the distinction between corporate crime and organized crime² and between terrorism and organized crime evaporates (Passas, this volume).

Secondly, within this broad framework, there are a number of topics that need to be carefully conceptualized and classified. For example: the personal characteristics of so-called organized criminals, the types of crimes, including victimless and predatory crimes, the structural patterns of criminal cooperation, the concentration of power in criminal milieux and illegal markets, the relation between the illegal and legal spheres of society and the social embeddedness of criminal structures. Instead of scholastic fights about the 'essence of', more efforts should be invested in defining these smaller scale, 'middle-range' concepts.

Thirdly, the aspects that are subsumed under the umbrella concept of organized crime should not be treated as static. It is preferable to emphasize the fluidity and diversity characterizing collective criminal behavior. This contrasts with the tendency to focus frantically on only one specific constellation of these aspects, namely complex criminal organizations using violence and corruption to attain monopoly control over illegal activities and to undermine legal institutions.

This entails exploring in as many social and historical settings as possible how the pertinent phenomena, such as criminal cooperation and legal-illegal-interfaces, vary in time and space and in what combinations they appear. For example, it would be interesting to compare the fraudulent schemes described by Baloun and Scheinost (this volume) as characteristic of societies in transition with business crimes committed in Western European countries. The comparison may encompass the ways cultural traits, socio-political conditions and the legal framework influence the willingness and capabilities of

² Ruggiero (1996) convincingly argues that the distinction between white-collar crime and organized crime is unwarranted. Instead, it is a matter of degree to what extent economically motivated offenders are involved in the legal as well as in the illegal spheres of economy.

businessmen to engage in collective criminal behavior. Likewise, it appears to be promising to investigate the same type of illegal market, for example drugs (Paoli, 1998b) or contraband cigarettes (von Lampe, this volume), in different socio-cultural contexts. From this kind of research it might be possible to build a typology of different constellations of organized crime. Such a typology will for example highlight the fact that contrary to Mafia imagery, it does not always take complex organizations to put criminals in a position to exert influence on legal institutions (Passas, this volume), just as it is not always required to influence legal institutions to engage in continuous criminal activity.

The following step may be the construction of a typology, which may serve as the basis for creating an analytical model of organized crime. This would comprise a set of concepts and indicators for the interrelations between characteristics and how they relate to the basic conditions of organized crime.³

This research agenda, of course, rests on the fundamental assumption that despite cultural differences and constant social change there are general patterns of human structure and behavior to be uncovered. The enterprise paradigm, for one, implies this notion with regard to the inner workings of illegal markets (see van Duyne and Jager, this volume). There is no reason to assume beforehand that the same is not true for the non-economic aspects of organized crime.

³ See von Lampe (1999:305-331) for a more detailed discussion of the possibilities to construct an analytical model of organized crime.

Conclusion

In sum, I would like to argue that research on organized crime should be coordinated on an international level. For this purpose studies on organized crime will have to be designed so that they are reciprocally meaningful in order to contribute to a cumulative body of knowledge about the phenomena subsumed under the pre-scientific umbrella concept of organized crime. In order to obtain this compatibility, two requirements have to be met:

1. Middle-range concepts well below the lofty level of 'organized crime' need to be defined and agreed upon, for example the concepts of 'criminal organization' and 'criminal network'.
2. The phenomena defined by these concepts need to be investigated in one context and in as many social and historical settings as possible.

Eventually, 'organized crime' may evaporate in the hands of diligent researchers but a lot will have been learned along the way about patterns of criminal cooperation and about illegitimate power in the hand of those who systematically and collusively violate or circumvent⁴ the law to the detriment of the common good.

⁴ See Passas (1999b) on the concept of 'crimes without lawbreaking'.

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