Introduction

Without a doubt, mainstream media plays an important role in the analysis and dissemination of organized criminal activities. But the media also has a heavy hand in shaping the language and rhetoric used to understand (or misunderstand) what organized crime actually is and how it actually works (see Rawlinson, Chapter 19). The public’s perception of and reaction to organized crime is largely shaped by the media’s representation of it; this representation develops and is reinforced via a ‘linguistic authority structure’ – a framework for understanding how abstract concepts are transformed into specific definitions, first developed by J. G. A. Pollock (1973) and applied to the study of transnational organized crime by James Sheptycki. While an examination of how the understanding of transnational organized crime has developed is not the focus of this chapter, an important takeaway is that, at its core, the term ‘transnational organized crime’ and its practical application is arbitrary at best.

As Michael Woodiwiss (Woodiwiss 2003; Dickson-Gilmore and Woodiwiss 2008; Edward and Gill 2002) and others have repeatedly pointed out, the concept, definition and popular understanding of organized crime and, more recently, transnational organized crime has been skewed and misrepresented over and over again throughout the twentieth century (Baer and Chambliss 1997). Although the government, media and law enforcement all purport that transnational organized crime is the undertaking of centralized, hierarchical organizations, most of the evidence collected on this subject suggests a very different reality (Smith 1975). While this fact versus fiction realization is troubling for a number of reasons,¹ this chapter pursues an understanding of how the concept of transnational crime is misrepresented through the popular rhetoric employed by mainstream media.

The New Yorker and the Pink Panthers

The perpetuation of the myth of transnational crime as carried out by highly organized, centralized criminal organizations was creatively illustrated as recently as 2010 in a New Yorker article. Based on interviews with law enforcement agencies, David Samuels describes a crime syndicate that the International Criminal Police Organization (Interpol) and local law enforcement have labeled ‘The Pink Panthers.’ This alleged gang of jewelry thieves is believed to have first organized in Eastern
Europe and travels the world robbing high-end jewelry stores. According to Samuels and the police, a typical robbery looks like this:

On the day of the heist, [Nebojsa] Denic, posing as a customer, entered the Graff store wearing a suit and carrying an umbrella. An Elvis-style pompadour wig sat awkwardly on his head, but it did not alarm the clerks, who thought that he was a rock star in disguise or a wealthy man suffering from a disease. Denic asked to examine a twelve-carat diamond ring priced at four hundred and forty thousand dollars. ‘It’s too glamorous,’ he said, upon inspecting it. ‘Do you have a smaller one?’ Denic then pulled out a chrome-plated.357 Magnum, yelling, ‘Everyone on the floor!’ [Predrag] Vujosevic, who had just entered the store, smashed open several display cases with a hammer, pulled out a bag, and scooped up forty-seven pieces of diamond jewelry.

(Samuels 2010: 43)

The truth is, the robbery of high-end jewelry stores occurs with some regularity all over the world: Samuels describes heists in Dubai, Tokyo, London, Monaco and many other large cities where very wealthy people shop. Yet, on the basis of the fact that: (a) there are similar modus operandi among some of these robberies; and (b) those who have been arrested are disproportionately from the Balkans, Interpol, local police and Samuels have all concluded that the ‘Pink Panthers’ are a transnational organized crime gang with headquarters in Italy, Belgrade or Montenegro. In fact, however, there is no evidence to suggest that these robberies are centrally planned, financed or coordinated. No doubt professional thieves specializing in jewelry store robberies familiarize themselves with techniques used by other thieves and duplicate some of them (Chambliss and King 2004), but the truth is that each robbery employs unique methods, innovations and styles in addition to borrowing ideas from previous incidents.

Samuels’ thesis suggestively toes a particular line of thought about transnational criminal organizations. His article resolutely condones the idea of a ‘Pink Panthers’ association that specializes in the illegal retrieval and acquisition of very expensive items, especially high-end pieces of jewelry and gemstones. But many of the anecdotes and evidence Samuels provides could also be read to suggest that international law enforcement agencies have accorded high-end jewelry thieves admittance into a group that doesn’t actually exist; indeed, while the evidence Samuels presents verifies the existence of the Pink Panthers in the hearts and minds of law enforcement agents, none of it verifies any empirical reality.

International law enforcement agencies came up with the name ‘Pink Panthers’ following the discovery of some pieces of jewelry stolen during the 2003 Graff heist hidden in a jar of face cream, reminiscent of the famous Peter Sellars detective comedies called ‘The Pink Panther.’ The name initially referred to the robbery gang specifically responsible for the Graff heist in 2003, but after British detectives conferred with their Parisian counterparts, it was noted that ‘well-dressed criminals with strong Eastern European accents had pulled off some twenty robberies similar to the Graff heist’ in France as well (Samuels 2010: 44). On the basis of this information — that the jewelry store thieves they were seeking were well dressed and spoke with inflections native to a particular corner of the globe — officials concluded that criminals who fit this description must universally belong to an organized criminal entity.

The Pink Panthers are characterized as burglars who work together to steal from the wealthy and give to …. well, that part hasn’t been decided yet. The truth of the situation is that law enforcement officials know very little about this supposed organization, and base most of their conclusions on vague assumptions and indirect inferences about the nature and motive of these crimes. An official with Interpol’s ‘Pink Panther working group’ charged with investigating crimes believed to be perpetrated by the so-called Panthers, confided to Samuels that:
although fundamental questions about the Panther network remain unanswered, (I have) some preliminary ideas about where they sell their loot. ‘There is not one single place, or it would be too easy,’ Muhlberger said, then added, ‘There is a region called Kosovo. I won’t say more’.

(Samuels 2010: 46)

Samuels attempts to lend credence to his informant by noting that at a later date, ‘a Kosovar in possession of stolen diamonds had recently been arrested in New York’ (ibid.). The evidence that law enforcement officials believe supports their claims about an organized association of jewel thieves is weak and tangential; although the notion of the ‘Pink Panthers’ generates good press and decent funding for the police, the argument can be made that the perpetuation of the transnational organized crime myth actually hinders legal investigations by prioritizing trivial information and loose connections rather than the substance of available evidence (Sheptycki 2007).

When law enforcement officials employ lines of questioning that refer to a ‘Pink Panther’ organization, they rarely, if ever, reap useful knowledge. Detectives decry the lack of information offered about the ‘Pink Panthers,’ and Samuels notes that ‘none of its senior members have agreed to cooperate with the police. Seven years after the Graff heist, the exact nature of the Pink Panthers’ organization and operational structure remains a mystery’ (Samuels 2010: 44). Is it possible that the ‘senior members’ don’t know their titles, because they have been made up and assigned by law enforcement officials who have little to no knowledge about what actually happens with these crimes? Is it feasible that the ‘Pink Panther’ operational structure and organization remains a mystery because there IS NO operational structure – there is simply no organization to speak of?

Much of the anecdotal evidence Samuels offers is by way of interviews with police and other law enforcement officials, and suggests that the manner in which the nature and structure of the ‘Pink Panthers’ has been determined is through little more than contrived guesswork. Following the infamous April 17, 2007 Dubai heist in which $3.4 million worth of jewelry was stolen (after thieves drove black Audi sedans right into the middle of the lavish Wafi Mall), officials said that DNA evidence collected at the crime scene ‘allowed investigators to identify a group of eight Panthers – six from Serbia, one from Montenegro, and one from Bosnia’ (Samuels 2010: 45). But investigators didn’t say – or Samuels didn’t offer – how exactly it was determined that these thieves were part of the mythical Pink Panthers. Apparently, in order to be considered a ‘Pink Panther,’ one must simply: (a) be a jewel thief; (b) not dress like a homeless person during the heist; and (c) come from somewhere near Eastern Europe.

There are many details about the ‘Pink Panthers’ that remain at large, mostly because the information collected by investigators about this supposed organization is contradictory. The Belgian investigator reputed to be the world’s foremost expert on the Pink Panthers estimates that there are between 20 and 30 core members supported by ‘civilian’ facilitators across Europe that provide logistical assistance. But an individual with vague connections to the criminals asserts there are fewer than 60. Some law enforcement officials believe the ‘Pink Panthers’ are based in Italy, while others argue that their headquarters are in Montenegro or Bulgaria.

Still others who claim to have inside information about the Panthers told Samuels that the ‘higher ranks’ of the Panthers live in Scandinavian countries … but that ‘the diamond trafficking was directed mainly by criminals from Italy, Russia, Israel, and Holland’ (Samuels 2010: 57). Under oath, one suspect accused of being a Panther operative indicated that there ‘were people above him who gave orders, but he never mentioned their names’ (ibid.: 58). Another associate of the criminal underworld told Samuels that there was, in fact, no leadership at all.
There is a plethora of evidence in the Samuels article that suggests that the ‘organization’ known as the Pink Panthers is barely more than ‘a loose knit group that maintains logistical support throughout Europe’ (ibid.: 48). Another witness to some ‘operations’ describes his impression of how these heists actually transpire: “It was two guys on motorcycles.” He said that there was no single commander: “There is no brain. They think together” (ibid.: 49).

Another informant emphasized that there wasn’t even a loose criminal network that he knew of in Belgrade: “I am on my own” (ibid.: 57). Samuels himself describes the ‘dizzying’ organizational chart presented to him by European law enforcement that attempted to connect the dots between Panthers:

For example, the chart showed that a Serb named Dejan had wired money to a man calling himself Ranko Spahic, who was arrested in 2005 for involvement in six robberies in France. Spahic, in turn, used a cell phone that was connected, by an array of intersecting lines, to an Italian cell phone that had placed calls to the participants in the 2004 Tokyo heist. In an accompanying dossier, I noticed a name, Esko, that was linked to Rifat Hadziahmetovic – the Montenegrin suspect in the Dubai robbery. ‘Eski is the husband of Rifat’s sister,’ Cadiou explained. Pointing at a photo, he noted, ‘There’s the one who hid the jewels they stole in Tokyo in her cunt’.

(Ibid.: 47)

At best, the organization chart as described seems to show nothing more than a network between friends and relatives that shows how crimes could have been committed. In reality, most thieves operate in small groups that are self-contained for safety reasons. One informant told Samuels ‘Some are cousins … some are good friends’ (ibid.: 49). Other accomplices met through mutual acquaintances. It’s not beyond the realm of possibility that people who work in the same industry would know each other, or that small groups would form in pursuit of carrying out complex jewel heists like the ones that have been described. But to assume that these individuals and small gangs comprise a larger, organized, hierarchical criminal organization is a stretch.

While some informants have suggested the existence of an entity that matches clients with thieves, there is no reason to believe that this fabled entity resembles anything like what the Samuels article or international law enforcement officials posit actually is the structure of the ‘Pink Panthers.’ Rather, one informant told Samuels:

‘There is an organization, but it is not formal.’ He explained that though friends recommend friends for jobs, and nobody inside the circle knows everyone else, there is a central hierarchy that determines how jobs are set up – and who pays for expenses. He told me that the Tokyo heist cost about a hundred thousand dollars. The organizing syndicate, Daca said, determined who got to hold the goods, and where the money went.

(Ibid.: 57)

Perhaps Samuels’ most esteemed informant was a man Samuels identifies as an actual ‘Panther.’ The information he provides Samuels regarding the execution of crimes the Pink Panthers are known for bears little resemblance to the overarching organizational structure said to be characteristic of the group:

Some of the early tips for heist jobs came from a male model from the Balkans who lived in Antwerp and knew some Jewish diamond dealers there. His group also generated their own information. ‘We have our bird-watchers,’ he said, whistling a cheery tune. ‘We have guys
whose job it is to travel around and collect tips’ … The central authority over his group had a computer guy who scanned the registries of expensive items, like planes and boats. It also employed a technician who created devices for bypassing alarm systems.

(Ibid.: 61)

The organization this informant describes is internal to the small gang he worked with. Nowhere in the article is concrete evidence presented that suggests that all jewel thieves are connected to each other in any way. It is plausible and probably accurate that small gangs may operate in a structured, hierarchical manner; but to say that these small gangs of criminals and thieves are part of a larger transnational criminal organization is not an accurate summary of the evidence Samuels presents.

Identifying criminal associations by grouping together criminals who commit similar crimes by similar means is a risky law enforcement strategy. Not only does this practice hinder the ability of law enforcement to successfully investigate criminal activity, it more often than not also leads to the dissolution of civil liberties and the promotion of racism and xenophobia (Sheptycki 2003; Woodiwiss and Hobbs 2008). Although several references are made in the article to the army of supporters and facilitators throughout Western Europe who aid jewel thieves, law enforcement vehemently believes that the thieves themselves all come from the same region of the world. When Samuels himself inquired to Interpol administrators as to why its investigations about the Pink Panthers focused ‘on nationals of poor Balkan countries outside the European Union (EU), while largely ignoring Panther associates from EU countries who profited from the diamonds and watches,’ the administrator denied that ‘Interpol paid any attention to the national origin of the people it pursues’ (Samuels 2010: 60). Samuels himself notes: ‘The statement made little sense, however, given that Interpol’s Pink Panther working group specifically targets jewel thieves from the former Yugoslavia’ (ibid.).

This observation exposes the contrived nature of the law enforcement strategy into the Pink Panthers. While the motivations for perpetuating the myth about the group are many and varied, it is in the interests of law enforcement officials to make it seem as if they have a handle on these very expensive jewel heists. As Sheptycki (2007) and Woodiwiss (2003) have eloquently explained, fabricating the existence of a criminal organization that can be held responsible for crimes such as these weakens the perceived threat of the crime, and makes it seem as if there is a rational and logical strategy to eradicating the criminal network and, thus, the crime itself. This is beneficial for both law enforcement agencies seeking to claim victory over a complicated problem, and elected officials and policymakers with authority over law enforcement activities.

Samuels’ story is written with the assumption that the hierarchical criminal organization dubbed the Pink Panthers is a reality. The way he has presented his evidence in the article seems to support this idea. But taking the evidence out of context and reading between the lines paints a very different picture – one that forces a new consideration of the facts before sweeping generalizations about the nature of recent heists or the individuals who carry them out can be accepted. The evidence actually presented suggests that the organization of these jewel thieves, like 99.99 per cent of alleged criminal syndicates out there, should barely be considered ‘organized’ at all.

As of this writing, no arrests have been made in connection with the 2003 Graff jewel heist believed to be the work of the Panthers. The Graff store was again robbed in 2009 by a group of men helped by professional makeup artists to disguise their appearances. The thieves were caught and convicted (Tran 2010), but in no media reports was any suggestion made linking this event to the Pink Panthers. Why not? Like the alleged modus operandi of the Pink Panthers, these men were dressed well enough to be let into the store in the first place, used a variety of getaway cars and accomplices to carry out their plan, and were believed to ‘already have a market for the jewels’ (Edwards 2009). If there was something different about this crime that nullified the Panthers’ believed participation, it was not
shared in newspaper reports. Perhaps law enforcement is beginning to realize that engaging the same strategy does not necessarily translate into a vast criminal network of jewel thieves.

Power in numbers?

Misha Glenny’s 2008 book *Mafia* provides further evidence that compels academics to question the truth about the organization of transnational crime. Despite the misleading title, Glenny’s analysis discusses the great diversity of criminal activities presently underway around the world. In Bulgaria, he talks to car thieves. In Montenegro, he details the cigarette smuggling gambit. In Kazakhstan and other former Soviet territories, he describes the collusion between the state and criminals to profit off the caviar supply. He finds organized crime groups in Hungary who monopolize the natural gas supply there, and people in Israel willing to talk about the prevalence of money laundering and human trafficking in the country. Glenny keeps going—from ‘419’ telecom scams in Nigeria to British Columbia’s market share of the marijuana trade, he clearly illustrates the ubiquity of criminal activities that can be found on a global scale. In short, there is a lot of crime in the world. If the predominant ideology that dominates discussions about global crime truly believes overarching entities exist that coordinate various transnational criminal activities, all that is necessary is a simple consideration about how much crime there actually is for this logic to be questionable.

People in different places have different reasons for becoming involved in criminal activities, and it is ludicrous to assume that crime groups in the same region, let alone across the world, are engaged in the same activities for the same purposes—or even allow themselves to coordinate with each other. The very definition of what is criminal and what is not can drastically differ from one place to the next—economic sanctions, for example, impose limitations on the sometimes necessary goods and services that are available to people of certain countries, which in turn promotes the establishment of lucrative black markets there. There is no reason to believe that the illegal cigarette racket whose path is traced through Italy, the Balkans, and on through the rest of Eastern Europe is executed by a single criminal enterprise. It seems like everyone in Serbia had a hand in the cigarette trade, from unlikely civilians to seasoned criminals:

> Soon after the outbreak of war in the former Yugoslavia in 1991, little boys as young as six would sneak in and out of the restaurants in Zagreb, Belgrade, and Sarajevo, the wooden trays hanging from their necks neatly stacked with the best-quality Western cigarettes. On the sidewalks, old men with the craggy features born of a lifetime of committed puffing were positioned every twenty-five yards, offering Winston and Marlboro in cartons of ten-packs. *(Glenny 2008: 24)*

Criminal activities in places where the illegality of behaviors is politically imposed, such as in places where economic sanctions restrict the import of goods such as cigarettes, are sometimes taken up by entire cultures of people. In this sense, centrally organized transnational crime is not only highly unlikely, but nearly impossible.

Terrorism and the transnational organized crime concept

The organization of terrorist organizations is one of the most relevant and timely subjects related to discussions about transnational crime (Beare 2003; see also Makarenko, Chapter 15 and Gendron, Chapter 27 in this handbook). Recent evidence concerning the ‘War on Terror’ and specific terrorist organizations challenges the entrenched scenarios that are continually referred to in both
popular and scholarly literature and are fundamental to United States (US) counter-terrorism policies. It’s worth taking a moment to explore not only the reality of terrorist organizations, but also the theoretical irregularities that underpin the ‘War on Terror’ in general.

As noted, US and British policies written in response to terrorist attacks and threats have been widely criticized for broadening the power of law enforcement entities while limiting the civil liberties of people living in these countries. While these practical concerns are certainly relevant, there are serious inconsistencies in the fundamental ideas about who we are fighting and why. This is particularly troubling because these faulty semantics and ideological orientations have underscored the aggressive policies many Western democratic nations are adopting (Sheptycki 2003, 2007; Woodiwiss and Hobbs 2008). Many of these policies assume that there are unilateral aims, targets and goals of these groups. Even the word ‘terrorism’ is controversial in itself: many critics of the ‘War on Terror’ take issue with the semantic associations that underscore this ideological warfare. In 2006, George Lakoff pointed out:

Literal – not metaphorical – wars are conducted against armies of other nations. They end when the armies are defeated militarily and a peace treaty is signed. Terror is an emotional state. It is in us. It is not an army. And you can’t defeat it militarily and you can’t sign a peace treaty with it.

(Lakoff and Frisch 2006)

The vagueness of the word ‘terror’ and subjectivity of ‘terrorism’ have not prevented the law enforcement arms of nation states from executing a wholesale strike on various nongovernmental groups of people that fit their definition of what a terrorist organization is. What these law enforcement agencies fail to notice is the diversity in the objectives, strategies and ideologies that exist among terrorist groups.

It is increasingly recognized that there is a great deal of independence and autonomy within so-called terrorist networks. Perhaps the best example that shatters the myth about the nature of international terrorist organizations comes from al-Qaeda itself, possibly the most infamous terrorist group of them all. As Marc Sageman, a psychiatrist who has studied terrorist groups and networks for a number of years, puts it: al-Qaeda ‘is now just a loose label for a movement that seems to target the west. There is no umbrella organization. We like to create a mythical entity called [al-Qaeda] in our minds but that is not the reality we are dealing with’ (Blitz 2010). Some experts have suggested that, in recent years, ‘al-Qaeda’ has become more of a brand name than a single, identifiable entity. Jonathan Feiser writes:

In this regard, the key attribute of al-Qaeda’s role at the moment and of the future must rely on the illusive power of its manufactured symbolism. This characteristic rests on the empowerment gained from its Islamic message and the emotional appeal to universal brotherhood via the external process of jihad that rests on the success of a powerful propaganda campaign. These elements are essential to maintaining any true impression of al-Qaeda’s global power, both real and perceived.

(2004)

While many groups may stand beneath an al-Qaeda flag, they should not necessarily be considered to be under the direction of al-Qaeda’s central leadership, or even as affiliates of the group popularized by Osama bin Laden.

Many experts now point to the growing decentralization of leadership within the al-Qaeda organization, especially since the September 11, 2001 bombings of the World Trade Center in
New York. The loss of Afghanistan as a safe haven as well as of up to 70 per cent of its core leadership has crippled the abilities and influence of al-Qaeda’s ‘command cadre,’ also known as its ‘central staff’ or ‘hard core,’ to communicate with, manage, or financially provide for its army of soldiers. James Blitz writes that: ‘Although Mr. bin Laden still has huge ideological sway over some Muslim extremists, experts argue that al-Qaeda has fragmented over the years into a variety of disconnected regional movements that have little connection with each other’ (Blitz 2010).

The excessive amount of media coverage that suggests al-Qaeda is a solitary organization perpetuates the myth of a ‘global phantom’ (Feiser 2004) that has been, in the words of Feiser, ‘[l]egitimized by President George W. Bush’s declaration of war’ (ibid.). Feiser argues that, in reality, the limited autonomy given to regional groups by senior al-Qaeda leadership was a contentious issue within the organization, especially with respect to regional groups’ ability to pursue their own local interests. The decentralization and lackluster ability of al-Qaeda leadership to control these regional groups have resulted in a significant degree of independence and autonomy for locally-based factions, especially in places far from the al-Qaeda core such as Yemen, Somalia, Morocco and Algeria.

Al-Qaeda’s decentralization is no doubt in large part a response to the increased efforts of law enforcement officials to track down and arrest its members. Chris Dishman’s 2005 article suggests that the dawn of the Information Age, when ‘[s]peed, flexibility integration, and innovation became ingredients for success in the modern era’ (ibid.: 238), was both a catalyst for change as well as a necessary response to the increased efforts of law enforcement officials. Like any well-run business or government, al-Qaeda is necessarily keeping up with the times in order to be successful. Dishman argues that, like other entities, terrorist groups began to transform from rigidly structured, hierarchical organizations into what he describes as ‘networks’:

> Networks contain dispersed nodes – either cells or individuals – interconnected together by similar beliefs, ideology, doctrine, and goals. There is no central command, headquarters, or single leader. Cells communicate horizontally and rely extensively on technology to facilitate the heavy communication necessary for networks to carry out operations or tasks.
>
>(Ibid.: 239)

Although many experts still concede that there is an organizational core that retains the ability to carry out violent and successful terrorist attacks as well as remain in touch with regional affiliates, factionalism and decentralization have multiplied the number of groups who operate alongside al-Qaeda, but not necessarily as a part of al-Qaeda.

As an example of the transition the organizational structure al-Qaeda has taken, Feiser points to Iraq, where Abu Musab al-Zarqawi has executed an autonomous barrage of attacks against foreign military stationed there as well as Iraqi civilians. Counter to the purity and intolerance of bin Laden’s ideology and mandates, al-Zarqawi counts non-Sunnis and even non-Muslims among his ranks. In Feiser’s words, this is something bin Laden ‘would never have stood for’ (Feiser 2004), and represents not only a substantive break with the command core, but an exercise in the sovereignty of regional offshoots. What exists is not a single unified organization; it is rather, as Dishman suggests, a network of interconnected groups, each with their own strategies, goals and organizational structures.

**Responsible transnational organized crime reporting does exist**

There has been a more accurate portrayal of transnational organized crime in the recent media that also appeared in a recent issue of The New Yorker. Patrick Madden Keefe’s article about Monzer al-Kassar, one of the most prolific and infamous arms traffickers in the world, describes his
operation as a one-man show that was able to work covertly, flexibly and quickly for many years before his eventual arrest, trial and conviction of various crimes against the US.

Until June 2008, Kassar was a weapons trafficker living in Spain. Some of the business Kassar conducted was legitimate: he had supplied weapons to the US during the Iran-Contra conflict during the 1980s, and Spanish government officials even testified that Kassar had worked with them to collect sensitive information about the activities of suspected terrorist organizations. But at least a substantial portion of Kassar’s business operated illegitimately; he was a businessman whose policies were flexible enough that he was willing to violate international trade sanctions and supply various rogue and insurgent organizations with weapons, drugs and money – a 2003 report issued by the United Nations went so far as to label Kassar an ‘international embargo buster’ (Keefe 2010: 36). He was a man interested in making money, indifferent to the source of his profits. To Kassar, treaties, agreements and decrees were nothing more than figurative, intangible boundaries. If people needed weapons, Kassar would supply them; legitimate or illegitimate, everyone could be a customer if they had enough money and discretion.

Keefe’s article is somewhat of a laundry list of transgressions committed by Kassar: ‘fuelling conflicts in the Balkans and Somalia, procuring components of Chinese anti-ship cruise missiles for Iran, supplying the Iraqi Army on the eve of the US invasion in 2003, and using a private jet to spirit a billion dollars out of Iraq and into Lebanon for Saddam Hussein’ (Keefe 2010: 36). Kassar has strong ties to the man responsible for the Achille Lauro cruise ship in 1985, and is rumored to be behind numerous assassination attempts of his competitors and enemies. He was finally put behind bars after a lengthy and complex sting investigation caught him attempting to sell C-4 land-to-air explosives to Revolutionary Armed Forces of Columbia (FARC) representatives for the insurgent organization to use against the US.

Despite his role as a major power player on the black market, Kassar was still a public figure, even appearing with his wife on the cover of Paris Match magazine in 1985. This is the new image of the transnational criminal: a genuine, legitimate businessman who makes no distinctions between those he does business with. From state governments to the guerilla groups trying to take them down, Kassar – a single man running a multi-billion dollar business – would cater to them all. He had contracts with the US, as well as insurgent groups in Iraq; a mainstream family man, Monzer al-Kassar represents the modern reality of transnational organized crime.

This is how his operations worked. Kassar was a broker – truly nothing more than a middleman; this is where his power came from. Keefe describes the way a typical sale would be handled:

In setting up transactions, Kassar often acted as what is known as a ‘third-party broker.’ From his home in Spain, he could negotiate between a supplier in a second country and a buyer in a third. The weapons could then be shipped directly from the second country to the third, while his commission was wired to a bank in a fourth. Kassar never set foot in the countries where the crime transpired – and in Spain he had committed no crime.

(Keefe 2010: 39)

Neither Keefe nor the law enforcement officials who investigated and later arrested Kassar try to claim that he is the mastermind of a structured rogue organization – none of the evidence suggests the operation Kassar runs involves anyone other than himself. He was able to run his business without ever having to touch the goods he provided or the money that was his profit – he was an arranger, a communicator … a link on the network that connects nodes to each other. Arguably, the role that Kassar played is the most important in the study of transnational organized crime. The link between nodes is what keeps the global network of supply and demand functioning; without the links, the buyer cannot buy and the seller cannot sell.
The exception to the rule: La Cosa Nostra

There are exceptions to the myth of transnational organized crime, meaning that there do exist some criminal associations that are highly organized and bureaucratic, where the decision-making is centrally concentrated and subordinates execute activities. However, these groups are anomalies in the global underworld. While there are several arguments that can be made about why this is the case, an undeniable characteristic of these associations is their history. Groups like the Yamaguchi-gumi in Japan, La Cosa Nostra in Sicily and the ‘Ndrangheta of Calabria have been developing over hundreds of years, and networks of small-time criminals have eventually developed into centralized, hierarchical organizations. The extent to which these kinds of criminal enterprises exist is very limited, and as recent research shows, should be considered as a sort of cultural lifestyle rather than an exclusively criminal association.

Letizia Paoli’s book Mafia Brotherhoods (2003) provides substantive details about the organization of criminal organizations in Southern Italy, specifically La Cosa Nostra and the ‘Ndrangheta. Her investigations uncover the nature of the cosche associations internally, but more relevant in the context of this chapter are the ‘superordinate bodies of coordination’ that direct and coordinate the crime family as a whole.

The organizational makeup of La Cosa Nostra and ‘Ndrangheta crime families probably looks like this:

the Sicilian Cosa Nostra and the Calabrian ‘Ndrangheta are each constituted by about one hundred groups. Each consortium consists of at least 3,500 to 4,000 full members (and in the ‘Ndrangheta these probably exceed 5,000). However, a much larger circle of people cooperate more or less systematically with mafia members in criminal activities without being ritually initiated into the mafia association.

(Paoli 2003: 32)

The organization of the families that comprise La Cosa Nostra is highly bureaucratic, but as Paoli notes, is founded on the principles of direct democracy. The rappresentatne or capofamiglha as well as the chief’s principal advisors, the consiglieri, are elected by all the members of the family; in larger families, the head will select capi decina who are in charge of smaller units of men. The rappresentatne is elected annually, and can be removed or reprimanded at any time. While also organized, families of the ‘Ndrangheta in Calabria are organized in significantly different ways than their counterparts in Sicily. ‘Ndrangheta families are highly stratified, to a degree where, in the words of a former mafioso, ‘the affiliates with an inferior dote [rank] do not know anything, if not very vaguely, about the level superior to the one they belong to’ (ibid.: 47). This structure is enforced with the protection of the highest-ranking members in mind, especially from what they might describe as repressive state action. The internal structure and organization of Italian crime families in many ways mirrors the super-ordinate coordinating bodies that have been recently established. In both Calabria and Palermo, there is solid evidence for the reality of transnational organized criminal associations.

Paoli notes that former mafiosi who currently work with law enforcement have all emphasized that: ‘there has long been a sense of unity between the single families, a feeling that they formed part of a larger group’ (ibid.: 51). To explain where this sense of unity comes from, Paoli borrows some concepts from anthropology. She proposes that the critical feature that underlined the informal associations between crime families was the overt recognition of the group itself by groups that were similar to it both structurally and culturally. In Palermo, informal meetings between the highest-ranking members of each crime family coordinated activities within La Cosa Nostra.
In Calabria, there is evidence of the same patterns – Paoli recounts as if common knowledge the annual meeting of the ‘Ndrangheta locali chiefs near the Sanctuary of Our Lady of Polsi during the September Feast. A former member of the local mafia family recalls, ‘The different provinces were usually reciprocally independent in the sense that relations between them were maintained by the various capi provincia. These established a substantial, but informal link that – through their meetings – bound the various groups together in all the provinces’ (DeMauro 1962 in Paoli 2003: 52).

In fact, recent attempts to intentionally organize crime families and establish a central body of command in Sicily and Calabria would probably have been futile had it not been for the already existing sense of fraternity between crime families.

It was not until the last half of the twentieth century that La Cosa Nostra and later the ‘Ndrangheta established formal entities to direct the activities of associated crime families. The provincial commission established in 1950s Palermo was the model for the Sicily-wide coordinating entity established during the 1970s as well as the ‘Ndrangheta (now Cosa Nuova) coordinating council in the 1990s. Pasquale Barreca remarked on the significance of these institutions, which had ‘the authority of a true hierarchical superordinate power’ (ibid.: 61). These entities have the authority to mediate internal conflicts between families, regulate the use of violence, and even possess the power to suspend heads of families and name temporary replacements.

This sort of organized international criminal syndicate, though romanticized and idealized, is far from the norm. The characterization of the Southern Italian model of crime as the model for transnational organized crime was popularized through the work of the 1951 Kefauver Committee, even despite the fact that much of the evidence collected contradicted this very notion (Woodiwiss and Hobbs 2008). Academics such as Don Cressey (1969) substantiated the misinformation presented in the committee’s reports, and the media ‘now had a formula when writing about US organized crime’ (Woodiwiss and Hobbs 2008: 111). But Alan Block’s research (Block, 1999) into organized crime in New York City between 1930 and 1950 uncovered a criminal underworld full of autonomous individuals in simple pursuit of economic prosperity rather than the supposed national syndicate. Regardless, following the Kefauver Committee it became very convenient to discuss organized crime in the US as a centralized, identifiable conspiracy – but this misleading rhetoric has unfortunately become the dominant language we continually invoke to discuss issues of transnational crime.

Conclusion

Even the informal organization of mafia families in the past is more structured than the reality of most modern transnational crime operations. There is no evidence that suggests the jewel-thieving gangs that constitute the supposed Pink Panthers are aware of the existence of more than a few counterparts; in fact, all of the most reliable evidence suggests otherwise. The characterization of transnational organized crime as centralized, hierarchical entities not only undermines law enforcement strategies, but further confuses an already complex subject. As William Chambliss and Alan Block point out, the controversial Organized Crime Control Act that sought to dampen the threat of organized crime ushered in a stronger police presence, but also less accountable law enforcement strategies that have led to lax oversight or regulation (Chambliss and Block 1981). Legislating crime policy based on legends and assumptions has not had the effect government officials and the police had hoped for; R. T. Naylor notes that despite the potential as a weapon for law enforcement the Racketeer Influenced and Corrupt Organizations (RICO) statute was believed to have, ‘RICO failed to make much impact on the criminal marketplace not just because criminal organizations were so nefariously adaptable but because they were of so little importance to that marketplace’ (Naylor 2004: 14).
In June 2010, United Nations Secretary-General Ban Ki-moon convened a special session to discuss the recent ‘explosion of transnational organized crime’ (United Nations 2010). A report released by the United Nations Office on Drugs and Crime (UNODC) had suddenly revealed that ‘criminal groups were making billions of dollars annually from trafficking drugs, guns, people and natural resources, among other things, and how those massive profits enabled criminals to influence elections, politicians, and the military’ (ibid.). Calling for implementation of the Palermo Convention, whose protocols are thought to strengthen the tools for fighting and convicting transnational criminals, UNODC Executive Director Antonio Maria Costa argued ‘A piece of paper will not strike fear into the hearts of the mafia’ (ibid.). Mr. Costa is correct – but not even the fiercest crime-fighting policies will be successful if the problem of transnational organized crime is repeatedly misunderstood and misconstrued by our most trusted social institutions.

Notes
1 For several discussions on social panics as manufactured by the media, see Chambliss (2001), Baer and Chambliss (1997) and Woodiwiss and Hobbs (2008).
2 These are what James Sheptycki (2007) describes as the ‘double failure’ of transnational policing: as the rhetoric of transnational crime sets up a ‘good versus evil’ worldview, the increased capacity and power of law enforcement limits civil liberties while undermining its ability to effectively respond to transnational crime.

Bibliography


