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# Capturing Calabria? 'ndrangheta, corruption, and maladministration in local public institutions in Southern Italy

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## ABSTRACT

The 'ndrangheta is the collective name of mafia-type groups from Calabria, Italy. Some 'ndrangheta clans' ability to influence local public institutions has been based on personal connections, systemic corruption, electoral influence, hidden exchanges, blackmailing power, and 'elitarian handshakes'. Mafias have long-term interests in 'capturing' state's institutions to gain profits, impunity, and generally a dominant position in the resulting balance of power with the 'legitimate' state. In this paper, we will highlight the process of state capture at municipal level enabled by 'ndrangheta clans in Calabria, showing how the clans' influence-oriented policy formulation, implementation, and enforcement of rules over time.

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## 1. Introduction

When thefts occurred, the authority to whom one had to turn was the Mancuso family. Everyone knew that.

I suffered a theft of photographic material. I turned to the commander of the Carabinieri station of Nicotera. The marshal told me that instead of filing a complaint I should turn to Luigi Mancuso. As advised ... I met with Mancuso who told me not to worry, he would recover the goods. After about two hours Luigi came to my office ... and told me that the stolen goods were near the Prataioni crossroads ... I went there and found the goods.<sup>1</sup>

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These are the testimonies of two citizens of Nicotera, one of the municipalities analysed in this paper as examples of state capture at municipal level by 'ndrangheta families (the Calabrian mafia). The population recognises the Mancuso clan as the real 'authority' in the territory, identifying it as the ultimate guarantor of a peaceful resolution of any disputes. As an informal ruler, the boss extends his power to the protection of legal property rights, i.e. the basic activity ordinarily performed by the state's institutions. In this example, his intervention is incredibly effective, allowing a prompt recovery of the stolen goods. Even the authorities – the Carabinieri local station – acknowledges the overhanging enforcing power of the mafia clan, therefore abdicating to its role. In this example, the state's representatives seem to have willingly surrendered – at least in part and for the enforcement of legal property rights – to the alternative capturing authority of a 'ndrangheta family: *'for those governed, states' claims of a monopoly on the legitimate use of force ring hollow; for many quotidian issues, a local criminal organization is the relevant authority'*.<sup>2</sup>

In general terms, mafias operate in a wide time-horizon exploiting a reputational capital – based on diffused beliefs of their capability to enforce rules – eventually using violence – reaffirmed and sustained by a recognisable 'brand'. Consequently, they have a long-term interest in 'capturing' certain policy arenas within the state's institutions to gain profits or impunity, whilst trying to get a dominant position in their conflictual or negotiating interactions with the 'legitimate' state (or with other criminal groups). In this paper, we highlight the process of state capture pursued by 'ndrangheta clans at municipal level, showing how the clans' influence-oriented policy formulation and implementation, as well as the selection of decision-makers and the enforcement of rules. We first propose a theoretical re-framing of the concept of state capture by mafia-type groups; then we address the following research questions:

- (a) Which empirical indicators can be used to highlight the (power or profit) orientation of the 'ndrangheta's capturing strategies in their interactions with political-institutional counterparts in different policy arenas?
- (b) Which political, institutional, and administrative factors in municipal decision-making may influence an orientation of the 'ndrangheta towards 'capturing' strategies of violence/intimidation or corruption/collusion?
- (c) How such variables affect the resulting outcomes, in terms of 'balance of powers' between mafias and institutional actors in local policy formulation, implementation, and enforcement of rules at municipal level?

## 2. Understanding state capture by mafia-type groups

Any political system is vulnerable to abuses and manipulations based on endemic corruption, personal connections, and hidden influence. In certain forms of ‘institutional’<sup>3</sup> or ‘legal corruption’,<sup>4</sup> private payments may be formally licit, and even transparent – especially if the bending of rules allows a de-criminalization of such practices to the advantage of captors. The outcome is *‘a systemic and strategic influence, which is legal, (...) that undermines the institution’s effectiveness by diverting it from its purpose or weakening its ability to achieve its purpose’*.<sup>5</sup> In legal corruption, in fact, the elite (a coalition of public and private actors) endogenously utilizes the state apparatus as a regulatory and distributive mechanism to appropriate assets (rents, public services, etc.), which should be allocated to the population.<sup>6</sup>

Regimes that rely on liberal-democratic values and procedures make no exception. There is a wide array of scientific contributions aimed at conceptualizing the deliberate and systemic failure of state’s institutions – also due to criminal influences – to provide protection to citizens and/or policies aimed at fulfilling collective needs and demands: from mafia states<sup>7</sup> to neo-patrimonialism,<sup>8</sup> kleptocracy,<sup>9</sup> criminal-political nexus,<sup>10</sup> state-corporate crime,<sup>11</sup> failed states,<sup>12</sup> state-organized crime,<sup>13</sup> literature has coined various terms to analyze different manifestations of similar processes.

This multiplication of definitions has not facilitated a clear-cut conceptualization of similar and partly overlapping phenomena, as well as their operationalization. Besides the risk of conceptual stretching, however, a common ground is recognizable: the idea that, under certain conditions, oligarchic elites, cliques, and other restricted groups pursuing particularistic or even illicit aims are capable to *capture* state apparatus, influencing the functioning and effectiveness of decision-making processes, and undermining accountability mechanisms. The composition of such ‘capturing coalitions’ can take different forms (for example, hierarchical or network-like) and include both individuals already inside the state apparatus and others operating from the outside. Take, for instance, the case of hidden ‘political-institutional’ networks, which, through ‘organized’ corruption, manage to systematically alter regulatory activities and the allocation of public resources for their advantage.<sup>14</sup>

In this contribution, the concept of extra-legal governance mechanisms and organizations, performing functions of informal regulation and enforcement,<sup>15</sup> is applied to mafia-type groups to analyze empirical variations observable at local level in our case study: the ‘state capturing strategies’ adopted by the ‘ndrangheta in the Southern Italian region of Calabria, across the intersecting domains of politics, society, legal, and illegal markets. As we will show, in those contexts, a criminal governance has partly replaced the state’s functions of ensuring basic social order, property-rights, and

dispute resolution,<sup>16</sup> whilst pursuing objectives of power and profit through a capturing, pervasive influence over specific policy arenas.

### **2.1. Theoretical background on state capture**

In the last decades, the concept of state capture has become the analytical focus in a growing field of research, paralleling the social alarm of a perceived growth of such practices all over the world. In general terms, attention has grown towards the capability of certain private actors (corporations, lobbies, etc.) to shape *'the formation of the basic rules of the game (i.e. laws, rules, decrees and regulations) through illicit and non-transparent private payments to public official'*.<sup>17</sup> The notion of a hidden and unaccountable influence over 'basic rulemaking' is the core of state capture.

David-Barrett<sup>18</sup> extends to three pillars the spectrum of activities conceptualized as state capture and includes – besides laws and other regulation – also policies and their implementation, as well as the effectiveness of accountability institutions: *'it is a type of systematic corruption whereby narrow interest groups take control of the institutions and processes through which public policy is made, directing public policy away from the public interest and instead shaping it to serve their own interests'*. State capture, in this perspective, includes the hidden influence of particularistic interests, which can distort the political process of definition of the 'public interest' itself, the selection of decision-makers, and, consequently, the output and impact of virtually any public policy.

As Fazekas and Toth<sup>19</sup> observe, there is a conceptual difference between other forms of 'grand corruption' and state capture, since only in the latter institutionalized grand corruption is:

clustered on certain public organizations that cease to serve public goals and instead are used for the captor group's own objectives (...) Clusters of high-corruption transactions can arise both at the level of an individual organization, implying that it is only that particular organization that is captured (local capture), and at the level of multiple organizations, implying that there is a larger part of the public sector captured. (global capture)

In our theoretical framework, we consider the potential 'multi-level' nature of state capture as a relevant variable to understand differences in mafia capturing strategies and outcomes. Considering different levels of government, we focus on the lowest – and presumably easier to capture municipalities.

### **2.2. State capture by mafia-type criminal groups: a theoretical framework**

Organized crime and mafia-type groups can be among the 'external actors' involved in state capture activities. For the purposes of this

study, mafias can be characterized as criminal organizations which try to accumulate profits through illicit means while also striving for control of territories and markets where they sell private protection in informal and illegal exchanges.<sup>20</sup> Mafias are power as well as profit oriented:<sup>21</sup> violence and intimidation, but also reputation, intelligence gathering, secrecy, and social capital, can be considered as 'inputs' in the supply of 'criminally privatized' security.<sup>22</sup> A recognized 'good name' as a reliable provider of criminal governance – attached to the 'ndrangheta organisation, as well as individually to its most renowned bosses – is a particularly valuable asset: *'the most striking feature of a mafioso's reputation is that it saves directly on production costs. (...) The more robust the reputation of the a protection firm, the less the need to have recourse to the resources that support that reputation'*.<sup>23</sup> This distinction is also underscored by Varese,<sup>24</sup> who highlights that mafia-type groups are not merely engaged in illegal transactions, but aim to regulate those markets, by providing services such as dispute resolution and enforcement of corruption or cartel agreements, i.e. governance of extra-legal deals and criminal activities.

The focus of this study is the 'ndrangheta, which is the collective name of mafia-type groups<sup>25</sup> which originated in Calabria, Italy.<sup>26</sup> In key historical moments the 'ndrangheta has been able to act as a hierarchical and unitary organisation, especially in relation to strategic decisions that could have impacted its very existence and resilience. Most of the time, though, the 'ndrangheta appears with its most local and basic organisational unit, the 'ndrina, the clan, which enjoys a high degree of autonomy, especially for what concerns business decisions and local impact. Some 'ndrangheta clans, often appearing as families, are successful drug importers while maintaining control of territory through intimidation, extortion, and reputation as violent enforcers in their places of origin.<sup>27</sup> In other terms, their criminal governance – i.e. power to impose and enforce rules and restrictions on behaviour – besides members of the organisation and other actors operating in illicit markets covers the local community.<sup>28</sup> As suppliers of private protection deeply rooted in specific Calabrian territories, and in political and economic markets, they regularly interact with institutional actors through violence or corruption. They may adopt intimidating or collusive strategies but also act alongside institutional actors as concurrent providers of governance and protection.<sup>29</sup> Similarly to other mafias, they operate in the 'shadow of the state',<sup>30</sup> as extra-legal governance organizations providing semi-governmental functions of dispute resolution and third-party enforcement of informal rules and deals. Following Barzel's<sup>31</sup> approach:

Criminal organizations operate side by side with legitimate states. Although the legitimate state is necessarily more powerful than the criminal one, their powers are in balance; at equilibrium, the former does not find it worthwhile to eliminate the latter. The boundaries between their jurisdictions, like all boundaries, are never well delineated.

Any 'balance of power' between institutional actors and mafia-type groups, however, tends to reflect unstable equilibria, especially at the local level: state capture strategies by mafia-type groups aim precisely at altering such equilibria, *'by blurring lines between political and economic power and building links among elites that lock them into a collusive process'*.<sup>32</sup> Usually corrupt political-institutional actors retain negotiation power with their criminal counterparts within 'capturing coalitions' or networks, which can be characterized – due to their repetition and mutuality – as alliances or as a stable 'nexus'.<sup>33</sup> In the extreme case, the process of state capture by mafias may generate an overarching dominance of the latter over the public administration.

Mafias have a wide time-horizon, a 'recognizable brand' and reputational capital to affirm and sustain in their criminal governance activities.<sup>34</sup> As providers of private protection, imposing rules and restrictions on behaviour, regulating social – and illicit – activities they have a robust interest in 'capturing' the output of public decision-making at different national/regional or municipal levels. This depends on who is involved and on the scale of activity, that is whether the whole organisation is involved for larger scale 'capturing', or its local unit, the clan, for lower-level capturing. They aim at gaining not only profits but also impunity, and more generally a dominant position in the resulting balance of power with the 'legitimate' state, as competitive, concurrent, or alternative (and coexistent) providers of protection. Mafias are frequently involved in corruption since, as Reuter<sup>35</sup> noticed, the high 'fixed costs' and the significant expected benefit of bribery generates 'economies of scale' in illegal markets. Corrupt exchanges are an alternative to violence, as exemplified by the 'plata o plomo' paradigm used to explain Colombian drug cartels' approach, and more generally the process of 'criminal lobbying' and state capture.<sup>36</sup> Indicators of the adoption of 'capturing strategies', in fact, are: mafias' systematic and 'institutionalized' recourse to corruption; criminal reputation; violence; intimidation, and interferences with the political and electoral process. When successful, these strategies guarantee mafia-type groups the power to dispute, coexist with, and potentially counter-balance, at least locally, the 'legitimate' monopoly of violence of the Weberian state.

### **2.3. State capture by mafia-type criminal groups: a typology**

The concept of state capture by mafia-type groups is 'unpacked' in [Table 1](#) using a typology. Two variables may shape its institutional context and

**Table 1.** State capture by mafia-type groups: a typology.

		Mafia group's capturing strategies	
		Power-oriented	Profit-oriented
<i>Level of government target of capturing strategies</i>	State/regional level	<b>Mafia organization capture</b>	<b>Mafia lobby capture</b>
	Municipal level	<b>Mafia clan capture</b>	<b>Mafia enterprise capture</b>

content: (a) the level of government, national/regional, or municipal, which is the main *target* of the mafia-type groups'– capturing strategies – operating either as a whole organization or as a local clan; (b) the prevailing *orientation* of the mafia-type group's capturing strategies – power or profit driven. We therefore place greater importance on the difference between *strategies* of state capture and *perfection* of state capture, i.e. the outcome of the process.

When a mafia-type group has a power-oriented approach, it affirms its capability to provide extra-legal governance services (occasionally requiring intimidation and coercion) in territories and markets where the state is already exercising a 'legitimate' – in Weberian terms – monopoly of violence, competing with or prohibiting (as in illegal markets) mafias' supply of private protection. Power-driven mafia groups, in fact, may affirm and expand the range of their criminal governance also for political, 'ethical' and ideological reasons, however instrumental to rent extraction, self-protection, political leverage, reduced exposure to policing and repression.<sup>37</sup> Mafia-type groups thus have an existential need to undermine the state's capability to effectively fight and defeat them, as well as to deter potential criminal competitors. In other words, they have a strategic interest to capture specific public decision-making arenas and processes, orienting them towards the fulfilment of their aims, i.e. increased guarantee of impunity and attractiveness as alternative providers of private protection. Also, in this scenario the mafia groups' objective, in fact, is not to subvert the state's institutions, even when using violent means, but to 'keep them off their back',<sup>38</sup> Strategies of systemic corruption, electoral influence, collusion (and eventually also intimidation and violence) can be adopted in different arenas and phases of interaction with institutional actors.

At a national/regional level, a mafia organization clearly has a direct interest in weakening or dismantling the state's enforcement mechanism, inducing compliance or subjugating the state's decision-makers, exceptionally also trying *subverting* institutional equilibria (*mafia organization capture*). The corresponding capturing strategies may include systemic corruption and vote-buying; intimidation or assassination of institutional actors (e.g. judges; high-profile politicians); appointment or election of colluded actors for crucial public roles; obtaining favorable reforms of criminal laws and



regulations or vetoing unfavorable ones; active involvement in terrorism or subversive plots. For example, what emerges in trials in Sicily, dubbed 'la trattativa', and in Calabria, dubbed 'ndrangheta stragista', is that members of Cosa nostra and of the 'ndrangheta met and coordinated in the 1990s to initiate a strategy of political violence. Through terrorist-like attacks towards law enforcement, institutional actors, and citizens, mafia organizations aimed at delegitimizing and weakening political and party actors who had 'betrayed' previous agreements, preparing the soil for a new favorable political equilibrium with emerging ones.<sup>39</sup>

Any mafia-type group adopting a profit-seeking approach in their interactions with national or regional institutions has an interest in the capture of public decision-making, regularly intercepting public resources to get illicit gains and other advantages. The target of a mafia-like organisation's capturing strategies is national/regional political and bureaucratic arenas where institutional actors can generate long-term opportunities: take, for instance, the programming of relevant infrastructural interventions and public works, the allocation of extra-funds to specific territories, the destination of public investments in sectors where mafia has an economic interest. Like a lobby, the mafia organization can then 'pressure' high-profile decision-makers (*mafia lobby capture*), combining the 'carrot' of corruption, mafia-controlled vote blocs, irregular political financing on the one side, and the 'stick' of menaces and intimidation on the other side. As an example, we may take the 'ndrangheta's interest (and realisation of such interests) in the realization of the motorway Salerno-Reggio Calabria, as detailed at the trial Arca in mid-1990s, and of the port of Gioia Tauro, as detailed already since the so-called 'Trial of the Sixty' in 1979.<sup>40</sup> In these cases, a consortium of clans worked in a coordinated manner to overtake the works. Additionally, we can also recollect historical and current appetites of 'ndrangheta clans – together with Cosa nostra – in the project (first imagined in the 1960s and heading to design and project phases only recently) of the bridge between Calabria and Sicily, over the Strait.<sup>41</sup>

Typically, an organisational mafia unit's target is a level of local government whose sphere of formal authority tends to overlap with its informal 'jurisdiction', its territory (*mafia clan capture*): municipalities are the object of our Calabrian case-study. In Italy, municipalities exercise a variety of functions. In policy *formulation*, decision-makers at the municipal level manage the general organisation of administration; control financial and accounting decisions; plan and organise public services of general interest; strategise urban planning and land zoning. In policy *implementation*, they provide public transport, waste collection, social services, school buildings, population registers, local tax collection. In the enforcement of rules, they handle the operation of municipal police, as well as of other administrative control on economic and social activities.<sup>42</sup>

Any power-oriented mafia *clan* [as units of the mafia organization] nurtures an interest in destabilising the capability of decentralized branches of the state to provide public services, public order, and control on its territory. Besides increasing its expectations of impunity, here the mafia clan aims at undermining the effectiveness of municipal administration. Mistrust in the capabilities (and integrity) of local political and managerial classes, in fact, tends to increase prestige, authority, and demands for alternative services of private protection offered by the mafia group. Capturing strategies, in this scenario, may target local policies formulation, implementation, and enforcement, including systemic corruption (as well as violent intimidation) of local police officials, politicians, and high-profile functionaries; selective allocation of clan's controlled electoral consent to reliable political counterparts; appointment of mafia affiliates or their relatives in crucial public roles; the endorsement and nurturing of any malfunctioning of the local bureaucracy. Violence can be quite effective in discouraging political competitors or inducing compliance in public actors, due to the proximity with the mafia clan's sources of actual power and reputation, inducing situational intimidation.<sup>43</sup> In extreme cases, also local activists or journalists can be intimidated or even assassinated, to dismantle social accountability mechanisms.

The local-level control of mafia-type groups can become determinant to gain illicit profits from any area and phase of the municipal decision-making where profits can be generated (*mafia enterprise capture*): public contracts; land-zoning and urban planning; subsidies and public housing; concessions; commercial licenses; waste collection; private construction; etc.<sup>44</sup> Capturing strategies may occasionally include intimidation, but the menace of violence is generally 'replaced' by a less costly (and recognizable) recourse to the hidden influence of reputational asset, corruption, and collusive strategies.<sup>45</sup> Local public servants and politicians can be constantly 'at disposal' of the clan, regularly bribed or subjugated; they can be affiliates of the criminal group; or they can find themselves as candidates in a list having the mafia clan's endorsement; or elected thanks to the mafia clan's influenced votes. The criminal grip on policy *formulation* and *enforcement* of rules may then become less pervasive, while mafia clan's 'entrepreneurial' interests focus mainly on the policy *implementation* phase – and allocation of public resources.

The four ideal-typical models of state capture by mafia-type groups can help distinguish the institutional and social factors, which may influence any perfected outcomes – more or less successful – of the criminal strategies. Obviously, the same mafia clan or organization can pursue different power and profit-oriented goals, thus 'mixed' capture strategies can partly overlap along a continuum, with different balances of power in the collusive nexus between criminal and institutional actors. Potential tensions can emerge with a trade-off between different capturing strategies. For instance, *mafia*

*enterprise capture* requires a certain degree of effectiveness of local bureaucracies to allocate valuable public resources intercepted by criminal enterprises; on the contrary, *mafia clan capture* would instead favour a more 'disruptive' approach, since to de-legitimize a 'jammed' local bureaucracy and impotent political power allows the alternative mafia clan's authority to 'reign' solitary in that territory.

We adapt David-Barrett's<sup>46</sup> classification of three pillars of state capture to the municipal level, by distinguishing three decision-making arenas targeted by mafia clans' criminal capture: *policy formulation* (e.g. electoral competition, regulation, political programming, etc.); *policy implementation* (e.g. allocation of resources, public procurement, hiring of personnel, delivery of public services, etc.); *public accountability and enforcement of rules* (e.g. municipal police operation; media supervision, civil society mobilisation, etc.). [Table 2](#) provides a synthesis of the corresponding mechanisms and expected outcomes: the latter will tend to diverge, depending on the mafia clan's adoption of (mostly) power or profit-oriented strategies.

In the following sections, we will apply this theoretical framework to state capture by 'ndrangheta (clans and organization) in Calabria. We'll focus on the two dimensions of *municipal level* mafia's involvement for which empirical data is available. Traditionally, the clans' ability to influence public institutions in Calabria has been largely based on violence and intimidation, but also on personal connections, systemic corruption, electoral influence, hidden exchanges, blackmailing power, and 'elitarian handshakes', e.g. masonic ties.<sup>47</sup> While the 'ndrangheta clans are mostly non-violent today – and although they possess weapons, they can't be said to act as armed groups – their past violence constitutes a reputational capital, as much as it acts as an echo and a reserve that still intimidates.

### 3. Methods

This paper bases its empirical inquiry on two sets of documents. On the one hand, we have collected and analyzed for content the administrative decrees for the dissolution of municipalities – more precisely, of its political bodies (the mayor, its executive and the municipal council) – after an independent commission has assessed the risks of mafia infiltration. These proceedings are underpinned by Law-Decree No. 164 of 31 May 1991, titled 'Urgent measures for the dissolution of municipal and provincial councils and of the bodies of other local authorities as a result of mafia-type infiltration and conditioning phenomena', then converted into Law No. 221 of 22 July 1991, which introduced Article 15-bis into Law No. 55 of 19 March 1990, entitled 'New provisions for the prevention of mafia-type delinquency and other serious forms of manifestation of social dangerousness'. Mafia *infiltration* is the 'administrative' term to define any attempt of a criminal organization to assume control



Table 2. Potential 'mafia-captured' decision-making processes at municipal level and corresponding outcomes.

Policy arenas	Outcomes of capturing strategies	
	<i>Decision-making processes targeted by captor mafia clans</i>	<i>Mafia enterprise (profit-oriented)</i>
Political programming and policy formulation	<ul style="list-style-type: none"> <li>Electoral process</li> <li>Political programming.</li> <li>Local regulation (e.g. trade regulation, land zoning, urban planning, etc.).</li> <li>Budgetary allocation of resources</li> </ul>	<ul style="list-style-type: none"> <li>Electoral consent to colluded politician addressed by the mafia clan:</li> <li>Corruption of politicians/high-level bureaucrats.</li> <li>Regulation of economic and social activities functional to the interests of the mafia companies.</li> <li>Allocation of budget in sectors where public spending is expected to provide higher illicit profits to mafia companies</li> </ul>
	<ul style="list-style-type: none"> <li>Public works.</li> <li>Public contracts.</li> <li>Licenses, concessions; subsidies.</li> <li>Public services (garbage collection, school, housing, water supply, social services etc.);</li> <li>Local tax collection.</li> <li>Hiring and promotion of public servants</li> </ul>	<ul style="list-style-type: none"> <li>Selective allocation of administrative resources to sectors where mafiosi or mafia companies have interests at stake.</li> <li>Contracts for public works, furniture, and services awarded (without tenders or competition) to mafia companies or to companies protected by the mafia clan.</li> <li>Violent intimidation of companies or economic operators competing with mafia companies.</li> <li>Corruption/collusion of public servants.</li> </ul>
Policy implementation	<ul style="list-style-type: none"> <li>Public works.</li> <li>Public contracts.</li> <li>Licenses, concessions; subsidies.</li> <li>Public services (garbage collection, school, housing, water supply, social services etc.);</li> <li>Local tax collection.</li> <li>Hiring and promotion of public servants</li> </ul>	<ul style="list-style-type: none"> <li>Ineffectiveness of the administrative system, up to semi-paralysis.</li> <li>Selective allocation of specific public services and benefits (contracts, subsidies, council houses, etc.) to mafia affiliates or protected individuals/companies.</li> <li>Incapability to collect taxes.</li> <li>Hiring and promotion in public roles of (not qualified) mafia members, their relatives, or colluded public servants.</li> </ul>
	<ul style="list-style-type: none"> <li>Municipal police activity of enforcement and control.</li> <li>Municipal inspection activities.</li> <li>Local media control</li> <li>ONG/civil society oversight</li> </ul>	<ul style="list-style-type: none"> <li>Corruption of municipal police and public functionaries to undermine controls of mafia's economic interests</li> <li>Collusion or corruption of local media.</li> </ul>
Enforcement of rules and public accountability	<ul style="list-style-type: none"> <li>Undermining or violent deterrence against municipal police's operation.</li> <li>Weakening or absence of administrative inspections and control, due to criminal embeddedness within bureaucracy or intimidation of public servants.</li> <li>Tolerance towards offences, irregularities, abuses (e.g. unauthorised building).</li> <li>Violent intimidation to discourage local media reporting or civil society mobilisation</li> </ul>	

of a public (e.g. a municipality) or private (e.g. a company) organization. As such, it can refer to different phases of more or less successful and enduring mafia capturing strategies.

Among the many proceedings, we selected only those for Calabria, between 1991 and 2023, for a total of 134 proceedings, and eventually only analyzed those municipalities which were three times subjected to the dissolution, for a total of 11 municipalities (with varying population numbers) and 33 proceedings – see [Table 3](#).

Selecting only those municipalities which were dissolved three times for our sample helps us to minimize the known problems with these proceedings. In fact, as Mete<sup>48</sup> has already noticed, these proceedings are highly political, in the sense that Italian governments have shown different approaches to them and have ‘used’ them also with political intent. Moreover, the *‘emergency genesis of the legislation is at the origin of both the wide discretion given to the executive and the limited defense powers the administrations under investigation’*,<sup>49</sup> which affects small municipalities the most. The fact that these proceedings often start (and end) because of other problems (beyond mafia infiltration) of compromised public administrations (i.e. the financial breakdown of public accounts and/or the incapability to provide basic public services) has made this too very adaptable to executive decisions but also *‘discontinuous and not always effective on the political and administrative systems’*.<sup>50</sup> However, this continuous adaptability also means that often the situation that has been examined by independent commissions investigating municipalities for risks of mafia infiltration, is one of weak administrations where pre-existing cartel agreements and other covert exchange networks, including local administrators, already operated. Mafia actors in these cases fit into an already consolidated fabric of informal and illicit relations and corrupt exchanges.<sup>51</sup>

Considering these limits, selecting Calabrian municipalities that have been dissolved three times allows us to meet two criteria for our research design: first, this selection, at the same time, reminds us of issues with the effectiveness of the measure overall, as well as of the likely pervasiveness and endurance of mafia infiltration, thus of enduring state capturing strategies. Second, this selection allows us to monitor changes in state capture mechanisms, if any through time, and include considerations on the discretionary nature of this policy in addressing problems that are only tangent to mafia capture. In other words, by focusing on those municipalities, we manage to both keep in mind the limitations of the tool while also admitting that mafia capturing strategies in those municipalities are more likely to be a concrete issue. Additionally, we have collected and analyzed for content some of the key antimafia judiciary investigations (for a total of 9) that drove the administrative tool of dissolutions: antimafia judiciary investigations, in fact, contain

**Table 3.** Municipalities thrice dissolved for mafia infiltration in Calabria.

MUNICIPALITY	APPROX. POPULATION	1	2	3
Taurianova (T)	15,500	1991	2009	2013
Lamezia Terme (LT)	71,000	1991	2002	2017
Melito di Porto Salvo (MPS)	11,000	1991	1996	2013
Rosarno (R)	14,000	1992	2008	2021
San Ferdinando (SF)	4,000	1992	2009	2014
Gioia Tauro (GT)	20,000	1993	2008	2017
Roccaforte del Greco (RG)	350	1996	2003	2011
Briatico (B)	4,000	2003	2012	2018
Africo (A)	2,500	2003	2014	2019
Nicotera (N)	6,000	2005	2010	2016
Plati (P)	3,500	2006	2012	2018

more details on how the mafia clan (allegedly) adopted strategies for the capture of political and administrative processes from a perspective of criminal conducts and law, rather than policy and administrative requirements.

## 4. Empirical evidence on local state capture by 'ndrangheta clans

### 4.1. The first wave of captured local administrations: the clan's dominance

The approval and application of the law on the dissolution of municipalities for mafia infiltration and conditioning represented an 'exogenous shock' for criminal groups. The first wave of dissolution (happening mostly in the 1990s, but in a few cases in the 2000s) provides a snapshot of the situation at the time, which appears closer to the mafia *clan capture* model outlined in the theoretical framework.

All municipal structures are devoid of administrative capacity, deeply inefficient or paralyzed. For example, in a well-known 'ndrangheta stronghold, Plati, there is *'evidence of inefficiency and poor quality of administrative activity, ... due to the deficiencies of the undersized organisational structure ... , as well as the lack of personnel in areas such as production activities and taxation'* (P1). Similar situation in San Ferdinando.

The management of public services is seriously compromised by the climate of malaise that invests the municipal council of San Ferdinando and its executive bodies to the detriment of the efficiency of the services to be provided. Emblematic is the school buildings situation, seriously deteriorated ... and a total inefficiency of services ... degraded due to favouritism, abuses and maladministration. (SF1)

It is interesting to note that at the time of their first dissolution Gioia Tauro, San Ferdinando and Rosarno – the municipalities around the port of Gioia

Tauro – came under incisive scrutiny precisely because of mafia infiltration into the affairs of the port. As reminded by the Tribunal:<sup>52</sup>

In the affair of the 'Gioia Tauro Port', the mafia organizations of the Gioia Tauro flatland [Gioia Tauro, Rosarno and San Ferdinando] have coagulated, a fact which is already significant (...) one of the 'social reasons' of the associations has been a mega extortion regarding a multinational and in relation to one of the most important investments of the Italian State, and of the European Community. An extortion that came to touch the 'jewel' constituted by the Gioia Tauro Port and that, due to complex transitive effects, put the highest management and the Italian State itself in turmoil.

The almost complete breakdown of the administration is not an isolated mechanism in this case, and overall, it becomes a clear indicator of a successful *clan capture* of the local municipality. The deep-rooted ineffectiveness of the local state bureaucracy activates a 'positive feedback' mechanism since it is both a facilitating factor and an outcome of the criminal influence over political and bureaucratic decision-making. As exemplified in our smallest village, Roccaforte del Greco, there is *'an atmosphere of fear permeates the social context, as demonstrated by an exasperated code of silence observed in the municipality, whose administration assumed ... a tacit acquiescence limiting its operational activity to a minimum'* (RG1).

More specifically, the municipal apparatus appears incapable of:

- (a) collecting local taxes (thus draining financial resources).
- (b) exercising a function of control over offences, irregularities, and abuses (i.e. unauthorised building).
- (c) delivering public services in crucial sectors.

In a nutshell, these municipalities lack policy formulation, policy implementation, and enforcement capabilities. With reference to (a) the case of Roccaforte is emblematic: *The oppressive climate of tension has led to an almost total paralysis of administrative activity. Although the municipality was in a state of a state of financial collapse, no citizen has ever paid either the connection fee to the water supply, nor the fees for the collection of solid urban waste'* (RG1). But the situation is not better in larger municipalities:

The serious administrative disorder of the Municipality, with a management lacking directives and a confused distribution of tasks, totally fails to fulfil the needs of the community. The blatant disorganisation and inefficiency of the system of tax collection is matched by the extremely high evasion of municipal taxes and drinking water fees, a sign of widespread illegality and general disregard for the most elementary regulatory precepts, from which both politicians and public servants are not exempt, as well as numerous mafiosi. (N1)

As for point (b) in a medium-sized municipality the construction sector appears severely compromised: *'the current commander of the municipal police [was arrested for] the illegitimate granting of various licences and building permits ... to firms linked to the Piromalli clan and, in particular to the firm of S.F., daughter of boss S.G., and to the firm of G S., well-known front man of the Stillitano clan' (GT1).*

As for point (c) larger municipalities appear in a compromised situation: *'services provided by the Municipality suffer from absolute operational paralysis that does not allow even their minimal management' (GT1).* At times, this situation is defined also as indifference: *'The administration is indifferent to the concrete demands of the community, in the health and social sectors. Basic public services, such as the distribution of drinking water and the garbage collection, are inhibited by a lack of functionality. Public security is also seriously affected' (MPS1)*

Scarce state-funded public spending and bureaucratic resources are selectively addressed to the most potentially lucrative sectors of public intervention – contracts for key services, town planning, subsidies, social housing, waste. Companies owned or protected by mafia affiliates share the tenders and other public benefits. Emblematic is the case of Gioia Tauro.

The owners of firms to whom the municipality of Gioia Tauro repeatedly awarded contracts - between 1983 and 1991 - are for the most part related to each other, and directly or indirectly connected with the Piromalli clan. Investigations highlighted also links and connivance with the powerful clan Piromalli-Mole'-Stillitano not only of the mayor, but also of numerous other municipal councillors. (GT1)

At times, the influence over certain sectors appears more nuanced and less direct: *"[The delay] in the approval of the general land use plan seems to imply a preordained will, to preserve a decision-making power that allowed favouritism ... Some variants to the aforementioned master plan advantaged individuals linked to the local criminal clan (B1).*

The procedures used are tailored to ensure the absence of real competition, direct assignment, and the non-application of anti-mafia safeguards:

The administration, through the splitting of contracts, allowed a direct awarding and private negotiation instead of a single public evidence procedure. ... This is the case of the municipal waste collection service, directly awarded since 2001 to a company that won a public tender, the following year, in which only the same company took part, offering a discount of 0.1%. The delay (more than one year) of the administration in the request of anti-mafia documentation demonstrates anomalous interference in the decision-making, even considering that, after the revocation of the aforesaid contract (due to anti-mafia



interdiction of the owner), the service was awarded to a company in which a relative of the first contractor was employed. (N1)

In Nicotera, we find that the mafia clan has a specific *modus operandi* in those years, as detailed at trial.<sup>53</sup>

by means of threats, including those that were also vulgar, and the use of the Mancuso surname and violence consisting in beatings, they forced D.C to pay sums of money in relation to the profits derived from his business activities and to be gain similar payments by other partners; finally, they forced D.C. to communicate in advance the need for work and sub-contracts and to enter into the relevant contracts with contractors imposed by them, thus procuring an unfair profit, corresponding to the amount of the sums handed over by the offended persons and at least part of the profits derived from his business activities.

'Ndrangheta clans' penetration into local municipalities, in all the cases examined, follows a strategy of direct occupation of key political-administrative roles. This is achieved on the one side through their influence on the formation of lists, selection of candidates, distribution of votes, and agreements among councillors, i.e. manipulating the relevant outcomes of the political process; on the other, addressing the exercise of political power at the local level towards a 'clientelistic' allocation of benefits or nepotistic selection of bureaucratic personnel, to the advantage of 'ndrangheta members. For example, family ties are blatant even in bigger municipalities:

Mayor of the municipality of Taurianova is Mrs O. M., sister of Francesco Macri [the local boss]. The presence in key role of the municipal administration of Macri's brothers, and the relationships of kinship, affinity and friendship with others highlight the lack of autonomy ... and a clear contiguity between the criminal underworld and the patronage system. (T1).

The use of intimidation and violence is not excluded but recurs mainly in those contexts where there were already pre-existing conflicts between competing mafia clans: the violent conflict for the criminal control of the territory is thus shifted from the mafia clans to the political-administrative level. Violence can occur, obviously, also when institutional actors oppose the mafia clans, or renege their criminal pacts. Take the following example among others: *'The former mayor suspected of close links with organised crime was assassinated on 8 May 1987. He allegedly assisted the boss Giuseppe Piromalli during his absconding and received his decisive support in 1985 to be re-elected'* (GT1).

Overall, the successful pursuit of capturing strategies generates a twofold effect:

- (1) It delegitimises public institutions, thereby demobilising (or discouraging through intimidation) citizen participation and 'civicness'

motivated political participation. Mechanisms of public accountability are consequently dismantled: *'The heavy climate of omertà and constant intimidation in that territory also prevents the expression of any evident forms of protest'* (R1)

- (2) It reinforces the selective demand for private protection for mafia clans, which can use – in addition to their own resources – also the administrative machine as an instrument of clientelist allocation of favours and the satisfaction of demands – especially those of mafia members. In the overlapping of roles, in fact, the most recognisable and authoritative is the mafia identity, not that of politician or public official: *'It was ascertained the sale ... of state property without the necessary prior clearance procedure and the failure to collect fees ... related to violations ascertained by the municipal police, always to the benefit of individuals linked to organized crime'* (B1).

As an outcome, the 'ndrangheta clan and its bosses strengthen their prestige and reputation, capable of occupying, manipulating and controlling state institutions. There is a common trait of all the case examined: in the political-administrative activity any general-interest purpose in local policy making is replaced by the power and profit objectives of the clan(s). Capturing local state institutions in the first wave was a tool for the mafia clan(s) to strengthen their grip of power on the territory.

Everything remains inert except organised crime, which has predominantly inserted itself into municipal bodies, electing members of the various clans who, as such, cannot be conditioned in their activity, with the consequence that the interests of organised crime prevail over the public interest. (R1)

#### **4.2. The second and third waves of captured local administrations: the clan's evolution**

As mafias are adaptable actors to their territories, we expect that in the second and third waves of dissolution (happening mostly in the 2000s and 2010s but in one case also in the 1990s and in a few cases both in the 2010s) the situation would appear closer to the mafia *enterprise capture* model outlined in the theoretical framework. Despite the dissolution of the municipal council, the clans are still deeply rooted in the territory and can maintain their previous links with the municipal bureaucracy that is not affected by the measure, ensuring that it remains in charge of policy implementation and enforcement. Their previous grip on the municipal organisation, however, has been exposed, partly and temporarily loosened by the state's reaction. Fitting their strategies to a novel, riskier repressive

environment, they should be looking at keeping a lower profile and aim at enterprising venture – intercepting resources from the allocation of public resources – more than direct ‘capturing’ influence over the political and regulatory process (policy formulation). This is not always the case, at least in the short term, since strategic adaptation can be a slow-moving process. For example, in Taurianova, dissolved after many counsellors of the majority had resigned, the inquiry found that *‘resignation can be traced back to repeated acts of intimidation, which occurred during 2008’* (T2). Additionally, in the case of our biggest municipality, Lamezia Terme:

The prefect’s report makes a comparison between the findings of the current access and those that gave rise to the dissolution of municipal bodies due to infiltration by organised crime in 1991 and 2002, revealing, in absolute continuity, the persistence of the same collusive dynamics and the operation of the same leading figures of the dominant criminal organisations in that area. (LT3)

As for the municipal apparatus and the provision of services, the situation appears still heavily compromised also by direct interference. In fact, proximity of public agents, including politicians, to ‘problematic’ people, convicted, or suspected of mafia affiliation, appears as a key indicator.

For example, Gioia Tauro’s *‘bureaucratic structure is affected by a significant presence of employees with criminal records and close to the local bosses ... procedural irregularities were highlighted in the allocation of contributions, in the awarding of external appointments and design appointments, in the undue reimbursement of mission expenses and in the unlawful direct awarding of the public differentiated waste collection service in breach of public procurement procedures’* (GT2). Even more so in the smallest of our villages where *‘the interference of organised crime in the administrative life of the entity was made possible by the inadequate exercise of the control and supervisory functions entrusted to the political bodies’* (RG3).

Still in Gioia Tauro, in the space of 11 years between second and third dissolution, the situation has perhaps grown in seriousness:

In investigating the entrepreneurial profiles of organised crime operating in the Gioia Tauro flatland, the investigators have ascertained the role played within the municipal administration by the head of the public works sector, who is still in custody and is considered the figurehead of the clan within the municipality for having piloted the contracts, favouring various construction companies linked to the local mafia family. (GT3)

While the proximity (including family ties) to mafia clans appears as a key indicator, it is not a prerogative of a captured institution by itself as the opposite – a clean slate – can also be a strategy:

The inspection body highlighted how, although the administrators are free from criminal prejudices, they and the mayor, have close relations or frequent acquaintances with problematic persons and environments ... local criminal

organisations strongly influenced the local elections held in May 2006, with the aim of favouring the candidature and election of the person who, at the end of the polls, was actually elected mayor, as well as highlighting the precise will of the problematic circles to form a list of candidates free of criminal prejudices and not directly involved in investigations. (RG3)

Indeed, proximity is usually accompanied by a more entrepreneurial interest or a political capture strategy: *'many were the works assigned with a direct procedure because of urgency ... but the commission did not find any reason for the urgency to justify the direct procedure'* (N3). The entrepreneurial interests, in fact, necessitate a strong power grip to be pursued:

The existence, in the sector of works and services contracts, of a 'system' which, on the one hand, allows contracts to always be awarded to the same firms based on a rotation of the same firms and, on the other hand, through the mechanism of repeated extensions, allows the firms a substantial recovery of the reductions offered in the tender. This established *modus operandi* has made it possible to circumvent the provisions on anti-mafia information. (LT3)

In Lamezia Terme, these entrepreneurial interests often align with political intents, as we read in an arrest warrant of<sup>54</sup> 2013, when a 'ndrangheta associate to the main clan Giampà speaks:

I remember that on one occasion I asked F.T. if it was possible to obtain contracts for the supply of cartridges for computer printers, which I was in charge of, especially for the remanufacturing of cartridges, and he told me that he would have turned to the politician G. B. [also vice-president of the Lamezia Terme airport management company, SACAL] who would certainly have taken action; I wanted to obtain these contracts from public bodies, since we were in order as a company also for contracts with the municipality and other public bodies. The company was in my name; I remember that F.T. called the aforementioned G. B. in front of me, who immediately rushed to the shop and told me that there was no problem for me to get what I was asking for; only then I was arrested and nothing more happened; the only thing we had to guarantee in return was to help him get a few votes in the elections.

The power grip is oftentimes pervasive also in smaller town: *'during the electoral campaign, the activity of members of the mafia family did not stop at the composition of the list, but they drafted the program, they planned the speeches, they evaluated the "female quotas" thus, to demonstrate the complete conditioning of the municipality'* (R3).

As in the first wave, the appetite for contracts in key industries in the territories is present and adapts to the local necessities. In Briatico, a mafia boss is interested in the beach management plan. He talks to a fellow member: *'So we have to wait, to make things easier, much easier, we wait for them to approve the beach management plan. If they approve the plan ... then you submit your project ... according to the plan, they can't say no'* (B3). This is a *modus operandi* that the clan

encourages overall, to get involved in public works as they get announced by the municipality as we read in relation to events of 2012. A guy, Bonaccurso, is talking to another, Prostramo: 'Yesterday, I went to see Nino (Accorinti, the recognised boss of Briatico); Nino told me that we have to see him there and that we have to do the work; he said that we have to tell the Marquis (nickname for another mafioso) that we have to do the work.<sup>55</sup> Here, it emerges how for the works there was a prior division of labour carried out by 'ndrangheta clan thanks to the blessing of Nino Accorinti. Prostramo confirms that he is dealing with the documents and is managing the contacts with a technician from the municipality of Briatico:<sup>56</sup>

Do you know why I have to see the technician? To mark how much of the wall he wants to remove. Because, since it's an ordinance of the municipality, he has to say what's hazardous ... then ... You have to deal with Ciccio! (...) You have to tell him to complete it in a couple of days. ... not to let more than two or three days go by because then you lose out, because he picks the job up, stops the work and does nothing. It's curious, I tell you. Because he's an engineer. ... you understand?

Similarly to the previous cases, the direct allocation of contracts and tenders to 'ndrangheta connected firms is a recurring indicator of a successful capture:

With regard to the entity's management activities, specific attention was paid to the area of the awarding of works and services, in relation to which countless illegalities and anomalies were detected, including, in particular, the failure to complete comparative procedures and to adopt a list of trusted operators contrary to the principles of impartiality and rotation. (P3)

In Plati, next to the direct allocation are the omissions of controls by the municipality:

Despite widespread and repeated cases of unauthorised building, the local authority has remained totally inert, failing to take the necessary control and counteraction measures and to adopt the municipal structural plan, which is an essential urban planning tool for issuing building permits in agricultural areas. In this regard, it is symptomatic that the municipal administration - in a totally illegitimate manner, given the failure to adopt the plan in question - has repeatedly granted building permits in agricultural areas in favour of relatives or relatives-in-law of prominent members of the local 'ndrangheta. (P3)

It is not surprising, given the situations described, that in the second and third waves violence is not often manifested when linked to the capturing; mafia-led corruption might be a more suitable strategy: *'In addition to the head of the public works department, the judicial police operation in January 2017 brought to light the illegal activities of another employee, who was charged with the crime of corruption, aggravated by the "mafia method" (GT3). This*

does not mean that in those contexts the recourse to violence is necessarily excluded, quite the opposite: in Gioia Tauro for example, just before the second dissolution in April 2008, the homicide of Rocco Molé (family member and partner of the Piromalli clan) in February 2008 created fear in the population about an impending mafia war in town. Another murder of a medical doctor in 1998, Luigi Loculano, who openly opposed the clans, also gained political traction in the same period. In 2007 Giuseppe Piromalli was convicted for it; in 2008, right after the dissolution of the municipality, the population honoured Loculano's memory with a march in the town to fight against 'ndrangheta's violence, precisely because the boss had been convicted. Violence, therefore, is not a direct capturing strategy but is immanent in the clans' behaviours and the reactions of the community.

Overall, in these second and third waves of dissolutions, the pursuit of capturing strategies generates a twofold effect:

- (1) It continues to be both cause and effect of a poor performance by the municipality showing, for example, persisting '*scarce capability of the institution to collect its revenues . . . which implies grave consequences for the administration*' (T3). A poor performance of the administration emboldens the mafia clans, while at the same time makes them appear either as the 'least of two evils' or a necessary counterpart to get out of such conditions.
- (2) It creates a self-fulfilling prophecy as antimafia controls have become heavily reliant on the fact that proximity of administrators or politicians to mafia members is a determinant of state capture (and not just an indicator or a symptom). In fact, the contexts might be more articulated, occasionally showing the incapability for effective democratic processes to be established. On the one hand '*the existence of close family ties with persons under investigation or arrested, even for mafia-related offences, undoubtedly constitutes a further element of attention and at the very least, creates opacity in the entity's bureaucratic apparatus, exposing it to real risks of fragility if not permeability of the overall administrative action*' (GT3). On the other hand, in a circular argument, the management of the institution is additional to the proximity with mafia affiliates: '*in addition to the entire management performance of the municipal administration, the criminal framework and the context in which the local authority is located, with particular regard to the relations between the administrators and the local syndicate*' (A3).

As a further outcome, the 'ndrangheta's reputation and known ability to intimidate build expectations of manipulation and the control of state institutions. The common trait we saw in the first wave – the replacement of general-interest purposes with power and profit objectives of the clans – not

only persists but also mixes up with personal and social ties, making it difficult to discern mafia ties from other licit individuals' connections. Capturing local state institutions in the second and third wave appears as a tool for the mafia clan(s) to maintain their grip on the territory, but also to exploit the opportunities of profit created by corruption and weak administration to obtain public contracts and other public benefits.

## 5. Discussion and conclusion

This paper paints a picture of state capture by mafia clans at the municipal level with a high degree of stability, albeit showing adaptability over time. If the core of state capture is a hidden, overriding and unaccountable influence over basic rulemaking and policymaking, we find that in all three waves of municipalities' dissolution in Calabria, the 'ndrangheta's presence remains solidly anchored to the territory and to its local interests.

We observe state capturing strategies are generally successful where unstable and malfunctioning political equilibria already characterise the municipality. Where corrupt political-institutional actors are already involved in capturing coalitions, their spontaneous or forced 'alliance' with mafia actors – albeit generally in a subordinate role – is a logical and expected outcome. For example, before the second dissolution of the municipality of Gioia Tauro and Rosarno in 2008, in Operation Cento Anni di Storia,<sup>57</sup> the mayors of both municipalities were arrested with accusations of external association to the mafia; they were not convicted though. However, the monitoring of activities of the public bodies, aimed at verifying the actions of some members of the municipal administrations in the Gioia Tauro flatland, showed their deep connections with, and subjugation to, local organised crime.

It appears that 'ndrangheta clans at the local level often effectively pursue both power and profit objectives in their interactions with political-institutional counterparts. As we have seen, empirical indicators of their orientations are, on the one hand, the generalised malfunctioning of public services, selectively allocated according to the mafia clan's interests, and, on the other hand, a widespread sense of fear and intimidation in the population. This is a crucial element as outward violence is often indirect and not registered in these capturing strategies. Some capturing strategies are visible through time as a means of countering strategies by law enforcement, moving from interference with policy formulation and implementation to offering alternative enforcement mechanisms, via systemic corruption; strategic allocation of political consent; endorsement or appointment of allies of the clans in political and institutional positions, etc. Violence remains an afterthought because of a successful reputational capital built on violence in the past that echoes in the space. As noticed,<sup>58</sup>

the more a mafia clan is socially recognised as capable of providing effective criminal governance, the more they'll exploit *silence and whispering*, as strategies to coerce and extract (or extort) rents from economic or political activities. In the case of Plati, for example, this appears quite vividly. Plati got dissolved for mafia infiltration only in 2006. However, the violence of the clans, both within themselves, but also externally, had already consolidated into that echo of violence as a reputational asset<sup>59</sup> that can eventually facilitate their power-grabbing and capturing strategies: two former mayors of the village had been killed by the local clans in 1985 and 1986, and a series of kidnappings for ransom were perpetrated in the area by the same clans.

Overall, violence and intimidation would logically be preferred as state capturing strategies by organised crime groups not capable of providing concurrent criminal governance, effectively regulating with a 'peaceful' use of their reputational capital social and political interactions. With mafia-type groups we find that violence and intimidation often give way to an already accepted status quo of *silent* coercion and *quiet* subjugation. This also has another side effect, which is that without outward violence the risks of an uprising from the normal population can be minimised. Luigi Mancuso, referred to in the introduction, is a boss who acts as a 'man of order' assuring a recognized centre of authority for citizens and businessmen. His function ceased once he was (last) arrested in 2019. However, according to two 'ndrangheta affiliates in an intercepted conversation, his role should be 'rewarded' by the laws of the state:

because they don't have confidence, you understand? ... they don't know how to protect, they don't go in that circle because there is no guarantor. ... Instead if Luigi goes, they go to see him ... and they have security, they have everything ... This is a blind law, someone like Luigi should be kept free and protected, not accused. You see, when he's out the mess decreases by 1000 per 1000.<sup>60</sup>

This non-violent status manifests successfully in the second-third wave of municipal dissolution. According to our theoretical framework, it correspondingly facilitates a successful mafia *enterprise capture*: Mafia clans' interests focus on local policy implementation and resource allocation, public contracts, public services, and other areas of public intervention and funding where profits can be generated. The latter are therefore more likely to be captured when the interests of colluded and cooperating political and bureaucratic actors align with the interests of the clans. In other words, and not surprisingly, *enterprise capture* is more successful when paired with a less violent and visible *clan capture*. These complements and further specifies what found by Eboli et al.:<sup>61</sup> where the administrations spend more for capital expenditures, i.e. public works and services, and for the purchase of estates,



the estimated probability of mafia infiltration in municipalities decreases. This is not a consequence of intensified anti-corruption efforts and monitoring of the procurement process. Instead, it is the administrative capability of local governments that makes a difference: when they spend more, this means that their decision-making processes are more effective, therefore mafias are less likely to find space to capture the local policy arenas. Crucially, mafias cannot really operate any profitable *enterprise capture* where there is an inefficient or bankrupt administration, which is instead more prone to a pervasive *clan capture*. Indeed, where a less rampant *clan capture* precedes *enterprise capture*, the levels of malfunctioning of the administrations can be kept at the right 'balance' for allowing mafia interests to prosper.

In this regard, we can see another mechanism at play: when *clan capture* is in place, other interests may get in the way of the mafia's clan entrepreneurial and profit interests. In other words, to protect the power dimension, the clans might sacrifice the rest. In Operation Faust, which contributed to the dissolution of the municipality of Rosarno in 2021, we see the following scenario: during the Rosarno elections in 2016 the relations between the mayor candidate and the boss F. Pisano involved a mutual exchange of opinions and views, starting as early as the preparation of the electoral lists, passing through the chosen logo, and even advice on the posts to be published on social networks. There was full awareness of the support of the mafia group that was not only accepted but originated before the election. The moment in which the mayor got elected and attempted to distance himself from the mafia clan, to avoid a scandal, the clan is willing to jeopardise their entrepreneurial capture to 'save face' and discredit him, through blackmailing power: 'now I'm writing on Facebook, that the votes, to the mayor... where the mayor is now... Thanks to Carmelo Pesce [a boss of the Pesce clan in Rosarno] that we collected his votes"... I say, I'll get him under investigation and in two minutes, they'll throw him out...'.<sup>62</sup>

This can also have another effect: when there is a 'scandal' related to mafia infiltration in the political arena – where local politicians are found to collude with mafiosi and to depauperate public funds – voters are more likely to abandon local parties (more easily involved in the 'capturing') and support local lists of national parties instead.<sup>63</sup> The increased levels of mistrust in local administrators, however, opens the door to more demands for mafia protection<sup>64</sup> in that self-fulfilling prophecy for which the less people are interested in local politics, the more they will seek out short-term individualistic gain, whether they are mafia members or lay citizens.

Overall, both *clan capture* and *enterprise capture* characterise the 'ndrangheta's local-level strategies of control of territory, with a different balance along time. While controlling territory is paramount to maintaining the organisation alive, a tendency to reduce violence can be read as a sign of an evolved capturing strategy, rather than a sign of the disappearance of

criminal interests. As insidious as this is for the democratic process, (successful) state capture by mafia groups is characterised by incremental detriment to local institutions to the point of quasi-normalisation of a coexisting criminal governance of social-economic as well as political-administrative activities.

## Notes

1. Tribunal of Catanzaro, Sentence in the trial against Mancuso Francesco + 93, July 18, 1986: 45.
2. Lessing, "Conceptualizing Criminal Governance," 1.
3. Thompson, "Theories of Institutional Corruption."
4. Dincer and Johnston, "Legal Corruption?"
5. Lessing, "Conceptualizing Criminal Governance," 2.
6. Kaufmann and Vicente. "Legal Corruption."
7. Naim, Moises, "Mafia States: Organized Crime Takes Office"; McCarthy-Jones and Turner, "What Is a 'Mafia State' and How Is One Created?"
8. Erdmann, Gero, and Ulf Engel. "Neopatrimonialism Reconsidered."
9. Acemoglu, "Kleptocracy and Divide-and-Rule."
10. Godson, "Menace to Society"; Barnes, "Criminal Politics."
11. Aulette and Richard. "Fire in Hamlet."
12. Rotberg, "State Failure and State Weakness in a Time of Terror."
13. Chambliss, "State Organised Crime."
14. Della Porta and Vannucci, "The Hidden Order of Corruption."
15. Fazekas, "The Extra-Legal Governance of Corruption."
16. Blattman, "Understanding and Countering Criminal Governance," 85.
17. Hellman, "Seize the State, Seize the Day," 3.
18. David-Barrett, "State Capture and Development," 224.
19. Fazekas and Tóth. "From Corruption to State Capture," 322.
20. Gambetta, "The Sicilian Mafia."
21. Sergi, "From Mafia to Organised Crime."
22. Sciarra, "Il capitale sociale della mafia."
23. Gambetta, "The Sicilian Mafia," 44.
24. Varese, "What Is Organized Crime?"; Varese, "How Mafias Migrate."
25. Mafias are delineated in the Italian criminal law (art. 416bis) as capable to use the intimidating force of the associative bond to induce subjugation and conspiracy of silence of those who belong or interact with them, to commit crimes, to acquire in a direct or indirect way the management or in any case control of economic activities, contracts, and public services, or in order to alter to its advantage the outcome of election consultations.
26. Sergi and Sergi, La Santa 'Ndrangheta.'
27. Sergi, "Chasing the Mafia"; Sergi and Lavorgna, "Ndrangheta."
28. Lessing, "Making Peace in Drug Wars."
29. Blattman et al., "Understanding and Countering Criminal Governance"; Sergi and Vannucci, "Mafia, Deviant Masons and Corruption."
30. Koivu "In the shadow of the state."
31. Barzel, "A theory of the state," 231.
32. David-Barrett, "State Capture and Development," 228.
33. Godson, "Menace to Society."

34. Lessing, "Making Peace in Drug Wars."
35. Reuter, "Disorganized crime," 123.
36. Dal Bó et al., "Plata o Plomo?."
37. Lessing, "Making Peace in Drug Wars," 867–9.
38. Lessing, "Conceptualizing Criminal Governance."
39. Tribunale di Palermo, Richiesta di Archiviazione nel p.p. contro Licio Gelli + 15, P.O. n. 2566/98 R.G.N.R., March 21, 2001.
40. See [https://archivio.unita.news/assets/main/1979/01/05/page\\_002.pdf](https://archivio.unita.news/assets/main/1979/01/05/page_002.pdf).
41. The project already costed over 1.5 billion euros, according to conservative estimates – see <https://www.wallstreetitalia.com/ponte-sullo-stretto-i-soldi-spesi-dal-1981-ma-quanto-ci-costera-davvero>.
42. Bobbio, "I Processi Decisionali nei Comuni Italiani"; Agasisti and Porcelli, "Local Governments' Efficiency."
43. Sergi, "Chasing the Mafia."
44. Gambetta and Reuter, "Conspiracy among the Many"; Canonico et al., "Criminal Infiltration of the Public Sector"; Ferrante et al., "Mafia and Bricks."
45. Gambetta, "The Sicilian Mafia."
46. David-Barrett, "State Capture and Development."
47. Sergi and Vannucci, "Mafia, Deviant Masons and Corruption."
48. Mete, "La Costruzione Istituzionale delle Politiche Antimafia."
49. Mete, "La Costruzione Istituzionale delle Politiche Antimafia," 418.
50. Antonelli, "Lo Scioglimento dei Consigli Comunali," 96.
51. Vannucci, "Mafie, Corruzione, Clientelismo".
52. Tribunal of Palmi, Sentence for trial "Porto" proc. n. 290/98 R.G.T. contro Sicari Giuseppe + 27, 23.05.2000, 41.
53. Appeal Court of Catanzaro, 2008 vol. 1065bis Sentence for trial "Dynasty" No. 643/08 Mancuso Antonio + 20, 113.
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55. Procura della Repubblica presso il Tribunale di Catanzaro DIREZIONE DISTRETTUALE ANTIMAFIA – Processo Rinascita Scott, N. 2239/14 RGNR/MOD.21/DDA, 8435.
56. Ibid.
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58. Amerio and Sergi, "Dov'è Finita la Violenza Mafiosa?."
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61. Eboli et al., "Mafia Infiltrations."
62. Tribunal of Reggio Calabria – Judge for Preliminary Investigations. Arrest Warrant N. 6174/15 R.G.N.R. D.D.A. N. 2314/15 R.G.I.P. D.D.A. N. 47/2019 R. O.C. C. D.D.A., Operation Faust, 1135.
63. Daniele and Geys, "Exposing Politicians' Ties."
64. Gambetta, "The Sicilian Mafia."

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