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Mafia Expansion to New Territories

THE ‘NDRANGHETA IN GERMANY

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Abstract

Mafia Expansion to New Territories: The ‘Ndrangheta in Germany

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This thesis seeks to explore why and how mafias expand to new territories, and under which conditions they engage in governing activities, such as protection or control of markets, as opposed to trading activities, such as drug trafficking and money laundering. It also tries to understand under which conditions mafias fail to expand across territories. To do so, it tests hypotheses derived from the theory against three case studies documenting the presence of the Calabrian mafia, the ‘Ndrangheta, in Germany. The analysis is based on a wide range of hard-to-reach sources, some of which have never been analysed before. This includes judicial data, intelligence reports, archival documents, open-source data, and interviews. Three main findings emerge. First, while migration waves have not pushed mafiosi to migrate, the presence of diaspora communities create structural opportunities for mafiosi to govern, as mafiosi operate at comparatively lower costs within communities of their own compatriots, taking advantage of tightly knit networks of kinship and ethnicity. Second, the presence of policing blind-spots in the new territory enables both governing and trading activities by mafiosi, as they gradually adapt to local conditions following a learning process based on past experience. Thereby, mafiosi remain under the radar of the police and integrate into local

communities. Third, moderate levels of trust in the new territory further facilitate mafia entrenchment, ultimately resulting in dynamics of converging interests typical of traditional mafia territories. More generally, the analysis shows that mafia expansion into new territories is not the result of a conscious decision to expand nor a mechanical product of structural conditions but entails a strategic dimension both from the perspective of the criminal group and the state.

Chapter 1: Introduction

A new phenomenon of transnational organised crime is said to have emerged. The term is used as shorthand for "the networking of powerful criminal organisations, and their associates, in shared activities throughout the planet" (Castells 2000: 166) and is alleged to correspond to the dark side of globalisation, the mirror-image of a global economy. The concept of transnational organised crime, until recently still in relative obscurity, has been given plenty of attention within the broader debate about globalisation. However, the theoretical sophistication and analytical power applied to the concept – and to providing an explanation as to how criminal groups take advantage of a globalised world – has so far been limited.

Nonetheless, under particular conditions, organised crime groups – and, more significantly, mafia groups – have reportedly succeeded in setting up outposts in new territories. Over time, some of those outposts have formally organised, diversifying their activities and gradually upgrading their presence. Organised crime and mafia groups also reportedly operate internationally, engaging in drug trafficking, people smuggling and human trafficking. But while conventional wisdom on globalisation has fuelled the debate around transnational organised crime and promoted an image of the mafia as "a giant and unbeatable octopus about to take over the world from its headquarters" (Varese 2011a: 13), the actual phenomenon of transplantation into new territories has been analytically conflated with a range of other phenomena.

By looking at the specific phenomenon of *mafia transplantation*, this monograph aims to contribute with analytical clarity and empirical rigour to an otherwise abstract and often sensationalistic debate on transnational organised crime. How and why do mafias expand into new territories? Relying on thousands of pages of primary sources, including archival data and transcripts of intercepts, as well as judicial documentation, confidential intelligence reports, and extensive fieldwork across countries, this thesis systematically explores the international expansion of the Calabrian mafia, the 'Ndrangheta.[1]

The 'Ndrangheta's remarkable capacity to replicate itself in new territories has prompted alarmist media coverage (Faris 2011, Ulrich 2012, Hooper 2017, Johnson 2020), while also capturing the attention of an increasing number of scholars (Varese 2006a, Nicaso 2007, Varese 2011a, Campana 2011a, 2011b, Calderoni 2012, Sciarrone 2014, Calderoni et al. 2016, Sergi 2015, Sergi and Lavorgna 2016, Dalla Chiesa 2017, Sergi 2019a, 2019b). Today, the 'Ndrangheta is mentioned in virtually every journalistic or academic piece on transnational organised crime. Yet the still-limited literature on the group's international dimension tends to focus on specific case studies of Australia and Canada, often picked by selecting on the dependent variable (Nicaso 2007, Paoli 2003, Sergi and Lavorgna 2016, Sergi 2015, Sergi 2019a, 2019b Macrì and Ciconte 2009), or generic overviews offering limited insight, if not a distorted perception of the phenomenon (Forgione 2009, Dalla Chiesa 2017, De Simone 2020).

[1] The Calabrian mafia has appeared in the press and police reports since the early nineteenth century under various guises, most commonly 'Ndràngheta, 'Ndràngata or 'Ndrànghita, as well as Famiglia Montalbano. The origins of the term are debated in the literature and include elements of Greek, basic Latin and Calabrian Romance (for an exhaustive discussion, see Trumper 2020). While often translated from the Greek *ἀνδραγαθία* as "man of virtue" or "courageous man", the term has other connotations: Trumper noted that the Calabrian verb *'ndranghitijari* indicates a second, negative meaning of the term – "walking in a pompous manner, swaggering" (Trumper 2020: 82). Throughout this thesis, the term 'Ndrangheta will be used to reflect the current use of the term in the English language literature.

By providing the first in-depth study of the foreign operations of the ‘Ndrangheta in Germany, this thesis offers an original empirical contribution to the debate. Even though Germany has been identified as the country most affected by the presence of the ‘Ndrangheta in the world (Calderoni et al. 2016: 422) and a prime example of the ‘Ndrangheta’s capacity to expand internationally, no in-depth, empirical study of the case exists at the time of writing. This thesis aims to fill this gap. Furthermore, by leveraging comparisons across three case studies (selected on the independent variable and tested against a set of theoretical assumptions) and against the existing literature, it provides an analytical explanation of why and how mafia groups expand across territories beyond the specific case of Germany, directly linking to the literature on criminal mobility and organised crime, while also offering insights for debates around trust, ethnicity, migration, cooperation, and competition in both licit and illicit markets, as well as around state response.

The work is organised into five chapters followed by concluding remarks. The first chapter sets out to explore the theoretical and analytical underpinnings at the core of this research project. First, it gives an overview of the current debates among scholars studying organised crime, introducing the research question. Then it moves on to discuss the key analytical concepts and theoretical variables at the core of such debates. The last section then introduces the research design, detailing methods and data used for the research.

The second chapter sets the scene for the main analysis, articulating the background and context of the research. In the first section, it argues that the ‘Ndrangheta is a phenomenon that emerged in a specific period and context, namely in Calabria towards the end of the nineteenth century, and developed a relatively complex structure with a significant international presence. Nonetheless, it remains a loose confederation of mafia families. The second section gives an overview of the organised crime situation in Germany, including

Italian mafias. It critically analyses official statistics and their limits in terms of mapping and understanding organised crime and briefly introduces the case studies.

Chapters three, four, and five present the empirical evidence, delving into the specific case studies. Each chapter begins with an overview of the mafia outpost that is the subject of analysis, providing a description of its place of origin, composition, organisation, and new place of settlement. Then the activities of the outpost are discussed by distinguishing between governing and trading activities. The former includes instances of control of territory, markets or communities, such as labour rackets or protection against competition that, as will be seen, constitutes the point of difference of mafia organisations within the larger environment of organised crime. The latter consists of activities carried out on both licit and illicit markets as one actor among many, without any attempt to control such markets. Examples may include drug trafficking or money laundering. Each chapter then moves on to test empirically the theoretical variables that have been identified as hindering or facilitating transplantation. These are: migration (generalised and specific), a set of local conditions in the new place of settlement (boom in the market, level of trust, competition, size of the territory), and state response (both intent and capacity). Finally, a short conclusion sums up the key findings of each chapter.

From the discussion it will emerge that while the mafia has not yet achieved the same level of pervasiveness of social, economic, and political life in Germany as it has in Calabria, the difference does not lie in the qualitative but in the quantitative dimension: in its reach, in the intensity rather than the nature of its influence. More specifically, the evidence will indicate that governing (protection) activities mainly take place within the Calabrian diaspora community. However, it will also be shown that while the higher costs of operating within local communities (in this case: German ones) – mainly related to the absence of a reputation for effective use of violence – might discourage mafia groups from venturing into business

voluntarily, they are equally pushed to do so if they wish to maintain a credible reputation as private protectors.

It will also be shown that mafia transplantation is the consequence of push factors (mafia feuds, law enforcement pressure) coupled with the availability of an established social network in a specific location. In other words, it will be argued that migration is a necessary but not sufficient condition. More specifically, it will be argued that diaspora communities are relevant because they create environments in which the long-term relationships that foster reputation and trust are able to be reproduced. However, the evidence collected will reject an understanding of diaspora communities in terms of specific subcultures as predictors of mafia-like behaviours or other behaviours that might facilitate, hide or support mafia behaviours. Also, the availability of a social network of support can be expected to influence the direction of the movement.

Overall, transplantation will be presented as the capacity to adapt to a new environment. It is possible that elements within the external environment, such as an uncontrolled boom in the market, provide exceptional opportunities for entrenchment by mafia organisations. However, the discussion will show that often the capacity for a mafia group to nest and develop in a new territory seems to be connected to the absence of particular hindering factors, usually linked to longstanding structural conditions, such as policing blind spots. It is argued that structural conditions that constrain the state's capacity to respond to organised crime become particularly significant within the context of general trust towards institutions because they not only allow criminal groups to operate virtually undisturbed but also de facto aid them with embedding in the local community, thereby letting groups build up social capital. This, in turn, further weakens the capacity of civil society and the state to respond, creating a self-reinforcing vicious circle. In other words, it will be argued that the capacity of criminal

groups to adapt does not reflect a strategic and thought-through plan, but consists of a gradual reaction to specific contextual factors.

This process of adaptation, it will emerge, can lead to a range of outcomes, including fully fledged transplantation of the core characteristics of the group (Chapter 3) or functional diversification of activities and modus operandi (Chapter 4), up until failure to adapt (Chapter 5).

1.1 Transnational Organised Crime: An Unsolved Puzzle

As globalisation became – for good or ill – the economic and political buzzword of the 1990s, the issue of transnational organised crime suddenly went from "relative obscurity to being within a few years in the spotlight of special international conferences along with weighty pronouncements as to the magnitude of the threat posed" (Edwards and Gill 2003: 1). The concept came to represent the dark side of globalisation, nothing less than the mirror image of the newly created global economy. In other words, scholars were describing a "parallel economy of organised (and unorganised) crime […] impairing the licit channels of neoliberalism" (Mittelman 2015: 241).

According to this view, globalisation creates new structures of opportunity for both the legal and illegal markets (Andreas 2002: 40, Taylor 2002: 126), producing a new phenomenon of "global crime" (Castells 2000b: 166-67). Based on these ideas, Williams (2001: 80) argues that traditionally hierarchical criminal groups, such as the Chinese triads, the Mexican cartels, and the Japanese yakuza, "have come together in a global diversified network," which is as "difficult to combat as [it is] to trace." Accordingly, scholars frequently compare criminal

groups to multinational corporations (Shelley 2006) that had undergone a process of internationalisation, which had been pushed by the mobility of capital, people, and information (Lamothe and Nicaso 1995, Williams 2001: 97, Castells 2000b, Shelley, Picarelli and Corpora 2003, Shelley 2006, Sterling 1995, Broude and Teichman 2008, Forgione 2009). Furthermore, police and judicial authorities frequently frame their assessments along similar lines (see, for example, Europol 2013: 10, DNA 2015: 36).

An alternative view considers organised crime as a quintessentially local phenomenon, which is entrenched in specific ecosystems and depends significantly on contextual factors, such as local markets and historical events (Reuter 1985, Gambetta 1993, Tremblay et al. 1998, Varese 2006a, 2011a, Morselli et al. 2011, Campana 2011b). Focusing on the Sicilian mafia, Gambetta (1993: 249) argues that the mafia "is a difficult industry to export," as distance weakens the ability to monitor agents (Reuter 1985: 21) and to communicate and collect information, and long-term relationships upon which criminal reputation is built are easily disrupted (for discussion, see Varese 2011a: 14). Along similar lines, Tremblay *et al* (1998: 319) maintain that the consequences of illegality, such as the restriction of pre-contractual solidarity and consequent reliance on community solidarity, inhibit the geographic expansion of criminal enterprises. Regardless of the fact that organised crime groups may be able to move to new territories in certain conditions, this perspective contends that the effects of globalisation on organised crime are less clear-cut than often claimed.

Nevertheless, organised crime groups have succeeded in moving to new territories. For instance, recent studies and police investigations have documented that Russian mafia groups are one of the dominant criminal forces in Hungary (Varese 2011a: 92), while Hong Kong triads operate in China (He 2003 in Varese 2011a: 151), Chinese organised crime groups are present in Italy (DNA 2015: 128), and the Italian Camorra has been active in Scotland and the Netherlands (Campana 2011a: 212), to name just a few examples. Against this

background, the Calabrian 'Ndrangheta was reported in 2012 to be active in 39 countries and four continents around the world, ranking first in terms of international reach among all Italian mafias (Calderoni et al. 2016: 421).

The international reach of mafia organisations, however, is not a recent phenomenon. In fact, the debate around criminal mobility – that is, the capacity of criminal groups to move across borders – was at the heart of the study of organised crime from its very outset. As early as the late 1960s, Donald Cressey, one of the founding fathers of the field of organised crime studies, recognised the importance of the phenomenon of criminal "transplantation". Investigating the Sicilian-American mafia in the United States, he argued:

> "The question remains […] whether this organisation is the Mafia of Sicily and southern Italy transplanted to this country or whether it arose primarily as a response of hoodlums to their new cultural setting, some of the hoodlums being Italian or Sicilian immigrants knowledgeable about how to set up and control an illicit organization." (Cressey 1967, cited in Ryan and Rush 1997: 4)

Originally published in 1967 as an appendix to the United States President's Commission on Organised Crime,[2] this seminal reference to mafia transplantation addressed the same theoretical issues that researchers are still debating to this day (Morselli et al. 2011, Campana 2011b, Varese 2011a, von Lampe 2012: 184-185, Kleemans 2014: 46-48, Arsovska 2014, Calderoni et al. 2015: 414, von Lampe 2016: 320-323, Varese 2020).

The first question that Cressey addressed, which still fuels debates among academics and practitioners around the world, is whether mafia transplantation is a byproduct of migration. In this particular case, whether the American Cosa Nostra can be explained in terms of Italian immigrants bringing specific criminal skills to the United States to create and run a mafia organisation. While it is plausible to hypothesise that immigrants from mafia-dense regions

[2] Appendix to the Task Force Report: Organized Crime by the President's Commission on Law Enforcement and Administration of Justice (1967).

"import" the mafia to new territories, there might be other reasons that explain why mafiosi find themselves in new settings.

In his analysis, Cressey concludes that "the social, economic, and political conditions of Sicily determined the shape of the Sicilian mafia, and the social, economic and political conditions of America determined the shape of the American confederation" (the term by which he refers to the American Cosa Nostra) (cited in Albini 1971: 150). Even so, the question remains how mafias adapt to new environments and what specific conditions facilitate or hinder their entrenchment. Furthermore, it is still unclear whether mafias organisations adapt to new territories to the extent that they become something qualitatively different from what they were in the territories from which they emerged.

In short, why and how do mafias expand to new territories? This is the research puzzle at the core of this thesis. By looking at the expansion of the Calabrian mafia into Germany, the aim is to provide the first empirical analysis of one of the least studied yet most widely spread mafias in the world, thereby filling a gap in the literature. In particular, the thesis will study the following overarching questions:

Why have 'Ndrangheta groups moved to Germany?

What are 'Ndrangheta groups doing in Germany?

What factors have facilitated or hindered the presence of 'Ndrangheta groups in Germany?

Before spelling out the theoretical underpinnings that inform the analysis, and therefore deriving the specific hypothesis that will be tested against the empirical case studies, the next section will define the key analytical concepts relevant for the discussion.

1.2 Key Analytical Concepts

Both the terms "criminal" and "mobility" encompass a vast range of phenomena. It is obvious that, for example, the Sicilian mafia and a loose gang of bank robbers embody two distinctive categories of criminal organisation, each with particular characteristics and underlying dynamics. As Morselli (2009: 1) puts it, criminal activities vary significantly in size and complexity, ranging from "simple co-offending decisions […] to sophisticated designs to monopolise a given market or geographical territory." Subsuming all groups under one label can create significant confusion. Similarly, in terms of "mobility," criminals crossing borders to escape law enforcement and cross-border conspiracies to smuggle drugs, people or other goods cannot simply be lumped together into one conceptual box alongside specific organised crime groups that have the capacity to replicate their structure and control territories abroad.

Thus, not every cross-border criminal transaction qualifies as transnational organised crime. It follows that explaining the mechanism of criminal expansion requires a nuanced but analytically clear understanding of the quite extensive continuum along which criminal organisations may exist, as well as of the types of movement worth consideration. This section will therefore discuss and define the concepts of "organised crime" and "mafia" and then attempt to clarify some of the confusion around the concept of mobility applied to such organisations.

1.2.1 Organised Crime and Mafias as a Form of Governance

Varese noted that since the 1990s, a series of ethnographies on the Sicilian Cosa Nostra, the Hong Kong triads, the Russian mafia, and the Japanese yakuza (Gambetta 1993, Chu 2000,

Varese 2001, Hill 2003) put forward the idea that mafia organisations are essentially forms of governance specialising in the supply of protection (Varese 2010: 17, Varese 2017a).

This body of literature finds its roots in the distinction between mere producers or traders of illicit goods – that is, ordinary illicit entrepreneurs – and organised criminals. This distinction was first articulated by the economist Thomas Schelling (1971: 72-73):

> "Evidently [by organised crime] we do not merely mean 'crime that is organised' […] The characteristic [of organised crime] is exclusivity or, to use a more focused term, monopoly. From all accounts, organised crime does not just extend itself broadly, but brooks no competition. It seeks not only influence but exclusive influence. In the overworld, its counterpart would be not just organised business, but monopoly."

Building on this distinction, mafia organisations can be defined as a type of organised crime, whose point of difference is the provision of protection to both the underworld and the overworld. However, while Schelling (1967, 1971) reduced the concept of protection to mere extortion, and consequently assumed organised criminals to be purely predatory in nature, more recent empirical research has consistently shown that the services offered by mafias can be genuine as well (for discussion, see Varese 2010, Varese 2017a). In legal markets, mafiosi can intervene to enforce cartel agreements, protect against competition, theft or extortion, organise labour rackets, and intimidate workers and trade unions (Reuter 1985, Gambetta 1993, Varese 1994, Reuter and Gambetta 1995). Although objectionable in principle, such services might well be in the interest of some entrepreneurs and other economic actors. Likewise, mafiosi protect against competition on illegal markets, deciding, for example, who is allowed to sell drugs in a specific area. Furthermore, they protect criminals against extortion and theft, as well as police enforcement and harassment, in the same fashion that they protect legal businesspeople (see Reuter 1985, Gambetta 1993, Varese 1994, Reuter and Gambetta 1995, Varese 2003, Wang 2011). And while undoubtedly mafia services might come at increased costs for the customer, or might not be delivered to the satisfaction of the

customer, they still can constitute a sensible option from the perspective of customers. In other words, as Gambetta (1993: 3) argued, although suboptimal, the market offering of mafia services is rational and amounts to more than mere predatory behaviour:

> "In both legal and illegal markets, those who enlist mafiosi to sort out their disputes, to retrieve their stolen property, or to protect their cartels from free riders and competitors do not perceive that protection as bogus. They may feel dissatisfied because they are forced to pay often for a service they seldom use, as with insurance, or because they pay extortionate prices for it, as they do for other monopoly goods. […] And even if individuals are forced to pay for protection – or to pay taxes to the state – it does not follow that protection, whether by the mafia or the state, will therefore necessarily be useless."

While the analogy between the state and the mafia should be resisted in its most simplistic terms (Gambetta 1993: 2), it does make sense from an analytical perspective. Both the state and the mafia deal in the same service – protection – and by providing it, they govern.

Initially articulated as criminal governance (Crawford 1997, 2006), the idea that institutions and structures that are outside the scope of the law might *de facto* govern aspects of economic and social life has recently attracted the attention of an increasing number of scholars (Skarbek 2014, Lessing 2017, Campana and Varese 2018, Lessing 2020, Dugato et al. 2020). As Varese (2017a) noted, the strength of such an approach is that it allows retaining Schelling's distinction between, on one hand, ordinary illicit entrepreneurs – defined as producers or traders of goods and services – and, on the other, those organisations that aspire to govern territories and markets. As such, it theorises the governance dimension of organised crime.

The next logical step is that such a dimension may, under specific circumstances, shrink in scope to the point of disappearing (Varese 2017a: 48): over time, a specific group might, hypothetically, stop being a governance-type organisation and turn into an ordinary illicit

enterprise. Conversely, an ordinary illicit enterprise might, under changing circumstances, widen its scope and adopt governing functions for a specific market or community.

Looking at mafias as governance-type organisations avoids what Gambetta (1993: 19) claimed is "the most regrettable of several confusions inhibiting a proper understanding of the mafia", which is the systematic conflation of the good being protected with the market of protection itself. Furthermore, it aids capturing the dynamic development of the phenomenon at any given point in time and under changing circumstances. This proves crucial for the study of mafia expansion to new territories, insofar as such expansion is a gradual process of adaptation to a new environment – or, indeed, failure to do so.

1.2.2 Mafia Transplantation to New Territories

The literature on mafia mobility has recently been populated by a variety of terms: colonisation (Massari 2001: 15, Forgione 2009: 26), settlement (Sciarrone and Storti 2014: 45), delocalisation (Balsamo 2016), hybridisation (Sciarrone and Storti 2014: 47), and hard penetration (Galeotti 2000: 38). However, many of these new categories have resulted in little more than re-labelling exercises, sometimes creating confusion in the understanding of the phenomenon by conflating analytically different concepts. Within this competition of terminologies, two concepts have stood the test of time and entered the literature on criminal mobility as clearly distinct phenomena: mafia transplantation (Varese 2011a) and functional diversification (Campana 2011b).

Based on the definition of mafia organisations as entities that seek to govern (see 1.2.1), Varese (2020: 294, see also Varese 2006, 2011a) defined mafia transplantation as "the ability of a mafia group to supply illegal governance for a substantial period of time outside the territory of origin." According to this author, for mafia transplantation to happen, two

conditions must be met: first, the mafia group must demonstrate a sustained capacity to operate an outpost in a new territory; second, the group must have the ability to govern over markets or communities in the new territory.

Yet, mafia groups abroad have not always been involved in systematically providing illegal governance. Evidence shows that, when outside their region of origin, mafia organisations more often operate in the legal or illegal economies as one of many actors, without attempting to – or failing to – establish any degree of control on such markets (Campana 2011a, 2011b, Varese 2011a, Sciarrone and Storti 2014). For example, Campana (2011a) conducted an empirical study comparing the activities of a Camorra (the Neapolitan mafia) group in Scotland, Holland and Italy (2011a: 224) and concluded that:

> "The La Torre clan brooks no competition in its territory of origin, whereas it acts just like every other actor in Aberdeen or Amsterdam. It seeks to control and govern markets exclusively in the territory of origin, where it enters into direct competition with the state as a supplier of protection." (2011a: 224)

Similarly, researchers have argued that instead of fully reproducing themselves in the new territory, Italian mafias in Germany tend to merely "pursue a series of activities, both legal and illegal, that are chiefly economic in nature" (Sciarrone and Storti 2014: 54). Retaining a governing function at home while acting as common illicit entrepreneurs abroad has been defined as "functional diversification" of activities, across territories (see Campana 2013: 318). Does it follow that the group in question has not transplanted?

According to Varese (2020), the two concepts of transplantation and functional diversification are mutually exclusive. Either a group governs abroad, in which case it is possible to speak of mafia transplantation or, instead, it engages in trading in the new territory, thereby diversifying its activities. The latter case would qualify as functional diversification and, therefore, a failure to transplant fully. From this perspective, a mafia

group might have hypothetically settled in a new territory, replicated its organisational structure, and operated without interruption for decades, becoming entrenched in the economy and the society, and yet still not have transplanted in full.

This can expose the approach to criticism. Attentive observers might argue that the absence of an attempt to govern – for example, through protection rackets – is not a factor limiting the success of transplantation, but, in fact, quite the opposite. In other words, claiming that the absence of governance power is a partial failure occludes the fact that such protection might either not be necessary or even be counterproductive to the running of an outpost in a new territory successfully. Governance might not be intended in the first place. This discussion raises several questions.

Is the presence of mafiosi in a territory sufficient for a mafia to develop? Arguably this is not the case. If what defines a mafioso is his activity – namely, governing – what does he become when he stops engaging in such activity? From an analytical perspective, he becomes an ordinary illicit actor (see 1.2.1). From an empirical point of view, however, the affiliation will not simply cease to exist: will he be an unemployed mafia enforcer? And even if he is part of an organised group of other affiliates, is it still possible to speak of a mafia in the absence of any mafia-type activity?

While the discussion risks getting trapped into these apparently antithetical lines of argument, in reality, most of the controversy comes from trying to answer two distinct questions at once. This study answers them separately, unpacking Varese's definition of mafia transplantation in its two constituent elements: the sustained presence of a group abroad; and the type of activity in which a group is involved in the new territory. Thus, the first question is: has the mafia group of interest established a sustained presence in the new territory? The exact amount of time necessary for a presence to be considered "sustained" is better left

defined on a case-by-case basis, rather than limited to a specific cut-off point that risks automatically excluding borderline cases. While it might be tempting to set a minimum amount of time – for instance, ten years – for any settlement to qualify as sustained, this approach lacks any logical justification for that specific amount of time to be preferred over any other. Why not nine years instead? Moreover, as argued earlier, not every cross-border activity constitutes a sustained expansion by a specific group to a new territory; hence the need to discuss, case by case, whether any given presence should be considered sustained.

Then, having established the first condition – that is, the "ability of a mafia group to operate an outpost over a sustained period of time outside of its region of origin and routine operation" (Varese 2011a: 6) – the analysis can move to the second question: what are the mafia group's activities in the new territory? Has it infiltrated the economy? To what extent is it entrenched in society? Is it operating on the legal or illegal market or both? Is violence used? To what end? How are activities organised? Is there a division of labour? Is there a hierarchy? What is the connection with the organisation in the home territory? In short, what is the organisation doing?

Against the background of these questions, the conceptual differentiation between governing and trading activities – in other words, between operating on a market and attempting to control it (Schelling 1971, Varese 2001, Campana 2013) – becomes crucial yet again (see section 1.2.1), insofar as it moves the discussion beyond mere descriptions of the modus operandi of an organisation to providing meaning from an analytical perspective. As such, it becomes clear that setting the focus on governance is not neglecting the possibility that a group might exist on a permanent basis in a new territory, successfully running its operations in both the over and underworlds and progressively entrenching itself in society. Rather than limiting the theoretical hypotheses to explore, such an approach identifies the dynamic specific to a situation and therefore helps to elucidate which conditions enable mafias to

retain their core capacity of governance – which defines them as something different from ordinary illicit entrepreneurs – and which prevent that from happening (in which case, a mafia group might gradually evolve into something else).

The strength of such an approach is that it avoids lumping together analytically different phenomena and teases out the nuances of the movement process, allowing for a full exploration of how mafias adapt to a range of contextual and temporal conditions in a continuum up to fully fledged transplantation of the core activity of governing. As such, it accounts for the dynamic nature of the phenomenon of mafia mobility.

1.3 Theoretical Perspectives

Over the last fifty years, the academic literature has provided a strong yet not always compatible set of theories conceptualising the factors conducive to the expansion of mafia organisations to new territories. Existing attempts to explain criminal groups' international expansion can be grouped into three theoretical approaches.

One of the first theories to emerge contended that both the rise of the Sicilian mafia in the United States and similar phenomena were rooted in cultural "traits" that resulted from the "importation" of specific migrant communities. A second school of thought highlighted the significance of contextual factors in hindering or facilitating the international expansion of criminal organisations. Finally, there was a general consensus that the state response, in terms of both prevention and repression is crucial to help to explain not only the emergence of organised crime, but also its shape, development, and territorial expansion.

The next three sections unpack the theoretical insights that each of these approaches have provided. First, it will become clear that while the discussion around migration has often been simplistic and alarmist, understanding the specific dynamics relating to mafiosi migration and generalised migration could provide a useful prism through which to attempt an explanation of mafia transplantation. At the same time, however, it will emerge that that the ability of mafias to move to new territories, settle down, and operate outposts also depends on the hostility or hospitality of the host environment; that is, the local context. Finally, a nuanced understanding of state response will be put forward, based on the distinction between intent and capacity to respond.

1.3.1 Migration

The international movement of people is said to lie at the heart of criminal mobility. At the very early stages of theory construction, organised crime was presented as a "foreign threat to otherwise law-abiding communities" (Edwards and Gill 2003: 4). In other words, crime was considered to be imported by specific migrant communities. The so-called "alien conspiracy theory" was first articulated by the Kefauver Commission of 1950–51, a special committee of the United States Senate investigating organised crime on American territory, and then reiterated as part of the presidential commissions on organised crime under presidents Lyndon B. Johnson (1967) and Ronald Reagan (1983). In essence, the theory argued that organised crime in the United States was an "outgrowth of Italian Sicilian society and mentality" (Ubah 2007: 98, see also Paoli 2002: 53-55).

While the simplistic way in which the framework has often been used should be rejected, not least because of the extensive evidence proving otherwise (Arsovska 2014: 217-218, Arsovska 2015: 172, Sergi and Lavorgna 2016: 54, Varese 2011a: 10), nonetheless

dismissing the relevance of migration dynamics would be equally wrong. In particular, there are two aspects of migration that seem to be relevant: the migration of individual mafiosi, and general migration waves.

As mentioned above (see 1.1), Cressey was the first to point out the role played by "particularly knowledgeable" criminals who migrated to the United States in setting up the American Cosa Nostra. Since then, the movement of mafia organisations to new territories has often been presented as a strategic and deliberate decision by individual mafiosi (or groups of mafiosi) to migrate in order to expand their business. According to Shelley (2006: 43), "just as multinational corporations establish branches around the world to take advantage of attractive labour or raw material markets, so do illicit businesses." Other authors similarly put forward a strategic view of organised crime groups and their international expansion, arguing that specific group features, such as access to resources and skills availability (Albanese 2000: 416), impact the ability to settle down in a new territory (Sciarrone and Storti 2014: 44).

Even among critics of the group-centric and strategic understanding of criminal mobility (see, for example, Morselli et al. 2011), there is general agreement that the presence of mafiosi – that is, individuals with a specific set of skills – is essential for mafia transplantation to happen (Varese 2011a). In simple terms: there cannot be mafia migration without mafiosi migration. This might seem like a straightforward assumption, yet it raises significant theoretical implications: is criminal mobility the result of the strategic deployment of a precise set of skills available to certain individuals (in this specific case, mafiosi)? If so, is mafia transplantation the result of a conscious decision by mafiosi to migrate to a new territory?

Beyond the relevance of migration dynamics by individual mafiosi (or mafia groups), general migration waves have been identified as one of the main factors responsible for the geographic expansion of criminal organisations. It seems logical that, in keeping with generalised migration from territories with a pronounced organised crime problem, some criminals might also migrate. In the immediate post-war period, Germany experienced mass migration from Italy, especially from the southern regions, which are characterised by high mafia density. Today, Germany ranks among the highest of European countries in terms of significant presence of Italian mafias. Hypothetically this could be because some mafiosi entered the country along with the many honest Italian workers in search of a better future.

Theoretically, therefore, one could expect to see an overlap between large migration waves from specific countries and the arrival of mafiosi in a new territory. Nevertheless, it remains unclear to what extent the presence of specific diaspora communities contributed to the transplantation of mafia groups. Previous studies on the expansion of mafias to new territories have tried to understand whether migrant communities supply mafiosi, or offer them fertile ground for recruitment and a metaphorical roof under which to hide. For example, it has been argued that the values typical of the Calabrian migrant community, such as ethnic solidarity and a "siege mentality", provided protection to "mafiosi and mafia behaviours" in Australia (Sergi 2019b: 16). In terms of mechanisms, chain migration – that is, the dynamic according to which prospective migrants learn of opportunities and are supported by previous migrants with, for example, accommodation and employment (MacDonald and MacDonald 1964: 82) – is suggested to be among the reasons why the 'Ndrangheta succeeded in transplanting to Australia and Canada (Sergi 2018b), while failing to do so to the United Kingdom (Rapley 2016).

Further to the significance of generalised migration, diaspora communities have been described as nodes around which transnational criminal activity is organised (Berdal and

Serrano 2002: 5). Ethnic sub-networks provide more intense social relations, potentially mitigating spatial distance (Polo 1995), and criminal reputation is deeply embedded in networks of kinship, friendship, and ethnicity (see Bovenkerk et al. 2003). If such networks are absent in the new territory in which criminal groups seek to put down roots, they are very difficult to reproduce (Reuter 1985: 21-22, Gambetta 1993: 249-251). More recently, scholars reframed the appreciation of ethnicity in explaining the success of certain criminal enterprise over others and the prevalence of ethnic minorities in specific criminal markets (McIllwain 1999, Paoli and Reuter 2008, Zhang 2008). Similarly, several authors focusing on social relationships have pointed to the importance of kinship in increasing cohesion and compliance within criminal groups, as well as resistance to law enforcement disruption (Paoli and Reuter 2008: 25-6, Campana and Varese 2013: 269). Finally, ethnicity has been found to have an impact on how criminal organisations exercise governance functions, which tend to be spatially limited to co-ethnic communities (Arsovska 2014: 221, Lessing 2021: 9).

Against this background, the ‘Ndrangheta stands out for the importance of kinship and ethnicity in its organisation. It therefore provides a significant empirical case to explore further the theoretical and analytical issues revolving around migration in relation to criminal mobility.

1.3.2 Local Conditions

The overemphasis on the international and strategic aspect of organised crime, which not only has characterised the public debate but also was adopted by some of the theorists of globalisation when speaking about organised crime (see, for example, Castells 2000 and Mittelman 2015), prompted a small number of scholars to investigate the role played by contextual factors in the expansion of criminal groups across borders from empirical and

theoretical points of view. Questioning the transnational organised crime consensus, these researchers reinstated territoriality as the "dominant alternative" (Reuter and Gambetta 1995: 122) in explaining incentives for and obstacles to criminal transplantation. In other words, they demonstrated that the emergence and/or movement of criminal groups had typically occurred in settings that are conducive to their presence (Gambetta 1993, Morselli et al. 2011, Varese 2011a; for an overview, see Varese 2020).

The newfound focus on territory prompted a number of studies investigating economic, social, and political factors potentially creating a "demand" for criminal services that, if met by a suitable "supply", would allow foreign criminal groups to become entrenched in territories or markets previously untouched by that phenomenon (Reuter and Gambetta 1995: 122-124, Albanese 2000: 416, Varese 2001, Ubah 2007: 112, Lavezzi 2008: 218, Decker 2009: 395, Varese 2011a: 21-25). The particular conditions that have been theorised relate to market conditions, competition on such markets, size (of the new place of settlement), and trust dynamics.

According to what has been referred to as the "property-rights theory of mafia emergence" (Varese 2011a: 194), the emergence of mafia organisations can be explained in terms of the inability of the state to protect property rights during periods of rapid transition, usually from a feudal to a market economy. As shown by a series of empirical studies, this has been the case in Sicily, with the emergence of the Cosa Nostra (Gambetta 1993); in post-Soviet Russia, with the emergence of the *vory-v-zakone* (Varese 2003); and in Japan, with the rise of the yakuza. Following the fall of the Berlin Wall in 1989, East Germany underwent a similar transition. From a period of chaos and tumult, a host of criminal opportunities emerged. But did the circumstances also create a demand for mafia services? If not, what other contextual factors might provide an explanation for the transplantation of the 'Ndrangheta into Germany?

Varese (2011a: 195) pointed out that "mafias may well emerge within functioning market economies, and for reasons other than to ensure the protection of property rights." More generally, sudden booms in the market, the presence of vulnerable industries, and large illegal markets (whose governance mechanisms are by definition extra-legal) if not properly addressed by the authorities may also create demand for the sorts of private protection services in which mafia groups specialise (Schelling 1971: 645, Reuter and Gambetta 1995: 128, Varese 2001, Varese 2011a, Lavezzi 2008).

The logical extension of this reasoning is that specific local conditions may not only facilitate but also hinder the successful movement of criminal groups. For instance, innovative, hi-tech, and export-oriented markets, populated by large capital-intensive firms, are reportedly less vulnerable to mafia infiltration, as cartel formation is more difficult and less attractive in such highly competitive environment (Reuter 1987: 7, Gambetta and Reuter 1995: 127, Lavezzi 2008: 198-202, Savona and Berlusconi 2015: 34). Beyond competition on the legal market, competition on illegal markets is problematic as well. Reuter (1985: 27) noted that "once a gang has established its superiority […] it is able to impose costs on potential competitors that it did not have to bear itself." In other words, to enter a market already dominated by a monopolist can be expected to be an uphill struggle, although it is not impossible in theory. The presence of other illegal providers of protection in the new territory is therefore assumed significantly to reduce the opportunity of mafia transplantation (Varese 2011a: 25, Albanese 2000: 414-416, Hill 2003: 197). Connected to the same dynamics is the expectation that the bigger the new territory or market, the more difficult it will be to establish exclusive control over it (Varese 2011a).

Finally, insofar as distrust creates a need for protection (Gambetta 1993: 24-28), the presence of a mafia in a specific setting could be expected to be linked to a low level of trust within society. In other words, the more distrust there is in a community, the higher the need for

private protection and therefore the "pragmatic" legitimacy of those supplying it (see also Catino 2019: 92-96). As Putnam (1993: 148) argued, "Organised criminality is an organic element in the pattern of horizontal mistrust and vertical exploitation/dependence that has characterised southern culture and social structure for at least a millennium." Testing such a hypothesis, however, Varese (2011a) showed that high levels of trust and civic engagement can easily coexist with mafia activities and do not prevent mafia transplantation. But could generalised trust facilitate mafia transplantation instead? Or does it follow that it is an irrelevant factor altogether? Further empirical testing is needed to unpack the specific dynamics in settings where civic trust is relatively[3] high and yet mafias have established themselves.

1.3.3 State Response

Previous scholarship has shown that the key opportunity structure for mafia transplantation as well as mafia emergence revolves around the relative ability and willingness (or lack thereof) of the state to govern over a given territory or market effectively, thereby preventing alternative sources of protection to spread (Gambetta 1993, Varese 2001, Varese 2011a: 21-25, Varese 2020). Along similar lines, more recent theoretical and empirical contributions pointed to the embedded nature of criminal governance (Skarbek 2014, Lessing 2017), which, as Lessing (2020: 2) put it, "flourishes in pockets of low state presence, but ones that generally states can penetrate at will." From this perspective, state response goes beyond disruption and repression measures to encompass a range of actions the implications of which

[3] Relative to the level of trust observed in traditional mafia territories, that is to say, territories in which mafia structures have emerged historically.

cannot be accommodated by a binary outcome, according to which either a mafia is disrupted or it is not (Slade 2012, Lessing 2017, Varese, Lonsky and Podvysotskiy 2020).

First of all, state action might lead to unintended consequences and paradoxical dynamics. Police repression has reportedly pushed criminals to relocate, thereby contributing to the internationalisation of previously local criminal groups or other forms of propagation of the criminal activity (Varese 2011a, Arsovska 2014). This has been observed, for example, in the case of policies supporting the forced resettlement of mafia bosses and gang leaders outside their social circle or, in extreme cases, their mass-expulsion, which has contributed to the extension of the criminal reach of Italian mafias and gangs. For example, consider the Los Angeles maras and their expulsion to Central America (Sciarrone and Dagnes 2014: 55-56, Lessing 2021: 16, Varese 2020).

Secondly, rather than completely disrupt an organisation, state intervention is more likely to produce an adaptation to the new system. Comparing and studying the practices of three Italian mafias, as well as the American Cosa Nostra, the triads, the yakuza, and the Russian mafia, Catino (2019: 95) concluded that "the crackdown by law enforcement agencies produces changes and adaptations in the system, in terms of exploitation and exploration." Further evidence in support of this hypothesis is provided by the empirical studies on the effects that state repression had on the Soviet and post-Soviet *vory-v-zakone* (Slade 2012, Varese, Lonsky and Podvysotskiy 2020) or cartels in Colombia, Mexico, and Brazil (Lessing 2017).

A third point that is rarely addressed in the literature is that state response includes two analytical dimensions. On the one hand, it reflects the adequacy of the regulatory system, the set of legal tools at the disposal of state institutions to prevent and respond to crime. On the other hand, the actual use that different state authorities make of these tools can vary hugely.

In other words, the intent and capacity of the state to respond to organised crime cannot be conflated with its legislative framework. Even assuming the latter stays constant, the former might diverge in a host of ways.

Related to this is the complexity of state-crime dynamics, which may include symbiotic or in other ways cooperative relationships between formal institutions and criminal organisations. Beyond bribery and corruption practices, mafia organisations have reportedly engaged in mutually beneficial arrangements with state institutions by offering a wide range of genuine services. Varese and Wong (2014), for example, documented that collusive interests with the government mobilised Hong Kong triad members to crackdown on the so-called Umbrella Revolution, a peaceful and pro-democracy protest that brought thousands of citizens to the street of the city-state (Varese and Wong 2014: 45). Similar symbiotic relationships with state institutions have been observed with Italian mafia organisations, the Japanese yakuza, and South American cartels, among others (Catino 2019: 94, Lessing 2020: 2).

While there is a general consensus that state response is a key variable in explaining the emergence, growth, and territorial expansion of criminal organisations, many analytical and empirical contributions to the literature on mafia mobility consider only one of its dimensions, most commonly the regulatory and policing frameworks (see, for example, Sciarrone and Storti 2014, Allum 2016, Sergi 2018a). Integrating aspects such as potential conflicts of interests between state institutions and criminal organisations, unintended consequences of public policies, and the distinction between the intent and the capacity to respond effectively and efficiently to crime is key to understanding fully how and why mafia organisations expand into previously untouched territories.

1.4 Research Design

Rather than continuing to develop sophisticated theoretical tools or to organise existing accounts around more or less innovative paradigms, the literature would benefit from a comprehensive and systematic test of the sets of theories that have just been discussed against empirical evidence. This is the aim of this thesis. It sets out to explore why mafias transplant to new territories and under which conditions they engage in governing activities, such as extortion or control of markets, as opposed to trading activities, such as drug trafficking and money laundering. It also tries to understand under which conditions mafias fail to expand across territories. To do so, it tests three sets of explanatory variables derived from the theory against empirical evidence (Hedström and Bearman 2011, Vaughan 2011, Varese 2022). The variables are summarised in Table 1, adapted from Varese's seminal work on mafia transplantation (Varese 2011a: 28).

First, migration will be considered. As discussed above (see 1.3.1), the movement of mafia organisations to new territories has often been portrayed as a colonisation effort, either the direct and inevitable consequence of mass waves of migrating populations characterised by a specific "criminal culture" or the result of a strategic and deliberate decision to migrate by mafiosi who want to seize the growing business opportunities of globalisation. Furthermore, diaspora communities might potentially build up nodes around which tight sub-networks of kinship, friendship, and ethnicity are organised, mitigating the otherwise insurmountable spatial distance that makes criminal transplantation virtually impossible.

The second set of variables aims to understand the specific local factors that might hinder or facilitate criminal groups' activities. First, the presence of new markets – for example, resulting from the transition from feudal or planned economies to market economies – or

other sudden booms in legal markets, as well as large illegal markets, will might create a demand for mafia services that, if met by a supply, would allow foreign criminal groups to become entrenched in territories previously untouched by the phenomenon (see 1.3.2). Likewise, the levels of competition and trust in the new territory, as well as its size, will be considered with the following assumptions: highly competitive and comparatively larger new territories, which are characterised by generalised trust (in institutions as well as across society), hinder mafia transplantation.

Table 1 – Factors Explaining Mafia Transplantation

Migration
Generalised migration (migration waves and diaspora communities)
Mafiosi migration
Local Conditions
Presence of new, booming, or vulnerable markets
Level of competition
Size of the new place of settlement
Level of civic trust
State Response
Capacity to respond
Intent to respond

Source: Adapted from Varese 2011a: 28.

And yet, mafia transplantation cannot be narrowed down to a mechanical product of specific structural conditions. While focusing the analysis on factors hindering and facilitating the expansion of mafia organisations to new territories, Varese noted that local conditions are only "potentially conducive to the emergence of a demand for a service that mafias could supply" and that the actual result depended on "whether local actors have acted so that the local conditions do – or do not – lead to such a demand" (Varese 2011a: 229). Therefore, this analysis will include one further variable, which, although discussed by Varese, was not part of the original model: state response, which will be divided in its constituent elements of intent and capacity to respond (see 1.3.3).

The following three sections give an overview of why and how the empirical case studies have been selected and the methods and data used, as well as their limitations.

1.4.1 Case Study Selection

Each of the case studies against which the variables will be tested consists of an in-depth analysis of the expansion attempt of a specific 'Ndrangheta group (or set of groups) into Germany. But why should one study the Calabrian mafia or, specifically, its presence in Germany?

First, given the significance of the Calabrian mafia's international presence,[4] the lack of systematic, in-depth scholarly exploration of its transplantation outside Italy represents a significant gap in the literature, as well as a unique opportunity to better understand how and why criminal groups move across borders.[5] According to previous studies and law

[4] The 'Ndrangheta is said to be present in Spain, France, Belgium, the Netherlands, Germany, Switzerland, Canada, the USA, Colombia and Australia, with operations stretching to Brazil, Guinea Bissau and South Africa.

[5] Varese (2011a) analysed the presence of the 'Ndrangheta in Bardonecchia, a city in the north of Italy.

enforcement reports, the ‘Ndrangheta is one of the most internationally wide-reaching mafias in the world, and the only Italian mafia with formally organised branches outside its home territory (Calderoni et al 2015: 413, DNA 2012: 107). Its international success seems to challenge the idea that organised crime is essentially a local phenomenon and suggests that it has indeed become transnational, thereby speaking directly to one of the key debates that has animated the literature for the past decades.

Nevertheless, empirical research on the ‘Ndrangheta’s expansion to new territories is rare. Many reports, chapters, and books (Pignedoli and Montanari 2019, Lumia and Notaristefano 2011, Roth 2009, Bedetti and Dalponte 2017) are based on superficial and partial evidence, if any evidence at all, and put forward claims as bold as they are unsubstantiated. Furthermore, the few empirical studies of the ‘Ndrangheta’s presence outside Italy are limited to the cases of Canada (Sergi 2018b) and Australia (Sergi 2018b, 2019a, 2019b). However, the biggest presence of the ‘Ndrangheta worldwide is to be found in Germany (Calderoni et al. 2015: 422, see also Fijnaut 2021). According to the German government, an estimated 800 to 1,000 members of different clans live and operate in the country at the time of writing. Allegedly, they are organised into 18 to 20 territorial units, which replicate the structure of the organisation in Calabria (Bundestag 2019: 3).

Germany also offers a unique comparative angle, between the eastern and the western parts of the country, both of which have felt the presence of the ‘Ndrangheta, but are characterised by significantly different historical developments (most notably the transition from a planned to a market economy in East Germany but not in West Germany) and local environments. This allows the teasing out of the explanatory validity of different contextual factors, therefore accounting for a dimension of the phenomenon that has so far often been underestimated (Morselli et al. 2011: 167).

The selection process started by following the "possibility principle" (Mahoney and Goertz 2004), which requires a selection of cases where the outcome – that is, mafia transplantation – is at least potentially possible. Selecting according to the possibility principle avoids including observations irrelevant to the phenomenon one is attempting to explain and which therefore unnecessarily confound the analysis. Next, the cases have been chosen in order to represent the fullest possible range of outcomes: from fully fledged transplantation (of the core activity of governing) to failure to expand into a new territory (at a given point in time), including an intermediate case in which the sustained presence outside the area of routine operation is characterised by trading activities without a fully formed "governing" dimension.

The strength of such a design is twofold: first, allowing for variation in the outcome of interest, this research design avoids one of the most common flaws in the study of organised crime and qualitative research more generally: sampling on the dependent variable (King et al. 1994). The bias induced by selecting on the dependent variable significantly limits the set of observable implications and therefore the ultimate explanatory power of the analysis. Most worryingly, it is likely to lead to false inferences, potentially invalidating the analysis.

Second, by not arranging the case studies as binary, but positioning them along a continuum of possible outcomes, this research design aims to mitigate another common problem in social enquiries, known as "truncation of variation". This describes the practice of limiting (or truncating) the set of observations to "less than the full range of variation on the dependent variable that exists in the real world" (King, Keohane and Verba 1994: 130). Since this study aims to investigate a largely unknown phenomenon, with a set of observations available to the eye of the researcher that are limited by definition, it is obvious that the research design has no ambition to cover the full range of variation potentially existing in the real world. Nevertheless, the inclusion of an intermediate observation, so far absent from the

literature, is a step in this direction, giving the research the best possible chance of drawing valid inferences.

1.4.2 Methods and Data

This thesis is based on a variety of data of different types. While the quality and quantity of data has varied across the three case studies, each case was based on a wide range of sources, including judicial data, investigative and intelligence reports, archival documents, business registry information, open-source data, and interviews. The integration of all these sources along a timeline that covers 30 to 40 years, depending on the case, constitutes the originality, in terms of data collected, of this thesis. The process of collection, analysis, and interpretation of the data followed the principles of analytical ethnography, as outlined by Vaughan (2011: 691): the "careful collection of data and evidence-backed arguments"; the adoption of "systematic methods and standards" (see also King et al. 1994); and the assumption that "causes and explanations can be found" while "theory and theoretical explanation [are the] core objectives [of the research]" (for discussion, see Varese 2022, see also Hedström and Bearman 2011).

The data was collected systematically. Following a logic of progressive focusing (Arksey and Knight 2011: 20), I began with an orienting phase, in which the area of interest was investigated more broadly, in order to identify the three case studies to compare. Then, all the available material on each case was collected. Archival research, that is, the collection of texts and documents, and open-ended interviews were conducted in Germany, Italy, and Switzerland between 2017 and 2020. While sharing the ethnicity and social background with most of the interviewees, I was partially an outsider in each of these settings. Born in Switzerland, I grew up in Italy and am bilingual in Italian and Swiss-German. While in Italy I

am perceived as “the Swiss”, in Switzerland and Germany I am perceived as “the Italian”. Being perceived as the foreigner, and the fact that I was associated to a British institution, helped me escape local turfs and triggered the curiosity of my interviewees, who discussed at length aspects and details they might have otherwise left out from the conversation. More generally, my personal biography helped me to maintain a balance between detachment from the field – yielding the advantage of greater objectivity and broader perspective – and deep involvement, likely to improve the richness of the data collected (see Hong and Duff 2002: 190).

At the same time, my position in the field was not unbiased. I started as an inexperienced researcher, which caused me to misinterpret events as potentially dangerous to my person, especially in Calabria. In 2018, during my first trip to San Luca, a village that is considered the historic stronghold of the ‘ndrangheta, I was stopped by a person asking what I was looking for and whether I owned or rented the car I was driving. After answering the questions, I turned the car back and left, feeling scared that they would steal my car or, in the worst case scenario, kidnap me. I had read about the kidnappings by the ‘Ndrangheta in the 1970s and how they kept their hostages in the woods around San Luca. Months later the police explained that I had nothing to worry about. Most likely, they wanted to double-check the number plate to know who goes in and out of San Luca: “This is how control of territory works” they said. It was with mistakes such as this one that I have learned the most.

In analysing the data I went through a learning process as well. I set out to systematically review the content of all sources, condensing raw data into the categories of analysis I had identified. While I did so, it became obvious that the analysis could benefit from further systematization. I started to build datasets which I then used for descriptive statistics. Furthermore, where available, I included in the analysis existing datasets that were relevant within the context of the research. At the same time, I continued with the identification of

themes, patterns, and relationships within the data collected. The integration of narratives with statistics allowed to enhance and clarify the analysis, while seeking corroboration across sources and correspondence of the results obtained (Greene at al. 1989: 259; for discussion, see Bryman 2006: 97-98). This is crucial to any process of valid causal inference and proved especially relevant when attempting to, as Whyte (1993: 297; for discussion, see Varese 2022) put it, "take the theory to the field", which is the aim of this thesis. The next sections describe the different data sources. A discussion of the limitations of both data and methods of analysis will follow.

Primary Sources

The bulk of primary data collected originated with investigations by state authorities. In the first instance, indictments by Italian prosecution offices were consulted. These typically consist of a comprehensive file (varying in length between 400 and 1,300 pages) containing a list of the felonies allegedly committed, background information on the clans of interest as reconstructed by previous investigations (if available), and the evidence that has been collected to substantiate the charges. The evidence usually contains extensive transcripts of phone intercepts and other surveillance measures (for example, tailing operations), as well as a host of different datapoints, including, for instance, economic activities that can be traced back to the defendants, previous convictions (or charges), relevant kinship ties, international and national travel itineraries. This type of information is what informed the analysis. In addition to the indictments (N=10), it was possible to gain access to the full transcripts of 41 conversations that were intercepted by the police, as well as the witness statements offered between 1993 and 1995 by a former mafioso (75 pages). Sentences (N=8) were considered as well, although the primary focus of the research was neither the legal culpability of the

defendants nor further legal disputes, such as those in relation to the interpretation of the crime of mafia association as established by the Italian criminal code.

Investigations, however, do not always develop into legal proceedings and judicial files do not always contain all of the background information collected by the police. This was the case, for example, for the intercepts contained in "Operation Fido", an investigation into the investment system set up by an alleged Calabrian mafia group in the federal state of Thuringia, after the fall of the Berlin wall. Similarly, the transcript of an agenda used by the mafiosi to keep track of payments never resulted in an official judicial proceeding and the contents were therefore unknown to the public.[6] Accessing this documentation has proved key to substantiate one of the most discussed cases of the 'Ndrangheta's expansion into Germany (see Chapter 4).

Another source of primary data that proved useful was a collection of information that was shared between Italy and Germany within a task force that sought to trace and subsequently to seize all the investments made by 'Ndrangheta clans in Germany. Consisting of four volumes and 1,287 pages, the documentation includes information on financial transactions and economic activities, reports by both the German and the Italian police forces, correspondence between the investigating offices, and the criminal profiles of specific individuals of interest. Another helpful source was documents containing the background checks performed by the Swiss federal police with regards to a small group of individuals suspected to be part of an 'Ndrangheta outpost on Swiss territory; this information included dates of entry into the country, previous convictions, and employment details.

[6] The content of Operation Fido was analysed contemporaneously by the candidate and a team of investigative journalists who published a series of reports published in the newspaper *Frankfurt er Allgemeine Zeitung* (FAZ) and on the website of the public radio station *Mitteldeutscher Rundfunk* (MDR). The journalists also produced a documentary that was aired on German national television. As a result, a parliamentary enquiry into the events was set up and is ongoing at the time of writing, for which the candidate was asked to testify.

It was also possible to gain access to a confidential report by the German federal police, which was commissioned after the so-called "Duisburg massacre" and finalised in 2008. It is a unique collection of all the information that was available in Germany at the time about every single 'Ndrangheta clan known in Calabria. It includes a list of alleged affiliates to specific mafia clans and individuals linked to them who have lived or worked in Germany, their addresses, criminal offences where applicable, and intelligence about the clan structure and activities in the country.

In addition, the research considered further investigative (and judicial data) as well as other primary sources, such as business registry entries (N=101), and sales contracts (N=7) during the privatisation period. Giving a detailed description of each of these sources would go beyond the purpose of this short overview, but a complete list can be found at the end of this thesis. It includes not just the documents that were cited, but all the materials that have been consulted for the purpose of the research and directly informed the analysis.

Secondary Sources

This thesis sets out to explore how mafias adapt to a range of contextual and temporal conditions. As a result, it highlights not only the criminal group and criminal activities, but also the specific ecosystems within which they respectively operate and take place. Alongside judicial and investigative data, therefore, a range of secondary literature, that is sources that have been selected and processed by others (see Varese 2022: 2) has informed the analysis of specific contextual factors, such as local peculiarities and historical events, that contribute to the understanding of the international expansion of criminal organisations.

Datasets

Alongside a qualitative evaluation of the data, the research relies on a set of databases that were created for the purpose of this study. More specifically, there are three databases containing information on the individuals related to the three case studies. For each individual, the place of birth, place of residency and date of birth was recorded. Where such information was available, the databases also recorded their role within the clan. For the first case study (Chapter 3), an additional dataset on criminal records of the alleged members of the mafia outpost of interest in Germany was compiled. This dataset integrated information about criminal records extracted from Italian police archives of the early and mid-1990s with the information that was contained in the confidential document by the German federal police in which all known members of the 'Ndrangheta and their criminal records were listed. With regards to the second case study (Chapter 4), it was possible to compile an additional database mapping a set of legal activities (such as companies) that could be traced back to the specific 'Ndrangheta outpost of interest. The data was manually extracted from the primary sources and transferred into an Excel table. These datasets made it possible to compile a basic mapping of individuals and businesses linked to the 'Ndrangheta in Germany, clearing up some of the confusion in previous accounts.

In addition, the research relied on another, already existing dataset. This consists of criminal activities recorded between 1990 and 1994 by a special office that investigated crime in relation to the privatisation process in Germany. The dataset was originally published in a collection of 15 volumes of primary data, collected in the period between 1990 and 1994, by the agency that had been created in order to manage the privatisation process.

Interviews and Field Trips

A total of 49 unstructured interviews were conducted between Italy (N=15), Germany (N=27), and Switzerland (N=3; one of the case studies expanded across the German-Swiss border, although Switzerland was not the focus of this thesis). Participants were selected based on their expertise with regards to each specific case study, or because of specific areas of interest, such as money laundering, police work, legal and judicial frameworks, or international cooperation. In Italy, this included many anti-mafia prosecutors and, to a lesser extent, police officers working on anti-mafia investigations. In Germany, meanwhile, most of the interviews were conducted with federal and state police officers and only a couple (N=2) with state prosecutors. This choice reflected the different nature of the German and Italian systems, and the roles that magistrates and the police play within each. It also was prompted by the fact that most investigations against the Italian mafia in Germany are then brought to trial in Italy and followed through from a judicial point of view in the latter country. In Germany, interviews also included a small number of local politicians and bureaucrats (N=5) who had been personally involved in the events discussed. This category of participants was more difficult to reach, but provided information that was key to understanding the specific dynamics taking place at the local level.

Within civil society, interviews included a small group of journalists (N=8). They were identified based on their in-depth work on specific areas of interest, such as corruption and transparency in Switzerland and Germany, or on one or more of the case studies. They consisted of either freelance investigative journalists or local reporters with extensive knowledge about their area. General interviews with members of civil society have not been conducted as they would have required a specific approach (survey-based or ethnographic), the feasibility of which was limited within this research project and – most significantly – not immediately relevant to the type of question this thesis seeks to answer.

Beyond one-off interviews, the research benefited from continuous interaction (oral and written exchange) with a select number of participants (prosecutors and police officers) over several years (N=5). While mainly chosen based on their availability, these correspondents had previously been selected as general participants in the research because of their professional expertise and were therefore not casual contacts but had immediate relevance with regard to one or more of the three cases. The development of these relationships and continuous exchange was not part of the intended research design and emerged spontaneously. However, it significantly benefited the overall quality and validity of the research. First, it resulted in useful ethnographic knowledge about the behaviours and shared beliefs of a specific group of people (in particular, prosecutors), which in turn helped the analysis and interpretation of the data collected from that same group of people. It also made it possible to access data that would not usually be made available to researchers because, for instance, it would be too time-consuming to find or too sensitive to share. Last but not least, it enabled the researcher to follow up with specific questions as they emerged from the research.

Finally, seven field trips to Italy (N=3), Germany (N=3), and Switzerland (N=1) were carried out. While not constituting ethnographic work, the field trips were not limited to interviewing participants either. The observation of specific places and the dynamics taking place there, as well as the understanding of the differences and similarities among them, has proved crucial for grasping what was missing from desk-based research.

1.4.3 Limitations

The sources used in this thesis present three main challenges: the uncertain and limited nature of the data; the inherent bias in the selection of the data; and a natural margin of human error

in the manual extraction of the data. The information was critically evaluated with these concerns in mind and steps to mitigate such limitations were taken in order to increase the validity and reliability of the data.

To begin with, it is important to note that, inevitably, the data collected does not offer a complete picture of organised crime in Germany. Rather, it depicts law enforcement efforts and successes in fighting it. Furthermore, sources were picked among those accessible to the researcher, so represent only a portion of the total amount of information available. Furthermore, the information contained in such sources reflected the priorities of the agencies that collected the data. Most of the information used to compile the datasets, for example, was extracted from reports containing socio-economic data gathered by the police during investigations and has not been confirmed or rejected by a court judgment (at the time of writing). The datasets, therefore, were built on hypotheses developed by law enforcement on the basis of the evidence they had collected.[7]

Guaranteeing diversity between the authorities that produced the data and the countries where the data was collected proved challenging, but not impossible. Access to investigative and judicial data in Germany is significantly restricted. Requests for information required time-consuming procedures that varied between federal states, including statements by the university in German, the signing of confidentiality agreements, and, in one instance, approval through the state's ministry of the interior. After going through this procedure, most requests – even the most general ones, asking only, for example, for aggregated numbers – were rejected because of the sensitivity of the topic, the excessive workload fulfilling the request would create or on no grounds at all.[8]

[7] With some exceptions concerning, for example, previous convictions of specific individuals.
[8] Baden-Württemberg and Bavaria answered the requests indicating the number of alleged members of the 'Ndrangheta (N=100 and N=90 respectively). Lower Saxony and Thuringia confirmed the

On the other hand, Italian authorities were generally more inclined to make data accessible to researchers. Most of the sources that were used therefore consisted of Italian judicial and investigative documents. However, because of the nature of the cases (bilateral between Italy and Germany, or, in one case, multilateral between Germany, Switzerland, and Italy) these documents included most of the primary data collected by German (and Swiss) authorities on German (and Swiss) soil. In turn, based on this and further information of a similar kind, it was possible to reach out again to German authorities with more focused requests, regarding the specific cases of interest. In this instance, authorities were more open for requests, confirming or dismissing pieces of evidence, providing support in gaining further evidence or simply providing an additional reading of the facts.

More generally, triangulating between virtually all the sources available was identified as the key control mechanism in this research design. Specifically, the fact that it was possible to cross-check the information that was provided by Italian authorities with the information provided by the German (and Swiss) authorities was critically important for improving the reliability of the data collected. This has proved crucial where no sentence was available to confirm the investigative hypotheses.[9]

Last but not least, the manual extraction of the information is naturally subject to human error. Where possible, therefore, the datasets have been double-checked against similar datasets compiled by another individual working with the same sources and recording the same datapoints with extensive knowledge of the topic (on inter-code reliability, the standards set out in Campana and Varese 2012 were followed as best as possible). While

presence of an undefined number of alleged 'Ndrangheta members on their territory, giving no further information on the number of *locali*.

[9] As the aim of the analysis is not to establish culpability or discuss evidence from a judicial perspective, the absence of a final sentence convicting the alleged mafiosi for mafia association does not invalidate the study. However, it is important to keep in mind that the subjects discussed can only be considered alleged mafiosi (in German, *mutmaßliche Mafiamitglieder*) as they have not been convicted or they have been convicted pending appeal.

mitigating the margin of error to a certain extent, limited time and resources made it impossible to double-check all the databases. Beyond the datasets, the possibility of human error applies to all the data presented, although it most likely relates to specific pieces of information, such as the date an individual was convicted, or the length of the sentence, rather than the overall account of events or the assessment of the facts.

In conclusion, therefore, this research approach does present limitations. These limitations have been kept in mind throughout the analysis. To the best extent possible, they have been mitigated. In fact, the entire research approach – the choice of case studies, data, and methods – was designed with these concerns in mind and in order to maximise the validity and reliability of the analysis. What follows is grounded in these principles.

Chapter 2: Background and Context

In 2008, the Italian anti-mafia parliamentary commission stated that the 'Ndrangheta is "like a big fast-food chain which offers, all over the world, in the most different places, the same identical, recognisable, and reliable brand, the same criminal product" (CPA 2008). From Europe to Australia, Canada, the United States, and Latin America (see, for example, DIA 2016: 99-100), the Calabrian mafia was said to have taken advantage of globalisation to establish a footprint wherever it made sense for its business. The result of this strategy, practitioners have claimed, has been the "deterritorialisation of their economic and criminal power" (DIA 2017b: 220).

As discussed in Chapter 1, similar arguments have been supported by many academics studying organised crime (Castells 2000, Shelley, Picarelli and Corpora 2003, Shelley 2006, Sterling 1995, Williams 2001). Recent research, however, has shown that mafia groups are unsuccessful at least as often as they are successful when moving outside their territory of origin, that local factors remain essential for determining success and failure, and that such factors might influence the way groups operate in a given territory (Varese 2011a, Campana 2011a, 2011b). According to Giuseppe Lombardo, an anti-mafia prosecutor in Reggio Calabria, this is the case with the 'Ndrangheta (P28):

> "Sometimes outposts abroad exactly reproduce their core business model, the Calabrian model, which in the meantime has become Italian. But not always. Sometimes, when they are de-localised, they manage their business differently. For example, for managing the drug trafficking business via a big port in the north of Europe, they do not need to control territory there. They can, but they don't have to."

This thesis will explore to what extent and for what reasons ‘Ndrangheta outposts abroad replicate the core business model, diversify their activities or, in the last instance, fail to do either.

Before moving on to the empirical discussion, this chapter explains the background and context of the research. First, it is argued that while the ‘Ndrangheta has, over time, developed a relatively complex structure, it fundamentally remains a loose confederation of mafia clans. Then, the discussion will continue with a short historical overview. On the one hand, it is shown that the ‘Ndrangheta is a phenomenon that emerged in a specific period and context, namely Calabria towards the end of the nineteenth century. On the other, it is argued that changing external circumstances have brought different facets of the Calabrian mafia, which had always co-existed within the organisation, to the foreground.

More recently, attention has been drawn to the international dimension of the ‘Ndrangheta, which, as it will be shown, is undoubtedly sustained and significant. While the ‘Ndrangheta’s capacity to expand internationally is clearly one of its most distinctive features, empirical studies are still limited. Furthermore, most accounts provide generic overviews that fail to explain the phenomenon in its nature and dynamics and the few qualitative studies available are limited to the cases of Australia and Canada (Sergi 2018b, Sergi 2019), despite, it seems, that the most significant presence of the ‘Ndrangheta worldwide is to be found in Germany (Calderoni et al. 2016: 422).

The following sections first consider the ‘Ndrangheta’s characteristics and organisational structure, then move on to look at the group’s history and development, before finally turning to look at the ‘Ndrangheta in Germany. A comparison of official sources shows a worrying and chaotic scenario of contradictions, misunderstandings, and lack of information that does

not even allow for the most basic assessment of what the activities of the 'Ndrangheta are or what structures it has established in German territory.

Finally, the chapter will introduce the three case studies that constitute the empirical core of this thesis. While not providing any detail regarding the discussion that follows, each case will be briefly summarised in its contents and main theoretical implications, and located along the continuum from fully fledged transplantation to failure to either govern or trade in the new territory.

2.1 The 'Ndrangheta

While tales of the Calabrian "men of honour" date back to the second half of the nineteenth century, it was only some 150 years later, in 2010, that the 'Ndrangheta was officially recognised among the established mafia organisations in the Italian Criminal Code.[10] Two years later, for the first time, a court ruling confirmed its unitary nature:

> "The 'Ndrangheta is a unitary criminal phenomenon, articulated in territorial branches, which are operating autonomously, but are coordinated by a centralised structure." (Tribunale di Reggio Calabria 2012)

Besides being a powerful judicial argument, one that has subsequently become a mantra for practitioners, the judgment's emphasis on the unitary nature of the 'Ndrangheta poorly reflects the organisation's complexity, both in terms of its structure and historical evolution.

[10] Decreto Legge 4 Febbraio 2010, n. 4 Istituzione dell'Agenzia nazionale per l'amministrazione e la destinazione dei beni sequestrati e confiscati alla criminalità organizzata. GU Serie Generale n.28 del 04-02-2010, Articolo 6.

The Calabrian mafia is best described as a confederation of mafia clans, which historically originated in the province of Reggio Calabria (see Figure 1), but are not exclusive to that area. A similar organisational order also describes the Japanese yakuza, the Russian *vory-v-zakone* the Sicilian Cosa Nostra, and some clans of the Neapolitan Camorra (see Varese 2017; Catino 2019: 152-197). Common to this type of structure is the existence of intermediate bodies, which coordinate across the basic units of the system (usually the family or clan), solving disputes, and therefore minimising intra-organisational conflict.

Figure 1 – Map of Italy and Calabria.



Source: Candidate's elaboration. © Templates by Yourfreetemplates.com

Today, the ‘Ndrangheta is estimated to include around 10,000 members, part of some 150 different clans (Catino 2019: 160), which are organised in local branches and provinces, ultimately coordinated by a higher body known as *Crimine*. Its most distinctive feature in comparison to other mafia organisations is the prominent role played by kinship. Kinship is also said to play a role in the process of transplantation into new territories (Varese 2011a: 33). Affiliates who either were born or are living far away are still considered part of their structure of reference in Calabria because of familial ties (Sergi and Lavorgna 2016: 25). As a result, the groups operating abroad are always considered projections of the organisation in Calabria, with which they keep a very strong relationship.

The next two sections lay out the organisational structure of the Calabrian mafia, detailing functions, coordination mechanisms, and their evolution over time, and provide a short discussion of the role of kinship, specifically in terms of the composition of a single crime group as well as inter-group dynamics. It will turn out that, notwithstanding the complexity and plurality of the phenomenon, the ‘Ndrangheta can be identified as one single criminal organisation, with its own distinctive structure, membership, organisation, and historical evolution.

2.1.1 A Confederation of Mafia Clans

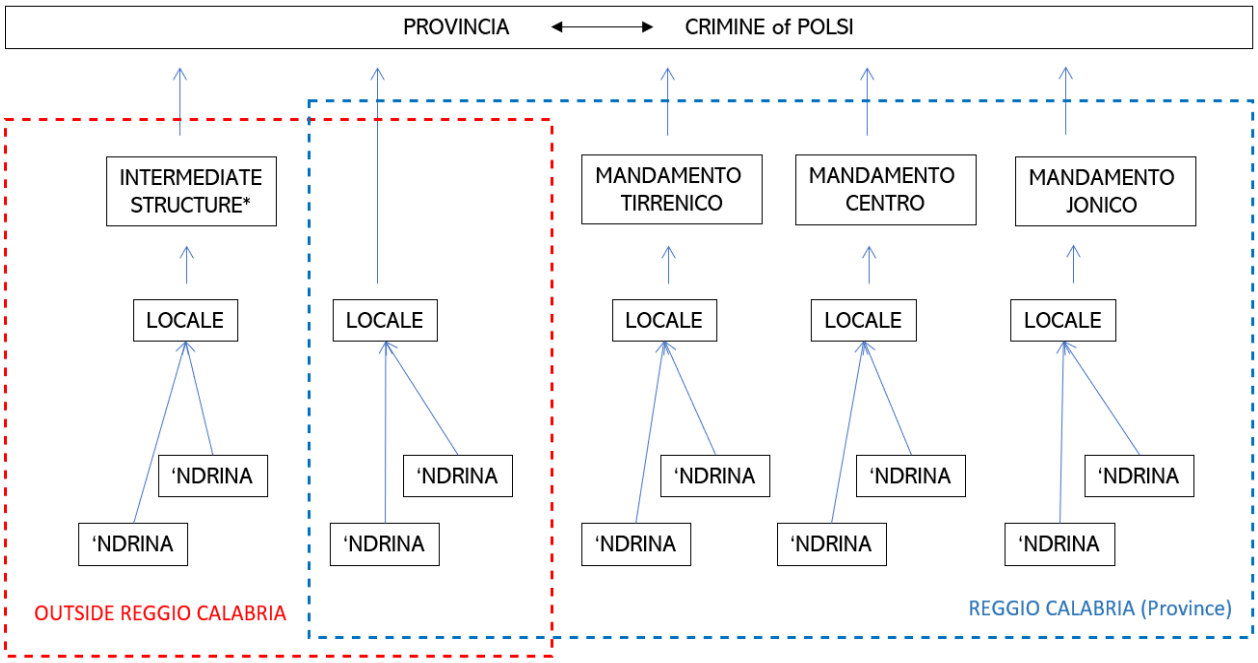
Ultimately, the ‘Ndrangheta is a loose confederation of mafia clans (Paoli 2003: 19, Varese 2011a: 33, Catino 2019: 6). This does not imply, however, that the Calabrian mafia is disorganised. As early as 1897, the Italian royal police found a written code indicating the affiliation ceremonies, structure, and functions of the so-called *picciotteria* (the term *‘Ndrangheta* would be used only much later). The code identified a rudimentary structure organised around the boss (*capo-società* or *capo-locale*), supported by a deputy, a

bookkeeper responsible for the common cash pool, and the so-called day master (*mastro di giornata*), who was in charge of gathering information, conducting diplomatic relationships with other clans, and communicating orders to the affiliates, which were called *camorristi* and *picciotti*. At the turn of the century, further messages (*pizzini*) that were written in a cryptic language were seized in prison, with a state-witness revealing the existence of a rudimentary tribunal within the organisation dedicated to punishing those who did not respect the rules (for details, see Gratteri and Nicaso 2019).

The same basic structure still holds today. All 'Ndrangheta clans, the so-called *'ndrine* (singular: *'ndrina*), including crime families operating as far afield as Canada and Australia – benefit from substantial autonomy in terms of operations. This autonomy, however, is mitigated within the *locale* (plural: *locali*), the basic organisational unit of the 'Ndrangheta, which includes more than one *'ndrina* operating on a certain territory. Usually, the *'ndrina* takes the name of its core family, while the *locale* is named after the city it controls (for example, the clan Farao-Marincola of the *locale* of Cirò – see Chapter 3).

Within today's *locali,* it is possible to identify the same roles that were sketched out in the 1897 code. Beyond the specific functions, the 'Ndrangheta also follows a tiered structure of ranks called "gifts" (*doti,* singular: *dote*), which determine the criminal career steps of individual members. Over time, new *doti* have been created and introduced into the organisation (see, for example, the introduction of the *santa* in section 2.2.3). These are extremely important insofar as they form the basis of the distinction within the *locale* between the so-called minor society (*società minore*), gathering the lower ranks, and major society (*società maggiore*), which is open only to high-ranked members. It is unclear whether the two levels exist in every *locale,* but when they are present, the two parts of the organisation are kept separate, with only one channel of communication through the boss of the minor society.

Figure 2 – Organisational Structure of the 'Ndrangheta in and outside the Province of Reggio Calabria



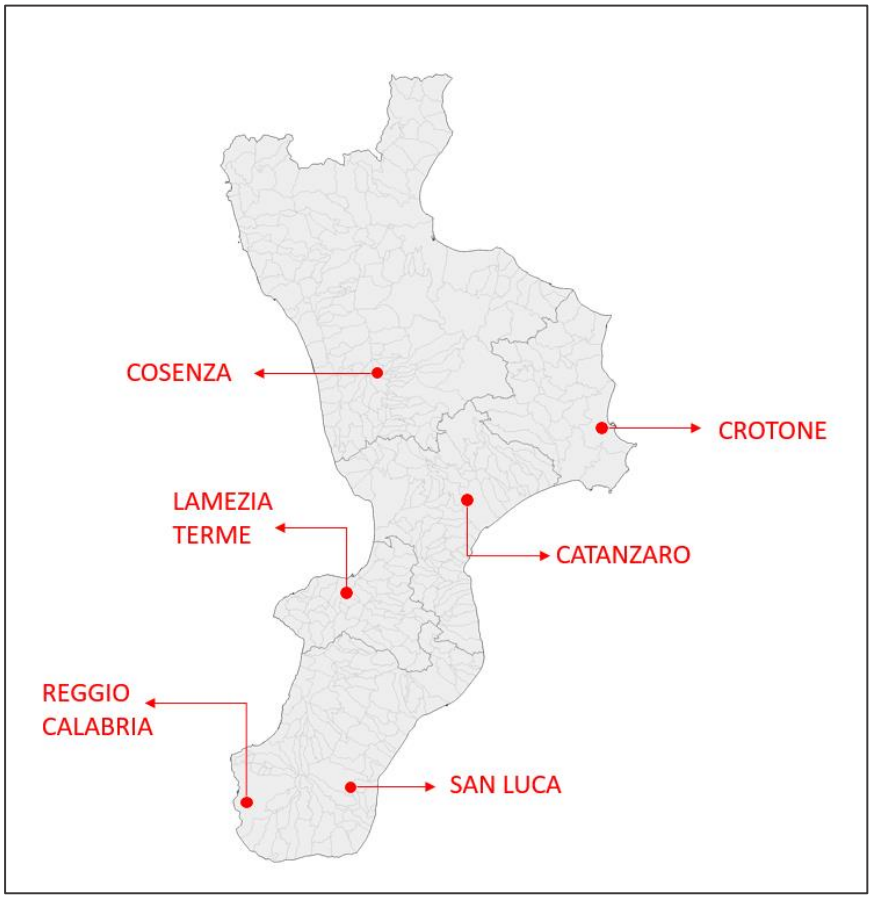
*Intermediate coordination structures can take various names, e.g. *camera di controllo, camera di passaggio, or crimine.*

Source: Candidate's elaboration.

Especially since the 1990s, following the second mafia war in Calabria, more sophisticated forms of coordination and dispute-settlement mechanisms were developed, most notably in the province of Reggio Calabria. There, the *locali* are grouped in three *mandamenti*, which are territorial branches responsible for the families operating respectively on the west coast (*mandamento tirrenico*), the east coast (*mandamento ionico*), and in the area of the city of Reggio Calabria (*mandamento centro*). They all respond to two collegial structures, known as *Crimine* of Polsi and the *Provincia*, which are tasked with avoiding conflict within the organisation, applying the rules, and recognising new *locali* (see Figure 2). The two bodies have a purely coordinating function and do not intervene in the day-to-day business of the

crime families.[11] It is this set-up that most strongly represents the "unitary" aspect of the 'Ndrangheta, as pointed out by Italian judges.

Figure 3 – Map of Calabria, its Provinces, and San Luca



Source: Candidate's elaboration. © Wikimedia Commons.

The mafia phenomenon inside Calabria, however, extends beyond the province of Reggio Calabria, towards the northeast of the region (see Figure 3). For a long time, groups operating in that area were not considered to be part of the 'Ndrangheta, but simply criminals of

[11] For a more detailed description of the internal structure of the 'Ndrangheta, see Catino 2019.

Calabrian origin (Paoli 1994: 212, Paoli 2003: 29-30). Yet although the groups that are active around Reggio Calabria differ from those operating in other areas in certain respects, especially in terms of historical development, such differences are better understood as manifestations of a complex phenomenon rather than two different phenomena altogether. Ultimately, clans and *locali* operating today outside the province of Reggio Calabria recognise the authority and respond to the same collegial structure, although sometimes through different intermediate mechanisms.

Even outside Calabria, intermediate structures of coordination are not uncommon. Depending on the context, they serve slightly different purposes. By 1966, the Australian police reported an annual meeting held among the most important 'Ndrangheta clans in the country. Fifty years later it would become clear that their main function was – and most probably still is – to maintain a strict observance of the rules or, as they say, "the way of doing things right" (Sergi 2019b: 14). Similarly, in Canada, a committee sitting in Toronto, an expression of the Siderno syndicate in Calabria, is allegedly charged with solving disputes among Calabrian-Canadian clans. It is called *Crimine* of Toronto and remains, at least on paper, subordinated to the Calabrian *Crimine* (Sergi 2018b: 442). The 'Ndrangheta cells operating in the western Italian region of Liguria are also coordinated by an intermediate structure, called the "control chamber" (*camera di controllo*), responding to the Calabrian *Crimine* and sitting in Genoa (see, for example, DIA 2017a: 45; see also Perna 2018). In the same region, in the city of Ventimiglia on the border with France, another structure was allegedly responsible for linking with the 'Ndrangheta clans operating in the Cote d'Azur.

In other words, while elements of diversity should not be dismissed, it is essential to acknowledge that the Calabrian mafia operates with a level of continuity and similarity across

its regions (Sergi and Lavorgna 2016: 27).[12] Depending on the unit of analysis, it might therefore be analytically more correct to speak of 'Ndrangheta clans rather than the 'Ndrangheta as one collective entity. Throughout this thesis both terms will be used, but the reader should bear in mind that the term 'Ndrangheta always refers to a confederation of different clans collectively organised.

2.1.2 Kinship

From a comparative perspective, the most important and distinctive feature of the Calabrian mafia clan is kinship. More than in any other Italian or non-Italian mafia, the 'Ndrangheta crime family overlaps with the blood family. As one anti-mafia Italian prosecutor put it, "one becomes a member by the simple fact of being born into a family" (Varese 2011a: 33). Some family names can be traced back to the end of the nineteenth century. As early as 1870, for example, arrest warrants in the Calabrian village of San Luca, the historical heart of the 'Ndrangheta, listed the names "Pelle" and "Nirta", today among the most influential mafia families in Italy and beyond – not least in Germany.

This is not to say that membership is exclusive to family lineage, however. New members can be attracted to the organisation for a variety of reasons that have nothing to do with family links and, if found worthy, can be affiliated. The head of the Special Operations Group of the Carabinieri in Reggio Calabria explained that while "the core is always the blood family", it is also true that "around that core there are a significant number of subjects that are just co-opted through affiliation procedures" (P10). Non-family affiliates are as critical as family members for ensuring the continuity of the organisation. Antonio De Bernardo, a

[12] This is not to say that all forms of crime in Calabria are necessarily expressions of the 'Ndrangheta. On the contrary: the Calabrian underworld is characterised by many actors, of which mafia groups constitute only one type.

prosecutor in Catanzaro, explained that "The *locale* looks a bit like a constitutional monarchy. There is, of course, an important role for the dominant family, but all around it, there is a court, with its functions and ranks" (P27).

For example, after the death of Antonio Macrì, an important member of one of the key families in the history of the 'Ndrangheta, Macrì's nephew was initially chosen as his successor. But when he turned out to be unreliable, he was quickly displaced: he had been "outvoted" by the "court" (P1). Similarly, in the 1990s, the heirs of the De Stefano family were considered too young to take on responsibility. As a result, the *mandamento* of Reggio Calabria was led for ten years by an individual from outside the family. However, once the young De Stefanos demonstrated that they were up to the challenge, power was handed back to the original family (P28).

Despite the frequent affiliation of individuals who are not part of the blood family, alliances and other kinds of relationships within and between the clans are cemented via kinship ties, such as through strategic marriages (Catino, Rocchi et al. 2021). As a result, the "fraternisation contract"– common to all mafias, Italian and non-Italian (Paoli 2003: 17) – is, for members of the 'Ndrangheta, more than a fictitious brotherhood, into which affiliates get baptised: it is real. This has important consequences in terms of both the composition of a single crime group and inter-group dynamics.

Regarding the composition of the group, kinship ties are a form of control mechanism to ensure compliance and loyalty (Campana and Varese 2013). Thus, the importance of the blood family has proved to be one of the 'Ndrangheta's greatest strengths, ensuring cohesion within the crime family, fostering a high level of commitment and belonging, and guaranteeing secrecy. All members of the family, including women and children, are involved in the day-to-day business of the *'ndrina*. More than other mafias, in fact, the

'Ndrangheta makes use of children, which are not just "born" into the crime family but can also be affiliated when they are as young as fourteen (Catino 2019: 34). According to the President of the Juvenile Court of Reggio Calabria:

> "Over the years we have dealt with children involved in kidnappings […] Minors have then been used to take care of fugitives, also abroad, they have been used as drug mules and have been involved in extortion, while their parents were in prison. We have tried minors fully involved in all aspects of the organisation, partaking in local feuds, sometimes as killers. In one instance, we had a minor indicted for as many as six murders."(P20).

Alongside children, women, although not formally accepted as part of the organisation,[13] play an important role, which is not limited to traditional functions, such as keeping the family together or accepting arranged marriages. Matrimonial strategies are used to consolidate or expand power, to seal business partnerships or other alliances and vary depending on the clan's status, geographic location, and main activity (Catino et al. 2021: 328). Beyond marriages, women are actively involved in crime activities, often as foot soldiers, but sometimes also in leading positions. However, it is crucial to note that the power that is exercised by women is always delegated and temporary, and tends to be limited to emergencies, such as when husbands are on the run, in prison or unable to communicate for other reasons (Paoli 1994: 216, Ingrascì 2007: 177-179, Ingrascì 2010).

Furthermore, the overlap between the crime family and the blood family has ensured a comparatively low number of defections because informants would have to turn in their own family – brothers, fathers, sons, cousins. Only some 2.6% of members of the 'Ndrangheta have defected, compared to 6.9% of the Cosa Nostra (Varese 2011a: 34, see also Paoli 1994). This seems to be gradually changing, with recent trials seeing an increase in former members

[13] There have been exceptions to this rule. Court documents from the early twentieth century refer to women, at the time called *picciotteria,* formally initiated into the organisation. More recently, the anti-mafia prosecution has identified an official role attributed to women within the organisation, the *sorella d'omerta'* ("sister of omerta').

becoming state witnesses, although at the time of writing it is too early to establish the significance of the phenomenon and its consequences on the organisation.

Meanwhile, from the perspective of inter-group dynamics, the reliance on kinship can also be said to have weakened the 'Ndrangheta, dragging entire generations into feuds lasting for years, if not decades, and following a logic of vendettas that has proved extremely difficult to interrupt. During the so-called second Calabrian mafia war, the city of Reggio Calabria accounted for 11% of the total national of murders in Italy, while only making up roughly 1% of the Italian population (Paoli 2003: 60). The conflict lasted from 1985 to 1991; allegedly, peace was established only thanks to the mediation of the historical clans in Calabria, alongside representatives from Australia and Canada, and the intervention of the Sicilian Cosa Nostra (Paoli 2003: 61). Today, although big conflicts seem to have died out, in part thanks to coordination mechanisms, such as *Crimine*, inter-familial feuds still represent an everyday reality for the Calabrian mafia context.

2.2 History and Development

Historical accounts of the 'Ndrangheta generally identify different stages of development that have supposedly led it to transform from an archaic, traditional, and rural phenomenon, specific to Calabria in Italy, into an "international criminal holding" with branches all over the world. Originating in the middle of the nineteenth century and left untouched throughout the First World War and the Fascist period, the 'Ndrangheta is said to have undergone a "genetic mutation" (Gratteri and Nicaso 2019: 134) from the 1960s onwards, leaving behind

old habits to adopt a completely different course, consisting of a newly found vocation for business combined with a strategy of institutional infiltration.

A closer look indicates that changing external circumstances bring different facets of the Calabrian mafia, which had always co-existed, to the foreground. These facets relate to three dimensions: an entrepreneurial dimension, widely discussed and often overestimated in the literature; a political dimension, consisting of either the influence over or the overlap with public institutions; and a "traditional" dimension, which is characterised by the importance of rules and rituals.

Acknowledging that all three dimensions co-existed since the very early stages of the history of the 'Ndrangheta opens up a series of questions that have not yet been fully explored, such as how these elements have been impacted by and have influenced one another over time, what role external factors have played, and whether these elements can either be reduced to different categories of mafiosi, reflect specific functions within the organisation, or co-exist within every affiliate. While answering these questions is beyond the scope of this thesis, they nonetheless lay the ground for the dynamics that will be discussed in the three case studies.

The following sections offer a brief historical overview, starting with the origins of the Calabrian mafia and the misconception of it being an exclusively "rural" phenomenon, rooted in poverty and backwardness of Calabria. The analysis then moves onto unpack the entrepreneurial, political, and "traditional" dimensions of the 'Ndrangheta, and their manifestations from the end of the nineteenth century to the new millennium. The section concludes with an overview of the 'Ndrangheta's presence in the world.

2.2.1 The Rural Mafia

The history of Calabria after the unification of Italy is one of poverty. In 1861, there was only one paved road, the rest were cattle paths. The Calabrian historian Pasquino Crupi described it thus:

> "[In Calabria] the agricultural system was backward, the state domain had been hoarded by so called 'gentlemen', and the bourgeoisie, ragged and hungry, was unproductive. The region suffered from both the immobility of the landowners and the middle class." (quoted in Gratteri and Nicaso 2019: 13)

With the highest level of illiteracy in Italy – 87% of the population could neither read nor write – the region experienced famines as a result of two agricultural crises (1885 and 1888) and was hit by a series of earthquakes (1905, 1907, 1908), the last of which completely destroyed the city of Reggio Calabria (Gratteri and Nicaso 2019: 26). Fifty years later, when the city was flooded twice and the first agricultural reform failed to deliver on its promises, people still lived in huts. Over the years, different emergency packages pumped money into the region, while special commissions were sent by the government to investigate what had become a situation of rampant criminality.

Then, in the post-war period, more than two and a half million people emigrated from the south to the north of Italy and abroad (Rodgers 1970: 111-112). Although data specifically about the Calabrian diaspora abroad is difficult to find, as most information is collected with reference to Italian communities as a whole, it is estimated that more than half of the Calabrian population emigrated (Rodgers 1970: 112), a trend that has still not been reversed at the time of writing. To fill the economic and social gap, a series of public interventions was undertaken in the hope of stimulating growth and development in the region. From the 1960s onwards, the central government allocated around €85 million (£70.5 million) for the completion of the Salerno-Reggio Calabria highway, more than €170 million (£141 million)

to improve water and forest-management systems, and an emergency package of about €1 billion (£855 million) in response to major social unrest in the city of Reggio Calabria (the so-called Moti di Reggio), which was used to construct the fifth steel plant in the area of Gioia Tauro, a group of chemical plants in Montebello Ionico, and other industrial and tourist settlements (Daniele 2005: 100). However, the short-term and intermitted nature[14] of such interventions never allowed for addressing the fundamentally averse socio-economic conditions at the root of most of Calabria's problems. In 2019, the chief prosecutor of Reggio Calabria was still calling for a "Calabria plan", built on "long-lasting and constant measures", to redeem the region (Petralia 2019). So far, his call has not been heeded.

It is against – and closely related to – this background that the 'Ndrangheta came into existence as a criminal organisation. Just as Gambetta pointed out for the Sicilian mafia, and in a similar fashion to the Russian mafia (Varese 2001), the Japanese yakuza (Hill 2003) and the Hong Kong triads (Chu 2000), the Calabrian mafia can be understood as "a historical form of private protection which emerged and developed in a specific context and period" (Gambetta 1993: 75).

Even before the Italian unification of 1861, as the feudal system was abolished and the country was transitioning towards a modern state, loose groups of criminals started to sell their services to landowners, who were worried about keeping their privileges. Known as *camorristi* or *picciotti*, they served as bodyguards, defended properties from brigands, and controlled water sources. In this period, what can be considered proto-mafia groups, already organised around systems of rules and rituals (Paoli 2003: 69), established themselves as protectors of the wealthy, repressors of everyday crime, and mediators of conflicts in the

[14] For example, in 1955 the Ministry of the Interior sent a special commissioner to Calabria to fight against the 'Ndrangheta. He stayed only for 57 days and was then recalled by the central government (Operation Marzano).

society (Arlacchi 1986: 26-38). In other words, they started to control territory and govern it. The sociologists Piselli and Arrighi explained (cited in Paoli 1994: 213) that in Calabria the mafia

> "Set the duties which the partners of commercial transactions had to comply and bound the free play of supply and demand to the respect of precise social relationships and ethical norms. It protected the market, but it prevented its expansion. It guaranteed the functioning of the local market and its links with the world market and at the same time it prevented the subordination of the first to the second."[15]

At the end of the nineteenth century, a series of trials started to bring hundreds of alleged mafiosi to justice in the cities of Palmi, Nicastro and Reggio Calabria (Ciconte 1992, Nicaso 1990). During the same period, accounts of a certain *maffia*, *camorra* or *picciotteria* were found in police reports and political documents (Paoli 2003: 37).[16] The first written codes retrieved by the police also date back to the same historical period, more specifically 1888 (Codice di Nicastro), 1896 (Codice di Seminara), and 1902 (Codice di Catanzaro). These codices described in varying amounts of detail the norms, functions, and initiation rituals of the organisations in question (Maddalon 2016: 60).

Left virtually untouched during the Fascist period, when attention was focused on the Sicilian mafia instead, Calabrian mafiosi continued to play a key role in local politics, directly joining the ranks of the party or serving party interests in other ways, such as by offering a variety of services on the territory they controlled. Officially, the state intervened with two waves of repression, one in 1927, a second in 1932. In both instances, though, the intervention was little more than cosmetic: most of the people arrested were quickly released without charge

[15] Originally published in Piselli, F. and Arrighi, G. (1985). *Parentela, clientela e comunità*. In Bevilacqua, P. and Placanica, A. (eds.), *La Calabria*, pp. 367-493.

[16] Only much later did the term 'Ndrangheta start to be used by local newspapers to describe the specific phenomenon of the Calabrian mafia. Other terms used to indicate the Calabrian mafia in the press over the years have included 'Ndràngata, 'Ndràngheta or 'Ndrànghita, the Famiglia Montalbano, and, more rarely, the Paranza (see Trumper 2020).

and of the few convicted, most were granted a reduced sentence, if not pardoned completely (Gratteri and Nicaso 2019: 78-89).

2.2.2 The Entrepreneurial Mafia

In 1969, chairing what some consider the last summit of the "rural 'Ndrangheta", the Calabrian mafia boss Peppe Zappia declared, "Manhood is over. The young generation is obsessed with money and has no more respect for anyone" (quoted in Gratteri and Nicaso 2006: 42). According to the sociologist Pino Arlacchi, this was a watershed moment symbolising the "conversion of the mafiosi to the religion of accumulation" (Arlacchi 1986: 85). Arlacchi was the first to theorise and explain how the traditional Calabrian man of honour of the beginning of the century finally turned into an "entrepreneur" by the 1970s. Nevertheless, what he defined as a "new mafia" was, in fact, little more than the same old business of protection. In his own analysis, he identified three elements making up this allegedly new entrepreneurial dimension: the discouragement of competition, the control of the job market, and access to significant financial resources. None of them, however, were new to the business of the clans.

One of the earliest manifestations of protection against competition was, for example, the cattle thefts that were commissioned by rival landlords and executed by the *picciotti* as early as the eighteenth century, a practice that was common in all of southern Italy (Ciconte 2008: 46). Equally, interference in the job market was not new to the 1970s. As early as 1950 (earlier examples could probably be found in archives), 41 people were arrested for belonging to a type of labour racket (*caporalato*) in Siderno, part of the metropolitan province of Reggio Calabria. The system, widespread across southern Italy, takes its name from the *caporali*, the individuals controlling the recruitment market, taxing workers and imposing

working hours and salaries (Gratteri and Nicaso 2019: 91). Both protection against competition and labour rackets have been among the main activities of mafia organisations across the globe for as long as such organisations have existed. These constitute, in fact, the distinguishing feature that makes mafias a subgroup of organised crime, namely their capacity to govern by providing private protection (see 1.3).

Even so, it would be equally short-sighted not to acknowledge the business dimension of the 'Ndrangheta. Following the wave of state interventions injecting capital into the region, mafia clans started to form cartels to control public bids and redistribute their profits accordingly. For example, the highway business was in the hands of one crime family, while the steel business in Gioia Tauro was divided among four clans. Public bids were systematically left without competitors (Gratteri and Nicaso 2019: 140-159) and procurement contracts for public works surged by 15% to accommodate traditional protection fees and subcontracts to mafia-owned businesses (Gratteri and Nicaso 2019: 107). Today, practically every other month the police seizes tons of drugs, mainly cocaine, trafficked by Calabrian mafia clans into Europe.[17] Clans set up companies or infiltrate existing ones to launder money, participate in public bids, organise fraud schemes, and much more. Affiliates might run activities on behalf of the clan, while also having their own business on the side. They invest in real estate, gambling, and waste management, to name just a few examples. While some sectors are preferred because they present specific vulnerabilities or opportunities, activities might vary significantly over the years, across clans, and depending on the context.

This scenario has led observers to follow Arlacchi's steps and repeatedly to announce that the 'Ndrangheta has transformed into something "new", increasingly sophisticated, and powerful. According to the *Financial Times,* for example, it has turned into a "social media

[17] For an overview of the involvement of 'Ndrangheta clans in cocaine smuggling into Europe, see Anesi et al. (2021).

influencer"(Johnson 2021), while Italian investigators have communicated its transformation into a "criminal blockchain" (Humphreys 2019). The main problem with Arlacchi's analysis – and many of the accounts that have since announced a similar "turn" for the 'Ndrangheta – is that they conflate mafia methods with the business activity itself (Gambetta 1993: 19). While the latter varies, the former remains the same.

2.2.3 Institutional Corruption

With closer consideration, the second alleged radical change – that is, the infiltration of and influence over politics and state institutions more generally – also turns out to be an element of continuity throughout the history of the 'Ndrangheta. Towards the end of the 1960s, the organisation created a new rank, the *santa*, designed to allow "double affiliations", which meant that members of the 'Ndrangheta started to join the Masonry, which had previously been forbidden, and in which they had the opportunity allegedly to establish direct relationships with the highest ranking members of Italian institutions, including prosecutors, politicians, and judges.[18]Over time, this "secret" dimension developed further within the organisation. The chief prosecutor of Catanzaro, Nicola Gratteri, explains:

> "With the 'Santa' there has been a big qualitative leap. Originally, the 'santisti' were only 33. Then the number increased and other ranks, higher in the hierarchy, have been created. Beyond the 'Santa', they created the 'Vangelo', the 'Quartino', the 'Tre-quartino', and the 'Medaglione'. Secret concentric circles, known to fewer and fewer people. In these decades, we see an 'Ndrangheta that interacts with subjects that are not affiliated [to the 'Ndrangheta] but belong to the Masonry, or with professionals, with the public administration." (P1)

This was only the beginning of what is said to be a new course, an explicit "strategy of pervasive penetration of institutions" (Gratteri and Nicaso 2006: 47). However, while there

[18] See, for example, Operation Gotha.

can be no doubt that the creation of the *santa* in 1969 was an important turning point, the proximity of the 'Ndrangheta to institutions and political life has been a leitmotif of the Calabrian mafia phenomenon since its very early days,[19] and the literature is filled with evidence that the political dimension has been an essential element of the Calabrian mafia since its very outset, uninterruptedly so up until this very day (Paoli 1994: 231-236, Ciconte 2008: 262-263, Sciarrone 2009: 33-39, Sergi and Lavorgna 2016: 20-23, Catino 2019: 91).

Calabrian *camorristi* systematically meddled with elections as early as the nineteenth century. They actively supported their preferred candidates but also violently intimidated political opponents. Local elections in Reggio Calabria, for instance, were terrorised by the *accoltellatori* (stabbers), cutting opponents to the landed aristocracy with razors. Furthermore, it was not rare for local mafiosi to be themselves members of public institutions or renowned figures in the life of the community, a phenomenon that would later be defined as "internalisation of representation" (Paoli 1994: 233). In 1863, for example, the citizens of a small town, which is today part of the city of Reggio Calabria, signed a letter asking the prefect to take action against a number of *camorristi*. Named in the document, they were "the captain of the national guard, the priest and the schoolteacher, the city council's chancellor and the lieutenant" (Gratteri and Nicaso 2019: 15).

One and a half centuries later, the biggest trial against the 'Ndrangheta that has ever taken place (Operation Rinascita Scott) is again bringing to justice, among others, members of parliaments, mayors, and lawyers. Over the years, policemen, judges, and local politicians have been accused of systematically collaborating with mafia clans in Calabria. For instance, between only 1991 and 1993, more than 400 public officials in Calabria were charged with

[19] The link to the political world can also be found in the symbolic dimension, in the wording, metaphors, and allegories used in some of the oldest codes and rituals (as well as some of the more recent ones). Some 'ndranghetisti declared to have learned to read and write in prison, helped by political prisoners (see Maddalon 2016: 101).

serious crimes, including mafia association (Paoli 1994: 232). It is not rare, for affiliates, as was the case in 1863, to be mayors, members of the city council or of regional institutions to the point that today Calabria is the region with the highest number of city councils disbanded for mafia infiltration (Avviso Pubblico 2021). In terms of electoral influence, clans have sided with all political parties, showing no preference other than a tendency to maintain the socio-economic *status quo* (Ciconte 2008: 312-17).

Last but not least, infiltration of – and overlap with – politics and regional institutions has also been demonstrated outside the traditional territories of routine operation, such as in northern Italy (Dagnes et al. 2018) and is one of the aspects this thesis investigates with regards to Germany.

2.2.4 Rules and Rituals

The transformation of the 'Ndrangheta from a rural into a modern mafia is assumed to have happened at the expense of the "traditional mediation functions", historically performed by the organisation. The entrepreneur, according to Arlacchi, is the opposite of the traditional mafia mediator, showing no interest in rituals and superstitions, no "devout observances" (Arlacchi 1986: 128). In reality, however, not only has the traditional dimension of the 'Ndrangheta not weakened over time, but the respect of rules and the importance of rituals remain, to this day, the backbone of the organisation (Catino 2019: 60).

Shortly before being murdered by the Sicilian mafia, the Italian judge Giovanni Falcone wrote:

> "One can smile at the idea of a hardened criminal – who has already committed many terrible crimes – taking a sacred image in his hand and solemnly swearing he will protect the weaker and not desire the women of others. One can smile at it, as one can smile at archaic ceremonies, or even take them for a ridiculous joke. But this is very serious. It commits the person for life. Becoming a member of a mafia is like

> converting to a religion. One never stops being a priest. One never stops being a mafioso." (Falcone and Padovani 1991: 97)

In a nutshell, while appealing at the cognitive and emotional levels, rituals contribute to building a "normative *communitas*" (Turner 1995: 131-132, Paoli 2003: 81), regulated by a specific set of rules. This complex mix of rituals, rules, and codes of conduct is not a reminiscence from the past and amounts to more than theatrical or ludicrous recitations, as Falcone pointed out.

Similar to a religious conversion, becoming a made member of a mafia organisation involves acquiring a new identity that is exclusive and all-embracing, meaning that all allegiances are re-defined as a function of the newly acquired identity. This moment is sanctioned by an initiation ritual, a "baptism", which not only symbolically constitutes a new birth but also binds the individual to respecting a specific set of rules. In this sense, rituals serve two purposes. On the one hand, they define the group's collective identity by appealing to the cognitive and emotional (Paoli 2003: 67). On the other, they sanction the moral validity (Varese 2017b: 17) of the system of rules governing the organisation. Far from being a vestige of old criminal folklore, rituals ultimately consist in an oath of allegiance to a set of rules.

The rules, in turn, respond to and address common organisational problems. In the same way as in legal organisations, rules in criminal organisations establish order by delineating roles, functions, and the chain of command, as well as coordinating across sub-units (Catino 2015, Catino 2019: 8, 42, 241-252). In the context of criminal organisations, however, rules and rituals serve three additional purposes. First of all, they confer "ephemeral certainty" in a world of distrust, anxiety, and misunderstanding (Gambetta 1993: 152). Second, they are aimed at maintaining secrecy, which is, unsurprisingly, one of the main concerns of outlaw societies. Third, they serve to contain violence that could be destructive for the organisation

by imposing constraints and, in particular, providing in-house dispute-settlement mechanisms as third-party enforcement and settlement are not available to extra-legal transactions (Catino 2019: 241-252).

That both rules and rituals serve a practical function within mafia organisations becomes even more obvious at a comparative level. The Russian *vory-v-zakone*, the Sicilian Cosa Nostra, the Japanese yakuza, the Hong Kong triads, the Calabrian 'Ndrangheta, and even gangs (in specific circumstances) have all developed very similar rules and rituals, despite profound cultural and historical differences (Varese 2017b: 12-41, Catino 2019: 226-259, Skarbek 2014: 17-45).[20] This should come as no surprise, according to Maurizio Catino. In a comparative study of seven mafias around the world, the author came to the conclusion that it has been "a matter of a common evolutionary and adaptive response to common problems and needs" (Catino 2019: 5).

2.2.5 The 'Ndrangheta in the World

In 1994, Letizia Paoli had already warned against underestimating the 'Ndrangheta's "very large national and international network" (Paoli 1994: 226). However, it has taken several decades for researchers to start to focus on the 'Ndrangheta's international expansion. This delay has contributed to the widespread misconception that the international dimension of the Calabrian mafia is in some way a latest stage in its development. With closer examination, though, it is apparent that the geographical extension of the 'Ndrangheta beyond its territory of origin started in the early twentieth century. First indications of activities by members of

[20] These similarities are also reflected in the language used in codes and ceremonies. Analysing a unique set of primary sources, the linguist Marta Maddalon (2016: 105) clustered three constituent themes in the language used by the 'Ndrangheta: religion (crosses, doves, grails, baptisms), morality (faith, fairness, honour), and law (tribunals, judges, punishments).

the ‘Ndrangheta abroad can be traced back to the 1920s in Australia, the 1950s in Canada, and the 1970s in Germany.

Today, the Calabrian mafia is reportedly active in several dozen countries, stretching across Europe, North and South America, Africa, and Australia. A first worldwide overview was provided by a team of criminologists led by Francesco Calderoni, who carried out a statistical analysis of the presence of Italian mafias abroad, putting together a dataset of 985 references, covering 61 countries and 1,164 criminal activities over 12 years. The study documented that the ‘Ndrangheta was the most internationally widespread group compared to other Italian mafias. The data also showed that Italian mafia organisations, although being present virtually all over the world, have in fact concentrated their activities in a few countries, with Spain and Germany ranking at the top. Spain mainly sees activity by the Camorra, while Germany shows the highest concentration of ‘Ndrangheta-related activities (Calderoni, Berlusconi et al. 2015: 421).[21]

In Europe ‘Ndrangheta clans are also reported to be active in France, historically a key territory for hiding fugitives, which has become transit point for drug trafficking, including hashish from Morocco and Spain, as well as cocaine from South America (DIA 2015: 89). Money laundering activities have been documented in the area of the Cote d’Azur, where significant sums have been invested in tourism, but are most likely not limited to one region (DIA 2015: 89). Belgium is also seen as a strategic territory for Calabrian clans because of its location at the heart of Europe and the presence of the port of Antwerp, making it a logistical hub for trafficking operations (DIA 2017a: 198). However, the extent to which this presence has been translated into the reproduction of longstanding criminal structures, remains unclear

[21] As the authors themselves pointed out, there are significant limitations to this study, mainly related to the data used, which inevitably includes only known cases, reflecting the investigative priorities set in each country, as well as the likelihood of getting convictions and the level of institutional cooperation among countries.

(Police Fédérale 2021). Similarly, the Netherlands – in particular, the port of Rotterdam – is a popular entry point for drugs, which are shipped to Belgium and Germany, thanks to dense road and canal systems (DIA 2017a: 206). There, as well as in other places across Europe, clans work seamlessly across borders. Further examples include the area around Lake Constance between Germany and Switzerland (Tribunale di Reggio Calabria 2015), and the border area of Liguria in northern Italy.

In Australia, the 'Ndrangheta seems to have developed into a "hybrid criminal system" built around concentric and overlapping circles of people, who are not all strictly involved in criminal activities (Sergi 2019b: 6). According to the DIA (2017a: 213), there are three different types of Calabrian criminal formations in Australia today: generic criminality of Calabrian origin (third or fourth generation), often operating within multi-ethnic groups; structured Calabrian organised crime groups with no ties to 'Ndrangheta families but a strong Italian identity; and the so-called Australian 'Ndrangheta, with adapted organisational features, rituals and rules.

Similarly, there is a stable, longstanding and deeply rooted presence of Calabrian mafia groups in North America. In the United States, clans are reported to be present in Florida, New Jersey, and New Yok. There and in Canada, the 'Ndrangheta is considered to have gradually replaced its better-known sister, the Sicilian Cosa Nostra, as the major player in the drug business (DIA 2017a: 215). Recent investigations indicated the presence of a *camera di controllo* in Toronto (see 2.1.1).

In Latin America, numerous Italian law enforcement operations have proved the involvement of Calabrian clans in drug trafficking in Colombia, Venezuela, Peru, Brazil, Costa Rica, and other countries.[22] Although it seems as if they rely on single brokers or logistical support

[22] See, for example, Operation Buona Ventura (2017), Operation Gerry (2017), Operation Due Mari (2016), Operation Ape Green Drug (2016), and Operation Imelda (2015).

bases rather than having built a systematic presence and organisational structures, further research is necessary to understand the nature and reach of the 'Ndrangheta in the region. Similarly, understanding the presence of individual 'Ndrangheta members in key trafficking points in West Africa, such as the Ivory Coast (Dickie 2014, Anesi and Rubino 2017), would require further study.

If presented without context, this data has the potential to contribute to the myth of all-powerful mafias expanding their tentacles around the world without adding anything to the understanding of the phenomenon. Most of the information available on the international presence of Italian mafias is published by the Italian Anti-mafia Agencies, the Direzione Investigativa Antimafia (DIA) and Direzione Nazionale Antimafia (DNA), and is descriptive in nature. It reflects Italian investigations and, more precisely, the information that is collected by the prosecution in order to make a case for conviction. The main problem with this source is that it often confuses the presence of a single affiliate with the replication of more complex organisational structures, such as the *locale*, in a given territory. Also, it does not usually contain any information on the length of stay of specific groups or individuals in new territories. Furthermore, the information on the type of activity is often limited to the crime category, such as drug trafficking or money laundering, without providing the elements necessary for analytical inferences. Last but not least, the Italian DIA and DNA reports do not follow clear criteria according to which the data is reported, and the narrative nature of the reports makes it difficult to spot duplicate references to either individuals or groups, which becomes especially problematic in quantitative studies.[23]

[23] While the authors tried to mitigate such biases, it still remains unclear to what extent they succeeded. In their methodological note, they noted that "it was impossible to address these risks adequately" (Calderoni, Berlusconi et al. 2015: 418).

While these concerns do not negate the relevance of overviews, whether quantitative or qualitative, they make in-depth case studies critical to understand the phenomenon properly. In order to say anything meaningful regarding the nature, scale, and dynamics of the international expansion of the ‘Ndrangheta, it is indispensable to build on these studies and zoom into a more qualitative dimension, away from pre-compiled secondary sources into first-hand collection and evaluation of as many primary sources as possible.

2.3 Germany

Only thirty years after its reunification, Germany is today considered a model in Europe and around the world for economic success, political stability, and civic responsibility. According to the Anholt Ipsos Nation Brands Index (NBI), Germany is the most reputable country globally, excelling in indicators such as national government competency and fairness, quality of life, and the business environment (Ipsos 2018). Home to around 83 million people, it is Europe’s most populous country, its largest economy, and one of the most influential players in European politics.

Most authors agree that the reasons for which Germany has become a hotspot for Italian mafias – and the ‘Ndrangheta more specifically – are twofold. Generally, its geographical position at the heart of Europe, between the expanding markets of the east and the busy ports of the north, from which most cocaine from South America enters the continent, is assumed to make it an attractive logistical centre for organised crime. More specifically, the fall of the Berlin wall and the transition from a planned to a market economy is said to have paved the

way for organised crime to infiltrate its economy (Dagnes et al. 2019, Pignedoli and Montanari 2019, Lumia and Notaristefano 2011, Roth 2009, Bedetti and Dalponte 2017).

While these certainly are plausible hypotheses, none of the studies from which they are derived are based on an in-depth, empirical analysis of the German case, which is instead what this thesis aims to provide. The following sections give some context for Germany's organised crime situation and an overview of what is known, at the time of writing, about the presence of the 'Ndrangheta in Germany. Then the three case studies will be introduced.

2.3.1 Organised Crime in Germany

The German Federal Police (*Bundeskriminalamt*, BKA) has been systematically compiling statistics on organised crime since 1991. The available data is mostly quantitative in nature, relatively detailed – for example, it registers nationalities, a range of group-specific characteristics, and criminal activities – and has shown little to no change over the years, depicting what at first sight seems a very stable low-threat scenario populated mainly by informal networks of criminals (Kerner 1973, von Lampe and Knickmeier 2018: 29). However, this data reflects only the number of investigations and, as a result, does not offer a complete picture of organised crime in Germany. Rather, it depicts law enforcement efforts and successes in fighting it. In particular, this perspective in the specific case of Germany is biased in two ways.

The first problem regards definitions. Investigative work in Germany builds on a very general working definition of organised crime,[24] which is not reflected in the criminal code and

[24] BKA (1990): "Organised crime is the planning and execution of serious crimes for the pursuit of profit or power by two or more people working together for a sustained period of time and using commercial or business-like structures, violence or other means to intimidate, or influence politics, the media, public administration, the judiciary or the economy." Retrieved from:

mostly serves to allocate police responsibilities and distribute resources (von Lampe and Knickmeier 2018: 8). In theory, of course, the German criminal code details the offence of "building a criminal organisation" (§ 129 StGB),[25] even though it never explicitly mentions the term organised crime. In practice, the judiciary has, so far, opted for a very narrow understanding of the law, distancing itself from the working definition used by the police. The tension between judicial and police practice is reflected, for example, in the huge discrepancy between the cases investigated as organised crime by the police and those treated as such by the law (Sinn 2016: 15). This results from the fact that the working definition, which is also the only definition available at the time of writing, lumps together different manifestations of the phenomenon, different actors, and both organised and unorganised activities (von Lampe and Kinckmeier 2018).

When it comes to specific group characteristics, the data collected by the federal police becomes even more problematic. Organised crime groups are categorised and analysed according to "predominant" nationalities. For example, according to the definition used, a "predominantly Italian organised crime group" is one the leadership of which is Italian, notwithstanding its membership. The leadership of a group is, in turn, assessed by the investigation.[26] Moreover, only one nationality is registered, and multinational backgrounds are not accounted for, meaning that an Italian suspect with German citizenship will be considered German and, if leading a group, that group would be considered to be German as

https://www.bka.de/DE/UnsereAufgaben/Deliktsbereiche/OrganisierteKriminalitaet/organisiertekriminalitaet _node.html

[25] § 129 German Penal Code (Strafgesetzbuch StGb): (1) Anyone founding an organisation or participating in an organisation whose purpose or activity is aimed at committing crimes that are punishable with imprisonment of at least two years, will be punished with imprisonment of up to five years, or a fine. Anyone who supports such an association or recruits for or promotes members of such an organisation is punished with imprisonment of up to three years, or a fine. (2) A [criminal] organisation is a long-term organisation constituted of two or more members, characterised by: division of labour among members, the continuity of membership and the pursuit of an overarching common interest. [Candidate's translation from German]

[26] BKA, written correspondence with the author, 7 August 2019: 4.

well. In other words, at least in theory, a Calabrian mafia clan could end up in the category "predominantly German group".

The second problematic dimension concerns the federal governance system. Practical cooperation among the sixteen German states (*Länder*, singular *Land*), as well as the bodies that share power at the federal and local levels, is complex, time-consuming, and costly, which tends to create unclear jurisdictions and investigative blind spots. This is not to say that the German federal system does not work. However, the federal state and the *Länder* are de facto locked into complex relationships that can be particularly problematic in the field of security, both in terms of prevention and repression. Competencies vary from state to state,[27] with different commissioners' offices or police stations, as well as prosecution offices, responsible for investigating organised crime. In addition, the state police (*Landeskriminalamt*, LKA) share power to a certain extent with the federal police. This creates a complex system whereby jurisdiction may remain unclear and depend on individual decisions by the prosecution offices. Furthermore, as a result, investigative capacities vary significantly across the country in terms of human resources, expertise of police officers and prosecutors, and political priorities.

Today, Italian organised crime, specifically mafia organisations, is one of four types of organised crime together with the newly created and critically debated "clan crime", Russian-Eurasian organised crime, and Outlaw Motorcycle Gangs (OMCGs),[28]which the German federal police include in its yearly assessment. However, only a small portion (10%) of investigations deal with Italian mafia organisations. OMCGs and clan crime, by comparison,

[27] After continuous attempts at harmonising the 16 different police regulations, or at least policing practices – in 1974, 1994, and 2008-9 – the latest police reform was planned to be fully executed by 2020. At the time of writing it has not yet been completed.

[28] Statistics contained in the annual report by the federal police further distinguish between OMCGs and OMCG-like groups but the distinction is not relevant in this context.

accounted for much more significant shares (35% each) of investigations, with Russian-Eurasian organised crime making up the remaining part (20%, BKA 2018).

The category clan crime (or "clan-based crime") is a recent invention by the German authorities, mainly, although not exclusively, referring to crimes committed by families of Arab origin; it has not been given a fuller definition.[29] It was first included in police statistics in 2018, the same year in which it started to make the headlines in virtually every German newspaper, triggering what some have called a generalised hysteria (Rhode, Dienstbühl and Labryga 2019). In parts of Germany –specifically Berlin, the Ruhr area, and the state of Bremen – the "clans" are presumed to control portions of territories, sometimes using violence to do so, and to regulate drug markets (Henninger 2002). However, further research is needed to understand the origin, nature, and dynamic of this criminal phenomenon and to substantiate the alleged aspect of control on communities or territories. Another important category is that of Russian-speaking criminals. Most of them, according to the police, are either part of or inspired by the *vory-v-zakone* (BKA 2018: 25), although again more research would be needed to understand the different groups and their activities.

The OMCGs, mainly German and Turkish citizens identified by symbolic outfits and the use of motorbikes, are reported to play important roles in drug trafficking and prostitution (BKA 2018: 20).[30] Organised into clubs and chapters belonging to different groups, they are often involved in violent conflicts, including over control of territory or markets, such as red-light districts or drug trafficking spots. Studies also indicate their involvement in extortion

[29] There is no binding definition of clan crime (BKA 2018: 28), although the federal and regional authorities worked out guidelines (see, for example, Wendt and Kretzschmar 2019). However, federal states might still have different interpretations (BKA 2018: 28). In the public discourse, the term clan crime has often been used to indicate family-based criminality carried out by a specific ethnic group, namely Kurdish-Lebanese descent.

[30] The phenomenon of OMCGs is widely studied and encompasses more than just its criminal dimension. For a detailed overview, see Bain and Lauchs (2016).

activities and genuine protection, which, together with a recognisable brand and a reputation for the use of violence, make some of these groups very similar to mafia organisations (von Lampe 2016). A level of control of territory comparable to the Italian mafias in their territories of origin, however, cannot be established for any of these organisations, including the Italian mafias themselves (von Lampe and Knickmeier 2018: 30).

2.3.2 The 'Ndrangheta in Germany

In the early morning of 15 August 2007, six young Italian men from Calabria aged between 16 and 38 were shot dead in front of the restaurant "Da Mario in Duisburg, Germany. It was soon established that the massacre could be traced back to an old feud between two powerful 'Ndrangheta mafia families[31] from San Luca, a village of less than 4,000 inhabitants, on the eastern slopes of the Aspromonte mountain in Calabria. The event shocked the German public and prompted an immediate and firm reaction by the authorities against those considered responsible. As well as setting up a joint task force with the Italian authorities, 120 officers were assigned to work on the case in Germany. As it turned out, the mafiosi that were involved in settling the old score had been on the radar of the German police since the 1990s, and even the restaurant in front of which the shooting took place had long been known for money laundering activities in connection with the Calabrian mafia.

While investigations against Italian mafias have generally remained steady over the years, at a comparatively very low average of not more than 11 investigations per year in total (including 'Ndrangheta, Cosa Nostra, Camorra, Sacra Corona Unita, and Stidda), the Duisburg massacre significantly shifted the focus of law enforcement agencies towards the 'Ndrangheta. Before 2007 investigations against the 'Ndrangheta averaged only 24% of the

[31] The clans involved were the Pelle-Romeo-Vottari and the Strangio-Nirta.

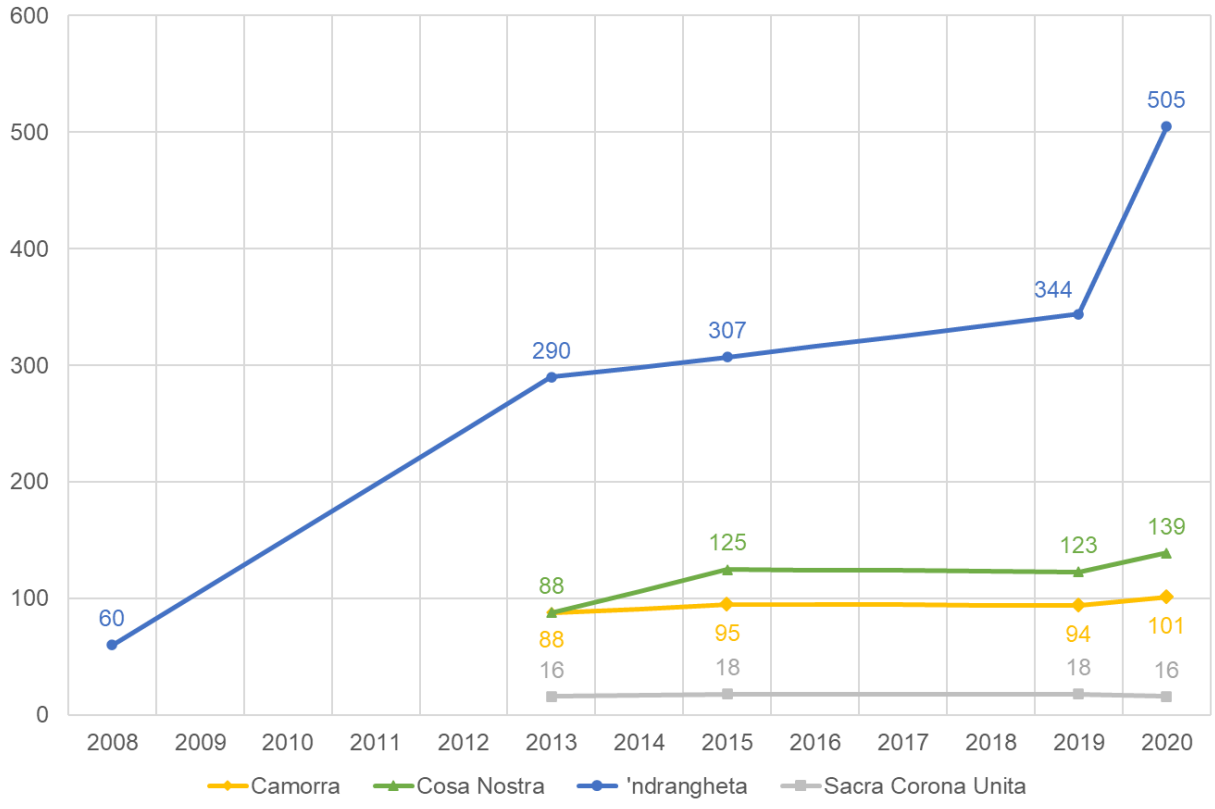
total number of investigations into Italian mafias. After 2007 investigations against the ‘Ndrangheta consistently made up the largest share, at an average of 67% of the total.

As far as the number of suspects is concerned, it was not possible to compile a similar overview since the police started only officially to publish statistics per specific group in 2018. However, ever since, the ‘Ndrangheta has accounted for at least half of the total number of suspects. In 2019, for instance, 179 individuals allegedly involved with the ‘Ndrangheta were investigated, while only 44 were investigated in connection with the Sicilian Cosa Nostra, and 16 with the Neapolitan Camorra (BKA 2019: 25). While these numbers might suggest that German authorities have a clear picture of the nature and significance of the threat, the exact opposite is the case.

Information about individuals and groups allegedly belonging to the ‘Ndrangheta is especially confused and contradictory, despite the publication of annual statistics and an increased focus by law enforcement. A couple of months after the Duisburg incident, the German federal government counted (for the first time) a total of 60 alleged ‘Ndrangheta members active in German territory. By 2013, that number had increased five times, reaching 290, and it has continued to grow ever since, up to the recording officially of 505 alleged members in 2020 (see Figure 4). Rather than indicating that the number of alleged ‘Ndrangheta members has grown exponentially in the past decades, this data reflects the increased law enforcement focus on the Calabrian mafia, most likely at the expense of other mafia organisations that have not presented any significant variation in size over the same period of time. Furthermore, the federal government estimated that the actual number of alleged ‘Ndrangheta members living and operating in Germany reached 800 to 1,000 in 2019, implying that the police left between 450 to 650 ‘ndranghetisti completely unaccounted for. According to the same estimate, these individuals have organised in 18 to 20 *locali*, including more than one crime family operating in a certain territory (Bundestag 2019: 3).

The state police offices offered a similar yet to some extent contradictory picture. In response to a journalist's enquiry sent to each individual state police office, the number of confirmed 'ndranghetisti[32] totalled 324 in 2019, almost the same as the official number of 344 offered by the government. However, at the time, only two federal states, Hesse and Thuringia, confirmed the existence of a *locale* on their territory. Thuringia was not even mentioned among the affected states in the federal government's estimate. Other states that were deemed by the federal government to be heavily affected explicitly declared not to have any 'Ndrangheta structure present.

Figure 4 – Number of Alleged Members of Italian Mafias in Germany (2008-2020)



Source: Bundestag 2017, 2019, 2021.

[32] Number of alleged members of the 'Ndrangheta confirmed by the state police offices.

A similar enquiry was sent as part of this study in 2021 with practically no result. While all of the 16 requests (one per state) were answered, only 6 police offices provided some information about the number of alleged members of the 'Ndrangheta, albeit usually no exact numbers (see Table 2). None of the state police offices confirmed the existence of a *locale* of the 'Ndrangheta on their territory. The requests that were sent out were identical for each federal state, and asked to quantify the presence of alleged 'Ndrangheta members and locali on their territory.[33] While it is important to underline that some police forces claimed that they were not able to answer because of ongoing investigations,[34] which means that there might be activities and individuals that are not accounted for, the difference in estimates and assessments remains astonishing.

Regarding the field of activity, the picture is similarly confused. According to official statistics, members of the 'Ndrangheta are reported to be the most active in the drug market and money laundering. However, most recently, only three investigations confirmed the involvement of the Calabrian mafia in money laundering activities (Bundestag 2019: 13). Furthermore, when asked about Italian organised crime more generally, the federal government stated that "a serious estimate [of their involvement in money laundering] is not possible" (Bundestag 2017: 4) and that there is no complete overview of activities and investments by Italian mafias in Germany, but that there are single cases of alleged members of such organisations being involved in the business of restaurants, hotels, and construction (Bundestag 2017: 6-17). When it comes to drug trafficking, especially cocaine, the 'Ndrangheta is considered to play a leading role, occasionally cooperating with other criminal groups, such as Albanian and Turkish groups, to organise transport and distribution

[33] The request included two further questions, one asking to share any information available regarding the so called *Crimine di Germania* (see below in this section), the other asking to list the alleged members of all other Italian mafias (Camorra, Cosa Nostra, Sacra Corona Unita and Stidda).
[34] This was the case, for example, with the state police of Hesse.

(Bundestag 2019: 13-14).[35] However, according to the federal government, "there is no evidence of any involvement of Italian organised crime in the importation of big quantities of cocaine into Germany" (Bundestag 2019: 6) and no significant arrests for street level distribution are known.

Table 2 – Number of Alleged Members and Locali of the 'Ndrangheta in Germany: Information Requests sent to German State Police Offices (2021).

Federal State	Type of answer	N. Members	N. Locali
Baden Württemberg	Some information provided	ND	NA
Bavaria	Some information provided	~90	0
Berlin	No information available	NA	NA
Brandenburg	No information available	NA	NA
Bremen	No information available	NA	NA
Hamburg	Refusal to participate in study	ND	ND
Hesse	Some information provided	Some	ND
Lower Saxony	Some information provided	Some	ND
Mecklenburg-Vorpommern	No information available	NA	NA
North-Rhine-Westphalia	Refusal to participate in study	ND	ND
Rhineland Pfalz	Some information provided	Some	NA
Saarland	No information disclosed	ND	ND
Saxony	Documentation provided not accepted	-	-
Saxony Anhalt	No information available	NA	NA
Schleswig-Holstein	No information disclosed	ND	ND
Thuringia	Some information provided	Some	ND

NA = No information Available
ND = No information Disclosed

Source: Candidate's elaboration.

What also came to light was the hurdles and disparity in treatment, not to mention the contradictory responses, when access to information was requested. Beyond instances when

[35] See also Operation Pollino.

departments refused to confirm what had already been officially communicated by the government, each state police organisation has different procedures for releasing information, even for very general, depersonalised data, such as aggregated numbers and statistics. This is one reason why the head of the Association of German Criminal Police Officers stated that Germany is still a "developing country" (P19) in terms of research into a variety of criminal phenomena.

The recent discovery by a team of investigative journalists of the so-called *Crimine di Germania*, a regional coordination structure allegedly set up after the Duisburg shooting in order to maintain peace among the many 'Ndrangheta clans operating in Germany, is another case in point. Answering individual requests by the candidate, the 16 state police offices declared they had no information about such a coordination structure. Even according to the state of North Rhine-Westphalia, where the *Crimine*, according to insider sources accessed by the journalists, is supposed to meet once a year, there is – officially – no information available. Meanwhile, the federal police first confirmed the existence of the structure only to then quickly retreat, specifying that its claim constitutes only a working hypothesis based on information from Italian authorities. The responsible authorities in Italy denied providing the information (P1, P3).

Against this background, the common critique is that Germany has long neglected the phenomenon of organised crime, that its tools to fight against it are inadequate and outdated, and that even today politicians and practitioners fail to recognise its relevance (within the context of Italian mafias, see, for example, Bedetti 2012; Pignedoli and Montanari 2019a; V7; see also Bannenberg 2020, Fijnaut 2021). While there is certainly a grain of truth to this, the reality is that little is known about how the 'Ndrangheta operates abroad and, to a certain extent, even in Italy itself. As of today, the 'Ndrangheta only accounts for 16.2% of the total number of convictions for mafia association in Italy. That is half the number of convictions

related to the Sicilian Cosa Nostra (37.5%) and the Neapolitan Camorra (30.7%, Campedelli et al. 2021: 120). Furthermore, at the international level, authorities in each of the countries concerned inevitably only see one part of the whole picture, struggling to piece together the others, no matter how thoroughly they collaborate with their counterparts. In addition, researchers have rarely ventured into complex analysis that requires language skills, a significant level of access to confidential primary sources, and extensive fieldwork to understand not only one aspect, but the multiple layers across which the phenomenon plays out both in Calabria and in the new territory of reference. Some attempts in this direction have been made (Varese 2011a; Sciarrone and Storti 2014; Sergi and Lavorgna 2016; Sergi 2019b). This thesis hopes to builds upon them, contributing the first, in-depth analysis of the expansion of the 'Ndrangheta into Germany, the country in Europe most affected by the presence of this to-date understudied mafia organisation.

2.3.3 Characteristics of the Three Case Studies

The research is based on three case studies, which are analysed against the theoretical background discussed in the previous chapter. The three case studies represent, as detailed in the methodology section of this thesis, a fully fledged case of transplantation, defined as the capacity of a group to operate an outpost over a sustained period of time, combined with an aspiration to govern; a case of functional diversification with a governing dimension in the making; and a failed case of transplantation, in which the group of interest is no longer active in the new territory.

Each case study reconstructs the movement of one mafia group or more – be it *'ndrina* or *locale* – to a specific new territory (see Figure 5). It will be shown that, on balance, the geographical distribution of both activities and individuals that can be traced to the different

groups in Germany is much more dispersed than is the case in Calabria. The composition of each group, in terms of place of birth of its alleged members, normally reflects the tight control of territory and separation of "areas of influence" that characterise the 'Ndrangheta in Calabria. As a result, the German setting is one in which several 'Ndrangheta structures, each of which is a projection of clans operating in a very specific territory in Calabria and relatively homogeneous in their composition, are generally dispersed across wider areas than in their territory of origin and rarely overlap. At the same time, however, all of these outposts have a local place of operation or a logistical base that has proved stable throughout the decades. This will be, for the purposes of this study, the new place of settlement.

There were instances in which it was uncertain whether a specific outpost constituted a fully - fledged territorial unit (*locale*) or just consisted of a clan (*'ndrina*). This confusion, however, did not in any sense impact the analysis and, rather, reflected the more flexible manifestation of the phenomenon outside the territory of origin, as well as the still relatively young history of the 'Ndrangheta in Germany. While in Italy the organisation has existed for at least 150 years, in Germany it has been present for barely 50 years, with significant variation between outposts. For this reason, each of the empirical case studies will begin with an overview of the structure and composition of the outpost in question.

The first case study (Chapter 3) looks at the transplantation of the Clan Farao-Marincola, rooted in the northeast of Calabria, to the northern part of Hesse, in central Germany. Present since the 1970s, this mafia clan has successfully set up a stable structure, which, according to the German police, qualifies as a *locale* of the 'Ndrangheta and is still active at the time of writing. While the common assumption is that instances of territorial control are virtually absent outside traditional territories in Calabria, this case study will shed light on how mafias govern abroad, unpacking the dynamics taking place within diaspora communities, as opposed to local communities, in the new territory. The analysis will show that the outpost

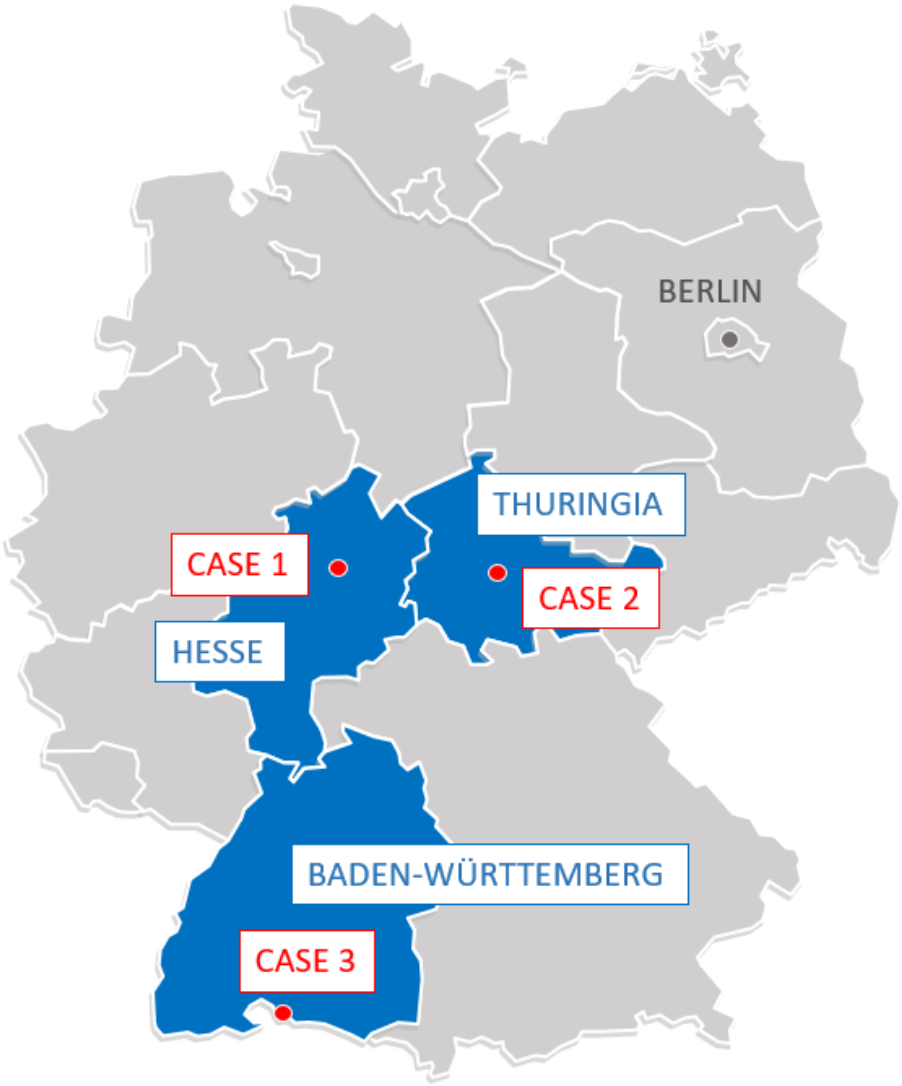
adapted to the specific environment within which it found itself operating, shifting the centre of gravity of its activity to legislative and policing blind spots. Such an adaptation, however, was not strategic from the outset but consisted of a gradual process of learning.

The second case study (Chapter 4) deals with the activities of an 'Ndrangheta outpost in Erfurt, a city in the eastern part of Germany, in Thuringia. First active in the western part of the country, a number of mafiosi had moved to the east after the fall of the Berlin Wall, significantly investing in the legal economy there. While some academics and journalists have presented the case of Erfurt as a prime example of the 'Ndrangheta's international expansion (Bedetti and Dalponte 2017; Pignedoli and Montanari 2019a; Dalla Chiesa 2021), there are no studies analysing the case in analytical detail. A careful reconstruction of the case will demonstrate that, contrary to what is widely believed, the transition from a planned to a market economy in Germany did not translate into an opportunity for the Italian mafia per se. The picture drawn will be one of transplantation in the making. Over time, facilitated by the lack of state repression, the group has managed to build up social capital, gain access to specialised investment skills, and, by means of both, taken advantage of the structural weaknesses inherent in the German economy.

The last case study (Chapter 5) reconstructs the story of a number of 'Ndrangheta clans and *locali* operating around Lake Constance, at the border between Germany and Switzerland, since the 1970s. By describing over two years of inter-group conflict, solved diplomatically through the upper coordination body in Calabria (*Crimine*), this chapter offers a unique understanding of how projects abroad are integrated into the organisation in Calabria and manage their relationships with the *Crimine* and their parent groups. For a certain amount of time during the early years of settlement, these groups were involved in specific criminal activities, indicating that there was an attempt at transplanting or diversifying in the new territory. And yet, the discussion will show that decades after moving to the new territory,

these ‘Ndrangheta groups failed not only to transplant their core business of protection but also to trade, either legally or illegally, to any significant extent. If mafias adapt to a range of contextual and temporal conditions in a continuum up to fully fledged transplantation of the core activity of governing, this case falls at the opposite end of that continuum: transplantation has failed both in terms of trading and governing.

Figure 5 – Map of the Three Case Studies



Source: Candidate’s elaboration. © Templates by Yourfreetemplates.com

Chapter 3: Transplantation

At the time of writing, *Piero*[36] was the head of a 'Ndrangheta outpost that had been active in central Germany for around 40 years. In 2013 he was immediately alerted when two Italians got into an armed fight. Although no shots were fired, *Piero* was furious with the two men. The German police intercepted his phone call:

> "What is this circus? Getting out a weapon on the street?! […] I am telling you now and I will not tell you again! Melsungen must be like a church… Do you know what a church is? I said Melsungen must be a church… because here our friends come and go…" (Tribunale di Catanzaro 2017: 400)

Figure 6 and Figure 7 – Melsungen, Schwalm Eder, Germany.



Source: Field trip, June 2019. © Zora Hauser.

Melsungen is a German town of little more than ten thousand people in the Schwalm-Eder district of northern Hesse, famous for its historical half-timbered houses dating from the

[36] Names in italics are pseudonyms.

sixteenth century. Strolling down the streets of the city centre, one can see many small Italian restaurants and cafes with tables outside (see Figures 6 and7). Here, *Piero* was responsible for keeping things quiet. The friends of his that he said were coming and going belonged to one of the most important 'Ndrangheta clans in both the northeast of Calabria and, latterly, in Hesse: the clan Farao-Marincola.

Just a couple of months earlier, Europol had published its first – and last – report assessing the threat posed by Italian organised crime. According to Europol's assessment, Italian mafias aimed to remain "under the radar" when operating in new territories:

> "Italian organised crime members operating in Northern and Central Italy, and abroad, rarely even attempt to replicate the control of the territory that they impose in their areas of origin. They do not even try to get results by taking advantage of the intimidating power of the association and the resulting conditions of submission and 'omertà. They are far more subtle than that, and aim to reach their criminal objectives by infiltrating economic sectors and through corruption." (Europol 2013: 8)

Along similar lines, academics, journalists, and practitioners have long argued that the presence of the 'Ndrangheta in Germany was to be considered a phenomenon qualitatively different from its Calabrian manifestation. As Sciarrone and Storti (2014: 52) put it, "The mafiosi in Germany operate in the formal or informal economy, they do not exercise forms of 'territorial signoria' or control like that practised at home, and they are less oriented towards building social capital resources in German society." From a different perspective, Campana (2011: 216) came to a similar conclusion and argued that "'Ndrangheta members in Duisburg did not *govern* any market, but rather *trade* in both licit and illicit markets (emphasis added)". According to these criminologists (see also Fijnaut 2021), mafia groups engage in new markets by following a logic of functional diversification, according to which the core business remains in Calabria, while the projections abroad mainly work as a terminal for money laundering. Is it true that abroad Italian mafias do not even attempt to replicate any

form of control or intimidation? In other words, is the mafia in Germany a qualitatively different phenomenon than it is in Italy?

This case study aims to question whether the 'Ndrangheta in Germany really is a qualitatively different phenomenon to its counterpart in Italy by looking at one of the most important 'Ndrangheta groups in the new country, the clan Farao-Marincola. Among the first to have settled in Germany, the clan built an outpost in the federal state of Hesse, where it still operates at the time of writing.

Evidence is drawn from two main sources: a dataset covering the first three decades of the clan's activity in Germany (1977–2007) and information extracted from the indictment of Operation Styx (2018), which offers a snapshot of the clan's activity between 2013 and 2014. In addition, transcripts of state-witness statements, intercepts, and interviews with prosecutors and police who personally followed the investigations – both in the 1990s and in 2013–2014 – were used to substantiate the analysis.

The chapter begins by briefly describing the group, its origins in Calabria, and its existence in Germany. Descriptive statistics based on a database of individuals linked to the clan will provide information on the demographic composition, the role occupied within the group, and the geographical distribution, both in terms of provenance and current domicile.

Then, the activities of the group are analysed by distinguishing between the trading and the governing dimension. It is shown that while members of the clan had been involved in trading activities, in Germany as well as in Calabria, the core business of the clan was protection. Furthermore, trading activities, mainly consisting of drug trafficking, slowly petered out throughout the first thirty years of settlement, while the core business of protection developed into the control of niches of activity in the legal market.

Regarding protection activities, primary centres of gravity remained Calabria and the Calabrian diaspora community in Germany. Gradually though, the outpost is shown to have reached into the local German community, creating the same dynamics that characterise territories with a traditional, longstanding mafia presence.

After having established the group's ability to supply illegal governance for a substantial period of time outside the territory of origin (Varese 2020: 294), the chapter then turns to discuss the explanatory variables.

First, the role played by migration in facilitating the transplantation of the group is considered. While generalised migration waves are not considered an adequate predictor of criminal mobility, migration is presented as a significant variable in terms or relevance of social networks both in directing the movement, and facilitating entrenchment.

In the following section, the discussion moves on to analyse the three context-related variables in the new territory, as identified in the theory: its markets, size, and the level of competition. Settling in one of the richest states in Germany, at the heart of Europe, could suggest that the clan followed a rational expansion strategy, possibly in search of new markets or resources to grow its business. And yet the first clan-structure was set up in one of the poorest counties of the state and continued operating there for more than 40 years, up until the time of writing. While not offering particular structural opportunities, the area did not present particular challenges either, in terms of competition or resistance by the local community. Regarding the latter, empirical evidence will document how the same dynamics observed within the diaspora community are replicated within the local community in Hesse, despite comparatively higher levels of civic trust.

Before the concluding remarks, the last section of this chapter will build on all of the previously discussed elements to explore the role of state response. I will show that selective disruption activities, disproportionally targeted at overtly criminal and "louder" activities,

such as violent crimes, triggered a process of adaptation by the group resulting in two main consequences: dropping off the police radar and, linked to this, the opportunity to build up social capital in the new territory, including growing closer to local politics.

3.1 The Outpost

In January 2018, a joint operation between the Italian and German police against the 'Ndrangheta clan Farao-Marincola resulted in the seizure of assets worth more than €50 million (£43 million) and the arrest of 169 suspects across eight Italian regions and two German federal states.[37] The prosecution asked for a combined total of 1,000 years in prison.

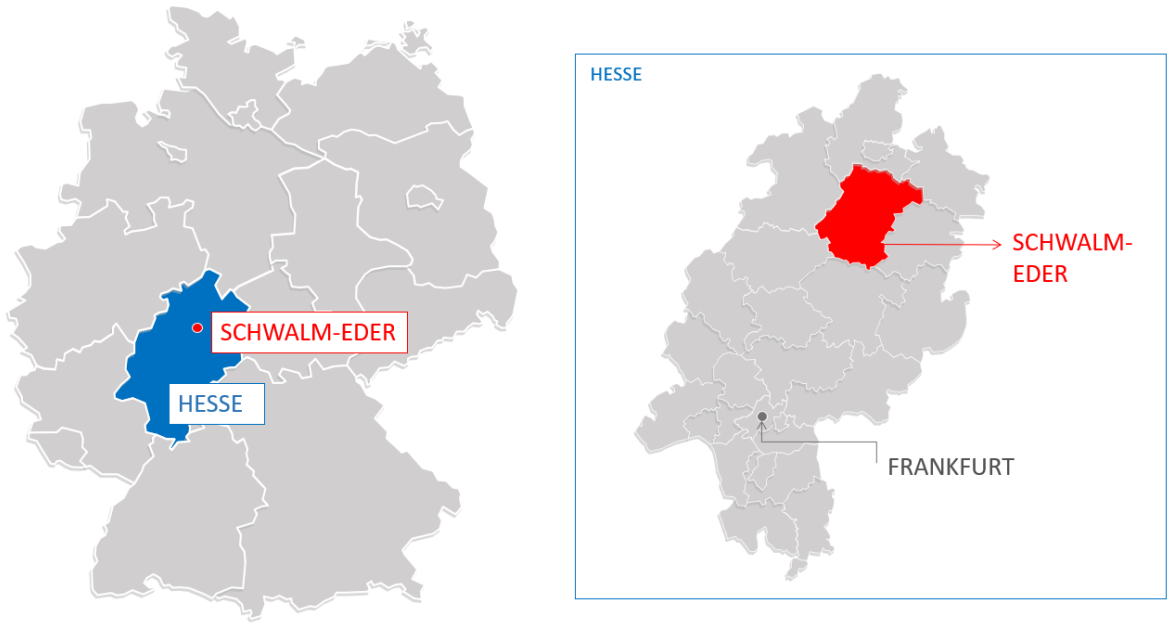
According to the indictment, the clan had been involved in a number of criminal activities in Germany, ranging from extortion to money laundering and vehicle theft. In Italy, the same clan was accused of governing virtually every aspect of life in a small area around the city of Cirò, in the northeast of Calabria. While only a handful of suspects were arrested in Germany, authorities have confirmed that the clan set up a branch in the county of Schwalm-Eder in Hesse (see Figure 8). The chief police investigator in the case stated:

> "I am absolutely confident that the clan Farao-Marincola set up a *locale* here [in Hesse]. The Operation Styx investigations have proved it. We have only identified 5 or 6 defendants, but there were, of course, other people involved, for whom we could not find sufficient proof. We not only think but we have a well-founded suspicion that the group set up a *locale* here [in Hesse]." (P7)

[37] Italian regions: Calabria, Lombardia, Veneto, Emilia Romagna, Piedmont, Lazio, Tuscany, and Campania. German States: Hesse and Baden-Württemberg.

Extensive proof can be found in the thousands of pages of evidence collected by Italian and German authorities between the 1990s and 2014,[38] which established that the structure in Germany was and continues to be a direct projection of the *locale* of Cirò in Calabria (see Figures 9 and 10).

Figure 8 – Map of the New Place of Settlement: Schwalm-Eder District, Hesse, Germany



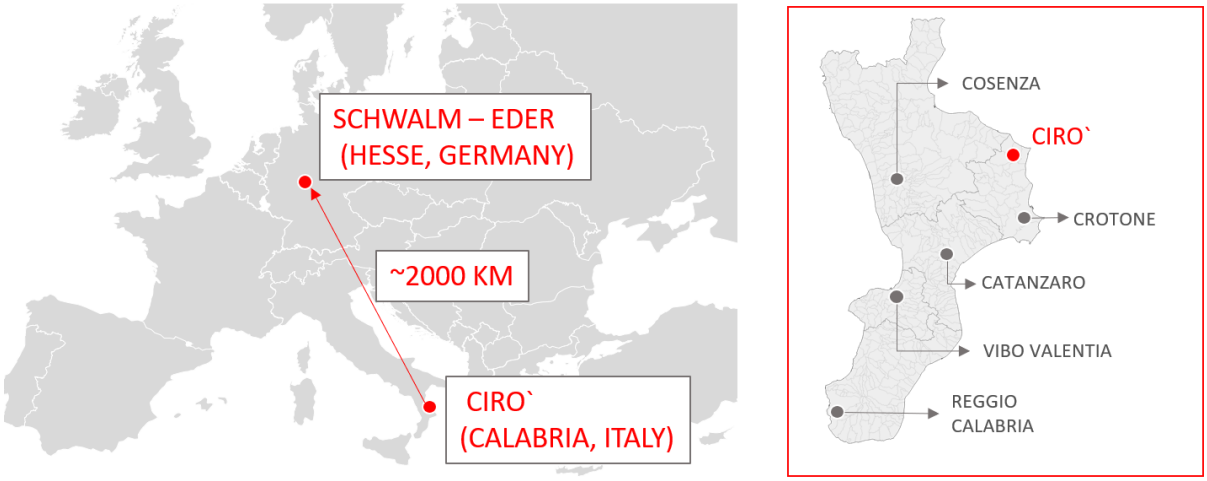
Source: Candidate's elaboration. © Templates by Yourfreetemplates.com

First recognised as an *'ndrina* in 1977, the group gradually grew in importance, taking on a leading role among the other 'Ndrangheta clans active in the same area. From 1987 onwards, it was recognised as a *locale*, gathering several clans operating on the same territory under

[38] Operations Eclissi, Galassia, and Stige, among others.

the leadership of the clan Farao-Marincola.[39] The heart of the structure remains in Cirò, in the province of Crotone. Its influence gradually extended to the province of Cosenza, as the *'ndrine* of Corigliano, Rossano, and Cassano allo Ionico were integrated into the group (Tribunale di Catanzaro 2017). By 2008, the German federal police confirmed that the group had become one of the most powerful 'Ndrangheta clans operating on German territory, involved in a variety of illegal activities stretching across the country (BKA 2008: 62). While, over time, the German outpost increased its independence and influence, it always remained directly subordinate to the group back in Calabria (Polizia Giudiziaria 1995e: 2).

Figure 9 and 10 - Map of the Outpost's Place of Origin in Calabria (Cirò) and Distance to the New Place of Settlement (Schwalm-Eder)



Source: Candidate's elaboration. © Templates by Yourfreetemplates.com

[39] To the point that it was elected *Crimine* of Crotone, although still subject to the *Crimine* of San Luca. The terminology might lead to some confusion. The *Crimine* of San Luca is the highest organisational rank within the 'Ndrangheta, to be understood as a coordination and dispute settlement mechanism. The recognition of the *locale* of Cirò (and afterwards the *locale* of Cutro) in the role of *Crimine* in the province of Crotone indicates only a coordination role in that specific area and does not mean that it was considered an alternative to the *Crimine* of San Luca or was seen as necessarily on the same level.

Despite the subsequent arrest and conviction of the clan leadership in the mid-2000s, the Cirò *locale* never lost its independence and full operations, in Calabria and other Italian regions, as well as in Germany. Senior affiliates were put in charge of specific geographical areas and activities. Called "plenipotentiaries"[40] by the police, these individuals had the authority to represent the boss and act on his behalf, while he continued to supervise all the activities of the clan from prison, giving direct instructions via his sons and wife. This continued until at least 2019, when the Italian police together with the German authorities yet again intervened with a major operation to disrupt the group.[41]

The data collated from this latest operation, Operation Styx, identified 198 individuals linked to the 'Ndrangheta structure of the Cirò *locale*. According to the operation's investigators, a little over half the individuals (N=107, 54%) were not formally affiliated with the organisation but collaborated on a permanent basis, such as serving as fronts for economic activities owned by the clan or providing professional services, as was the case with accountants supporting fraud schemes.

Among the affiliates (N=91, 46%), most occupied the lower ranks of the organisation, merely executing orders (N=65/91, 75%), while a minority (N=19/91, 20%) took on managing roles, promoting and organising activities. Some individuals (N=8/91, 9%) were described as "emissaries" (*emissari)* or "representatives" (*referenti*) of the *locale* in specific geographical

[40] Plenipotentiary comes from Latin and indicates a person who has full power on someone's or something's behalf, usually a government. Plenipotentiaries include diplomats and special envoys.
[41] The clan Farao-Marincola has an unusual leadership that includes three main figures who rule the clan in a sort of triumvirate. They are all in prison at the time of writing. This chapter will focus mainly on Giuseppe Farao, the first formal boss of the clan Farao-Marincola and the person most involved in the expansion to Germany.

areas outside Calabria. This was usually the case in territories where the *locale* had set up an outpost, such as in Germany or in the north of Italy.

The data shows a largely male population (N=175, 88%). Women – usually sisters, daughters or wives of affiliates – were mainly accused of being fronts. Nevertheless, they also actively participated in criminal activities, such as car trafficking, fraud schemes, trafficking in counterfeit money and management of public tenders (in Calabria). Only two women, however, were considered by the police to be an integral part of the 'Ndrangheta structure: one was the wife of the *locale* boss, and the other was the wife of a clan boss. In both cases, the men were in prison.

In terms of provenance, the majority of the individuals connected to the *locale* of Cirò were born in Italy (N=184, 93%). The remainder were born in Germany (N=8), Albania, Romania, and the United States (N=1, each). This indicates that the phenomenon of mafia mobility is, for the time being, still limited to first generation migrants, although this is likely to change in the next decade.

Of those born in Italy, 90% (N=165) were born in Calabria and, in particular, in the provinces of Crotone (N=121) and Cosenza (N=38). This distribution reflects the hegemonic role of the *locale* in the northern part of Calabria. The irrelevance of the provinces of Reggio Calabria (southern Calabria) and Catanzaro (central Calabria), where only six individuals were born, is again a reflection of the tight separation of territory among clans in Calabria.

3.2 Activities

During the first thirty years of activity in Germany, 41 individuals connected to the Farao-Marincola clan were on the German authorities' radar, resulting in a total of 56 different criminal proceedings, many of which included multiple charges. However, towards the end of the 1990s, records of criminal activities in connection with the clan start to peter out and no official criminal record dating from 2007 onwards is available in the sources consulted. It is as if the clan suddenly stopped operating. In 2018, Operation Styx traced connections to Germany once more, revealing that the clan had never stopped operating there.

The following sections will review the activities of the group from its outset, that is in the late 1970s, up until 2014, when the investigations of Operation Styx ended. It will be shown that 2,000km further north, the German outpost always operated as one of the many structures under the responsibility of the Cirò *locale*. In Germany as in Calabria, the group put affiliates in charge of specific geographical areas, responsible for overseeing and facilitating the activities taking place, while a very tight relationship with the group in Calabria was preserved at all times.

The core activity of the clan in more recent times, however, was the control of the importation and distribution of Italian products in Germany: wine, fish, bakery products, and beverages, all produced in Calabria by companies under the control of the *locale*. Criminal markets had been almost completely abandoned, except for some minor trafficking operations involving stolen cars. In other words, the German outpost gradually moved away from purely predatory and trading activities on criminal markets to strengthen its core business of protection on legal markets. More recently protection activities also started to extend from the Calabrian diaspora into local communities. As will be shown, the dynamic that is triggered is

no different in kind to what happens within diaspora communities in that the crime does not get reported and the victim complies with the request. Furthermore, the evidence collected will document how the group progressively integrated within the local community and, in doing so, triggered a dynamic of converging interests between the mafiosi and local state actors.

3.2.1 Trading

This section looks at trading activities. The group has been extensively involved in trafficking activities of both legal and illegal goods since the very early stages of its formation in Calabria. The expansion of trafficking operations to Germany started in the 1980s and grew in significance in the 1990s as the group fully established itself there.[42] Looking at the type of crime, a significant share (N=18, 20%) of the records available documented an infringement of the drug law and the weapon law (*Waffengesetz*, N=11, 13%). The remaining records concerning trading activities by the clan included robbery, fraud (especially insurance and social benefits fraud, but also delay in filing insolvency to avoid payment of contractors), and a small number of investigations into suspected money laundering operations and gambling. Last but not least, the records also included aiding fugitives, trafficking in stolen vehicles, and stealing.

In Germany, infringement of the drug law (*Betäubungsmittelgesetz*) implies a very generic class of activities, ranging from trafficking charges to production or simply possession. In most of the cases identified, however, the data available explicitly referenced trafficking activities (in only five instances did the records indicate a general infringement of the drug law, making it impossible to reconstruct the specific charge). Often, weapons were traded

[42] Before that (1970–86), members of the group were mainly involved in assault and arson.

along with drugs. Sometimes they were used as a payment method for the narcotic. While it seems possible that they moved both from Italy to Germany and vice-versa, in the first instance weapons were used in Calabria, as the clan was involved in a mafia war spanning several years in the 1980s. An informant testified to the clan's attempt to procure a significant number of weapons in Germany on behalf of the clan in Calabria:

> "Grisafi [the local German boss] once came to me in Mannheim because he wanted to buy some weapons, which – so he told me – were needed by the Farao family in Calabria, the family he belonged to. Grisafi wanted to purchase weapons for 500,000,000 Lira (about £235,000). Generally, I would have been able to provide them with big amounts of weapons but that time the deal did not go through because Grisafi told me he would pay with money coming from the kidnapping activities of the clan." (Polizia Giudiziaria 1995d: 52)

While this specific deal failed because the dealer did not want to be involved in kidnapping, a sensitive matter and political priority in Italy at the time, another case – which led to the conviction in Germany of three individuals linked to the clan – clearly documented that the group had the capacity to move significant amounts of weapons. In that instance, the police seized a variety of weapons, as well as ammunition, explosives and even grenades. However, there is no evidence that the clan regularly traded in weapons for profit.

As far as the drug trafficking business was concerned, the picture is different. The original plan by the clan was to produce heroin from raw morphine in Calabria and then sell it on the market in Germany and Switzerland. The equipment and technological knowledge were provided by a small group of Sicilian mafiosi from Palermo, who were operating on the northeast coast of Calabria to unload shipments of contraband cigarettes arriving from

Albania and Greece (Polizia Giudiziaria 1995e: 66). The two groups decided to set up a refinery for cocaine and heroin in a small village not far from Cirò.[43]

While the Sicilians were tasked with producing the drugs, the Calabrians took care of the distribution and in 1983 they sent one of the most senior affiliates at the time, *Piero* Cavallaro, to Germany to set up a distribution network. In his extensive testimony, ruled reliable by Italian courts, Cavallaro laid out a trafficking system stretching from Calabria to Switzerland and Germany, passing through Naples, Rome, and Milan (Procura della Repubblica di Stoccarda 1993b). In each geographical area – in Germany this was the southwestern part of the country, including the federal states of Hesse and Baden-Württemberg (Polizia Giudiziaria 1995e: 70) – there were specific people in charge, all ultimately responding to the group in Cirò. Cavallaro explained:

> "We set up the laboratory and then I agreed with the boss that I would go to Germany to find buyers. […] The first batch of heroin arrived in Stuttgart in January 1984. I sent [one person] and the nephew of Giuseppe Farao, to Cirò. They left on a blue Alfetta 2000 car and came back within a few days bringing along 2kg of pure heroin. […] I then redistributed the heroin through the channels I had created here. […] Beyond Stuttgart, I used to send the drugs to Kassel, in the north of Germany, where there are many men from Cirò. One of our distributors was Norbert, I do not recall his surname, we called him 'Whiskey', he owned three brothels in Kassel. I gave him, if I recall correctly, half a kilo of pure heroin to distribute on the market in Kassel." (DDA 1995a: 2)

His statements further shed light on the supply chain:

> "The operation was set up as follows. Regular shipments were coming in next to Sellia Marina [in Calabria]. The ships contained contraband cigarettes and narcotics. As a matter of fact we never stopped the cigarette smuggling, we simply did both at the same time. When the shipments arrived, [7 individuals] went to Sellia Marina to manage the unloading operation, taking both the cigarettes and the raw drugs. The cigarettes were sorted from the raw drugs, which were sent to San Leonardo di Cutro [to the refinery]. The refined drugs were then distributed through different channels: in Germany, in Cirò Marina, in Crotone, in Lombardy. In Germany, as I have already

[43] According to a state witness, the boss explicitly vetoed setting up the refinery in Cirò (Procura della Repubblica di Stoccarda 1993b).

> stated, I was responsible for the distribution, although I never actually touched the heroin." (DDA 1995a: 9).

Just one year after the first heroin arrived in Germany, the Italian police raided the laboratory and the heroin-refining plan was abandoned in favour of a more lucrative and less complex business: cocaine (Polizia Giudiziaria 1995e: 70-72). Initially, the cocaine was made available by the same group of Sicilians involved in the heroin business. Then, before long, the German outpost set up its own supply channel in Germany and the Netherlands. In 1996, two individuals connected to the clan were arrested for trafficking 53kg of cocaine and two years later another one was arrested on an international arrest warrant for his involvement in the trafficking of 100kg of heroin between Germany and Belgium. While not comparable to the tonnes of narcotics moved by some of the more traditional 'Ndrangheta families, the clan Farao-Marincola set up a functioning trade, with a clear division of labour, coordinated by the outpost in Germany, but always under the direction of the *locale* in Calabria (Polizia Giudiziaria 1995e: 71).

The cocaine was usually moved in cars. Sealed in bicycle inner tubes, it was hidden in a car's fuel tank, without it touching the petrol (sometimes things would go wrong and the drug would be ruined by contact with the fuel). It was distributed to known customers, all of Italian origin, mainly Calabrians. The two interceptions mentioned above, one consisting of 100kg and the other of 53kg of cocaine, seem to be outliers in terms of scale; the group seems mostly to have been involved in moving smaller amounts never exceeding 2kg. Group members used to portion the drugs in smaller doses, usually 30g–35g each, and sell them at £70 to £90 per gram (160 to 200 German marks;), in line with the average street-price in Germany at the time, which was £88 per gram (Polizia Giudiziaria 1995d: 65).

Not all of the individuals involved in the business were formally affiliated to the 'Ndrangheta. Some of them wanted to join the group, but were not yet officially allowed to,

while others were simply professional criminals, selling their services to the clan, such as the longstanding courier who the group used for deliveries from Switzerland into Germany, or another trusted trafficker dealing on behalf of the clan in the area around Milan (Procura della Repubblica di Stoccarda 1993a: 15, Polizia Giudiziaria 1995d: 60-65). Others were customers interested in the business, either as direct consumers of the product or small-scale sellers themselves. However, the made members, especially those in senior positions, limited their role to the logistical oversight of the trade and usually avoided entering into direct contact with the drug. One of the clan's loyal buyers explained with reference to Grisafi, the local boss in Germany at the time that

> "At a certain point, I started to get regular cocaine deliveries from Grisafi. The biggest delivery was 170g, brought to me by a guy which went by the name of Pino. Pino was Grisafi's right hand. He might have been 30 or 35 years old, fairly tall, with black hair and a moustache, and pretty ugly. He was a fellow countryman of Grisafi. It was almost always Pino who delivered the drugs. Grisafi never delivered the cocaine himself. He usually called me ahead to warn me that Pino was coming." (Polizia Giudiziaria 1995d: 54)

Pino was not a made member of the 'Ndrangheta, but worked on a market controlled by the clan. It seems that what started out as a production activity by the clan (in which the clan failed) developed first into trading activity – that is, the setting up of a drug trafficking operation – and then into the supervision of the distribution network without direct involvement in the activity itself. This suggests the gradual development of a governing dimension, which will be discussed in depth in the next section.

3.2.2 Governing

The evidence discussed so far has documented that the clan Farao-Marincola set up an outpost in North Hesse and was involved in supplying a variety of illegal goods throughout southern and western Germany. While there was already some indication of the existence of a

governing dimension, the remaining question is whether, as Europol claimed, it is true that mafia groups "rarely even attempt to replicate the control of the territory that they impose in their areas of origin*".* Did the German outpost of the clan Farao-Marincola attempt to control territory? And did it succeed in doing so? In other words, did the clan aim at governing on the new territory, or did it limit its presence to trading in new markets?

In Calabria, the Cirò *locale* controlled virtually every aspect of economic life, from waste collection to fishing, as well as public tenders, private contracts, and all sorts of services, including laundry shops, bakeries, and funeral agencies. Criminal activities were also under the tight control of the clan, as one former mafioso who became a state witness recalled: "We had to go to them [Cirò] for anything we wanted to do, be it murder, drug trafficking, arms trafficking. They decided everything… we all got our orders from Cirò."

While the same level of pervasiveness of the social, economic, and political life cannot be observed in Germany, the following sections argue that, in the case of the clan Farao-Marincola, the German outpost was not something qualitatively different from the Calabrian group. The clan violently imposed its exclusive rule on trafficking spots, supervised other criminals' operations, and managed extortion rackets, while providing protection to both the underworld and the overworld. In short, the clan Farao-Marincola gradually built up a governance dimension in the new German setting.

The following sections will first review governing activities in illicit and licit markets and then move on to a more detailed discussion of extortion within the diaspora community, intimidation against the local community, and integration into the local community as well as the resulting dynamic of converging interest with local politics.

Illicit Markets

In little less than a decade from its constitution in Germany towards the end of the 1970s, the clan attempted to monopolise local drug markets and offered genuine protection across the underworld. As it is possible to read in the police files, it seems that petty criminals of Calabrian origin were coerced into "subordinating themselves to the people from Cirò" – for which read the *locale* of Cirò – no matter where exactly they operated (Polizia Giudiziaria 1995e: 334). The case of Lisa, a woman residing in Switzerland, illustrates this: she reached out to the person in charge of drug trafficking for the clan who was in prison in Germany. She had heard of him through a friend and wanted to fix a problem related to her daughter, who owed money to a Calabrian drug dealer. He recalled:

> "One day Lisa came to me, to the prison in Mannheim, together with her daughter Isabell. I had talked to her before, and I knew her daughter was a junkie. During her visit to Mannheim, she explained to me that her daughter owed 1000 CHF (~£800) to her Calabrian pusher in Lugano. As she knew I was Calabrian as well, she asked me to deal with the situation. I told her to mention my name to the pusher and to make him understand he had to stop asking for the money." (Procura della Repubblica di Stoccarda 1993b: 17)

Apparently, the issue was resolved without violence. While it might seem exceptional that the clan's influence stretched as far as Switzerland, the reason why this woman decided to ask for help from someone hundreds of kilometres away had nothing to do with geographical influence. The relevant piece of information was, within this context, that the drug dealer was Calabrian and not that he was operating in a specific territory under the control of the clan, demonstrating a certain fluidity in terms of geographical distribution of activities in Germany that has already been noted (see 3.1) and is observable across case studies.

However, the clan also aimed at establishing control of specific markets in specific areas. According to the testimony of Vincenzo Cavallaro, the mafioso who set up the drug trade in

Germany and who became a state witness, the clan's explicit goal was not merely trading in drugs but taking control of the market. He stated:

> "Our task was to find the drug market in and around Waiblingen[44] in order to take it over. We had to convince everyone to buy drugs exclusively from us, otherwise, they would have had trouble. [Grisafi] told us he could provide weapons, if necessary. […] In Stuttgart, there were already our fellow countrymen who were affiliated ["rimpiazzati"] and the idea was to get their support. I had been in Stuttgart until November 1983. During this time I had some issues with a group of Sicilians that controlled the city centre, where most of the drugs were sold. After some fights, I managed – together with the help of Giuseppe Farao [and others] – to oust the Sicilians and take control of the city centre of Stuttgart. […] I also managed to establish control over the city of Kassel." (DDA 1995c: 315, 345)

In addition to Stuttgart and the neighbouring city of Waiblingen, the clan also aimed to control the drug market in Kassel. There the contenders were a group of Slavic citizens. To push them out of the market, the clan organised a punitive expedition:

> "We went to Kassel with two cars. […] We took several blackjacks and me and Grisafi, we had two pistols. […] We went to a small village next to Kassel, Eschwege, and there in a bar-restaurant we found the Slavic people we had to punish. We left them lying on the floor, after hitting them with the blackjacks. The incident created quite a stir and the newspapers reported it: I think the police intervened." (DDA 1995b: 3)

Beyond trying to oust rivals violently and take control of drug trafficking spots, the clan also built up a reputation for providing genuine protection across the underworld, to the extent that its services were actively sought by a variety of customers. To take two examples from the 1980s and 1990s: a Sicilian individual who used to buy cocaine from the clan reached out to be protected in prison. He had been sentenced for attempted murder and feared retaliation from the family of the victim (Polizia Giudiziaria 1995d: 60). Likewise, a person close to the clan reportedly reached out for protection after his brother went to prison for murder. He feared that he was more vulnerable without his brother around and was afraid of being killed

[44] Waiblingen is a town of around 50,000 inhabitants in the southwest of Germany.

by a rival clan in Dortmund. As he did not want to walk around with a weapon for fear of being searched by the police, he demanded that the clan put an armed bodyguard at his disposal at all times. The *locale* boss, Giuseppe Farao, who was at the time living in Calabria, went to Dortmund in person to deal with the situation (Polizia Giudiziaria 1995d: 47-48). According to prosecutors the clan never abandoned illegal markets altogether (P25); however, it is clear that the focus of its activities in Germany changed in recent years. By 2018, members of the clan Farao-Marincola in Germany seemed to have abandoned their past as mafiosi and opted for a life as small businessmen who were well integrated into the community.

According to Operation Styx, a total of 11 restaurants, cafes and ice-cream shops in Schwalm-Eder could be linked to the clan. Another two restaurants were managed by members of the clan: one located in Kassel, a 30-minute drive away from Schwalm-Eder; the other further away, in Stuttgart, the capital city of the neighbouring state of Baden-Württemberg. There, the clan also managed a Calabrian cultural association and a fish retailer. While at first sight the criminal nature of the business in Germany is not clear, the empirical evidence unearthed by the police nonetheless indicates that the same dynamics taking place in Calabria characterised the German outpost as well. The difference between the two lay not in the qualitative but in the quantitative dimension, in the reach, intensity, and pervasiveness of the phenomenon, but not in its nature.

Licit Markets

As it was possible to establish from the evidence gathered by the Italian and German police,[45] by 2014 the German outpost had transformed into a distribution terminal for Italian wine and

[45] While the sources cited are Italian, they also contain investigative findings of operations conducted by German authorities.

food produced by Calabrian companies under the control of the *locale*. In a similar fashion to its cocaine trafficking in the 1990s and exactly as it was in Calabria, the clan would also not accept competition within its niche of activities on legal markets. Speaking among themselves, the mafiosi made it clear that they did not consider themselves to be "just businessmen" but to be those who "set the conditions" (Tribunale di Catanzaro 2017: 417). In other words, they did not consider themselves to be simple operators on the market, but aimed at governing it. Activities were organised according to a division of labour and territory, exactly as in Calabria. Affiliates dealt in different products and "distributed" them to Italian restaurants across Germany. They wanted to be the ones who decided who could sell on the market and at what price. This intercept, which refers to the son of the boss in Calabria, illustrates the point:

> "All the food products have to go through him, in Germany. […] the wine goes through him, the fish goes through him, the pasta goes through him, the coffee goes through him… no one can sell in Germany without talking to him." (Tribunale di Catanzaro 2017: 990).

While clearly indicating the monopolistic aspiration dimension of the business, statements like this should not be accepted uncritically. It is obvious that the clan did not control the whole German market for Italian food products, which amounts to around £6 billion per year. It is virtually impossible for one mafia clan to exercise control over all Italian exporters to Germany. Rather, the control exercised by the clan remained limited and local at all times. The important point, however, is that under the circumstances of transplantation control is split across two local dimensions instead of one.

The clan operated according to a clear division of territory in Calabria while in Germany the market was allocated by customers rather than following a strict geographical logic. Both mechanisms served the same aim, as Gambetta (1993: 201) put it, to "confine competition within controllable boundaries" and thereby exercise control over a specific market. In

Calabria, the clan controlled the area around Cirò. No one from there could sell in Germany without the consent of the clan. When other entrepreneurs not affiliated with or protected by the clan tried to enter the market, in fact, mafiosi immediately intervened, warning them that this was "none of their business" (Tribunale di Catanzaro 2017: 990). A company based anywhere else in Italy, or even in the same region of Calabria, outside the *locale*'s area of influence, could not possibly have been subjected to that rule.

However, in Germany, the clan seemed to have carved out specific areas of influence, as suggested by one of the affiliates in an intercepted call:

> "Stuttgart, Munich, Metzingen, seven, eight, ten cities are ours. Nobody can get in the way […] We have been working on this for a year… once we get started, we only do serious stuff… we have to make an exclusive thing." (Tribunale di Catanzaro 2017: 991).

On closer inspection, it is clear that the clan did not control (nor aim to control) the wide geographical areas corresponding to these cities. Just considering the three mentioned explicitly, that would amount to more than 550km^2 with a population exceeding that of Calabria. It turns out that what the mafiosi claimed control of was specific communities of Calabrian (or, in some instances, Italian) entrepreneurs, mostly within the gastronomy sector.

As early as 1993, a state witness testified to the fact that all pizzeria owners coming from the area of Cariati or Cirò and finding themselves in or around Melsungen, Spangenberg and Guxhagen (northern Hesse, in the county of Schwalm Eder where the clan was based) had to pay a fee to the *locale* of Cirò (Polizia Giudiziaria 1995d: 70, BKA 2008: 52). The mayor of Melsungen and a member of the city council of Spangenberg both confirmed that they had heard of "cases of extortion" by the Italian mafia against other Italians in the 1990s (I4, I5). In Calabria, the different clans operating under the Cirò *locale* were allowed to manage their extortions independently in the area for which each was responsible. Then, the proceeds were

divided among the groups. Such a system, according to the Italian police, was adopted in Germany as well: the outpost independently managed extortions on German territory but shared the proceeds with the group in Calabria. But were these cases of extortion or genuine protection? Although often blurred in reality, the two activities remain distinct from a theoretical and analytical perspective (see Varese 2014).

By 2008, the German federal police listed 28 companies as owned or managed by individuals connected[46] to the clan across five federal states, most of which were restaurants and pizzerias (BKA 2008). The owners of two restaurants, one import-export company, and a beverage retailer regularly bought cocaine from the clan. Sometimes, restaurants also served as meeting places for the clan (Polizia Giudiziaria 1995d: 54-55). Further investigations documented that every two or three months, a small delegation, including one of the many sons of the *locale*'s boss and one or more of the most senior affiliates, travelled from Calabria to Germany and were welcomed there by the local boss, *Piero,* and his affiliates. In a little more than a year, between 2013 and 2014, the police monitored five trips from Calabria to Germany, one every two or three months. The delegation never stayed longer than three or four days, spending the time travelling from one restaurant to the next, accompanied by members of the local outpost.[47] For two days, the police followed their every movement. They started in the morning with visits to ice-cream shops or pizzerias. Every couple of hours, sometimes changing cars in-between, the group would pay a visit to a new place, spend about 20 to 30 minutes there, then move on to the next place, for no apparent reason, until late in the day.

[46] A company is considered to be connected to the clan if one or more alleged clan members are listed as owners or considered to be shadow owners.
[47] A little more than a third of them (N=14, 38%) were involved in activities both in Germany and in Calabria, travelling back and forth between the two places.

The purpose of these visits remained unclear, as public spaces like restaurants are rarely allowed to be wiretapped in Germany and were not on this occasion. According to Italian prosecutors, members of the German outpost were generally involved in solving problems among Italian restaurant owners. This was the case, for instance, when one Italian businessman wanted to collect a debt from a third party (the police felt that it was likely that he was a local supplier). He asked for the intervention of the clan. They visited the debtor, gave him a deadline for the payment, and said that if he did not comply, the clan would pay another visit, this time to his family. In exchange for this service, the businessman had to pay a percentage of the recovered debt to the clan (Tribunale di Catanzaro 2017: 1293). Furthermore, the local German boss was intercepted saying that the delegation had been touring around Germany to collect money: "they come because they have to collect the money!" (Tribunale di Catanzaro 2017: 420). The son of the boss in Calabria confirmed this, when talking to another affiliate: "In cash, different banknotes… he had a stash like this of €500-banknotes […] eh, I've put them in the car's steering wheel to take them back… yes in the steering wheel." (Tribunale di Catanzaro 2017: 394).

The most likely explanation for the Calabrians' visits to Germany is, exactly as it was almost thirty years earlier, to collect protection fees for the group in Cirò. From the data available, it is not possible to establish with certainty whether the fees constituted a payment for genuine services or extortion, or even just reflected a tax on local proceeds sourced from other criminal activities. It is also possible that some of the restaurants paying these fees were not forced to do so, but rather chose to utilise a service the clan offered, either as willing customers of private protection or simply as made members of the organisation, customers from within the organisation buying protection at a reduced price (Gambetta 1993).

Imposition of wine on Calabrian restaurant owners

This section will discuss the group's racketeering system in greater detail. In particular, it will elucidate the specific dynamics taking place within diaspora communities by investigating the case of several Calabrian restaurant owners, whom the group forced to buy 150 boxes of wine.

The events unfolded as follows. A number of Calabrian entrepreneurs, managing Italian restaurants in Germany, received shipments of wine that they had not ordered (or received shipments in larger quantities than they had ordered) and were forced to pay for them. From the evidence collected by the Italian and German police, it emerged that the wine was of poor quality and often the restaurant owners did not even know the price, indicating that they simply accepted the costs as a tax that could not be avoided. Initially, however, such restauranteurs would be surprised to receive the wine and naively called the sending company, a winery in Calabria they did not know, the Cavalier Malena.

First founded in 1973, the Cavalier Malena gradually grew into a small family enterprise with little capital, never exceeding €10,000 (~£8,600). In 2005, however, the owner reported having fallen victim to loansharking (he was asked to pay back ~£160,000 for a loan of only ~£90,000). He reported that one incident, but according to the police he had been subject to usury many other times before.[48]After some trouble with fraud, mainly connected to bounced checks, the police recorded a gradual infiltration by the clan, specifically of the boss' son, in the management of the winery. In 2012, the company was dissolved on paper and immediately substituted by a new one with a capital of over £2 million (by comparison, in 2009 the company's capital was only about £8,000 GBP). By then, the company was in the

[48] According to the police he never reported the loansharking by the clan and decided to report this time only because the clan was not directly involved.

hands of the clan, and the businessman (and his wife) operated as a front on its behalf (Tribunale di Catanzaro 2017: 394-438).

This was the moment in which the clan in Calabria reached out to the German outpost and the Calabrian entrepreneurs found themselves with boxes of wine they did not want. They called the winery and protested, as the conversations intercepted by the police documented: "No, I am not getting the pallet [of wine]. I am not getting it, I have never ordered it… Mr Malena! I only take the wine I need," said one restaurant owner, echoed by many others (Tribunale di Catanzaro 2017: 420).

At this point, the name Farao was usually mentioned, or the phone was directly passed on to the young Farao himself. This was sufficient for the restaurant owners to change their attitude completely and immediately accept the delivery, apologising for the misunderstanding. This is how one of the businessmen reacted:

> "Rejected? No, I don't know… How could I have known? If you call me and tell me that this wine is coming, that's different […] No, it's not that I ever rejected it, I never rejected it, the wine, I never rejected the wine! Because I do know my friends! […] Vitto' [Farao], you don't have to worry, whenever you call me, I am at your complete disposal." (Tribunale di Catanzaro 2017: 419)

This phone call is illustrative of the level of subjugation to the rule of mafiosi typical of small communities in Calabria and elsewhere in Italy. The restaurant owner in this case, however, was in Germany, thousands of kilometres away from where the clan controlled every single aspect of the social and economic life. Despite the distance, he did not hesitate to comply with the requests. More than that, he readily emphasised his full availability ("I am at your complete disposal") to the clan and rejected the idea of having ever resisted any of its wishes (Tribunale di Catanzaro 2017: 420) . As he pointed out, the initial refusal to accept the wine delivery was simply because he did not know who was sending it.

Crucially, for him to understand what the "real deal" was, it took only the mention of a name. This was the case with all the other victims as well. In none of the intercepts did the mafiosi use any explicit threats or instructions, as there was no need. The clan could count on an already established reputation within that specific community of immigrants from northeast Calabria. What follows is not that clan activities were necessarily limited to the Calabrian diaspora community, but that there was a comparative advantage for the mafiosi to operate within communities of their own compatriots.

Such opportunity had been identified by the clan Farao-Marincola to the point that it has been articulated explicitly as a tactic by one of the most senior affiliates, responsible for activities in Germany. He instructed the others as follows: "You have to go and go… you have to find the places where our countrymen are… where the Calabrians are… you have to find the Calabrians!" (Tribunale di Catanzaro 2017: 417). Crucially, the Calabrian entrepreneurs forced to buy wine were spread across different states in Germany but were all linked to the same organisation, the German Association of Italian Restaurant Owners from Mandatoriccio, a small Calabrian city not far from Cirò.

Intimidation of a German Entrepreneur

The evidence discussed so far seems to indicate that governing in Germany is not linked to a specific territory but to a specific community, namely Calabrian immigrants who came from the same area the clan controlled in its territory of origin. Nevertheless, the reach of the clan extended beyond the diaspora community. This section will discuss the case of intimidation of a German citizen (*Lukas*) by *Piero*, boss of the Farao-Marincola outpost at the time of the events.

When *Lukas*, a German entrepreneur, decided to open an ice-cream shop in a small city in Schwalm-Eder, he had no idea what he was getting into. He already owned a bakery in another village not far away and wanted to expand his business. The fact that in the city there was already an ice-cream shop was not a problem, because the market could accommodate two of them according to him.[49] What he did not know was that the ice-cream shop in question was owned by the daughter of a mafia boss, *Piero*.

Piero had acquired the ice-cream shop from another Italian citizen, who agreed to sell it for around £50,000. In reality, however, it seems that *Piero* never paid anything and when the former owner dared to enquire what had happened, he was physically assaulted and warned not to ask again (V6). No official record of the incident could be found, as the victim never reported the crime to the police.

Years later, when *Lukas* decided to open his own ice-cream shop, thereby directly entering in competition with *Piero*, he thought that it was a good idea simply to tell *Piero* about his new business plan. *Piero*, as before, was outraged, as the police documented by intercepting his phone. He told one of his associates:

> "[*Lukas*] came to me and told me in my face! I have no idea how I could stop myself! There were people in the ice-cream shop that's why, otherwise I would have beaten him to death!" (Tribunale di Catanzaro 2017: 433)

Piero immediately instructed two Italians, one alleged member of the clan and one Italian citizen employed by the German businessman, to deliver a warning. The specific instructions he gave were as follows:

> "…You tell him [*Lukas*] that I got the ice-cream shop for my daughter! [You tell him] that if he takes this away… from my daughter, then I am going to ruin him! You tell him this! You tell him I care about my children… be careful! I warn him that if he

[49] In a first instance the conflict had arisen because both *Piero* and *Lukas* wanted to hire the same location for their ice-cream shop. *Piero* wanted to move his existing shop to the new location, which was the same location picked by *Lukas* for opening his business.

> wants to ruin my family… I am not only ruining his family, but I will ruin seven generations of his family! He thinks he is dealing with some German… […] If he wants to make sandwiches tell him he can make sandwiches, but he must keep his hands off from an ice-cream business because otherwise…! Eh! You understand!" (Tribunale di Catanzaro 2017: 433)

After delivering the message, the two reported back to *Piero*:

> "We told him: 'you're not going to have an easy life, because I know him [*Piero*], I know our mentality' that is what I told him…. [I said] 'he is not a German that you can compete with who remains silent! He does not remain silent! He is capable of coming here and…'" (Tribunale di Catanzaro 2017: 432).

The threats continued and became more serious: "You know what happened in Duisburg. We know where your kids go to school" he was told. Over a period of three or four weeks, *Lukas* was harassed by messages of this kind. Compared to the threats against other Calabrians (see 3.3.3), the messages delivered to *Lukas* were more explicit. The mafiosi made a conscious effort to "explain" the situation. There is no doubt that such an explanation was necessary – and yet not sufficient – for Lukas to understand what was going on. As he recalled:

> "At the beginning, I could not imagine that something like this could happen in Germany. It was inconceivable. This is Germany, a free country, and we have such structures? I could not believe it. That something like this exists in Italy is well known. Extortion and so on. But not here in Germany, not to this extent. I could have never imagined." (V6)

To understand, he started to ask around among his Italian acquaintances. They explained to him that it was better not to take the chance because *Piero* was well known within the community for "not being a joke" and that "not every business is a good business". They told him about how *Piero* appropriated the ice-cream shop years earlier and how "these things" can happen in Germany as well (V6). They also explained to him how "these things worked": he had nothing to fear if he complied. He did comply, recalling:

> "I never heard from them again, I was never threatened again. Everything was okay, I continued my life as before. I was not scared any more. Because I did what they said

> and all the Italians that I know told me 'if you do as you're told you will have no trouble, all will be okay.' He only wanted to stop me from opening another ice-cream shop here, that was his objective, nothing else." (V6)

Asked whether he thought that it was his duty as a citizen, with regard to his community, to report the crime and prevent others from becoming victims in the future, *Lukas* objected: "Should I sacrifice my life just for the sake of others? I might do something good, yes, but then someone comes and shoots me in the head." He added that the police might have good intentions, but they could intervene only when it was too late. There was simply nothing either he or the police could do, so the best option for him was to comply with the requests. He admitted:

> "I thought about going to the police. But then I thought that if I go to the police and make a fuss about it, I will not have peace any more. That is why I have decided not to do anything. So that I am left in peace and can sleep at night."

As a matter of fact, *Lukas* continued his life as normal for some time. Then, four years later, *Piero* was arrested, and national and local newspapers all wanted to cover the story of the German businessman who had fallen victim to the mafia. *Lukas* became a sort of local hero, he recalled. But the daughter of *Piero* did not like the talking and the attention. She contacted *Lukas* on Facebook. Her nickname on the social platform was "E. Riina", evoking one of the most infamous bosses of the Sicilian Cosa Nostra, Totò Riina. She offered to sell her ice-cream shop, the same ice-cream shop that had caused the threats in the first place. *Lukas* did not hesitate and bought it. "It was such a bargain!" he said (V6). He did not seem to see any problem with entering into a business relationship with the same family that had threatened him just a few years earlier.

Piero's daughter then demanded *Lukas*'s silence. He was not to speak to the press any further now that they were business partners. He recalled trying to convince her that he had never

wanted to speak to the newspapers in the first place and to reassure her that any article that had been published was before their mutual agreement (V6).

He kept the promise, as local journalists confirmed: it was impossible to speak to him any more (J8). He did, however, agree to an interview with me in the disputed ice-cream shop. The employee who used to deliver threats on the behalf of *Piero* was still working there and said hi. Sitting on the table next to us was *Piero*'s brother, who now also worked in the ice-cream shop. He did not speak German very well and had arrived in the country only recently, but *Lukas* said that he was a good person who he wanted to help out – at least, this is what I was told.[50]

Contacts with Politics

This section explores three examples of converging interests between state actors and the clan Farao-Marincola. While the picture drawn will differ in intensity and reach from the situation that can be observed in Calabria or in other parts of Italy, it will be shown that individual members of the clan strategically gained the trust of local political figures creating a closeness between the political milieu and the mafia that reflects the same dynamics that characterise territories with a traditional, longstanding mafia presence.

The first case in point regards the relationship between *Domenico*, a long-term member of the clan, and Günther Oettinger, a high-ranking political figure in Germany at the regional, national, and European level. *Domenico* arrived in Germany in the 1970s and quickly made a career in the gastronomy sector, becoming a known figure in Stuttgart, where he managed a successful restaurant. In the 1990s, he was caught up in investigations into the clan Farao-

[50] This section explained the events as they are empirically documented. Section 3.4.3 will provide further discussion and address the question of whether, and to which extent, it is possible to generalise from this one case.

Marincola that looked at their drug trafficking operations. According to investigators, *Domenico* was in direct contact with the mafia boss in Calabria, Giuseppe Farao, and received him several times in Germany. However, as the investigators found out intercepting his phone, *Domenico* was also in direct contact with Günther Oettinger, then leader of the Christian Democratic Union (CDU) in Baden-Württemberg. Between 1991 and 1993, he used to organise "Calabrian evenings" for the local CDU parliamentary group and was on very friendly terms with Oettinger (see Figure 11).

Figure 11 – G. Oettinger with *Domenico* (Clan Farao-Marincola)



Duzfreunde Oettinger, Lavorato
Dezenter Hinweis vom Justizminister

Source: Der Spiegel (1994).

Instead of investigating further, the public prosecutor informed the Ministry of Justice (also headed by the CDU at the time), who in turn warned Oettinger of the surveillance measures. Eventually, a parliamentary enquiry found that neither Oettinger nor the other politicians involved in the scandal had committed any crime. The main argument proposed in the 400-

page report was that the German politician might have been "unwillingly and unknowingly used by organised criminals" to further their interests (Landtag Baden-Württemberg 1994: 160). Beyond a general interest in having electoral events hosted (possibly at a good price), being part of the high life of the city, and receiving some occasional financial support to the party (*Domenico* legally donated 4,500 DM, amounting to ~£2000 to the local CDU), there was no concrete indication of collusive behaviour. The picture was merely one of two milieus in close vicinity to one another.

Domenico was convicted of tax evasion in Germany and one year later delivered to Italy, where he was tried and acquitted for the crime of membership of a mafia association. He continued to run his business in Stuttgart until 2018, when he was again arrested for being a member of the clan Farao-Marincola and being involved in an extortion racket of Calabrian restaurants (see 3.3.3). This time, the courts found him guilty of both crimes and sentenced him to eight years and eight months in prison (the judgment has been appealed).

The second case developed along similar lines. *Luigi*, another long-term member of the clan, was also a restaurant owner. In the 1990s, he was in charge of developing the network for the distribution of drugs on behalf of the clan in Switzerland. At a later, unspecified time, he turned up in Schwalm-Eder. Initially employed as a cook in a small restaurant, before long he reached out to the mayor to ask for his support in taking on the biggest restaurant in the entire area, just in front of the city hall in the main square. The mayor, a former policeman, recalled:

> "We had a big interest, as city council, that this restaurant worked well. […] So I supported him because the actual owners did not want to put any money in it any more. That would have been a disaster for the city. So I actively supported him, I made sure he gets the place." (I3)

Luigi never actually bought the place, renting it out using the name of his fiancée. He appeared nowhere in the paper trail, as the mayor himself pointed out. Nevertheless, the mafioso invested a great deal of time and money in the renovation of the place. Everything was done through "Italian friends" and no local company was used, according to the mayor (I3). The mayor never questioned where the money was coming from, saying that as far as he was concerned, there was nothing worth raising any suspicion about. Even the practice of signing over the lease to another person was, according to him, "just business as usual" in the gastronomy sector.

The restaurant had a very big room in the back where the local newspaper organised reading evenings (J8) and the city administration organised small concerts, events for the elderly and other outreach activities (I4). In other words, it was a centre of public life. Anyone who wanted to organise something in the small town had to go through *Luigi*. He also obtained a permit to put tables on the main square and together with the mayor prepared a development project to be financed with European subsidies.

He was arrested before implementing the project. His partner kept the restaurant going but without *Luigi* the business went bankrupt within months. Again, no collusive behaviour could be established, nor was there any proof of corruption. Simply put, the two – the mafioso and the local politician – had aligned interests. Had there been an enquiry into the nature of their relationship, it would possibly have come to the same conclusion as the enquiry into Oettinger, acquitting all parties involved.

In yet another of the county's small urban centres, a member of the city council, the right hand of the mayor, also had a particular sympathy for the Italian entrepreneurs who populated the streets of the town centre with their restaurants and cafes:

> "When I pass by, they know of course that I work in the city council, so they always ask me things like to get the pedestrian zone open for longer […] They are very engaged to make sure their business is successful. And very diligent."(I5)

According to the investigations of Operation Styx, at least three of those restaurants are in the hands of the clan. But the local politician was sceptical. According to him, although it was common knowledge that a mafia clan operated there in the 1990s – he explicitly mentioned the local boss at the time, saying that he knew him personally – it was all talk and no action.

These three episodes demonstrate how the interests of the mafia can and often do overlap with the individual interests of representatives of the state. The consequent convergence dynamic can vary in intensity and does not necessarily constitute a collusive or corrupt relationship as sanctioned by the law but results in two milieus in proximity that, in the long term, can have significant consequences for the state's capacity to deal with criminal activity and mobility.

3.3 Migration

What factors facilitated or hindered the clan's transplantation to northern Hesse? In a lecture organised by the Italian Institute of Culture in Berlin in 2020, Francesco Forgione, the former president of the Italian Anti-mafia parliamentary commission argued that "it is inevitable that migration flows bring along specific phenomena which are typical of specific populations"(Forgione 2020). The hypothesis that migration flows played a role in the transplantation of the Calabrian mafia to Germany should not be quickly dismissed, not least because of its popularity among researchers and practitioners, as well as politicians. In 2016, a group of researchers at the University of Milan who investigated the risk of mafia

infiltration throughout Europe on behalf of the European Commission contended that Calabrian clans nested exactly in those areas where, from the 1950s onwards, most of the migration flows from the south of Italy had arrived (Dalla Chiesa et al. 2016: 36).

The case of the clan Farao-Marincola, however, will show that the outpost in Germany was an unintended consequence of one mafioso escaping his hometown to avoid retribution for his involvement in a murder. No direct link with generalised migration could be established. He arrived in Germany only in the late 1970s, when the post-war migration flows from Italy were already petering out, and settled down where the Italian community was underrepresented, compared to both other parts of the country and other immigrant communities.

The next section provides an overview of post-war immigration from Italy to Germany. While at first sight the presence of a significant Italian diaspora in Hesse seems to support the hypothesis according to which mafiosi inevitably follow migration flows, it is established that, although sometimes they do, at other times they do not. In other words, there is no causal link between the presence of a diaspora and the importation of a specific form of crime.

However, it is demonstrated that social networks play a role in directing the decision of where to relocate. This applies to mafiosi as it does to any other migrant. It will be argued, therefore, that while generalised migration is an inadequate, if not misleading variable to predict criminal transplantation at an aggregated level, it can explain individual decisions to relocate, which are often influenced by the availability of a social network of support. The crucial point is that, in the first instance, mafiosi are usually driven away from their territory of origin against their own preferences (see Varese 2011a).

In the longer term, the decision to set up an outpost does contain an element of strategy that should not be overlooked (see Campana 2011b). That same strategic dimension can be observed in how the group operates in the new territory. In particular, with regard to the discussion on migration, I show below there is a comparative advantage for the mafiosi to operate within communities of their own compatriots, which they strategically recognise and exploit. While previous literature (Decker at al. 2009, Varese 2011a, Arsovska 2014, Dalla Chiesa et al 2016, Dalla Chiesa 2017) focused mainly on migration as a variable that is relevant within the context of explaining the movement from A to B (by a criminal group or individual) this analysis goes one step further and discusses the presence of a diaspora community as a contextual variable that might, under specific conditions, facilitate a criminal group to settle down and develop in a new territory.

3.3.1 Mafiosi Migration

Towards the end of the 1970s in Calabria, unrest among affiliates of the clan was rampant. Many were unhappy about the redistribution of profits and accused their boss of treating them unfairly. The discontent was leveraged by Giuseppe Farao, one of the most senior affiliates at the time, to organise an internal coup, kill the boss, and replace him at the head of the *locale*. The plot was successful, but there was still a significant faction loyal to his predecessor. According to Italian sources, the murder "cost Giuseppe Farao a forced exile" (Tribunale di Catanzaro 2017: 192). The German federal police agreed with the assessment and confirmed:

> "After the murder of the old boss, within the *locale* of Cirò there was a dispute between the supporters of the previous boss and this new up-and-coming group, which had formed around the Farao brothers and Marincola [Cataldo]. In order to avoid these conflicts, Giuseppe Farao came to Germany." (P11)

Giuseppe Farao decided that, in order to escape retribution, it was best to lie low for a while. He went to Germany, to the region where his wife's family had been living since the late 1960s and that he had apparently visited before. Against the background of what has been discussed in the previous section, it becomes even more apparent that his decision to move to the Schwalm-Eder district was not influenced by general migration waves, but was a specific decision he made based on his own family (see also Campana 2011a: 212-214).

In other words, while generalised migration does not predict where mafiosi will migrate, the availability of an already established social network does naturally direct the direction of the movement. This is not a dynamic specific to mafiosi and has been widely studied in the literature, most notably with regards to the phenomenon of chain migration.[51] However, within the context of criminal actors seeking refuge or hiding, the availability of a network of trusted individuals – beyond mere countrymen – becomes even more crucial. As they are typically escaping law enforcement or inter- and intra-group fighting, such actors find themselves in need of a comparatively higher level of trust that cannot be found in general diaspora networks but requires more tightly knit subgroups, such as family or friendship networks (Campana and Varese 2013: 269-270). This is why Giuseppe Farao moved to the one place in Germany that his most trusted network was located, irrespective of the sizeable presence of the Calabrian community.

Then, during Farao's stay in Germany, a number of individuals gathered around him. A state witness recalled: "In the period in which Farao was in Germany, Italians from all over Germany came to talk to him." The German police recorded the year of first arrival in

[51] On chain migration from Italy, see Gabaccia 1999; as regards chain migration from the south of Italy specifically, see MacDonald and MacDonald 1964.

Germany of 38 individuals[52] who, after the arrival of Farao in Germany, turned out to be directly affiliated or in other ways connected to him. Of them, only six had arrived in the 1960s, at the height of the Italian migration waves into Germany. All the others came later, even though migration was already petering out, demonstrating that generalised migration does not coincide with mafia migration. Moreover, some of these individuals had already been on the police radar in Germany for extortion, assault, illegal weapon possession, robbery, and attempted murder years before Farao settled there (BKA 2008).

What changed with the arrival of Farao was the level of organisation among those individuals. Although the exact dynamic could not be established, within a few years of his arrival in Germany, the previously disorganised pool of criminals of Calabrian origin consolidated into an organised structure, directly linked to the 'Ndrangheta in Calabria, in virtue of their leader, Farao. Specific roles and functions were assigned: some were tasked with managing the drug market, looking for clients, and organising the logistics; others were set to procure weapons for the group. Certainly, Farao's criminal reputation played a role in this, not in terms of his experience (he was still quite young at the time) but insofar as other Calabrian criminals already active in the new territory recognised him for being the expression of an 'Ndrangheta establishment.

However, there is no indication that Farao's presence in Germany was caused by a mission to colonise new territories, find new investment opportunities or diversify activities on behalf of the group back in the home territory, contrary to what has been held in the literature (Lamothe and Nicaso 1995, Williams 2001: 97, Castells 2000b, Shelley, Picarelli and Corpora 2003, Shelley 2006, Sterling 1995, Broude and Teichman 2008, Forgione 2009).

[52] This statistic reflects only a fraction of the total number of individuals identified by the federal police as being related to the activities of the clan in Germany, as for most of them the date of first entry into the country was not possible to establish.

And while it is, of course, impossible to establish with certainty what his motivations and thoughts were, the successive unfolding of events proved that if he had any mission in mind at the time, it was to prepare for his return to Cirò.

In fact, the downside to laying low in Germany for the newly established boss was that he could not directly control his group in Calabria anymore. Before long, another, more junior mafioso, who belonged to the faction that had sided with the former boss, took over. The means for Farao to take back control of the clan in Calabria was organising his own group in Germany. From this perspective, the setting up of a structure in Germany served Farao's need to raise troops loyal to him, so he created a new 'Ndrangheta group that responded in the first instance to him rather than his rival, therefore paving the way for his comeback as the undisputed leader.

Before long, Farao put himself forward to take back the leadership of the clan. Discontent among affiliates in Calabria was on the rise again and for the same reasons: the local boss was accused of not sharing the proceeds of their activities equally. After four months of discussions, the group decided: the local boss was killed and Giuseppe Farao was reinstated as the head of the *locale* of Cirò (P2).

He immediately returned to Calabria but before leaving positioned one of his men at the head of the structure in Germany (Polizia Giudiziaria 1995d: 145). A state witness recalled:

> "He was affiliated ["rimpiazzato"] by Giuseppe in Germany. He was not important, and his baptism was purely tactical, in order for him to have his own person in Germany." (Procura della Repubblica di Stoccarda 1993b: 9)

Again, it is possible to notice how the group in Germany was not only set up strategically but was also used strategically by Farao to establish his power. As the Italian police put it, Farao restored "his reputation with the most authoritative 'Calabrian families' while, at the same

time, enhancing the relationships which in the meantime he had developed in Germany" (Polizia Giudiziaria 1995d: 5).

There was, therefore, as far as it is possible to tell from the evidence available, an element of strategic behaviour in the birth of the group in Germany, which was explicitly intended to set up an 'Ndrangheta structure in the country. However, that intent was not linked to an expansion strategy to take advantage of new markets. In the first instance, it was simply the unintended consequence of the forced relocation of one specific individual. In this context, the setting up of a new structure in Germany was ultimately intended to allow Farao to re-establish his position of power in Calabria.

3.3.2 Generalised Migration

In 1955, the Federal Republic of Germany and Italy signed an agreement for the systematic recruitment of Italian workers and a dynamic of chain-migration was set in motion. This created a circular system in which Italian migrants already working in Germany recommended and sponsored family members or others in their social networks to be recruited as well. Such a recommendation system outlived the bilateral recruitment scheme, which became obsolete as soon as Italians could freely enter the country from 1961 onwards, and determined most of the inflows of so-called "guest-workers". By 1975, more than a third of all Italian migrants in Germany came from the south of Italy, mainly from the regions of Apulia, Calabria, Campania, Sicily, and Sardinia (Giordano 1995: 230; Haug 2011: 137), where mafia density was significant. The majority of immigrants (84%) had settled down in the industrialised southern states,[53] including Hesse, while only a minority (8%) had gone to

[53] Bavaria, Hesse, Baden-Württemberg, and North Rhine-Westphalia.

the north of Germany (Giordano 1995: 238).[54] By 1984 almost half of the Italian immigrants declared to have relatives living in the country as well, and by 1995 that percentage increased to almost 70% (Haug 2000: 209). The average family network included 12 relatives, but numbers varied significantly across the distribution, with peaks of networks including more than 100 individuals. Might the mafiosi have found a "fertile ground" to breed within the Italian diaspora community?

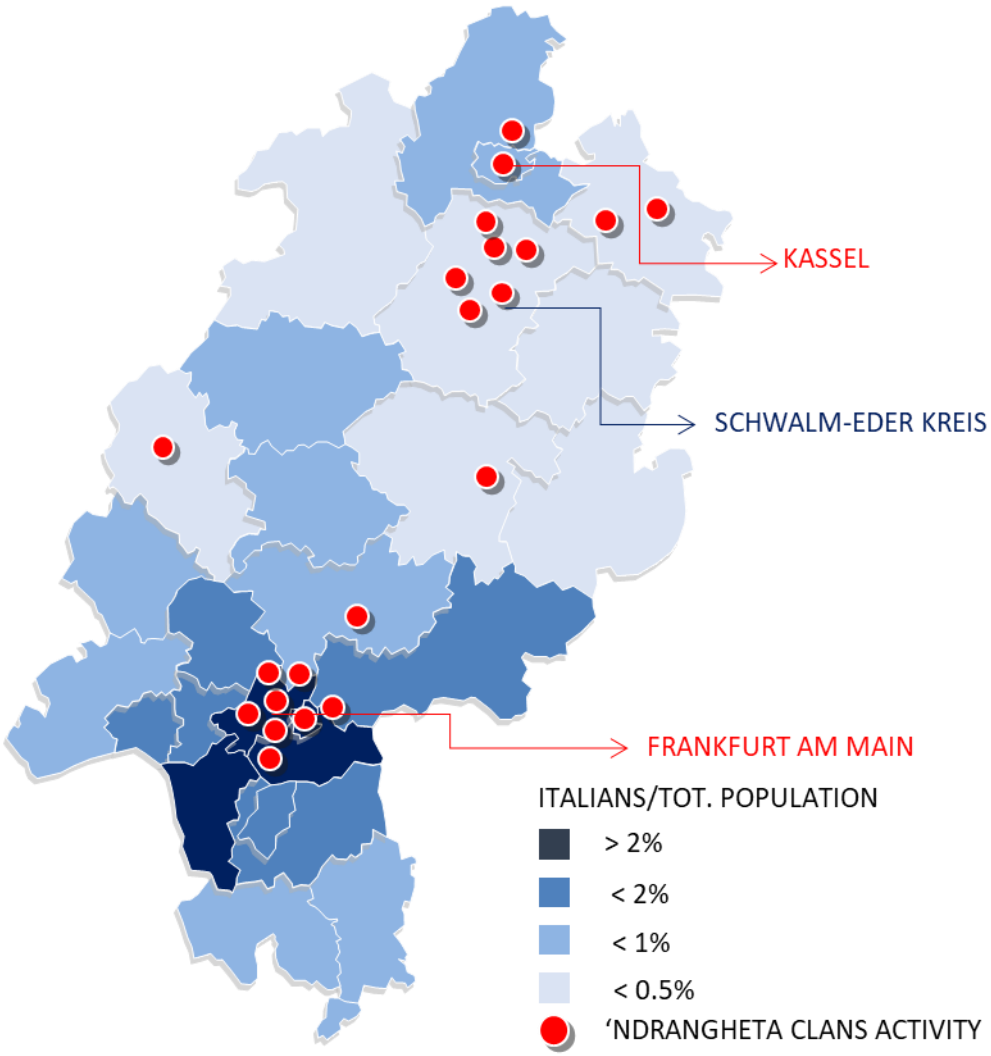
Today, 873,000 people in Germany have an Italian migration background. Of them, 112,000 (13%) are registered in Hesse (Destatis 2019), where they make up the third-largest foreign community. Reflecting the general distribution of foreigners in the state, they are mainly settled in the more industrialised southern part of Hesse, especially in the Rhine-Main area and in and around bigger cities. The highest share of Italians of the total population is registered in the southern cities of Offenbach (3%), which also has the highest share of foreigners nationwide (34%), and Frankfurt, where 20% of foreigners in Hesse reside. This distribution comes as no surprise, given that, at least during the first post-war period, Italian immigration was defined by low-skilled manpower responding mainly to labour deficits in Germany in the industrial and mining sectors.

Nevertheless, nowhere in Hesse is the Italian community the most numerous one. With almost 18% of its population coming from abroad, Hesse ranks among the top-three most internationally diverse German states (Destatis 2019), just after the city-states of Berlin and Bremen. And yet, only 1% of the population in Hesse is Italian, varying between a minimum of 0.2% and a maximum of 3%, depending on the county. While this data refers only to Italian citizens, and therefore does not capture German citizens with an Italian background,

[54] Lower Saxony, Bremen, Hamburg, Berlin and Schleswig-Holstein. In the eastern part of the country, however, there was virtually no Italian community. Even in 1992 only 632 Italians lived in the former DDR, making up for only 0.3% of the total foreign population (Giordano 1995: 238, see also Chapter 4).

even adjusted to reflect the average share of naturalisations among Italians in Hesse (33%), the percentage would increase less than two decimal percentage points, thereby remaining far under the regional average of 1%.

Figure 12 – 'Ndrangheta Clans Activity and Italian Population in Hesse



Sources: Destatis 2019, Schraven and Meuser 2017. Candidate's elaboration.

Notwithstanding the close to negligible numbers, should the Italians have "imported" the mafia to Hesse, the expectation would be to see more of it in the southern part of the state, where most of the Italians live. Instead, most of the individuals connected to the clan Farao-

Marincola settled down in the northern and central counties. There, Italians are comparatively underrepresented. They make up less than 0.5% of the population on average.[55] Over previous decades, most activities were registered in smaller towns of the northern hinterland as well.[56] In particular, the county of Schwalm-Eder, as noted, has been indicated by the federal police as the logistical base of the clan from the very outset to the time of writing. There, only 0.35% of the population is Italian.

The fact that the clan Farao-Marincola settled in an area of Germany where Italians were comparatively underrepresented does not, however, exclude the fact that other mafia groups might have settled elsewhere in Hesse, where the Italian community is more populous. From this perspective, this case study might simply be an exception to the rule.

In 2017, a team of investigative journalists mapped the activities of 'Ndrangheta clans throughout Germany (Schraven and Meuser 2017) based on police data. In Hesse, they documented two hot spots: one in the southern part of the state, in and around the city of Frankfurt, and one in the northern region. Overlaying the statistics on Italians in Hesse with the data collected by the team of journalists, it is possible to observe that areas with a higher presence of Italians are as likely to be affected by the activities of mafia groups as areas where Italians are comparatively less represented are (see Figure 12). In other words, the explanatory value of general migration flows as a determinant of where mafia clans settle down is very weak.

[55] The only exception seems to be Kassel, the third biggest city in the state and by far the biggest city in the northern region, where Italians account for 0.51% of inhabitants, still half the regional average of 1%.

[56] The group had a second area of activity in and around Stuttgart, in the neighbouring state of Baden-Württemberg. The "operative capacity" there, however, seems to be mainly linked to the presence of one specific individual, who was particularly well connected and influential within the local community with acquaintances among high-ranking politicians (see 3.2.2).

Migration statistics in Hesse, however, do not cover the regional place of origin and therefore it was not possible to establish the number of Calabrians among the Italian immigrants. From interviews with the community, it emerged that several families of Calabrian origin had settled down in the villages where the clan has been active over the years. Whether these families coincided with the alleged mafiosi or their victims – or have nothing to do with either of them – remains unclear.

3.3.3 Diaspora Community

The evidence discussed so far dismissed general migration as the only variable explaining criminal migration and confirmed previous studies pointing at push factors such as law enforcement pressure or inter- and intra-group fighting as the main factors prompting criminals to leave their territory of origin. In doing so, the relevance of social networks, within which trust and reputation are cemented, became apparent. This section takes the discussion one step further, exploring the significance of diaspora communities, this time not in explaining the movement to new territories but as contextual factors potentially creating structural opportunities for criminal organisations.

In the 1970s, some of the guest-workers who had arrived in Germany from southern Italy in the post-war period transitioned from working in factories to self-employment, mainly in the hospitality sector. They opened Italian restaurants, pizzerias, and ice-cream shops. Some more affluent immigrants came from North Italy and invested small amounts of money, also mainly in gastronomy. The concentration of Italian entrepreneurship in the restaurant business in Germany did not happen by chance (for an overview, see Storti 2014). On the one hand, personal preferences, informal human capital – in simple terms, "knowing about Italian cooking" – and social capital played a role. On the other, and more significantly, there was a

high demand for Italian food on the part of German consumers[57] and little competition in its provision, given that the product offered was strictly related to a specific immigrant background. Moreover, the ease of access to the restaurant sector, especially compared to the relatively high barriers of entry for most other jobs, channelled the supply of entrepreneurship even further (Storti 2014: 530-33).

Today, the Italian gastronomy sector in Germany is varied, with strong local and regional differentiation in terms of the place of origin of the entrepreneur (Moehring 2011: 173). This reflects the general characteristics of Italian diaspora communities abroad, historically set up in satellite communities, *de-facto* constituting region- if not village-based diasporas (MacDonald and MacDonald 1964, Gabaccia 1999: 1,125). In these communities, most of the communication and exchange happens within closed networks made up mainly of compatriots (Storti 2014: 532) or with the home village (Gabaccia 1999: 1,125). It is one of these networks that the mafiosi tapped into and established control over.

As the case of the imposition of wine on Calabrian entrepreneurs (3.2.2) showed, what the mafiosi found in this small community of entrepreneurs scattered across central and southwestern Germany was the same networks of kinship, friendship, and ethnicity that they controlled in Calabria and within which their reputation as criminal protectors was already established. In particular, diaspora communities reproduce the same conditions identified by Campana and Varese (2013) as ideal for "hostage taking". While the two authors made a very specific point about contract enforcement, the discussion they developed can apply also to extortion dynamics within diaspora communities. Hostage taking, they note, is one of the most ancient strategies adopted by criminal and non-criminal actors in extra-legal contexts.

[57] The change of image of Italians in the mid-1970s led to a boom of Italian restaurants, which by 1975 had replaced most non-German restaurants in Munich, Hamburg, and Bonn (Bernhard 2011: 72).

The aim of hostage taking is to ensure commitment in the absence of the law and trust (Campana and Varese 2013: 267-270). From this perspective, operating within diaspora communities lowers transaction costs not only because it allows criminal groups to lean upon an already established reputation, which is otherwise typically absent in new contexts, but also because it increases compliance by facilitating punishment.

In other words, members of diaspora communities are "hostages" in two ways: first, within the diaspora community itself, which is characterised by tightly knit relationships entangling the immigrant in dynamics of dependency that provide easy access to information for mafiosi on the identity and whereabouts of who to punish; and, second, within the community of origin, in which relatives of a migrant serve as hostages according to the same dynamic. In this sense, diaspora communities can constitute a structural opportunity facilitating mafia transplantation by allowing mafia outposts in new territories to impose their rule at a relatively low cost by leveraging the tight control of territory in Calabria while avoiding exposure to law enforcement.

3.4 Local Conditions

Having unpacked how migration influences the transplantation of criminal groups, this section will move on to test the role played by contextual factors: the local markets; the size of and level of competition in the new territory; and civic trust.

The first part of the analysis will discuss why the clan Farao-Marincola set up its outpost in a provincial area in northern Hesse, at the periphery of the German Federal Republic and the European Community, at a time when unemployment was rampant, there was little infrastructure, and there were no economic opportunities. Rather than a specific structural

opportunity, what contributed to the clan transplanting to a new territory was the absence of challenges, such as competition by legal and illegal actors. The idea that mafia transplantation is not exclusively the result of one-off opportunities but can also be explained as the consequence of long-term structural conditions creating a non-hostile environment will be explored further in the section dedicated to state response (see 3.5).

Related to this point, the second part of the analysis will address the assumption that mafia organisations find resistance in communities that record comparatively higher levels of civic engagement and trust in institutions (Putnam 1993). Linked to this assumption is the idea that mafia organisations emerged from a specific mentality or culture that bred "mafia behaviours" (Sergi 2019b). From this perspective, it follows that mentalities and cultures of a different type, such as a German mentality or culture, should deprive these organisations of their ideal breeding ground. However, by unpacking the specific dynamics that characterise the interaction of the clan with a member of the local German community, it will be shown that the character and tenacity of German civic life can co-exist happily with the transplanted mafia group.

3.4.1 Markets

As a state-sponsored investment portal states on its homepage, Hesse is "the leading business location in Europe" (Hesse Trade and Invest). Its gross domestic product (GDP) per employee exceeds Germany's average. With a GDP of €263 billion, if Hesse were a nation-state, it would nearly rank in the top ten in Europe, just behind Denmark (Statistik.Hessen 2021). As one of the most innovative regions of Europe, Hesse is also home to 69 universities and research institutes and has a lively start-up scene. At the geographical centre of the Federal Republic, its water, rail, and road transportation systems are directly connected to

Rotterdam, Antwerp, and the Black Sea. However, this picture mainly reflects the industrial and economic power of the metropolitan area of Frankfurt in the southern part of the state, and it is worth noting that the northern and the southern parts of the state have followed very different trajectories.

Hesse was severely damaged during the Second World War, as between 1942 and 1944 thousands of tons of bombs, part of the Allied campaign known in Germany as *Bombenkrieg*, razed entire cities to the ground and killed thousands of civilians.[58] In the north, for example, 90% of the residential area of Hanau was destroyed (Heidenreich 2004: 3), while 80% of Kassel's total area and 97% of its historic centre was destroyed (Hessisches Landesamt für geschichtliche Landeskunde). With the end of the war, more than 1.3 million refugees and displaced persons arrived in the region (bpb). The situation was challenging: housing emergencies, food shortages, and a lack of basic infrastructure brought Hesse to its knees.

Nevertheless, the recovery was swift. Just six years after the first development and integration plan, the Hesse Plan of 1951, was approved, Hesse could already afford to become a donor[59] to other federal states still struggling with the post-war reconstruction. In 1965, a new comprehensive investment package, known as the Great Hesse Plan, further stimulated economic development and gradually developed the state into the international business hub it is today. Frankfurt became home to one of the most important financial centres in Europe, hosting the headquarters of the European and German central banks, as well as the German stock markets and a variety of international and national private financial institutions. Frankfurt's airport is Europe's largest airfreight centre and the metropolitan area stretching around the city is filled with chemical, pharmaceutical, engineering, and

[58] The campaign culminated in the bombing of Hamburg (1943) and Dresden (1945), during which about 80,000 people died.
[59]Hesse became a donor in the equalisation payment system, a federal mechanism to redistribute financial resources both between the federation and states and among the states.

automotive industries. There, the highways A3 and A5 intersect in what has become the most trafficked interchange in Europe. Yet, while South Hesse benefited from the exponential growth in and around the city of Frankfurt, the northern area struggled to find its place in modern Germany.

Part of the 40km border area that divided West and East Germany, North Hesse used to be at the periphery of the Federal Republic of Germany[60] and, like many border counties, it suffered from an ageing population, outwards migration, unemployment, and low levels of productivity (Boesler 1985: 383-384). In 1971, the federal parliament intervened, introducing a package of financial incentives and subsidies (for an overview, see Berg 1989) aimed at stimulating economic development in the regions concerned. Around 40 billion DM (~£2 million) were pumped into the border area for the development of industrial hubs and economic activities, and the construction of roads and schools, as well as the stimulation of cultural activities. Through measures such as tax relief, low-interest loans, freight aids, and other subsidies, up to 50% of investments were *de facto* financed by the state (Kurbjuweit 1990).

While the first members of the clan, including the *locale'*s boss, had arrived around this time, there was no evidence in any of the files consulted that they profited from the public spending policy. On the one hand, it remains impossible to say with certainty that any of the businesses connected to the clan, almost exclusively active in the gastronomy sector, benefited at some point in time from a state-sanctioned tax relief or other subsidies. On the other hand, it is highly unlikely that they profited in any significant way from the brief boom this part of North Hesse experienced without leaving any trace. Furthermore, the injection of capital seems not to have had any noticeable effect on the protection of property rights, which has

[60] The border zone in Hesse included the cities and counties of Kassel, Fulda, Eschwege, Hersfeld-Rotenburg, Melsungen, Schlüchtern, Witzenhausen, and Vogelsberg.

been identified as the main structural opportunity for mafia organisations to emerge or transplant to new territories in connection to a boom in the market (Gambetta 1993, Varese 2003, Varese 2011a). It is important to note, though, that it was not possible to gather information to assess empirically how local municipalities in the 1970s and 1980s managed subsidies and financial incentives in practice.

After the reunification of Germany in 1990, the border area had to cope with the discontinuation of funding and incentives, while also having to compete with the new eastern states, which were granted significant state subsidies and benefited from a comparatively cheaper labour force. Hesse itself adopted an aid programme specifically for Thuringia, its neighbouring eastern state, and became one of the main contributors to its rebuilding process. As a consequence, many companies set up in North Hesse in order to take advantage of the border subsidies decided to close down or move their business to Thuringia, where new subsidies were available, and wages were up to 20% cheaper (Schwarz 2009). The period between 1991 and 1997 was characterised by growing unemployment (from 5% to 10%), weak productivity, and a slow, often stagnating economic growth (Hessisches Statistisches Landesamt 2015: 40). Even today, the industrial and economic fabric of the north is much weaker than that of the south.

If organised crime had "globalised its activities for the same reasons as legitimate multinational corporations" (Shelley 2006: 43), it would have made sense, at least in theory, for the young criminal entrepreneurs at the head of the Farao-Marincola clan to pick one of the most attractive economic locations in the whole of Germany. That would have been the industrialised metropolitan area around Frankfurt, in the southern part of Hesse. And yet, most of the individuals connected to the clan Farao-Marincola have been active – and allegedly still are, at the time of writing – in the central and northern parts of the state.

The only reason for settling in the north would have been to take advantage of the huge amount of subsidies that were pumped into the border area before the reunification of Germany. However, there simply was no evidence in the sources consulted that the clan had been involved in any such activity. In North Hesse, the clan did not find any particular structural opportunity. Instead, it found itself in a situation of comparative advantage, further away from the highly competitive legal and illegal markets of the south yet still within driving distance from them.

3.4.2 Size and Competition

If the new territory did not offer any particular structural opportunity linked to a boom in the market, or otherwise unprotected property rights, what other contextual variables can explain the transplantation of the clan Farao-Marincola to Germany? Beyond specific structural opportunities, previous studies have identified the size and competition within the new territory as factors that might hinder or facilitate the capacity of a criminal group to transplant fully to a new territory. In his comparative study of how mafia organisations migrate, Varese (2011) demonstrated that, all other things being equal, it is easier to establish a degree of control over a new territory that is small in size. He noted, however, that the presence of other illegal actors, especially if already in control of the territory, might significantly hinder the establishment of new criminal groups.

In this respect, the new territory in which the clan Farao-Marincola settled seemed to have the ideal conditions. While the activities of the clan in Germany arguably stretched across a wider territory than was the case in Calabria, according to a logic mainly driven by where Calabrian victims, associates or affiliates resided, the heart of the Farao-Marincola outpost can be located in Schwalm-Eder. It was there that Giuseppe Farao arrived at the end of the

1970s and set up the first structure and it was there that his deputy lived and operated once Farao returned to Calabria. This was also the place where *Piero*, allegedly the current head of the outpost, was arrested in 2018 and to which he immediately returned to while awaiting trial.

Schwalm-Eder is a provincial county of about 180,000 inhabitants in total, mainly spread across small towns and some medium-sized cities. The municipalities in which most of the events discussed in this chapter took place vary in size between populations of 6,000 and 13,000. In short, the new territory was relatively small. In the area, crime was mainly small-scale petty criminality, such as burglaries and thefts. The annual police statistics published for the entire region of North Hesse also record a significant share of drug-related crimes, which remained relatively constant over the years. Upon closer inspection, only a minority of the crimes listed under the category of drugs involved trafficking activities (23% in 2015, 16% in 2019), with the majority of offenses probably constituting consumption (Polizeipräsidium Nordhessen 2020: 10). Furthermore, around 60% of all crimes registered in North Hesse took place in and around the city of Kassel, the biggest urban centre, with its population of roughly 200,000. The remaining share (~40%) is split across three rural counties, with Schwalm-Eder accounting for less than 15% of the total (Polizeipräsidium Nordhessen 2020: 3).

The police statistics, however, do not include specific data on organised crime. While Hesse is one of the few German states where the Domestic Intelligence Service is tasked with monitoring organised crime, there are virtually no official figures available. In 2019, a year after the arrests of Operation Styx, the annual report published by the service barely touched on the topic, dedicating just about two of the almost 400-page document to the phenomenon. Only a sole paragraph touched on Italian organised crime, lumping such groups with Russian

organisations. A second paragraph was dedicated to OMCGs and, with that, the section on organised crime was concluded.

OMCGs have been present in Hesse at least since the 1990s, if not earlier, and today have around 300 members, split across several groups with each between 10 and 40 members (Juramagazin 2020). Within this category there are also “boxing groups”, which are organised in a similar way but do not identify with the use of motorcycles. Mainly active in the field of prostitution, drugs, and smuggling more generally, these organisations (whether with or without motorcycles) often clashed among themselves or with other groups, often resorting to the use of violence. It was not possible to establish, however, whether this translated into control of territory, and if so, to what extent. The important point, however, is that, according to all accounts, most of their activities were concentrated in the southern part of Hesse, in the Rhein-Main region, and therefore did not constitute direct competition for the Farao-Marincola clan, which settled in the most northern part of the state.

In short, what North Hesse and, in particular, Schwalm-Eder had to offer the clan Farao-Marincola was a relatively small in size territory with next to no competition. In such a provincial environment consisting of small communities and narrow criminal markets, the presence of a criminal organisation should jump out to the local population and be actively rejected by it. The following section will explore this argument within the wider context of civic trust in Germany.

3.4.3 Civic Trust

Today, Germany ranks highly across Europe with regard to surveys, such as the Eurostat Quality of Life survey and the World Values Survey, which record, among other things, the

level of trust in the political, legal, and judicial systems. Except for the years immediately after the fall of the Berlin wall, levels of civic engagement and, more generally, social and political cohesion have remained generally high (for an overview, see Braun 2014: 151-152). In short, Germany, especially West Germany, presents what Putnam (1993: 174) described as a "historical repertoire of forms of collaboration." According to the author, this repertoire produces "durable differences in performances between two societies", explaining why the mafia emerged in the south of Italy and not in the north (as regards East Germany, see 4.4.3). The logical next step is that Germans trust institutions and civic engagement can be assumed to place a barrier in front of mafia activities, stopping them taking hold or going unpunished in the country.

Yet, there is no obstacle in principle to the mafia extending its reach beyond the diaspora community. On the one hand, such an extension is required by the very nature of the core business of mafia organisations (Gambetta 1993: 54-65). On the other hand, it finds no exceptional hurdle in the collective level of civic trust ascribed to specific communities, as the case of intimidation against a German citizen (see 3.2.2) demonstrated.

More specifically, the evidence discussed showed that while there is a barrier to entry related to comparatively higher costs to establish a reputation, protection activities can and do extend beyond diaspora communities into local communities. Once that has happened, the dynamic that is triggered is no different in kind to what happens within diaspora communities: the crime does not get reported and the victim complies with the request. This demonstrates that the dynamic in question has much more to do with the specific type of crime than with the levels of civic engagement.

Nonetheless, from a straightforward quantitative perspective, the case remains anecdotal, for there is no other incident of the kind ever reported in Germany (to the best of the candidate's

knowledge). This can mean two things: either this case is an exceptional event, an outlier that has emerged from idiosyncratic factors to the extent that little to nothing can be learned from it, or it brings to light key features of the social reality of mafia entrenchment within local communities that have so far remained in the dark, for reasons other than their insignificance.

Piero, the mafia boss, did not want to be seen as a mafioso within the community. That reputation, according to him, was bad for business (Tribunale di Catanzaro 2017: 434). And yet, it was his idea to reference the Duisburg shooting when dealing with the German victim: "tell him about Duisburg" he instructed the messengers in order to convince *Lukas* to take his threats seriously (Tribunale di Catanzaro 2017: 433, V6).

The mafioso faced a dilemma: on the one hand, the ability to protect his turf was conditional on some enforcement capacity, ultimately relying on his reputation for the effective use of violence or its actual use. On the other, such a reputation would have exposed him within the local community and, eventually, led to the attention of law enforcement agencies. It was exactly to avoid such exposure that *Piero* had invested years building up a reputation for being a law-abiding citizen who was well integrated in the community. However, this reputation proved counter-productive when he had to convince *Lukas* not to compete with him. It forced him into the spotlight, by requiring more explicit threats, over a relatively long period of time.

An alternative option for the mafioso could have been to refrain from interfering with the German citizen altogether. In fact, his decision to threaten him could seem irrational at first sight. In theory, it would have made sense for the mafioso to limit his mafia activities to the community – namely, the Italian diaspora in Hesse – within which his reputation for the effective use of violence was already well established and therefore exposure was minimal.[61]

[61] This is also one of the reasons why mafia organisations are rather sedentary and do not seem to move across territories, as some have suggested.

Conversely, extending control into the local community, in which such a reputation was not yet established, implied significantly higher costs. From this perspective, *Piero*'s decision to stop *Lukas* from opening an ice-cream shop could seem short-sighted and irrational – in other words, a mistake.

But how could *Piero* be credible in his role as a mafioso – in particular, in the eyes of other affiliates – if anyone could just enter into competition with him? A protector who cannot protect his own business cannot be credible. The main problem for *Piero* was competition. As the mafiosi mentioned in the intercepts discussed above, he would have accepted another type of business ("the sandwiches"), but not direct competition in the specific sector he already controlled ("the ice-cream business"). This was an affront to his leadership and to his reputation. From this perspective, *Piero* went for the only option available for him in order not to lose credibility. As Gambetta (1993: 46) put it, "The loss of reputation is catastrophic and impossible to remedy. It causes not just the loss of a fraction of one's business, but its disappearance altogether."

In other words, *Piero*'s behaviour was by no means exceptional or irrational. It was a textbook case of how any mafioso would react if he saw his reputation endangered. It is highly likely, therefore, that this incident was not an outlier but symptomatic of the full transplantation of the group into the new setting and likely to be repeated were a similar situation to arise in the future.

Then, once such a situation would arise, the evidence discussed earlier (see 3.2.2) suggests that events would unfold according to the same pattern already observed within diaspora communities: threats, no reporting, and eventually compliance, if not complicity.

The rest of the community did not do anything either. My quest for interview partners was difficult and yielded poor results. Nobody wanted to talk about what had happened, and the

few comments I collected, both on and off the record, were all along these lines: "we never heard of anything, we might have seen something in the press, but this had nothing to do with the community, it was probably just some exaggerated tabloid story, nothing of the kind happens in Germany, all the Italians here are well integrated, they work hard and respect the rules."

According to *Lukas*, this was not surprising: "Here they don't want to know, they don't want to talk. They want to be in peace. This is the German mentality: See nothing, hear nothing, say nothing" (V6). Tracing back to the Greek culture of the fifth century BC, the *motto* has become a synonym for *omertà* (Maiullari 2000: 83).[62] *Lukas*'s opinion remains just that: an opinion. Whether and to what extent this is part of the German mentality is not for him – or this thesis – to assess. But his words at least indicate that a predilection for keeping things discreet is not a prerogative of (southern) Italian cultures.

This case shows that, while there is a barrier to entry related to comparatively higher costs to establish a reputation, protection activities can and do extend beyond diaspora communities into local communities. Once that has happened, the dynamic that is triggered is no different in kind to what happens within diaspora communities: the crime does not get reported and the victim complies with the request. This demonstrates that the dynamic in question has much more to do with the specific type of crime than with the cultural background of the victim.

[62] In his analysis of the Greek play *Oedipus Rex*, Maiullari unpacked the motto in its two meanings: on the one hand, the "positive" idea of wisdom, which is translated into not speaking about matters that it is not sensitive to speak about; on the other, the idea of *omertà* described by the author as "poised between the archaic and the modern, between the oriental and western cultures" (Maiullari 2000: 83).

3.5 State Response

When, in the early hours of 9 January 2018, *Piero* was taken away by police special forces, his neighbour was shocked. Of course, he knew *Piero* – but only because of his pizzeria, he pointed out. That he was the head of an Italian mafia cell made no sense to him, as he was sure that "a mafioso would never operate in the same place he lived" (V3). However, that same morning, another ten people were arrested, facing the accusation of being part of or somewhat involved in an 'Ndrangheta structure that had been active in German territory with no interruptions since the 1980s.

According to the police, *Piero* had moved up the ladder and was now the group's boss. He had a long criminal history in Germany. As early as 1990, he had been involved in importing cocaine from Holland on behalf of the clan Farao-Marincola and redistributing it in the cities of Waiblingen and Mannheim, in the state of Baden-Württemberg (Polizia Giudiziaria 1995d: 56). At the time he was just a foot soldier, doing what he was told, helping out with all sorts of activities, such as hiding fugitives, intimidation, and trafficking. He also featured among the names of those sending money to and receiving money from Cirò, in this case directly to the brother and wife of the boss. In 1995, he was arrested for membership of a criminal organisation and extradited to Italy. Four years later he returned to Germany and was soon arrested again – this time in Hesse –for membership of a criminal organisation as well as extortion, arson, and armed robbery. He was sentenced to 6 years and 11 months in prison (BKA 2008). Since then, it appeared that he had straightened out. He moved to Schwalm-Eder, where he took on running a pizzeria, quietly hidden in the woods, about 10km from where Giuseppe Farao had settled 30 years earlier. Until the raid, he had not given anyone a reason to suspect anything. Nothing gave away his past, the times when he used to walk

around with a machine gun and shoot at restaurants and other shops to collect extortion money (Klaubert 2018, March 19).

The story of *Piero* is only one example illustrating a wider dynamic, namely one of adaptation to state repression (Slade 2012, Lessing 2017, Catino 2019, Varese, Lonsky and Podvysotskiy 2020). An analysis of archival police data reconstructed through a variety of Italian and German sources (see 3.2) suggests that effective policing against more "evident" criminal activities that characterised the early decades of the group had pushed the clan "under the radar". In other words, learning from the continuous arrests suffered in the 1990s, members of the clan gradually changed their modus operandi, preferring more covert operations on legal markets.[63]

The following sections will discuss how state repression in the early years of activity in Germany resulted in a process of adaptation for, rather than disruption of, the group. This is not to say that the clan pursued a long-term strategy aimed at adapting to and taking advantage of legal and practical specificities of the German system. The process of adaptation should rather be understood as a gradual learning process both of the individual mafiosi and of the organisation, the group as a collective entity (see Catino 2019: 49-53). From the perspective of state response, what followed was a convergence of interests between representatives of the clan and local political actors, which in turn further impaired the capacity of institutions to identify the phenomenon in the first place and consequently take action against it.

[63] The core business, however, did not change, as demonstrated by the evidence discussed so far.

3.5.1 Intent and Capacity to Respond

As already mentioned, from 1977 to 2007, 41 individuals connected to the clan had been on the radar of German police authorities, resulting in a total of 56 different criminal investigations, many of which including multiple charges.[64] A third of the investigations resulted in convictions (N=17, 30%), while only in a minority of cases were the suspects acquitted (N=4, 7%). Often, though, the data mentioned only investigations (N=10, 18%) or arrests (N=6, 11%), without further specification of the outcome. These records could have resulted in either acquittals or convictions. In a few cases (N=4, 7%), the individuals charged were extradited to Italy; the remainder (N=15, 27%) included other types of records, such as the general mention of "being known to the police" or stop-and-search events.

Furthermore, while police investigations led to continuous arrests and subsequent convictions in the first decades of the clan's activity in German territory, in the last fifteen years the clan has virtually disappeared from the radar. Yet, as it will be established, the issue was not one of lack of intent, but lack of capacity. In the last operation against the clan, Operation Styx, of 169 individuals who were arrested, only a handful were operating in Germany. The state police clarified that "there were more suspects, but we did not have enough evidence to take action" (P7). Why is that? And why have repression activities not been able to disrupt the German outpost?

The reasons are twofold. First, in Germany the policing and prosecution of specific criminal actions, such as drug trafficking, robberies, assault, and weapon trafficking, is very effective, but there are limitations to how – and how effectively – the police can investigate organised crime structures and to what extent investigations are then translated into judiciary action.

[64] Author's dataset, based on BKA 2008 and Polizia Giudiziaria 1995d.

Second, there is a specific weakness in identifying and responding to particular types of crime. One such crime is extortion, especially in the absence of explicit violence.[65]

Most convictions related to visible, high-impact criminal activities, such as violent crimes or drug trafficking.[66] Generally, policing in Germany is geared towards prevention and responding to criminal activities in one-off interventions against specific criminal conspiracies. There is a shortage of investigations into the structures and networks of organised crime beyond a specific criminal act of interest at a specific point in time (see, for example, Bannenberg 2020). As a consequence, knowledge of structures and networks behind individual incidents is very limited and disruption activities have a short-term effect at best. This was the case, for example, when the police arrested a person for a violent crime who in the 1980s was in charge of the clan's drug trafficking operations in Germany. He was simply substituted by another affiliate and the business continued as if nothing had happened, as the man himself told the police after having become a state witness:

> "In March 1984 I was arrested because of a shooting and therefore I could not personally take care of the drug trafficking any more. I was substituted by another man, who continued to use the same distribution network that I had set up. I know of another seven deliveries of heroin that were sent from Cirò and distributed in Germany by him. […] I know that also after the refinery was seized the *locale* of Cirò continued dealing in drugs, also in Germany and in Lugano." (DDA 1995a: 10).

The police confirmed that the clan continued using the same distribution system for several years afterwards. On the one hand, therefore, there is the problem of a lack of systematic and structural investigations into criminal organisations in Germany. On the other, even when such investigations are attempted, data-protection regulations often are in the way. The chief

[65] Another blind spot concerns money laundering activities, as will be discussed in depth in Chapter 4.
[66] It is impossible to provide statistics with regard to specific crimes as the data often includes multiple charges and the information about conviction or acquittal does not distinguish between them.

criminal investigator at the state police in Hesse explained as much, with reference to the Farao-Marincola case:

> "Data-protection regulation is very strict [in Germany]. It was a long time since Giuseppe Farao lived here and I do not have any data on him any more. The only information I have [today] is that he lived here, and only because he decided to officially register." (P7)

The same problem has been highlighted by virtually all German investigators and prosecutors interviewed for the purpose of this research across all case studies.

Beyond inadequate policing practices and privacy restrictions, a further problem regards particular forms of crime that tend to remain under the radar in Germany, either for legislative or knowledge gaps, or both. Extortion and intimidation activities are particularly problematic in this respect. Most convictions for extortion either involve the use of violent methods or include parallel charges for drug trafficking activities. This suggests that cases of extortion are likely to come to light and to lead to a conviction only if other criminal activities are investigated as well. Both the state police in Hesse and the federal police admitted that it often has been a challenge for them to identify relevant cases that, in retrospect, they understood to be straightforward cases of extortion (P11, P12, P13).

Similarly, investigations into cases of membership of a criminal organisation often resulted in acquittals (three out of four acquittals were related to the charge of membership in a criminal organisation) or had unknown outcomes (five instances, one of which resulted in extradition to Italy). In only two cases, charges on account of membership of a criminal organisation resulted in a conviction; in both instances, the charges also included violent crimes, such as arson, with no specification of whether the conviction related to all three charges or any particular one of them.

One of the subject matter experts within the federal police when it comes to Italian organised crime and mafia activities explained:

> "Especially when it comes to extortion and racketeering, we only have very weak knowledge. First, because it is generally rare – and not only concerning Italians – that extortion crimes get reported to the police. […] Then, it is extremely difficult to establish extortion from a judicial point of view. What to anyone is obviously extortion might not be extortion in judicial terms." (P11)

For example, the imposition of wine and Italian products, as conducted by the Farao clan between 2013 and 2014, did not constitute extortion in legal terms. Against this background, the absence of explicit threats compounded the picture even further. It meant that, for a long time, the German authorities did not even realise that they were dealing with intimidation and extortion in the first place. A criminal police officer following the case of the clan Farao-Marincola noted that:

> "We did not really understand because we did not know their modus operandi. Since the collaboration with Italy we are fully aware, but before that we could at best have made an educated guess. […] Even beyond Styx, in other cases, we were not sure what we were dealing with, whether it was extortion, racketeering."(P7)

Often, in such cases, the lowest threshold of proof necessary for even continuing investigations is difficult to attain and the case risks getting archived. Furthermore, even when enough evidence is collected by the police, the next hurdle is to establish the facts from a judicial perspective. The head of the organised crime department at the federal police admitted that "The way we collect evidence is problematic. The judiciary finds it difficult to understand that the Italian mafia uses different methods for intimidation" (P12). The chief investigator on the Farao-Marincola case confirmed this: "I was not able to collect the evidence necessary for charging the defendants here in Hesse" (P7). As a result, the

prosecution office responsible for the case in Kassel waived its jurisdiction and transferred the entire proceedings into the hands of the Italian authorities.

3.5.2 Adaptation to State Response

Contrary to what many analysts and practitioners, such as Franco Roberti, an Italian prosecutor and former head of the national anti-mafia agency, argued, the Italian mafia in Germany did not act "silently, quietly, and secretly until the Duisburg massacre of 2007" (Roberti in Reski 2012: 337, see also Scherer 1998, Neubacher 2014: 175, Dalla Chiesa 2021: 563). If anything, the empirical evidence collected thus far indicates that it started to do so only after 2007.

More precisely, however, while the Duisburg massacre has come to symbolise a watershed moment in the public imagination, there is no precise turning point, no cut-off date that can be identified as the moment at which everything changed. Rather, what can be observed is a gradual process of adaptation to law enforcement activity that disproportionally targeted "louder" operations on criminal markets, while leaving the presence on legal markets largely unaddressed. This is not to say that the clan pursued a long-term strategy aimed at adapting to and taking advantage of the legal and practical specificities of the German system. The process of adaptation should rather be understood as a gradual organisational learning process, as discussed by the sociologist Maurizio Catino in his latest study of mafias (Catino 2019, in particular 49-53).

At the beginning of the 1990s, showdowns between rival clans were so common in Germany that in 1992 a member of the Farao-Marincola outpost mistook a police operation for an ambush by a competing mafia family and started to shoot (Polizia Giudiziaria 1995d: 70) He

was arrested and became a state witness. At the time, a feud between two opposing clans – one against and the other in favour of the Farao leadership in the area of Cirò – was "exported" to Germany, causing more than one death and several violent episodes (Polizia Giudiziaria 1995d: 198). The feud was no exception. Often, as discussed earlier (see 3.2.2), the clan would go on "punitive expeditions" to oust rival criminal groups and protect drug trafficking spots. Violent episodes occurred for a variety of unimportant reasons as well, some of which were apparently disconnected from the clan's direct interests. One affiliate, for example, got involved in a shooting over a disagreement during a card game. He ended up killing a person, as well as wounding bystanders, and was subsequently arrested and convicted for murder and attempted murder. Another affiliate killed his nephew on the streets of a German country village, allegedly for a conflict over inheritance (BKA 2008: 54).

In short, there was no hesitation to use violence, even in daylight. More generally, violent crimes ranked as the second most frequent police record concerning individuals linked to the clan Farao-Marincola between 1977 and 2007 (N=14, 16%). For 50% of the records within this category, individuals were involved in murders or attempted murders (N=7), while other records included different types of assault, such as stabbing and arson (N=4). Furthermore, during the same period, a variety of weapons belonging to the clan, as well as ammunition, explosives, and even grenades, were seized. Among the specific weapons available to the group in Germany, the police mentioned a 7.65mm Beretta M1935 pistol, a sawn-off shotgun, and a semi-automatic Browning pistol (Polizia Giudiziaria 1995d: 35). Apparently, the German outpost even tasked one person with exclusively dealing with the procurement and custody of weapons.

In the 1980s and 1990s, until the first years of 2000s, the German authorities convicted or extradited more than half (N=22, 54%) of the individuals they considered in some way linked to the clan Farao-Marincola. Some more (N=6, 15%) were arrested, although it was not

possible to establish the outcome of the court judgment (they might have eventually been acquitted). But the latest criminal records available traced back to 2002. After that point, the clan and its members virtually disappear from the radar of the police in Germany, except for one file dated 2007, which documents only a delay in declaring bankruptcy. It is most likely that during this period the clan shifted focus away from criminal markets to establish itself on the legal market.

The clan had already been active on legal markets before 2007, although from the data available it was impossible to establish to what extent and when exactly this started. Only three individuals connected to the clan were investigated for money laundering activities in the first three decades of activity, one of whom was also accused of illegally employing workers in his restaurant. But the number of companies connected to the clan, according to the investigations, was ten times higher: the federal police listed 28 companies as owned or managed by individuals connected to the clan across five different federal states, most of which were restaurants and pizzerias (BKA 2008). The outcome of the few money laundering investigations remains unclear, while the clan's alleged role in settling disputes among Italian restaurants or managing labour rackets remains completely unaddressed.

The consequence of continuous intervention to disrupt more "visible" criminal activities and sanction violent behaviours, coupled with the inability to identify and prosecute protection activities on legal markets (whether consisting of genuine services or coercion), is likely to have triggered a learning process by the group, as described by Catino (2019: 49):

> "With organisational learning, members of an organisation develop new knowledge regarding their actions and outcomes, share knowledge throughout the organisation, incorporate that knowledge into organisational routines, and possess organisational memory."

From a strictly empirical perspective, though, it is difficult to prove the development of a learning process. None of the conversations intercepted by the police could be framed clearly as proof of "learning", nor was it possible to establish a direct causal relationship between the arrests and the change in modus operandi by the group. Other variables might have played a role, among which the most important is competition with other illegal actors. In other words, the group might have been pushed out of criminal markets by more successful competitors. This hypothesis has been considered, but could not be tested empirically for lack of evidence (see also 3.4.2).

This should not invalidate the analysis. Finding concrete evidence of learning in mafia organisations may not be as easy as it is with legal organisations, but nevertheless it is possible. There can be no doubt that the clan strengthened its presence on the legal market, abandoning loud and violent practices to the point that the local boss, as briefly mentioned at the beginning of this chapter, policed his own men to remain "under the radar" and operate silently. In other words, the clan did "incorporate knowledge into organisational routines". That knowledge, as indicated by the personal trajectories of its members, is based on previous experience of getting caught and convicted for specific crimes. The question of organisational memory might be the most difficult to test, as it requires a longer timeframe for assessment, but there are initial indications that knowledge is passed on to the next generation of affiliates, who seem to follow in the footsteps of their bosses.

3.6 Conclusions

According to Europol, Italian organised crime groups operating abroad never even attempt to replicate the control of territory exercised in traditional areas. In more nuanced tones, previous research also indicated that Calabrian mafia groups in Germany tend to follow a strategy of diversification according to which governing activities are restricted to Calabria and the outposts instead act as mere traders on licit and illicit markets (Campana 2011a: 216, Sciarrone and Storti 2014: 52). From this perspective, the projection abroad is claimed to be a different phenomenon in-kind from that at home.

While there are certainly cases in which this distinction applies, it is important not to conflate the qualitative and quantitative dimensions of the analysis. As far as this case study is concerned, there can be no doubt that the German outpost of the *locale* of Cirò attempted to – and succeeded in – supplying illegal governance for a substantial period of time outside its territory of origin. Within a decade from its formation in North Hesse, it already set out to control the drug markets of several German cities, violently ousting opponents, while forcing petty criminals to submit to its rule. The newly created structure also offered genuine protection services, such as dispute solving in illegal matters and protection in prison. Pizzeria owners in Hesse who were originally from the Cirò area had to pay protection money to the outpost. Proceeds were then shared with the group in Calabria. Forty years later, the German outpost on the one hand still extorted Calabrian restaurant owners while offering them genuine protection on the other.

But under which conditions did full transplantation take place? Contrary to a still widespread assumption, generalised migration has proved to be a weak – and potentially misleading – predictor of the expansion of mafia organisations to new territories. Should Italians have

"imported" the mafia to Hesse, the expectation would have been to see more of it in the southern part of the state, where most of the Italians settled. Instead, the majority of the individuals connected to the clan Farao-Marincola settled down in the northern or central counties, where Italians are comparatively underrepresented. Even when extending the analysis beyond the clan Farao-Marincola to other 'Ndrangheta clans, areas with a relatively higher presence of Italians seem to be affected by the activities of mafia groups as much as areas where Italians are comparatively less represented.

However, while generalised migration proved to be inadequate at an aggregated level (see also Varese 2011a, Arsovska 2014), social networks embedded within diaspora communities turned out to be relevant. The boss decided to join his wife's family in North Hesse to avoid retribution from a rival family in Calabria. Within a few years of his arrival, a group had gathered around him. Therefore, the establishment of the German outpost of the clan Farao-Marincola in Hesse was ultimately the unintended consequence of an internal mafia feud in Calabria coupled with the idiosyncratic availability of a network of support at a specific point in time in a specific place in Germany.

In other words, at the individual level, the availability of an already established social network of support can be expected to influence the direction of movement, especially in the event of movement being caused by push factors, such as inter-clan conflicts or law enforcement pressure. However, that specific micro-dynamic might not be reflected in general migration trends or, as was the case with the boss, is just as likely to be anti-cyclical.

Meanwhile, the presence of specific diaspora communities has been found to influence the dynamic of entrenchment in new territories. In the early 1990s, pizzeria owners from Cirò and its environs working in North Hesse already had to pay extortion money to the German outpost. Twenty years later, the clan was still explicitly targeting its countrymen. Tapping

into the network of immigrants from northeast Calabria allowed the outpost to leverage the tight control of territory exercised by its headquarters in Calabria and the clan's already established criminal reputation, thereby significantly reducing the costs attached to establishing a reputation for the effective use of violence and the subsequent increased exposure to law enforcement.

In other words, the relevance of diaspora communities should not be understood in terms of a specific culture as a predictor of mafia-like behaviours or other behaviours that might facilitate, hide or support mafia behaviours. On the contrary, diaspora communities become relevant as places within which reputational information circulates freely between the home village and its "colonies" (Gabaccia 1999: 1125) and therefore operate as a mitigating variable concerning what has been identified as one of the main factors hindering mafia transplantation, namely the difficulty of reproducing in new settings the long-term relationships within which a reputation for the effective use of violence is embedded (Reuter 1985: 21,22, Gambetta 1993: 249-51, Varese 2011a: 14-15).

Nevertheless, while protection activities predominantly took place within diaspora communities, this case study also explored how the reach of the mafia may well extend into local communities. More so, it contends that this is the logical consequence in the longer term of mafia groups' entrenchment as private protectors in a specific setting. Protection is a universal good whose provision cannot be partial (Gambetta 1993). While the higher costs of operating within local communities, mainly related to an absence of a reputation for the effective use of violence, might discourage mafia groups from venturing into the business voluntarily, they eventually will be forced to do so if they want to maintain a credible reputation as private protectors in front of their external – as well as internal – customers.

When operating within the local community, though, the mafioso is faced with a dilemma: normally, he would keep a low profile to prevent his identification as a mafioso, but when faced with a potential competitor, it makes sense for him to leverage his position to make the most of the violent reputation attached to it. Last but not least, although the evidence is circumstantial, the dynamics triggered by the mafiosi extending protection – in this case, apparently bogus protection, at least at first – to the local community perfectly mirrors the dynamics observed within diaspora communities: threats, no reporting, and eventually compliance, if not complicity.

Contrary to other empirical studies in the literature on mafia mobility (Varese 2011a), in this case the environment did not provide exceptional opportunities for the group's entrenchment, such as a boom in the market, or particular hindering factors, other than law enforcement. And it is to law enforcement pressure that the group has adapted quite efficiently, shifting the centre of gravity of its activity to legislative and policing blind spots. However, this shift did not reflect a strategic and thought-through plan; rather, it consisted in a gradual reaction to state capacity in specific areas of policing and weakness of intervention in other areas – in this specific case, extortion or, more precisely, protection activities.

During the first two decades of activity in Germany, several affiliates were arrested and convicted for crimes ranging from assault, extortion, and murder to weapons and drug trafficking. Then, gradually, the clan adapted to law enforcement pressure. By 2002, investigations had petered out and, in the most recent decade, the group has remained under the radar. By 2013, explicitly violent methods had almost completely been abandoned and the centre of gravity of protection activities had shifted from the illegal to the legal market, especially within the Calabrian diaspora community.

Thus, the outpost gradually adapted to the specific environment within which it found itself operating. While the clan Farao-Marincola did not achieve in Germany the same level of pervasiveness of the social, economic, and political life as in Calabria, the difference between the clan in Calabria and its projection abroad lies not in the qualitative but in the quantitative dimension, that is in its reach, intensity, and pervasiveness, but not in its very nature.

Chapter 4: Functional Diversification

On 10 November 1989, the day after the fall of the Berlin Wall, an Italian mafioso living in Germany received a call giving him clear directions:

> "Go to East Berlin and buy everything. Everything. Buy clubs, pizzerias, restaurants, bars. Everything, everything, everything."

This conversation, allegedly intercepted and transcribed by the Italian police, has been variously attributed to the Sicilian mafia (Simonetta 2013: 7) and the Neapolitan Camorra (Grasso 2013: 39), as well as the Calabrian 'Ndrangheta (Gratteri and Nicaso 2015: 193) over time. Today, it is mentioned in virtually every piece of news and research about the presence of Italian mafias in eastern Germany. It has created a myth and nurtured claims as bold as they are unsubstantiated.

After the fall of the German Democratic Republic (GDR), the 'Ndrangheta – or, depending on the version of the story, the Camorra or the Cosa Nostra – is assumed to have arrived in eastern Germany "with briefcases full of cash", wanting to buy land, buildings, restaurants (Pignedoli and Montanari 2019a)[67]. The mafiosi are alleged to have followed a "very precise and conscious expansion strategy, based on an assessment of the opportunities offered by the new context and risk-benefit calculations" (Bedetti and Dalponte 2017: 63, see also Dalla

[67] Kindle Edition, Location 107/2370.

Chiesa 2021). The textbook example, as far as these authors are concerned, is the "takeover" of Erfurt, the capital city of the German state of Thuringia.

While most of the admittedly few accounts of the expansion of the 'Ndrangheta in Germany refer to the so-called "Erfurt case" (Pignedoli and Montanari 2019a, Lumia and Notaristefano 2011, Roth 2009, Bedetti and Dalponte 2017), no one has conducted any empirical work on it.[68] Authors who have written about the topic profusely cross-referenced each other and provided only rarely any evidence to substantiate their claims. While there is virtually no reliable account of how the 'Ndrangheta or any other Italian mafia took advantage of the reunification of Germany or where and when such a group invested in the eastern part of the country, analysts have no doubt: Calabrian mafia clans strategically took advantage of the fall of the Berlin Wall to invest illicit proceeds. As Pignedoli and Montanari (2019a) put it, the mafiosi "were prepared to invest in the East […] they knew how to move and, farsighted and clear-minded, they had the German political situation under control."[69]

This case study aims at shedding light on the Erfurt case: this pertains to a group of alleged mafiosi who, after having spent several decades in West Germany, moved to East Germany a few years after the Berlin Wall came down. Hypothetically, it is possible that once settled in Germany, the mafiosi identified the investment opportunities of German privatisation, developed a plan to take advantage of them, and did so successfully. While the initial decision to leave the territory of origin is usually not a strategic business decision (Varese 2011a), it is plausible that this changes once a group finds itself in a new territory and understands how it can expand further. For instance, it is reasonable to expect that, once

[68] With the exception of a team of investigative journalists (Margherita Bettoni, Axel Hemmerling, Ludwig Kendzia, and David Klaubert). Their research was published by *Mitteldeutscher Rundfunk* and *Frankfurter Allgemeine Zeitung*. The team also produced a documentary aired on the German Public Broadcast ARD in which the candidate was interviewed. The documentary can be retrieved with English subtitles at:
https://www.youtube.com/watch?v=FHK7x0hL64E&ab_channel=DWDocumentary

[69] Kindle Edition, Location 142/2370.

settled abroad, mafiosi gain access to information that was not accessible before – or more difficult to access – from the territory of origin. They learn the local language and might build up a social network in the area in which they operate. As a result, they might be better equipped to identify business opportunities, whatever those may be, and to take advantage of them.

In other words, the lack of serious academic research does not invalidate the hypothesis per se, but it begs a host of questions and concerns. Did Calabrian mafia clans build up an outpost in Erfurt? If so, when? And what activities is the Erfurt outpost involved in? Has it strategically taken advantage of the fall of the Berlin Wall to invest in eastern Germany? What other factors might have contributed to it transplanting to the new territory? This chapter unpacks each of these questions with the evidence at hand for a group of alleged members of the 'Ndrangheta who settled down in Erfurt in the mid-1990s.

As with the first case study, the analysis begins by establishing the existence, over a sustained period up until the time of writing, of a mafia outpost in Erfurt. Based on sets of public and confidential data from Italian and German authorities, as well as business registry information, a basic mapping of the individuals and companies linked to the group is presented.

Then, drawing from the files of Operation Fido, one of the most significant and, so far, virtually unknown investigations into Italian mafia structures ever conducted in Germany, the activities of the outpost are considered. Generally, it seems that the main function of the Erfurt outpost was to manage and monitor investments on behalf of the clans in Calabria, a common activity by mafiosi abroad (Varese 2011a: 192, Campana 2011b: 223). Nevertheless, the discussion reveals instances of a governing dimension that, although not fully fleshed out, it would be a mistake to dismiss as unimportant.

Against this background, the approach of this study is not to push the evidence into one of the existing analytical categories (transplantation or functional diversification), but to tease out this intermediate state as one stage along a continuum that deserves to be analysed as is. By doing so, the aim is to contribute to the literature not by creating a new analytical category, but by trying to understand under which circumstances one group might move along the continuum between trading and governing activities in the new territory. The remainder of the chapter sets out to explore precisely this movement on the continuum.

First, the chapter reconstructs the history of the group, its key figures, and how and when they arrived in Germany. This sheds light on the supply side of the transplantation equation. Again, it becomes clear that that generalised migration is an inadequate predictor of the specific migration of individual criminal groups (see also 3.3.2), and that the movement into the country and the subsequent setting up of an 'Ndrangheta outpost in the East was not part of a master plan of international expansion but rather an opportunity that materialised gradually.

There is no empirical evidence, however, that the group benefited from the rushed privatisation process by investing illicit proceedings or that the mafiosi took on any governance function during this period. Overall, the transition from a planned to a market economy in Germany was well governed by the state, leaving no space for the emergence of demand for mafia services. Complementing what Varese (2011) and Milhaupt and West (2000) demonstrated, this case study proves that mafia transplantation is not an automatic result of the spread of property rights but rather the consequence of the state's incapacity to establish itself as an impartial and credible protector of these rights.

In the specific case of Erfurt, it becomes clear that two dynamics separate from the fall of the Berlin Wall contributed to the expansion and subsequent entrenchment of the group in

Germany. The first dynamic concerns a specific set of structural conditions that make the German economy, coupled with access to professional investment services, particularly vulnerable to money laundering operations, which allowed the group to carve out a quasi-monopoly within the sector of Italian restaurants in Erfurt and expand its investments to other cities in Thuringia and beyond. The second dynamic relates to state inertia within a context of generalised trust, which has allowed the group to operate undisturbed for decades.

First, the picture drawn is one of functional diversification, as identified by Campana (2013). However, over time, facilitated by the lack of a state response, the group managed to build up social capital, gain access to specialised investment skills, and, by means of both, take advantage of the structural weaknesses inherent in the German economy to the extent that a governing dimension is at least in the making, although this is not yet fully established.

4.1 The Outpost

The existence of an 'Ndrangheta outpost in Erfurt has been documented by different German and Italian authorities; it has existed for thirty years without interruption and, at the time of writing, continues to do so (BKA 2008, BKA 2001, BKA 2000a, BKA 2000b, GICO 2005, ROS 2008, DNA 2008).[70] According to a special report by the German federal police, its head was and allegedly still is a Calabrian restaurant-owner, *Antonio*:

> "[In 1996,] a number of people native to San Luca moved from Duisburg to Erfurt. In a very short time, they bought high-level pizzerias and invested in real estate. […] In

[70] Also confirmed by written exchange with the press office of the Thuringian LKA, 18 June 2019.

> this context, Antonio must be considered the 'capo *locale*'(boss) of the clan Romeo [in Germany]."(BKA 2000a: 32) [71]

In 1989, *Antonio* married his cousin and thereby strengthened his connection to the part of his family already linked to one of the most charismatic and historic Calabrian mafia bosses, Antonio Pelle,[72] who later on took on the highest rank of the 'Ndrangheta the highest rank within the 'Ndrangheta (ROS 2008a: 8; see Chapter 2). Through his nephew, *Antonio* was connected to two further 'Ndrangheta bosses from San Luca: Francesco Vottari and Antonio Romeo, who headed the Vottari and Romeo clans respectively.[73] As a consequence, the Erfurt outpost has been considered by different sources to be an expression of either the Romeo clan, the Pelle-Vottari families or, more generally, the San Luca clans.

The Pelle, Romeo and Vottari are among the oldest and most powerful clans of the 'Ndrangheta. Based in San Luca, a small village in Calabria considered to be the historical centre of the organisation. It is in San Luca that it is decided which clans belong to the Calabrian mafia and permission for setting up new *locali* is given (see 2.1.1). Together, these families formed one of the two opposing factions involved in the "San Luca feud", which culminated in 2007 with a shooting that killed six people in front of the Da *Giuseppe* restaurant in Duisburg (see 2.3.2).

[71] Usually the clan, or *'ndrina*, takes the name of the family heading it, in this case "Romeo". A *locale* by contrast takes the name of the territory it controls, such as the *locale* of Erfurt. The police referred to a *capo-locale* in the context of an *'ndrina*. The confusion around whether a specific group constitute an *'ndrina* or a *locale* is very common and does not invalidate the assessment that there is an 'Ndrangheta structure operating on a certain territory (see also 2.1.1). The Erfurt outpost has been considered, by different sources, an expression of the Romeo clan, the Pelle-Vottari families or, more generally, the San Luca clans. The fact that the Erfurt group is said to respond to different clans, however, should not be considered an inconsistency but, rather, an expression of the tightly knit network of relationships between these families.

[72] Also known as 'Ntoni Gambazza.

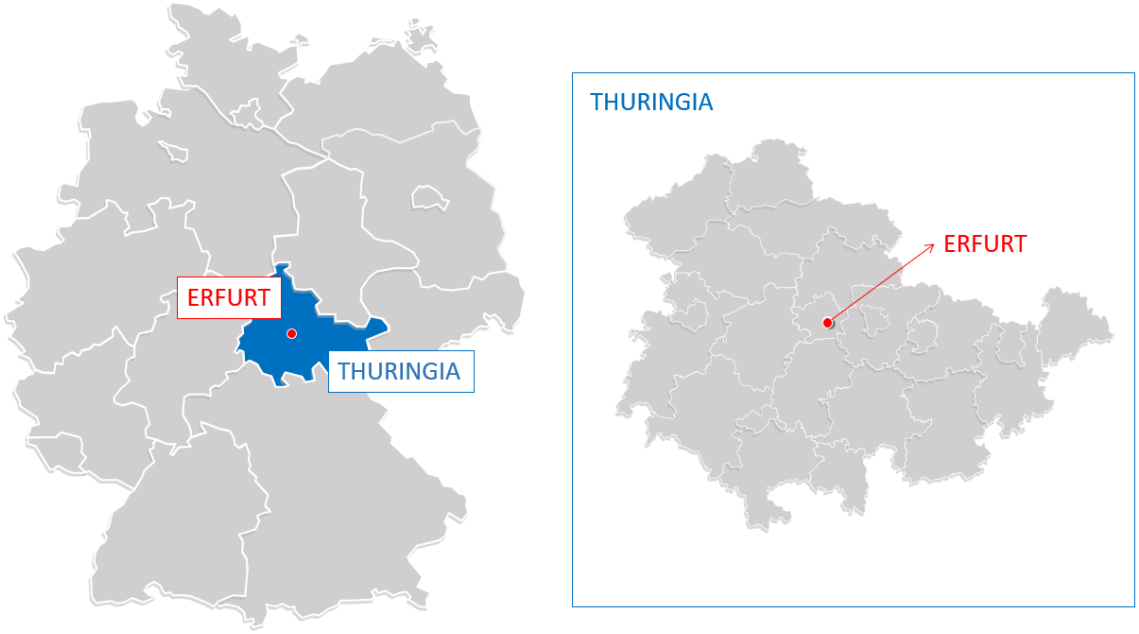
[73] Five of the six people killed in Duisburg belonged to the Pelle, Vottari, and Romeo clans in San Luca.

While the event shocked the public, Da *Giuseppe* in Duisburg was already known to the police. In 1992, the place was suspected of being a logistical base for criminal activities, including the trade in counterfeit currency and drug trafficking.[74] At the time, one of the waiters working at the restaurant was *Antonio*, the future boss of Erfurt. While his monthly salary was only 1,200 DM (~£550), he bought the restaurant for 250,000 DM (~£115,000). The then-owner, *Luca*, was an Italian citizen from Tuscany who became *Antonio*'s business partner. In 1996, *Antonio* and *Luca* decided to move from Duisburg to Erfurt together. There, according to the Italian and German police, they set up an 'Ndrangheta structure directly responding to the clans Pelle-Vottari-Romeo (BKA 2008: 62-76, see Figure 13).

Based on three sets of documents, it was possible to put together a dataset of 154 individuals and 87 companies[75] allegedly connected to the Erfurt outpost in Germany. The first source used was a collection of information shared between Italy and Germany by a task force set up in 1999 to trace and subsequently seize all the investments made by 'Ndrangheta clans in Germany. Consisting of five volumes and 1,435 pages, the documentation included information on financial transactions and economic activities, reports by both German and Italian police forces, and correspondence between the investigating offices. Secondly, information has been extracted from a confidential report by the German federal police, providing a list of individuals considered to be part of or linked in some way to the 'Ndrangheta in Germany. Finally, a data collection containing company information and ownership structures concerning alleged members of the Erfurt group has been accessed. This was put together by a team of investigative journalists[76] who sourced it from a private commercial database on payment of a fee.

[74] Investigation by the police in Duisburg, in collaboration with the Bologna police in 1992-93, as reported in Bundeskriminalamt, BKA (2000b: 4).
[75] Some companies are not active any more, some others have changed name.
[76] The team consists of Margherita Bettoni, Axel Hemmerling, Ludwig Kendzia, and David Klaubert.

Figure 13 – Map of The New Place of Settlement: Erfurt, Thuringia, Germany



Source: Candidate's elaboration. © Templates by Yourfreetemplates.com

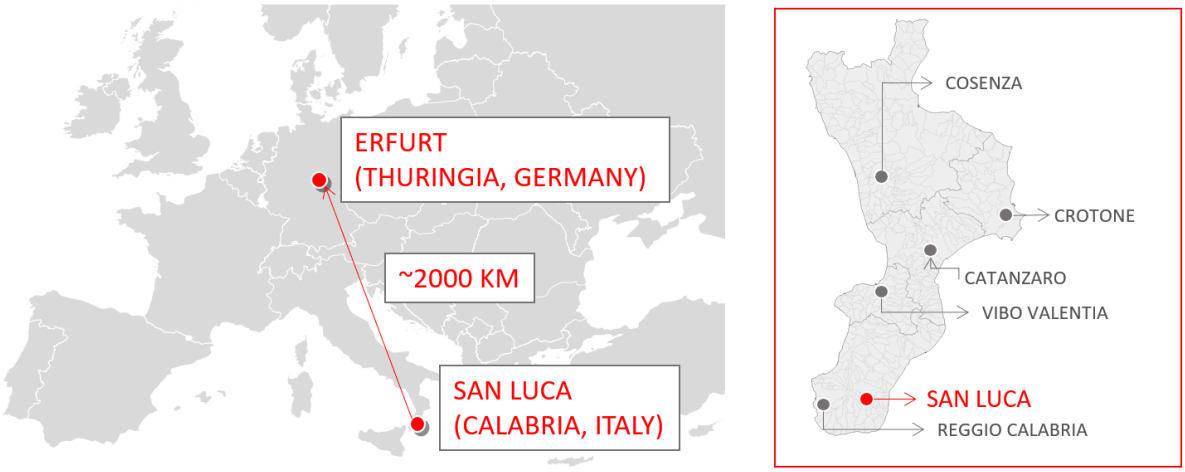
As was the case with the clan Farao-Marincola, many of individuals for whom the place of birth was known were born in Italy (N=124, 94%).[77] More specifically, of those born in Italy, most were born in Calabria (N=106, 85%), mostly in Locri (N=75, 71%) or San Luca (N=18, 17%), both in the province of Reggio Calabria (see Figure 15).[78] Only two individuals born in Calabria did not come from the province of Reggio Calabria, confirming the tight division of territory between 'Ndrangheta clans in their home territory.

Regarding demographics, the group consisted of mostly male (N=133, 86%) first-generation immigrants. Among the female population (N=21, 14%), only one was considered to be

[77] For 31% (N=60) of the individuals it was not possible to establish the place of birth.
[78] Fewer individuals were born in San Luca because the village does not have a hospital. Locri is one of the nearest hospitals from San Luca, just a thirty minute drive away.

affiliated to a specific 'Ndrangheta clan, while the remainder was linked by family ties to an affiliate. Indicatively, the data also confirmed the importance of kinship, although it has not been possible to conduct a systematic review of family ties because the information available was largely incomplete. Among other Italian regions, Tuscany (N=9, 5%) was the most represented. This is explained by the fact that one of main figures of the group, *Luca*, was born in Tuscany and that some of his family were involved in his business activities.

Figure 14 and 15 – Map of the Outpost's Place of Origin (San Luca) and Distance to the New Place of Settlement (Erfurt)



Source: Candidate's elaboration. © Templates by Yourfreetemplates.com

Not all of the individuals included in the database, in fact, were directly affiliated to a mafia clan. Only for 25 individuals, 16% of the total, did the police indicate with certainty that they were members of a specific mafia clan. Most of the individuals (N=116, 75%) were instead listed as linked rather than affiliated to an 'Ndrangheta clan, most often through business ties, family ties, or both. The remaining share (N=13, 8%) consists of those individuals with

business connections to the previous categories who are not mentioned in any police report (this last category was identified by looking at business registry entries).

In terms of geographical distribution in Germany, the Erfurt outpost differs from the clan Farao-Marincola. While in the previous case study most of the individuals mapped into the clan were still living in Calabria, all of the individuals that have been identified in relation to the Erfurt group were found to have German addresses. There are two possible explanations for this. On the one hand, most of the information on individuals was extracted from German sources, which specifically mapped alleged 'Ndrangheta members and their environment in Germany rather than Italy. On the other hand, in the case of the clan Farao-Marincola, the boss of the *locale* lived in Calabria, while in this case study the alleged boss was established permanently in Erfurt. This is also where most of the individuals for which it was possible to establish a domicile were registered (N=79, 62%). The remainder was split more generally across Thuringia and in the neighbouring state of Saxony, while a handful resided further away, such as in Bavaria.

Similarly, most of the companies linked to the group were registered in Thuringia (N=47, 59%), especially in the city of Erfurt (N=39), while the second biggest cluster can be found in Saxony (N=15, 19%). While there is therefore some degree of concentration, it is important to note that individuals and companies linked to the Erfurt outpost were spread across a much wider area than they were in their home territory. By way of comparison, Thuringia and Saxony account for an area of about 35,000km^2 and more than six million people, while Calabria has less than half that area and a third of the population.

4.2 Activities

In Erfurt, *Antonio*, the alleged boss, kept a low profile. Instead, it was *Luca*, his business partner, who lived the high life. His restaurants were meeting places for local politicians and television stars, and he sponsored a range of activities, including an exclusive local golf club and an art gallery. The mayor of Erfurt from 1990 to 2006 recalled his arrival:

> "And then, at a certain point, Luca arrived. I don't know his surname. He came from Sicily[79] and took over the [restaurant]. He invested around 800,000 DM (£370,000) in the building, just to restructure it. And it is not even his property, it belongs to the Chamber of Guilds. I know that some talk of connections to the mafia, involvements with the Duisburg massacre, but I have never seen anything." (I3)

While he was investing such sums of money, *Luca* was officially declared to be in debt to the tune of 30,000-40,000 DM (~£14,000-£19,000) and received social benefits from the German state (Amtsgericht Duisburg 1997: 2). A little under three decades later, the city contained some 23 restaurants, cafes, and ice-cream shops, in addition to six further companies, that could be traced back, either directly or indirectly, to the Erfurt group.[80] From there, the group's investment activities expanded to another seven German federal states and reached as far as Portugal. What remains to be considered is whether this was the group fully transplanting to the new territory, or simply diversifying its activities across territories.

[79] It is interesting to note that although any reference to the mafia was rejected by the interviewee, the assumption was that, just because of the nature of the suspicion, *Luca* was from Sicily, when in fact he comes from Tuscany, a region in the centre of Italy that is not home to any mafia organisation. This speaks not only of the level of confusion around the topic of the mafia, but also of the set of myths it evokes. In other words, it indicates how the mafia's perception plays out in a mythical dimension, where the image of the mafia is strictly connected to the reputation of the Sicilian Cosa Nostra and the 'Ndrangheta is still a rather unknown phenomenon.

[80] Author's dataset. A further ten companies had been active in Erfurt over the years but seem to have been closed at the time of writing.

Investing illicit proceedings in the legal economy is a trading activity, and does not necessarily imply any governing dimension. The following discussion first describes how the group managed its investments, shedding light on the illicit origin of its money and the mechanisms put in place to avoid detection by law enforcement. In contrast to popular accounts, which claim that mafiosi increasingly master complex financial operations, funnelling billions through the international financial system (see, for example, Klein 2021, Johnson 2020), the investment scheme used by the Erfurt groups turns out to have been relatively simple in its set-up and yet impossible for the mafiosi to manage without professional help.

The second part of the analysis then explores whether, at any point in time, the group attempted to exercise forms of control or protection; in other words, whether they attempted to govern in the new territory. It might be that governing was never intended in, that the group consciously followed a strategy of functional diversification from the very outset. While plausible as a hypothesis, it emerges that, in this case, protection activities were not excluded *a priori*. The investment system, moreover, was explicitly designed to achieve a monopolistic position on the market and the group was involved in the systematic recruitment and employment of young immigrants from Calabria. However, there is no evidence that the group ever made use of its dominant position to regulate entry into the market or that the employment system established by the group consisted of a fully fledged labour racket.

4.2.1 Trading

Contrary to the Farao-Marincola case, evidence about criminal activities by members of the Erfurt outpost was difficult to unearth. While some of the individuals linked to the outpost, including key figures, had criminal records, these preceded their arrival in Erfurt and the time

the group started to invest systematically. There was no indication that the outpost had been involved in drug trafficking, weapon trafficking or any other activity on criminal markets. Most of the individuals linked to the clan simply figured as owners, shadow owners or employees of restaurants, ice-cream shops or other legal businesses. And yet, as was the case with the clan Farao-Marincola, their presence on the legal market was not a "normal" business activity.

Evidence collected by the Thuringian police during the course of Operation Fido between 2000 and 2006 documented that the Erfurt group had been systematically pouring money of unknown provenance into the German economy. Over 60 pages of conversations between members of the outpost between March and June 2002 laid out the business of the group. The intercepts explicitly named some of the restaurants and ice-cream shops owned by its members, identifying the specific people managing them and listing shares of participation in the different enterprises (although in such a confused fashion that systematic analysis proved impossible). In their conversations, the mafiosi mentioned activities or indicated their intention to invest in Poland, the Czech Republic, China, the Ivory Coast, Senegal, and Portugal (GICO 2005).[81] However, the fact that members of the group showed interest in investing in these countries did not mean that they eventually succeeded in doing so. As will be discussed later in the chapter, it was only possible to find evidence of systematic investment beyond Germany in one country – Portugal.[82]

Integrating police information with business registry entries, it was possible to identify 87 companies based in Germany that traced back to individuals linked to the Erfurt outpost. By

[81] The fact that members of the group showed interest in investing in these countries does not mean that they eventually succeeded in doing so. Beyond Germany, there is evidence of systematic investment only in Portugal and Italy. One company linked to the group was based in the UK.
[82] It should be noted, however, that the author did not set out to find evidence in each of these countries.

way of comparison, this is about three times the number of companies that investigators linked to the Farao-Marincola clan.

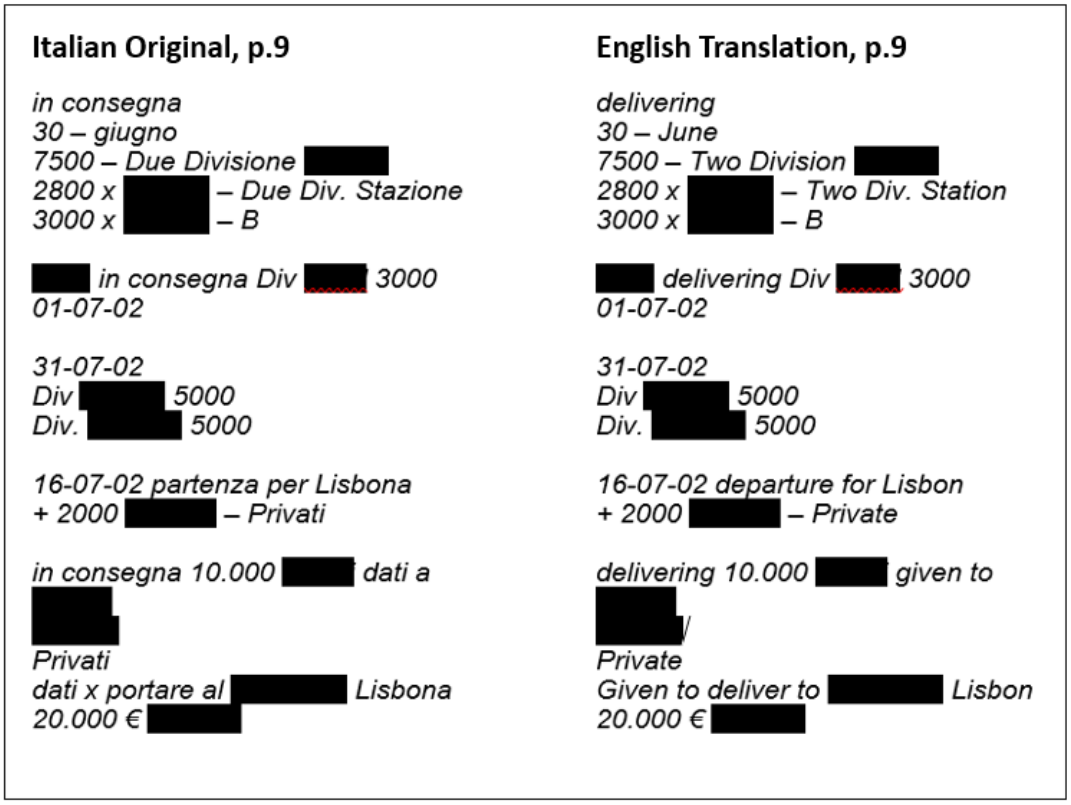
In their conversations, members of the Erfurt group repeatedly referred to a "system" of investments – a "007 operation" – that kept them "hidden" and was based on a "structure" in which everyone had "a specific function"(GICO 2005). While involving a certain level of complexity related to the distribution of shares and management of contracts, the system itself was not sophisticated. It did not involve international financial markets, bonds or investments funds, offshore channels or multiple shell companies. However, the group still needed a professional investor to keep the system going. In fact, as one mafioso said in an intercepted conversation, it was "his [the investor's] system" (GICO 2005: 11). What the clan contributed was the money. The mafioso specified this: "We [the Calabrians] can only do simple things, and we can only do them here" (GICO 2005: 9). Ultimately, he said, it was a matter of "capacity, that we [the Calabrians] are lacking."

While it was impossible to find the source of the invested capital, it most likely originated with 'Ndrangheta families in Calabria. Beyond the kinship ties linking many of the members of the Erfurt group to known mafia clans in Calabria, most of the conversations explicitly referred to funds coming from the "Calabrians". These people were also described in the intercepts as those staying "behind" and "putting in all the money", while others managed the business on their behalf (GICO 2005). In a lengthy conversation, one cousin of the alleged boss explained to a probably more junior recruit that being part of the system meant managing money not belonging to them:

> "This is not my property or your property, this is a partnership. […] No one can simply do what they want. […] You know what I mean… And this applies to everything. We can only move forward with the system. […] With the money of others, we have to consider all parameters and we have to follow them." (GICO 2005: 8)

The intercepted conversations continued with the same mafioso complaining about having to report back to a certain family: “It’s not that they prevent me from doing anything… but I can’t take a step without having to account for it to the entire family”(GICO 2005: 3). Again, while it was not possible to establish the exact family that was referenced in the conversation, all the information contained in the files indicated that the business in Germany was dependent on money flowing from specific families in Calabria.

Figure 16 – The Agenda of Maria, Italian original (left) and English translation (right).



Italian Original, p.9

in consegna
30 – giugno
7500 – Due Divisione [redacted]
2800 x [redacted] *– Due Div. Stazione*
3000 x [redacted] *– B*

[redacted] *in consegna Div* [redacted] *3000*
01-07-02

31-07-02
Div [redacted] *5000*
Div. [redacted] *5000*

16-07-02 partenza per Lisbona
+ 2000 [redacted] *– Privati*

in consegna 10.000 [redacted] *dati a*
[redacted]
Privati
dati x portare al [redacted] *Lisbona*
20.000 € [redacted]

English Translation, p.9

delivering
30 – June
7500 – Two Division [redacted]
2800 x [redacted] *– Two Div. Station*
3000 x [redacted] *– B*

[redacted] *delivering Div* [redacted] *3000*
01-07-02

31-07-02
Div [redacted] *5000*
Div. [redacted] *5000*

16-07-02 departure for Lisbon
+ 2000 [redacted] *– Private*

delivering 10.000 [redacted] *given to*
[redacted]
Private
Given to deliver to [redacted] *Lisbon*
20.000 € [redacted]

Source: ROS 2008b: 7-8. *Note*. Names of restaurants and individuals have been redacted for privacy reasons. The candidate accessed the non-redacted document.

The outpost’s tight relationship with the organisation back in Calabria – and the fact that the money invested in Germany most likely originated with Calabrian mafia clans – was further

corroborated by the content of an agenda that was seized by the police of Reggio Calabria in 2008. The agenda belonged to Maria, the niece of Antonio Pelle, who, at that time was at the head of the organisation (ROS 2008b: 60). She was also married to the Erfurt boss's cousin mentioned above. In her agenda (see Figure 16), she recorded due and outstanding payments, investment shares, and repair costs for several restaurants in Erfurt connected to key figures of the group. Although it was not easy to decipher the contents of the agenda and official documents did not provide any interpretation either, the notes indicated a form of control by the organisation back in Calabria.

Nevertheless, investment operations were set up and managed directly in Germany, or in the other countries where the group invested. According to the intercepts, there were two distinct phases: first, the company in which the money had been invested is managed by fronts; second, the actual owner takes back control of the investment. The first step served to re-invest illicit proceedings. Fronts were carefully selected and given clear instructions, including a timespan of five years, and were prohibited from getting involved in any competitive business venture. It also seems that they were required to contribute with a start-up investment in the business as a sort of guarantee of their commitment and an enforcement mechanism in case they did not comply. However, this aspect was only mentioned once and should therefore be considered a possibility rather than a detail established with certainty.

At this point, the mafiosi had an interest in remaining hidden, as shadow owners, to establish a distance between the source of the money invested and the laundering operation. However, as it emerged emerges from the consulted material, the ultimate goal was for them to take back official ownership of the business. As soon as it was "clean" and established on the market, they would get rid of the fronts and step in as completely legal owners. At this point,

no evidence of any illegal activity in connection with either the business or its owner could be found.[83]

Case Study: The Investor

The clan's service provider was *Matteo*, a professional investor from Marche, a region in central Italy. According to the Italian police, it was he who transformed them "from kitchen boys into successful entrepreneurs" (ROS 2008a: 167). *Matteo* arrived in Erfurt just after the fall of the Berlin Wall, before the first members of the outpost started to relocate. There, he acquired several buildings that had been put on the market in the years 1990 to 1994. At the same time, he continued to be involved in significant financial and business activities in Italy (ROS 2008a: 144-173),[84] setting up 34 different companies in the centre and north of the country. Most of these businesses dealt with real estate, but they also extended to the hospitality sector, gambling, and financial services, among others. He frequently involved members of his family in financial transactions, using them to move shares back and forth for no apparent reason. Furthermore, he did not refrain from business with individuals who were either reported to the police or convicted for a variety of crimes, such as fraud, financial crimes, racketeering, and, in one instance, membership of a mafia organisation.

However, it was only in the early 2000s that a first connection with the Erfurt group could be established. In 2004, he officially entered into business with the mafia boss, becoming a business partner in one of the many companies he already managed. That same year, the pair invested €1.2 million together in a restaurant in Rome (ROS 2008a: 142). New businesses

[83] This does not imply that it is possible to exclude with certainty any criminal activity in relation to the investments operated by the outpost, such as fraud or other business crimes. That some of the restaurants engaged in shady accountancy is plausible but could not be documented.
[84] He continued being involved in business in Italy beyond 2008, but the data considered by the Italian police, on which this analysis is based, covered the specific timeframe from 1981 to 2008.

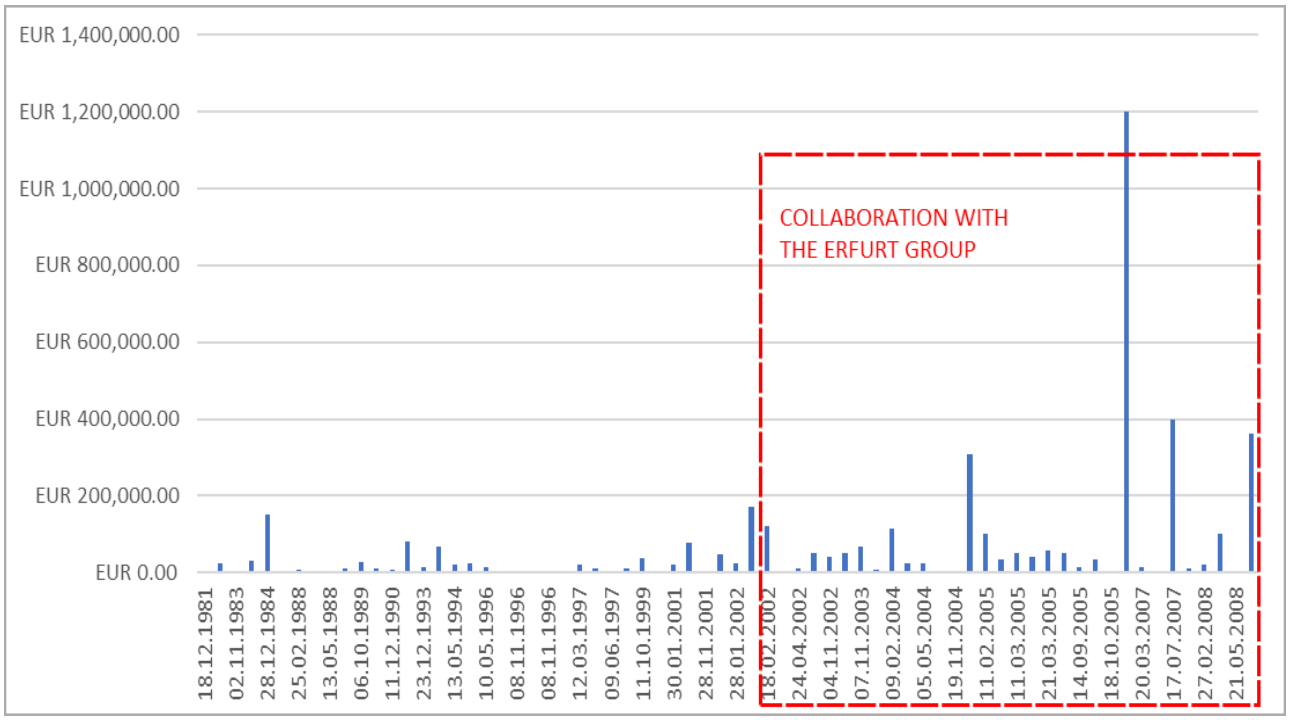
linked to the Erfurt group also opened in Eisenach, Leipzig, Weimar, and Dresden, all cities in eastern Germany. In short, as the relationship between the professional investor and the clan developed, the investment portfolio began to expand.

Members of the clan had been involved in dubious investments before, as the purchase of the restaurant Da *Giuseppe* documented, but with *Matteo* the business grew in scale and professionalism. In intercepted conversations, the alleged mafiosi admitted to not being capable of managing the complex contract structure required for the laundering activities and to being dependent on *Matteo* to keep the system working (GICO 2005).

The relationship did not only benefit the Calabrians, but was also in the interest of the investor. The reconstruction of *Matteo*'s investment operations, based on data collected by the financial police in Italy, showed a noticeable increase in investment capacity and frequency as soon as he entered into business with the clan, in 2002 (see Figure 17). And, apparently, the Calabrians were well aware of this. According to *Antonio*'s cousin, one of the oldest and most influential members of the Erfurt outpost, *Matteo* only got "rich with the Calabrians" (GICO 2005: 11).

While mutually beneficial, the relationship between the members of the outpost and the investor was not straightforward. On the one hand, the mafiosi were reliant on the investor's expertise, with very limited means of retaliation. Legal enforcement mechanisms are not available in the underworld, and the threat of punishment is not necessarily always an option, as the cost of replacing such professional figures might be extremely high (see Varese 2017b: 112-113 and Catino 2019: 83). How could the mafiosi ensure that *Matteo* was not cheating them? As the very reason they needed him was that they did not understand the system of contracts and transactions he had set up with their money, they may have found it difficult to detect his dishonesty.

Figure 17 – Timeline of Investments by Matteo, 1981-2008.



Source: ROS 2008a.

They certainly distrusted him, especially the cousin of the boss. In his frantic conversations with other alleged members of the Erfurt outpost, he referred several times to something *Matteo* had done and would have to pay for. According to him, the investor had a worrisome sense of entitlement: "he thinks everything is owed to him." However, he continued, "he is too stupid to understand that he is dealing with people way cleverer than he is […] we will see whether he is stronger than the Calabrians" (GICO 2007: 8-9). According to the mafioso, *Matteo* should have considered himself blessed to have found the Calabrians, because despite being an accomplished businessman, he could never have earned as much without them (GICO 2005: 11).

While they also tried to figure out how to get rid of his services it seems that the relationship continued (one option they explored was not to get involved in new contracts and keep only

the old ones going). In short, the Erfurt case is yet another example of how complex the relationships between service providers and mafiosi can be, especially in the context of money laundering operations (see, for example, Varese 2017b: 104-117). Meanwhile it also shows that converging interests can keep the relationship working, albeit in fragile balance.

4.2.2 Between Trading and Governing

This arrangement, according to which the outpost serves as a terminal for money laundering, while the group in the territory of origin retains the core governing dimension, has been documented in a few other empirical studies. For instance, following a similar system, the Solntsevskaya fraternity, a Russian mafia group comprising of several thousand members, was found to re-invest proceedings originating in Russia in the Italian economy (Varese 2011). Many (though not all) of the Solntsevskaya economic transactions in Italy were legal; it was the money itself that was assumed to have come from illegal activities in Russia. Similarly, Campana (2011b) studied the presence of a Camorra clan in Aberdeen and Amsterdam, and observed that the group retained the core activity of protection only in its place of origin, a small town not far from Naples. The two outposts abroad served as investment terminals, one for illegal business (drug trafficking and counterfeit money), the other for legal business (the catering sector and gastronomy). Along these lines, therefore, the Erfurt case is yet another example of functional diversification rather than fully fledged transplantation.

It is crucial to acknowledge, however, that the group's investment activities were not simply limited to a set of financial operations on paper. Over the years, the outpost created an ecosystem or industry of overlapping interests typical of mafia markets (see Gambetta 1993, Catino 2019). However, whether this included a dimension of governance – whether within

this ecosystem the mafiosi achieved instances of control over territory, communities or markets – remains to be seen.

On the one hand, the evidence discussed so far does not provide proof of governance. More so, it is possible that governing in the new territory had never been the intention. In other words, it is a plausible hypothesis that the group diversified its activities across territories following a strategy of functional diversification and consciously avoided taking on the role of private protector (see Campana 2011b). This might have happened for a variety of reasons, not least avoiding unnecessary attention by law enforcement. On the other hand, there is evidence, although it is either anecdotal or incomplete, that suggests the existence of an intention to govern, or, in some instances, the germ of a governing dimension.

(Suggestive evidence of) Labour Racket

The first piece of evidence indicating a governing element is the recruitment and employment of young waiters from Calabria, in which the group was involved. According to the cousin of the local mafia boss, who was one of the main organisers of the group and among the first to arrive in Erfurt, there was a recruitment system for young Calabrians established:

> "I have been here for ten years now, and I have brought at least seventy young men. I literally raised them. They were all very young, 13-14 years old. Not just one, seventy of them. […] Even if they only work as a pizzaiolo, when they see something, they know what is happening. Nothing gets past them. They are good at their job. […] We work like this, each of us has their role." (GICO 2005: 10).

While the German federal police confirmed that over the years a small diaspora community from Calabria had formed in the area (BKA 2008, BKA 2000a), it was difficult to reconstruct the relationship between these young men and the group. The police never systematically investigated this aspect and therefore the information available was limited to incidental conversations included in reports carried out for other investigative reasons. Nevertheless, it

is possible to note that the young workers' position towards the group was one of dependency at the very least.

The influence of the group extended to every aspect of the workers' lives. For example, the group took care of their accommodation. In Leipzig they bought an entire building consisting of 12 flats with balconies and parking to accommodate the staff of two restaurants (GICO 2005: 32). Cross-checking the address of registration of all the individuals linked to the Erfurt group, it emerged that at least another couple of buildings owned by the group were used to register and accommodate arriving Calabrians, many of whom were registered as waiters in the restaurants belonging to the group. In exchange, the young men were expected not only to work in the restaurants, but also to "understand" when specific things were happening. They were "raised" to do so, as the mafioso said. Furthermore, in their conversations, members of the Erfurt group often referred to the young Calabrian waiters in abusive terms, calling them "little sheep" and making fun of how intimidated they were: "Did you see how they were shitting themselves last night?" said one of the more senior members to another, for example (GICO 2005: 12).

These anecdotes, on their own, are weak evidence of labour racketeering if considered per se. The difficulty in addressing dynamics of exploitation has already been pointed out as one of the main weaknesses of the German response capacity to specific forms of organised crime within the context of the previous case study (see 3.5). In particular, it emerged that the authorities struggled both to identify and then judicially prove the occurrence of exploitative dynamics in the absence of explicit (and violent) threats. It is important to keep this element in mind with regard to this case study, as it puts the absence of strong empirical evidence to substantiate and clearly define specific protection activities, whether genuine or predatory, in context.

However, members of the Erfurt group had not only been active in Germany. While there is no evidence that its ambitious expansion plans to China, Senegal, and the Ivory Coast have ever been achieved (or even attempted), the group has reportedly been active in Portugal. There, a court judgment confirmed that the group managed a labour racket, which seems, according to the available information, to have mirrored the arrangement in Germany.[85] As part of this scheme, immigrants were illegally employed in several restaurants, without being paid overtime, benefits, or social security. They were threatened and intimidated in a similar fashion to what seemed to have been the case in Germany.

Furthermore, while there is no judicial evidence that the same system of exploitation was implemented in Erfurt (or in Germany generally), the testimony of one of the defendants in Portugal suggested exactly that. Before moving to Portugal, where he had been accused of being one of the perpetrators of the labour racket, he had lived in Erfurt. There, he had worked as a waiter for one of the restaurants owned by the group. In his defence, he naively said to the judge that he could not have possibly done anything wrong since he treated his victims "the same way he was treated in Germany" (Comarca de Coimbra 2015, Noticias de Coimbra 2017). In other words, he suggested that the system in Portugal, which was considered to be an exploitation scheme, was in fact simply replicated from the same model operating in Erfurt, of which he had been an integral part. The only difference as far as it is possible to establish from the consulted material, was that, in the German case, the authorities never investigated the possibility of a labour racket.

On the one hand, therefore, there is some indication pointing at a modus operandi that goes beyond mere investments in the legal economy to include instances of governance within the

[85] Comarca de Coimbra, Ministero Publico, Coimbra DAP (2015, May 30) Proc. N 7/11.2ZRCBR 67901131. The source and the information of the existence of a parallel legal case involving a member of the Erfurt group in Portugal has been pointed out and shared with the candidate by David Klaubert, when providing feedback on an earlier draft of the chapter.

group's own diaspora community in Germany. On the other, the evidence remains anecdotal and there is no indication that the recruitment activities developed into a fully fledged protection system or that the group extended its protective role beyond the niche community of Calabrian waiters directly employed in its restaurants.

Protection against Unfair Competition

The second aspect that contains an element of governing is the specific set-up of the investment system. As mentioned earlier, frontmen had to follow specific rules, all of which served one objective: to avoid competition. First of all, the same frontman was never used twice. Next, they were all required not to set up any other business in the same city for at least five years. After five years, they were allowed to leave the city. According to phone intercepts, if they left before that point, they would have not been reimbursed for their initial investment (see 4.2.1). Common features of legal contracts, non-compete clauses such as these are often included in agreements to protect confidential information and customers, and prevent unfair competition.

In this case, however, it seems that the intention was to establish the mafiosi as monopolist on the market, as one member of the Erfurt group explained to another in a conversation about the possible replication of the German system in Portugal:

> "We open a business in Portugal and all of us, all seven or more, we all invest in this business. […] For five years [the frontmen] are not allowed to open any other business in the same city, then they can leave. If they leave earlier, they will not be reimbursed for their initial investment. If they stay for five years, they will receive their initial investment back. This is how it works for the first business. Then we set up a second one, a third one. The same system, but with different people. Later we will have our own business, under our name, and no competition. As founding partners we control everything… We have the upper hand."(GICO 2005: 18)

In other words, the system was explicitly designed to avoid competition and achieve a degree of control over the market, albeit with a legally sound basis. Then, influence was to be extended further, as explained in another intercepted conversation:

> "In Erfurt, we keep what we already have. Leipzig has a future because it is still virgin […] We also keep the contacts for Dresden […] the Leipzig project is long term." (GICO 2005: 6)

In 2001, when this specific conversation was intercepted, expanding the investments was little more than a plan. Around a decade later, the group had reportedly invested in 39 businesses in Erfurt, 11 in Leipzig, and 4 in Dresden. Similarly, 79 individuals linked to the group (62% of the total for which the place of registration was known) were living in Erfurt, 14 (11%) in Leipzig, and 9 (7%) in Dresden, while the remainder was split across other locations. The plan seemed to have worked.

The choice of business was also indicative. Almost all companies for which it was possible to establish the business sector (N=65) were within in the hospitality industry, either Italian restaurants, cafes, or ice-cream shops (N=60, 92%). A few operated in the import/export of food and beverages (N=3, 5%), and only one in the construction sector. Restaurants, cafes and ice-cream shops are usually small in size (certainly not comparable to corporations), do not employ high level technology and do not require a skilled workforce. The business they provide is local, relies on a local clientele, and can suffer significantly from reputational damage. Each of these characteristics has been identified in the literature as opening a viable inroad for mafia influence (Gambetta 1988: 164, Reuter and Gambetta 1995, see also Lavezzi 2008). Again, this indicates that the mafiosi did not exclusively aim at trading on the market but also wanted to achieve a degree of control over it.

But while the group certainly had carved out a dominant position in Erfurt's market for Italian gastronomy – and it did so consciously – there was no indication that it has ever acted

as a cartel, prevented access to the market, or regulated it in any aspect. Monopolists own the biggest share of the market, and, by owning it, they dictate the conditions of operating on that market. None of the documentation collected by the police suggested that this was the case in Erfurt. The mafiosi simply adopted measures for the reduction of unfair competition, rather than engaging in mafia type protection which was the case with the clan Farao-Marincola (see 3.2.2). Notwithstanding that evidence of absence does not necessarily mean absence of evidence, it is nevertheless the case that the transplantation of the core business of protection cannot be observed fully.

Internalised Customers

The third and last aspect that contains a seed of governing regards the internal dynamics of the Erfurt group. From the data collected, only a few of the individuals linked to the group were considered by the police to be effectively "made members" of the 'Ndrangheta. The majority, however, was considered to be connected to the group, mostly by being involved in business activities. However, from the information available, it was impossible to distinguish which activities were run in the name of the organisation and which should be considered members' private business interests.

This might indicate that, in fact, the entrepreneurs in question were not part of a racket but rather, "internalised customers". First introduced by Gambetta (1993, see also Gambetta and Reuter 1995), and then discussed in further studies on mafia organisations (see, for example, Chu 2000), the concept of internalised customers refers to mafiosi running their own businesses and contends that, de facto, what they do is occupying a social position that allows them to "pay handsomely for protection." (Gambetta 1993: 160). As such, they become customers of their own organisation. Members of the Hong Kong triads, for instance, were

reportedly involved in street-level drug dealing and prostitution. Some of them were involved in the business while at the same time they spent the protection capital – the reputation – of their organisation to recruit prostitutes or maintain exclusive dealing spots. In other words, they were private protectors. Being a triad member was, as Chu put it, "a kind of licence to run these businesses or to work in the illegal industry" (Chu 2000: 127). The difference between the two categories might be blurred at the empirical level, but remains salient at the analytical level.

In the case of the Erfurt group, while from the empirical information available it is impossible to distinguish which activities were run in the name of the organisation and which were to be considered members' private businesses, at an analytical level, the majority of the individuals linked to the Erfurt group seems to qualify as customers, rather than providers, of protection. In other words, they seemed to have acquired, through their membership of the organisation or their vicinity to it, a sort of license to operate or, at least, an advantage *vis-à-vis* their competitors on the market. However, since there is no evidence that the group controlled or restricted access to the market, or regulated it in any way, it is not clear what exactly the "protection" service by the group consisted of. What did the group offer, concretely, to its internalised customers? Again, the evidence suggests an uncertain intermediate state, which does not completely satisfy the conditions for functional diversification (Campana 2013) or those for full transplantation of the core activity of protection (Varese 2011a).

In any case, according to the intercepts, whether mafiosi or internalised customers, they had to "give away 5%" (GICO 2005: 3) of their earnings to "the family." Although it was never specified who this was, this is presumably a kind of tax, flowing into a common pool managed by the clans in Calabria. This is different from the previous case study, in which the fee flowing back to the group in Calabria was a fixed amount rather than a percentage on earnings. A similar divergence in the data was also observed by Varese's study of the Russian

mafia (2001). Reviewing a variety of sources on mafia rackets in Russia and comparing these with empirical evidence collected in the field, Varese (2001: 106-108) noted that there is a strong incentive for mafia organisations to deal in fixed sums. Applying a percentage would require the mafioso constantly to monitor the turnover of each business in their racket, which, in turn, is incentivised to hide its proceeds. The resulting process is significantly more costly – and its costs increase at scale – than setting a fixed sum to be paid on a routine base.

The Erfurt group, however, seems to have opted for applying a percentage. Other percentages were mentioned during the conversations, although in such a confused way that it was not possible to make sense of them. Also, it was not possible to establish whether the percentage was applied to the turnover of the business or to any other baseline. The uncertainty in the data is mainly due to the type of source consulted, which consists of rows of transcripts of intercepts that never found their way into judicial proceedings and therefore lacked any framing, such as in terms of context within which the surveillance was carried out. Also, the intercepts end abruptly, plausibly as a result of the decision by the prosecution to stop the investigations, which, as will be discussed, was taken against the advice of the investigating officers.

4.3 Migration

Antonio, *Luca*, and *Matteo* – the mafioso, businessman and, investor – are considered by the Italian and German authorities to be the main organisers of the ‘Ndrangheta outpost in Erfurt. But who are these individuals? How did they arrive in Germany? And how did they organise a mafia group that has been active in Erfurt and beyond for almost three decades?

This case study consists of two movements: the first from Italy to western Germany; the second from western Germany to the eastern federal state of Thuringia, of which Erfurt is the capital city. From the reconstruction of the individual trajectories of *Antonio, Luca*, and *Matteo*, it emerges that, from the moment they left Italy up until their paths crossed in Erfurt, none of them moved to Germany as part of a coordinated plan of international expansion (though it is impossible to establish with certainty what motivated them to relocate). Instead, it seems that they found themselves in a new territory as a result of events beyond their control.

Again, as was the case with the relocation of the clan Farao-Marincola, generalised migration proved inadequate as a variable explaining mafia migration at an aggregated level. This case study, however, takes the discussion one step further, proving not only that mafias do not necessarily follow general migration flows, but also that they can successfully settle where there is virtually no diaspora community. This aspect comes to light in the analysis of the role played by general migration flows within the context of the second movement, that is from the West to the East after the fall of the Berlin Wall. A brief overview of inwards and outwards migration within the context of East Germany illustrates that, as far as the relocation to Erfurt is concerned, the direction of these men's movement was anticyclical. There was no migration from Italy towards the eastern part of Germany at any given point after the Second World War and, although today Thuringia is home to a sizeable migrant community (still comparatively smaller than the national average), Italians do not constitute a significant part of it.

4.3.1 Mafiosi Migration

The three individuals who would become the key figures of an 'Ndrangheta outpost in Thuringia arrived in Germany at different points in time, without knowing each other, and with different motivations. Eventually, their timelines crossed. This section retraces their steps from the moment they left Italy for the first time up to their encounter in Erfurt.

Antonio first entered Germany in 1980, at the age of seventeen, just after being released from prison by the juvenile court of Reggio Calabria.[86] Born in 1963 in San Luca, he shared his surname with many families in the area, some of whom had historical connections to the 'Ndrangheta. The police considered him "one of the most promising recruits of the San Luca clans" (ROS 2008a: 23). He started his criminal career when he was a teenager and over the years he continued to be on the radar of the police in Calabria for a wide range of crimes, including robbery, handling stolen goods, and aiding and abetting in murder (ROS 2008a: 15-60). In 1989, he moved to Germany on a permanent basis – up until that point he had been regularly travelling back and forth – and started to work as a waiter at the Da *Giuseppe* restaurant, where he met *Luca*.

Luca was the first to arrive in Germany. Born in Tuscany, he was considered the "public face" of the group (BKA 2000a: 32), but it is not likely that he was a made member of the organisation. Although not much information is available, it seems that he left Italy to seek a better future in Germany in the late 1960s (Landesgericht Duisburg 1996), alongside many other Italian immigrants who moved to Germany after the bilateral agreements of 1955 (see 3.3.2). At the time, he did not have a criminal record and conducted what seemed to be a normal life: he married three times and had three children; he worked in different restaurants in the western states of Hesse and North Rhine-Westphalia. He spent the first twenty years of

[86] He was pardoned for the crime of handling stolen goods.

his life in Germany without any known contact with mafiosi or involvement in any criminal activity.

Only when he met *Antonio* in Da *Giuseppe* did he start having trouble with the law. In 1993, together with a group of people from San Luca connected to local mafia clans, he was investigated for extortion and threats against one of his former employees, who was also an Italian citizen. Accused of being a member of a criminal organisation, *Luca* never appeared in court, regularly presenting a medical certificate to be excused, before the case was eventually dropped (BKA 2000a: 32). Two years later, however, he was arrested again, this time for repeatedly handling stolen goods. Then, just after his release, he was sentenced again for drug use and trafficking. Being granted probation, he decided to leave Duisburg in 1996 and start with a clean slate in Erfurt. Why he decided to move there is unclear, but it is known that he went with *Antonio* not long after the Calabrian waiter had bought his restaurant, investing 20 times his annual salary (see 4.1). Within months, a number of individuals who were originally from San Luca also arrived.[87]

Matteo, the investor, was the last to join the group (at least as far as it was possible to discern) but among the first to arrive in Erfurt. Born in Marche, a region in central Italy, he arrived in West Germany in 1976 shortly after being convicted for membership of a criminal organisation, cross-border contraband activities, and financial crimes (ROS 2008a: 166). It was not possible to reconstruct his first decade in the country. The only information available was that he married a German woman and had two daughters with her. *Matteo* arrived in Erfurt just after the fall of the Berlin Wall. Being an experienced investor, his decision to move might have been related to investment opportunities in the East during the privatisation process, although this could not be established with certainty.

[87] More precisely, the area around San Luca.

In any case, his collaboration with the Erfurt outpost, more specifically with *Antonio*, seems only to have started at the beginning of the 2000s, as discussed earlier (see 4.2.1). By that time, the group in Erfurt was already established. Around the same time, there was another wave of arrivals from Calabria to Germany. Members of the boss's and related families started to work in restaurants and ice-cream shops in Erfurt. The boss of the Vottari clan also arrived in Erfurt, as well as two sons of Antonio Pelle. Between 2003 and 2006, some of the people in Erfurt moved as a group to Eisenach, a city about 80km away from Erfurt, where more restaurants were opened.[88] Fifteen years later, as noted, the group had invested in eight different federal states in Germany as well as in Portugal, Spain, and the United Kingdom.[89]

4.3.2 Generalised Migration

From the evidence discussed above it becomes clear that there was no direct relationship between the individual trajectories of those who would become, several decades after they entered the country, key figures of a mafia outpost and the general post-war migration waves from Italy to West Germany. Even though *Luca* arrived in West Germany alongside the post-war migration waves in the 1960s, he had no criminal record at the time nor was there any evidence he was involved in criminal activities until thirty years later. The other two arrived in West Germany only in the 1970s and 1980s, when immigration from Italy was already petering out.

The Cold War rivalry and its end significantly impacted migration patterns towards and within Germany. After the end of the Second World War, the FRG and the GDR quickly grew apart. The West, with its eleven *Länder* in the western zone of occupation that were

[88] Author's dataset.
[89] At the time of writing, it was possible to link to the Erfurt outpost one company registered in England and several companies in Spain and Portugal (J2).

held by the United States, the United Kingdom, and France, remained a magnet for foreigners, many of whom hailed from Italy (for discussion, see 3.3.2). The East, containing the five remaining states under the control of the Soviet Union, after experiencing a period of inwards migration during Soviet rule, suffered large-scale departures after the fall of the Berlin Wall.[90]

After reunification, nearly a quarter of the original population of East Germany moved to the West (Bangel et al. 2019). Economic conditions in the East compared unfavourably to the West, and the rapid wage increase was not matched by a rise in labour productivity, contributing to further destabilise the already weak industrial capacity of the GDR, and further pushing unemployment to levels twice as high as in the West. Many of the original immigrants returned home, as it was not possible to renew their contracts and working permits under the new FRG laws (Kalter, Foroutan, and Nowicka 2019: 22).

Ever since, East Germany has suffered from a sustained departure of people (Heiland 2004: 178). And while outflows in Thuringia have been set off, to a certain extent, by more recent inwards migration, including mainly refugees from Syria and Afghanistan, outwards migration remains a problem today. In 2017, Thuringia registered the highest volume of outflows among all German states (Thüringer Landesamt für Statistik 2018: 48). In 2018, 132,000 people with a migration background[91] lived in Thuringia, representing 6.3% of the state's population (compared to a national average of 23.6%). Beyond the sustained presence of communities from Poland and Russia, which had arrived in Thuringia at the time of the GDR, a comparatively large share of foreigners (42% against the national average of 15.6%)

[90] Outflows are still petering out today, although recent research has pointed out that there was a significant circular component of the east-west and west-east streams, especially with regards to returnees to the East (Glorius 2010).

[91] The German Federal Statistics Office defines an individual with a migration background as an individual who was not born with German citizenship, or whose parents (at least one) were not born with German citizenship.

moved to the state in the last five years at the time of writing (Kalter, Foroutan, and Nowicka 2019: 29).

As discussed, the three main figures of the Erfurt group all arrived after the fall of the Berlin Wall, as everyone else was moving west. In other words, their decision to relocate did not follow generalised migration from Italy and was anti-cyclical more generally. Over time, as investments activities started to expand, more clan members and individuals recruited by the clan to work in their restaurants arrived in Erfurt and neighbouring cities. Again, there was no overlap with generalised migration. The Erfurt group moved, settled, and developed in Erfurt completely independently from general migration from Italy or Calabria specif ically.

4.3.3 Diaspora Community

Even before the fall of the Berlin Wall, both skilled and unskilled foreigners combined constituted only 1% of the total East German population (Kröhnert and Skipper 2010) and included nearly no Italian citizens. In the 1950s and 1960s, the GDR recruited a foreign labour force to match the shortage of workers in the same way that the FRG did. Immigrants, however, came exclusively from socialist countries, such as Vietnam, Poland, Mozambique, the Soviet Union, Hungary, Cuba, and Angola (Hanewinkel and Oltmer 2017:3). In smaller numbers, political refugees and students also migrated to the GDR, which was home to a lively community of Marxist-Leninist intellectuals (Kalter, Foroutan, and Nowicka 2019: 22).[92] In 1992, only 632 Italians lived in the former GDR, making up for only 0.3% of the total foreign population (Giordano 1995, p.238, see Chapter 4).

The city of Erfurt mirrors the general picture in the East, with the Syrian, Polish, Afghan, Romanian, and Russian communities representing the largest groups of immigrants and the

[92] For a critical review of the intellectual output of the GDR, see Gann 1992.

Italian community remaining negligible (Destatis 2019). The then-mayor of the city recalled that:

> "There were no Italians in Erfurt before 1990. Asians, yes, mainly the Vietnamese. […] Today there are some Italian families. […] I don't know where they come from. I have heard Sicily or something like this. Now and then people have been talking about the mafia." (I3)

The head of the local office responsible for overseeing the privatisation process in the early 1990s in Erfurt confirmed that "The Italians arrived only much later. It struck me." He further specified that "I cannot recall any Italian investor, generally speaking. If an Italian investor had turned up, we would have regarded it with suspicion." The absence of an Italian diaspora in Thuringia, therefore, resulted in any Italian being perceived as an outsider and regarded with an additional level of suspicion by the local community.

Prejudice against Italian immigrants, however, was not a phenomenon limited to East Germany. When the so-called guest-workers from Italy started to arrive to Germany following the bilateral agreements of 1955 (see 3.3.2), Italians were considered ethnically inferior, ignorant, with a greater propensity to commit crime, and not willing to behave properly when, for example, they interacted with women or spoke on the streets (Sparschuh 2011: 101-113). In the 1970s, Turkish workers started to arrive in Germany. The number of Italians remained stable, while the Turkish community increased visibly and, before long, the Turks substituted the Italians as the embodiment of non-integrated "aliens"(Severin-Barboutie 2011: 117, Sparschuh 2011: 110). In the meantime, Germans discovered Italy as an affordable holiday destination that offered good weather, excellent food, and cheap hospitality not far from home. The number of Italian restaurants and ice-cream shops in Germany boomed, replacing the majority of non-German restaurants (Bernhard 2011: 1972). Offering tasty food at affordable prices, with the heartfelt greetings of the charming "padrone" (the restaurant owner) and the cheerful waiters, Italian restaurants and pizzerias

moved into the centre of German social life (Moehring 2011: 161), becoming one of the most popular meeting places.

As a romanticised image of Italy took hold among Germans, Italian migrants changed from being labelled "knifers" (*Messerstecher*) and "mafiosi" to representing good and well-integrated foreigners, more communicative and open-minded than "the average German" (Sala 2007, p. 113-116). The same gradual change in perception could be observed in the context of this specific case study. As the first members of the Erfurt group arrived, the mayor recalled having had problems with one of the restaurants, because they were not compliant with hygiene standards and did not dispose of rubbish properly. Thirty years later, he said, things had changed:

> "They are integrated, we all know them, they are part of the community. […] When you go there [to their restaurants] they greet you with 'ah, Signore'. […] Today the problems here [in Erfurt] are not about the Italians, they are about the Armenians."

Over time, despite initial suspicion and a certain level of prejudice, the Erfurt group perfectly integrated into the local community. Local and regional politicians regularly went to their restaurants. Even television stars occasionally passed by. As was the case with the clan Farao-Marincola, the group sponsored local activities and was a point of reference for the community, well known and accepted. They did not need a diaspora community to achieve this. While initially their outsider position might have hindered some investment opportunities (as discussed in the next section), this was due to the absence of a network directly connected to such opportunities in relationship to the privatisation process that was taking place when they first arrived in the city. However, even this did not prevent them from assimilating successfully in the new territory.

Nevertheless, the absence of a diaspora may have contributed to limiting the group's activity to trading on the market rather than developing a governing dimension. Nevertheless, rather

than impeding governing in the new territory, the absence of a diaspora community from the place of origin might simply delay the development of a governing dimension, insofar as it makes protection activities comparatively more costly (see 3.4.3).

4.4 Local Conditions

By the time the GDR sanctioned the dismantling of its own economic apparatus, key figures of the Erfurt group had already been in West Germany for years, some even for decades. Questions remain around whether these men moved to the East to take advantage of the wild and chaotic market of privatisation, whether they successfully established themselves as criminal protectors within this context, or whether they merely took advantage of investment opportunities as they presented themselves.

There is no doubt that the rushed transition from a planned to a market economy was a period of uncertainty and chaos in Germany, characterised by significant investment opportunities in the midst of a heated political and social environment. Similar transitions gave rise to the *Russian mafia* in post-Soviet Russia (Varese 2001), the Cosa Nostra in Sicily (Gambetta 1993), and the yakuza in post-feudal Japan (Milhaupt and West 2000). The widespread introduction of private property rights, according to these authors, created a demand for protection by new property owners that remained unmet by state institutions. It is in this void that a variety of private protectors, alternative to the state, emerged and flourished, including mafia organisations.

Complementing what Gambetta (1993), Varese (2011), and Milhaupt and West (2000) demonstrated, this section seeks to prove that mafia transplantation is not an automatic result of the spread of property rights, but rather a consequence of the state's inability to establish itself as an impartial and credible protector of these rights. As is shown, the transition from a planned to a market economy in Germany was well governed by the state, leaving no space for the emergence of a demand for mafia services. Against this background, there was no evidence that the Erfurt group had any role in the privatisation process, neither as an investor of illicit proceedings nor as a private protector. In that sense, the German transition illustrates the negative case study, so far absent from the literature, that contributes to the validity of the theory of property rights and mafia emergence.

The analysis begins with an overview of the transition process and the challenges of reunification. It shows that a complex system of checks and balances governed the transition, not only on paper but also in practice. As such it becomes clear that an important element that guaranteed stability and oversight was the existence of a democratic state-structure in the West of the country, with a fully functioning administration, an established body of law, and effective judicial and law enforcement systems.

Even so, the extraordinary economic, political, and legal conditions during the restructuring of the new federal states, alongside the unparalleled financial injections through federal and European support packages, gave rise to widespread opportunistic and predatory behaviours. Drawing on archival data, interviews with the protagonists of the privatisation in Erfurt, and the secondary literature, it becomes apparent that significant investment opportunities and paths to quick enrichment of a varying degree of shady were tempting to many during the German reunification period. However, they were open only to a few, the Erfurt group not among them.

4.4.1 Markets

The task of privatising the GDR was given to an ad hoc agency, the Trust Agency (*Treuhandanstalt,* often shortened to *Treuhand*), based in Berlin: all GDR economic operations were to be restructured, divided into smaller units, and eventually privatised. When the Federal Audit Office (*Bundesrechnungshof)* submitted its (critical) oversight report about the work of the Trust Agency, Birgit Breuel, the controversial head of the Trust Agency, simply stated: "Most of what you have written is important and right. And rest reassured, we will take your advice into consideration the next time we will have a reunification" (Bischoff and Wiepen 2010: 491). Even without the sarcasm, the underlying dilemma remained: how had it been possible to exercise adequate and effective oversight of a process that was not only unprecedented, but also never to be repeated, and that was carried out by an ad hoc institution already marked with an end date?

The Trust Agency ended its work on 31 December 1994.[93] Until then, it had dealt with more than 12,000 companies (bpb 2015),[94] six million employees, 2,900 real estate objects and about five million hectares of land (Möschel 1990: 176-77). In only four years, about half of the companies managed by the Trust Agency (N=6,546) were fully privatised, a few were handed over to local municipalities (N=310), while a substantial number (N=3,718) were liquidated. In addition, there were another 25,000 smaller state-owned establishments – mainly shops and restaurants, but also pharmacies, bookshops, and cinemas – the privatisation of which was managed by other entities, such as the Trading Association (*Handelsorganisation*, or HO) and cooperatives (*Konsumgenossenschaften*, or *Konsum*). While these entities operated independently at a local level, the Trust Agency coordinated

[93] The work of the Trust Agency continued beyond 1994 with the creation of the Federal Agency for Unification Related Special Tasks (*Bundesanstalt für vereinigungsbedingte Sonderaufgaben, BvS)* – de facto the same legal entity, tasked with the same functions, but with a different name.
[94] Numbers vary between 8,500 and 14,000. This is because, to facilitate the privatisation process, many of the bigger companies were split into smaller units (Schuster 2015: 53).

operations from its headquarters in Berlin. In reality, the agency employed thousands of employees spread across 15 regional offices and several different directorates, as well as subordinated agencies (Möschel 1994: 176-77). Employees came from different German states, both East and West, and from different bureaucracies or the private sector, often on short contracts or seconded only for a short time.

The high fluctuation and diverse backgrounds of employees, alongside the lack of uniform filing guidelines or standardised protocols, and the tendency to work in silos across the different directorates resulted in practices that were often chaotic, understaffed offices, work overload, and instances of corruption. The early period of the privatisation process in Thuringia, in a similar fashion to every other eastern state, was characterised by significant work overload and the lack of personnel, especially skilled employees, which resulted in the widespread use of external consultants and volunteers. Some employees in the local Trust Agency branch in Erfurt had to manage up to 60 different companies at a time, for a total of 2,448 (Schuster 2015: 47). A further 800 companies were privatised through the Trading Association, a legal entity created by the GDR to manage specific businesses, mainly food retailers, restaurants, and hotels (I1).

Nonetheless, the privatisation process overall – and more generally the transition from a Soviet-style system to a western German democracy – was relatively well governed. One of the principal reasons was that the learning process had been supported by an already established public machinery, which served as a role model while also ensuring an effective level of oversight. In other words, the existence of a democratic state-structure in the West with a fully functioning administration, an established body of law, and effective judicial and law enforcement systems allowed for effective protection of the newly introduced property rights in the East, to the extent that there was no significant void for alternative private protectors to fill.

The effective review, monitoring, and supervision of the work of the Trust Agency and its subsidiaries was guaranteed by a complex and gradually developed system of checks and balances that included parliamentary, governmental, judicial, and police oversight, alongside different internal control mechanisms.[95] Needless to say, the existence of a variety of control mechanisms and institutions does not automatically translate into effective oversight. In a lengthy discussion comparing formal jurisdictions, institutional designs, and resource availabilities, Bischoff and Wiepen (2010: 457-645) and Bischoff (2016) assessed the control capacity of oversight mechanisms both internal and external, as well as formal and informal, and concluded that beyond the weakness of parliamentary oversight, the government and other institutions kept control of the process to an adequate standard.[96]

Both the governments of the GDR and the FRG, and, at a later stage, the executive of the reunified Germany, had many direct supervisory rights (Kloepfer and von Unger 1993: 59-61). Besides, a variety of formal and informal government working groups looked at very specific aspects of the process, such as the coordination between institutions, or the preservation of industry-led research, or the "Ludwig-Runde", which brought together key political players for updates and exchanges of information (Czada 1993: 157-59). Moreover, specific institutions were set up within the different ministries. The finance ministry, for example, established a special committee (*Leitungsausschuss*) reviewing business plans and rating the companies to be privatised, while the ministry of the economy launched taskforces working on audit aspects and special businesses (*Arbeitsgruppe Bilanzprüfung* and *Task Force Besondere Handelsgesellschaften*).

[95] For a detailed analysis of both the internal and external control mechanisms and institutions, see Bischoff 2016.

[96] Based on archival documents and extensive interviews, the authors compared formal jurisdictions and tasks with the concrete capacity – in terms of resources, but also political priorities – of each institution to deliver results.

Overall, the activities of the Trust Agency were watched closely by governmental bodies, which applied tight standards in governing the organisation. Furthermore, the agency's work was complemented by a number of independent reviewers (*Vertrauensbevollmächtigte*), specifically tasked with investigating collusive behaviour. They took their work so seriously that one employee of the Trust Agency described the reviewers as "ideological police" and the process as a "real inquisition" (Bischoff and Wiepen 2010: 483).

Within parliament likewise, there were committees and subcommittees tasked with overseeing the work of the Trust Agency, some with more general functions, such as the subcommittee *Treuhandanstalt* within the budget committee, and others with more specific responsibilities, such as the subcommittee for the privatisation of the highway. Members of Parliament also individually exercised their right to information by raising specific questions about scandals or highlighting petitions within the petition committee (by 1994, 5,000 petitions regarding the Trust Agency were submitted: Bischoff and Wiepen: 488). However, access to information by Members of Parliament was limited by data protection restrictions and, moreover, the number of cases discussed within the subcommittees was only a fraction of the total number of suspicious transactions.

Beyond parliamentary and government control, a special prosecution office (*Staatsanwaltschaft II, Landgericht Berlin*) and a police unit (*Zentrale Ermittlungsstelle für Regierungs- und Vereinigungskriminalität*) were set up in Berlin and tasked exclusively with investigating crimes in connection with the reunification process. Both were, in principle, well-functioning authorities, not worse equipped than any other special investigative set-up in western Germany. Bischoff and Wiepen (2010: 548) argued that:

> "Especially in the area of reunification-related crime, both authorities have been equipped in such a way that criminal prosecution not only was possible, but also met existing standards. While this does not indicate that the prosecution of reunification-

> related crime has been given unconditional political priority, neither was it merely a symbolic persecution."

Last but not least, the Trust Agency itself ensured a certain level of internal control, with oversight functions directly interwoven into the organisation's structure. The different business directorates first and the controlling directorate later were tasked with following every privatisation, restructuring or closing procedure, ensuring the completion of contracts by investors. This procedure also guaranteed that all transactions were double-checked, as they had to pass over at least two desks (in compliance with the so-called "four-eyes principle"). Most importantly, following significant reputational problems, mainly connected to corruption scandals, the agency decided, one year after its establishment, to set up an Office for Special Operations (*Stabsstelle Besondere Aufgaben*) exclusively dedicated to identifying and investigating criminal activities within the organisation.

Notwithstanding that the transition from a planned to a market economy in Germany was generally well governed, at least to the extent that it prevented an emergence of a significant and systemic demand for extra-legal protection of the newly created property rights, it would be a mistake to dismiss the criminal dimension of the transition process as negligible. In particular, two weaknesses in the governance set-up emerged from the analysis. First, the gradual development and establishment of the control mechanisms meant that the first twelve months of the privatisation process were especially vulnerable to abuse, collusion, and corruption. During this period, however, the Erfurt outpost did not exist and its main figures were still reportedly active in the western part of the country. Second, oversight decreased significantly after the dissolution of the Trust Agency in 1994 and its substitution with the Federal Agency for Unification Related Special Tasks (*Bundesanstalt für vereinigungsbedingte Sonderaufgaben)*. The new agency continued the work of the Trust Agency: it was the same legal entity, tasked with bringing to completion the business already

initiated, but subject to significantly less supervision. After 1994, the level of monitoring quickly decreased, with many of the ad hoc parliamentary and governmental working groups and committees gradually losing importance and eventually being dissolved. It is in this period that the first members of the Erfurt group arrived in the city.

Who the "criminal actors" were that took advantage of the structural opportunities that emerged out of the privatisation process, and whether the Erfurt group successfully established itself as a significant actor in the process, as well as the reasons why it might not have done so remain questions to be considered. The next two sections explore these topics.

4.4.2 Size and Competition

With a population of more than 200,000, Erfurt is a mid-sized German city, as well as the capital city of Thuringia and by far the state's biggest city. It is also the biggest territory of all the case studies considered here. As Varese pointed out, the bigger the new territory, the harder it is to penetrate and control it (2011a: 25). Furthermore, in Erfurt, there was an active criminal scene connected to Armenian, Chechen, and Georgian organised crime groups, as well as outlaw motorcycle gangs (OMCGs). According to police reports, OMCGs are characterised by a high threat potential and significant use of violence, particularly related to fights over the control of territory and acts of revenge between gangs. The presence of other illegal actors, specifically protectors, is a challenge to transplantation, as it creates competition for exclusive governance on a given territory. Against this background, the relatively big size of the new place of settlement might have worked as a mitigating factor, allowing the different groups to diversify activities and territory, and therefore alleviating the potential for conflict. In other words, the city's size might have allowed different protectors to co-exist as long as they all respected specific boundaries. Even in the absence of control of

territory, there can be no doubt that the variety of illegal actors active in Erfurt created a comparatively competitive environment.

Yet, as has been established from the discussion so far, the Erfurt outpost never operated in the underworld, as far as one can tell. They exclusively and from the very outset invested in the legal economy. One plausible explanation is that while the presence of a variety of illegal actors and protectors might have proved an obstacle to the group's capacity to take on a governing function and operate on illegal markets, the group's ability to make investments in the legal economy nevertheless remained intact. In other words, the relatively big size of the new place of settlement and the competition on the criminal market did not hinder the group's capacity to operate, but might have contributed to limit its action to the overworld. Another plausible, much more popular explanation is that, with the fall of the Berlin Wall, the East, and therefore Erfurt, offered a unique window of opportunity for investing illicit proceedings (Pignedoli and Montanari 2019a, Lumia and Noristefano 2011, Roth 2009, Bedetti and Dalponte 2017).

Local Actors

Until 1999, the Berlin prosecution office dealt with around 62,000 criminal cases in connection with the German reunification, involving more than 100,000 people all over the country (Schaefgen 2000: 1). Information on the number of criminal cases and their classification was made available by the Trust Agency in a series of volumes detailing its work. Published in 1994, these volumes were meant to provide the primary sources upon which lawyers, economists, and social scientists could draw for studying the privatisation period. While the Trust Agency publications should not be read uncritically – categories

overlap, there are no clear guidelines for classification, and information is often contradictory[97]– it constitutes the most complete primary source available to date.

From an examination of the statistics provided, it becomes clear that there were three categories of people – mainly German citizens – who were best positioned to take advantage of the specific criminal opportunities that emerged from the sudden boom in the market. Those were former GDR bureaucrats, employees of the Agency itself, and those with privileged access to either of them, such as external consultants. In other words, it was the system insiders. Meanwhile, reflecting the general picture of the privatisation process, foreign investors were rare in Erfurt and, among them, Italian investors were virtually absent (I1, confirmed by I2).

The first category of people best positioned to take advantage of the crowded and informal privatisation market was former GDR state or party bureaucrats. They benefited from insider knowledge about the GDR system, which allowed them to identify and dispose of a range of "hidden" public assets, both in Germany and abroad. The privatisation of the Commercial Coordination Division of the GDR, the so-called "KoKo" (*Kommerzielle Koordinierung*), is a case in point. Set up by the ministry of foreign trade, it controlled around 220 companies both inside and outside the country, generating a significant turnover. When, at the end of 1990, the Trust Agency started its privatisation, most of the estates had already been sold off for small fees and balance sheets had been manipulated to withdraw funds, causing damages estimated to be in the hundreds of millions; in some instances, entire companies were embezzled (Renken and Jenke 2001: 26-28). Only former GDR bureaucrats knew about the

[97] For example, the total number of cases do not match in Table 3 and Table 4. Furthermore, the total number of cases specifically classified as category 1, namely "accusations against *Treuhand* employees", and the total number of cases involving *Treuhand* employees do not match. This is because not every case involving an employee of the agency was classified as category 1.

existence of this estate and only they could locate the companies and take advantage of their dismantling.

Table 3 - Criminal Cases Involving Trust Agency Employees Recorded by the Office for Special Operations 1991-94

Criminal Cases	**May-91**		**Dec-91**		**Jun-92**		**Jun-93**		**Jan-94**		**Sep-94**	
(as classified by the Office for Special Operations)	*N.*	*(%)*	*N.*	*(%)*	*N.*	*(%)*	*N.*	*(%)*	*N.*	*(%)*	*N.*	*(%)*
Cases involving Trust Agency employees	33	24%	88	19%	203	26%	325	26%	351	24%	393	22%
Cases involving Trust Agency employees in local branches	4	-	34	-	114	-	164	-	165	-	185	-
Cases involving Trust Agency employees in Berlin	29	-	54	-	89	-	161	-	202	-	224	-
Total number of cases	**136**		**461**		**789**		**1227**		**1491**		**1790**	

Source: Treuhandanstalt 1994.

The Trust Agency claimed that these were exceptional cases that did not reflect any wider trend (Treuhandanstalt 1994: 942). However, 19% to 26% of all the criminally relevant cases registered by the Office for Special Operations involved employees of the Trust Agency (see Table 3). The total number of cases that involved an employee of the agency was 393, mainly involving people working in the headquarters in Berlin rather than local offices. While only a minority of cases made it to trial and reached a guilty verdict (Bischoff: 613-614), this number cannot be dismissed.

Especially in the early stages of privatisation, crimes involving former GDR officials also represented a significant share (category 2, Table 4), accounting for 29% of the total number of cases. Over time, other types of crime, such as budget crimes and, most significantly, incorporation fraud and the hindering of purchase, increased.

Table 4 - Criminal Activities Recorded by the Office for Special Operations 1991-93.

Criminal Activities	**May-91**		**Dec-91**		**Jun-92**		**Jun-93**	
(as classified by the Office for Special Operations)	*N.*	*(%)*	*N.*	*(%)*	*N.*	*(%)*	*N.*	*(%)*
1- Accusations against Trust Agency employees	23	17%	90	20%	126	16%	175	14%
2- Stasi, Commercial Coordination Division (KoKo), Party capital, etc.	39	29%	69	15%	118	15%	148	12%
3- Abuse of subsidies	3	2%	3	1%	5	1%	6	0%
4- Fraud in real estate sales	9	7%	32	7%	58	7%	70	6%
5- Fraud lease and rent contracts	1	1%	11	2%	14	2%	15	1%
6- Fraud in employment, service, licensing contracts	11	8%	25	5%	32	4%	39	3%
7- Incorporation fraud	16	12%	84	18%	160	20%	281	23%
8- Sabotage and business defamation	5	4%	13	3%	34	4%	50	4%
9- Hindering purchase of companies	6	4%	47	10%	112	14%	204	17%
0- Other (disloyalty, budget crime, etc.)	23	17%	87	19%	130	16%	239	19%
Tot.	**136**		**461**		**789**		**1227**	

Source: Treuhandanstalt 1994.

Generally, the transition was almost exclusively German: the people involved in it, including in its criminal dimension, were mainly local German citizens. The majority of investors during the privatisation period came from Germany, mainly from the West (85%), but also from the East (5% to 10%, depending on estimates). Some businesses were even "reserved" for locals. This was the case, for example, with pharmacies. Moreover, the Trust Agency tried to incentivise management buy-out, which meant that companies were sold to former managers and local people whenever possible.

Trust Agency employees benefited from privileged access to information as well. Despite the rating system introduced by the ministry of finance, which centrally reviewed and assessed the productivity level of the companies, it was up to the agency to establish the final market price. Its mission, however, was not to ensure a fair market price but to work towards "rapid privatisation, determined restructuring, and gentle shut-down"(Bundesregierung.de). The primacy of rapid privatisation, together with the difficult task of establishing the competitiveness of companies originally established to operate in a planned economy, opened up significant room for discretionary powers. Employees abused their position in a variety of ways. In one case, an employee directly bought a property from the agency for the sum of 2.6 million DM, although an external investor was willing to pay 8 million DM for the same item (Teichmeier 2012: 47). In another case, following the selling of an eastern shipyard to a Norwegian investor, a western shipyard also interested in the business was reimbursed by the agency to the tune of 100 million DM for loss in opportunities. The sum was completely discretionary and no attempt to calculate effective losses or justify the transaction in any other way was made (Teichmeier 2012: 137).

More specifically, the testimonies of the three main personalities leading the privatisation process in Erfurt – that is, the mayor of the city (from 1990 to 2006), the head of the local branch of the agency (from 1992 to 1998), and the director of the HO – made clear that, at the

time, there were virtually no Italian investors, whether mafiosi or not. The head of the Erfurt HO, Detlev Matthies, recalled that "Roughly 80% of the investment proposals I considered came from Thuringia, in many cases from former general managers" (I1). The head of the Erfurt Trust Agency, Werner Heubel, confirmed that the majority of investors were German, while the remainder came from France, Belgium, Holland, and the United States (I2).

The Erfurt Group and Privatisation

The evidence discussed so far rejects the widespread idea that Italian mafias were best positioned to take advantage of the investment opportunities generated by privatisation. They might have had the capital to invest, but access to the market was very competitive and tightly monitored by the institutions involved. It followed that even the criminal dimension developed mainly – although not exclusively – within those institutions. Nevertheless, it still remains possible that in the specific case of Erfurt the mafiosi that had settled there had the means to access relevant stakeholders and, through them, managed to invest or in other ways take advantage of the privatisation.

The head of the Erfurt Trust Agency had no doubts:

> "The Italians arrived only much later. It struck me. I can say that in my professional environment, the privatisation of GDR companies, the mafia had no interest. […] I believe that the mafia only realised what opportunities there were at a later point in time. Or it only got interested later. It was all too uncertain for them, they did not understand the business model. This is my impression, and I have followed all investment activities here in Erfurt until 1998." (I2)

At the time, as already discussed (see 4.3.2), any Italian person was perceived as an outsider, as there was no Italian diaspora community in Thuringia or indeed eastern Germany. The mere fact of being Italian, according to Heubel, was enough to create the suspicion of a connection with the mafia.

The meticulous work of a team of journalists (J6, J7) uncovered a link between the Erfurt group and one specific actor who was involved in the transition alongside the Trust Agency, the HO, and the political apparatus, but remained markedly absent from the literature, the public discussion, and even from the interviews in the field: the *Konsumgenossenschaften* (I1, I2, I3).

The *Konsum* comprised cooperatives active in the food, restaurant, and retail sectors. Although founded during the GDR, they were officially independent of the state and therefore were not dismantled by the Trust Agency. Some of them still exist today, though their commercial activities have been sold to private investors in parallel with the official privatisation process (V8). At the same time, the cooperatives acted in complete isolation from all the other actors involved in the transition. When asked about it, the former mayor of Erfurt, the head of the local Trust Agency office and the manager leading the privatisation within the HO all claimed to have had no contact with the *Konsum* in Erfurt and not know much about what "was going on there". Of the three, only Heubel expressed an opinion:

> "[the privatisation within the Konsum] was a sensitive process, because the Konsum practically privatised itself. From time to time, we, or better said, I picked things up. There were disagreements and problems between the members of the cooperative and the board. That happened quite often. […] But I do not really want to say anything about this, because it's only hearsay." (I2)

In 1995, the *Konsum* in Erfurt did, in fact, make some headlines in the local newspaper when its spokesman, a member of the board, suddenly resigned from his position. While officially his departure was consensual, the accusation was that he had "hijacked the organisation and acted as a despot" (Lebensmittelzeitung 1995). Beyond that, there was not much information to be found in the press.

However, it has been possible to consult a unique set of primary sources collected by a team of investigative journalists that has been working on the case since 2007. These consist of

original sales contracts, which were signed by the local branch of the privatisation agency in Erfurt and a collection of detailed company information logs and ownership structures concerning alleged members of the Erfurt group. Cross-checking the sources, it was possible to document that the spokesman of the *Konsum* had sold three buildings to an individual who, one decade later, would become important within the Erfurt group: *Matteo*, the professional investor. The original sale contracts show that each transaction was signed in person by the spokesperson and *Matteo* (see Figures 18,19,20,21). In 1994, the two founded a company together, through which they acquired one of the buildings privatised by the *Konsum*. This time the contract was signed by someone else within the *Konsum*, but the spokesman was still officially employed by the cooperative at the time of the transaction.[98]

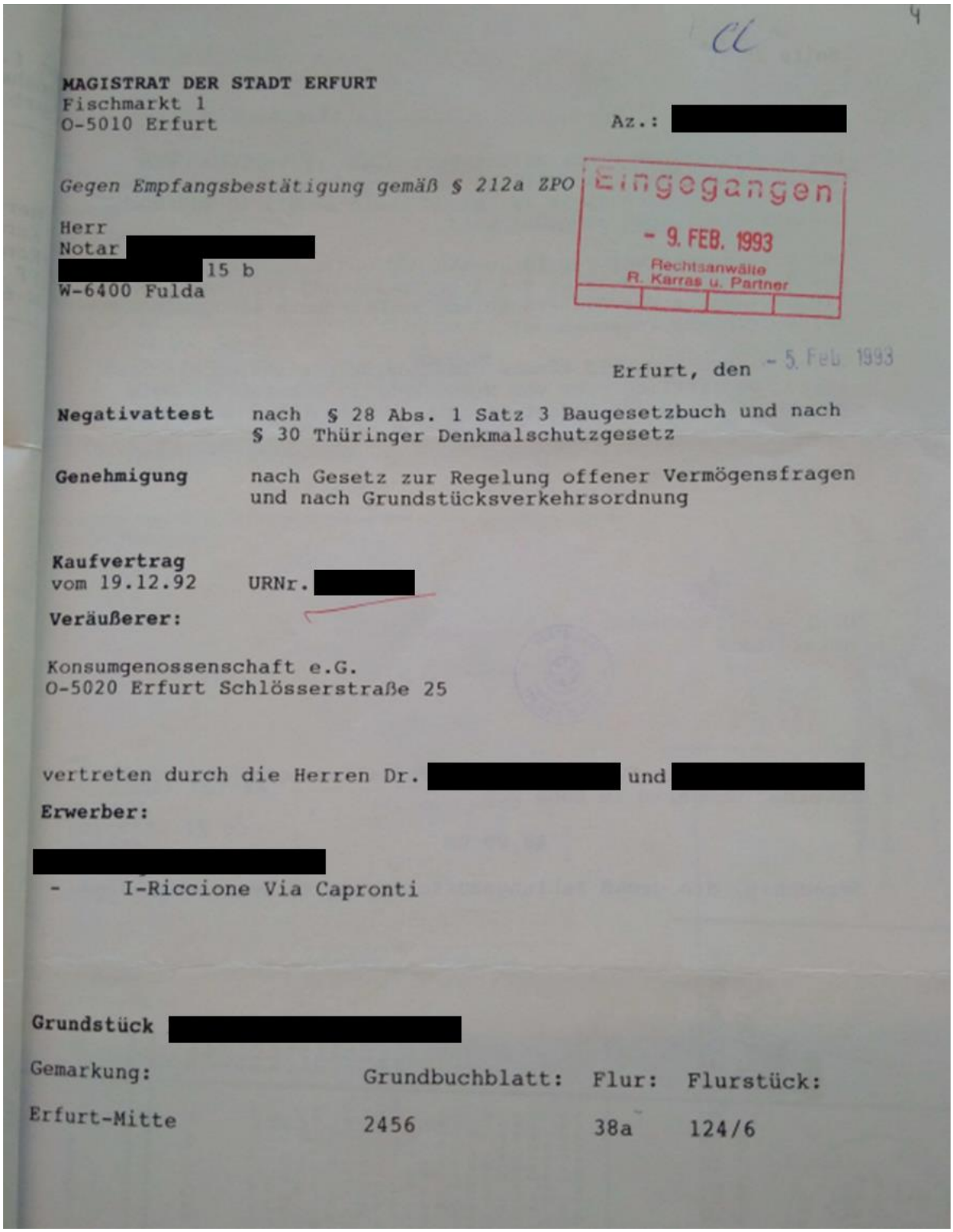
While not constituting straightforward corruption, the transaction should at least have raised concerns in terms of a conflict of interest. Even so, at the time of the purchase, *Matteo* did not have any connection with the Erfurt group. It was only in 2006 that some family members of the mafia boss registered as co-owners of one building *Matteo* had bought from the *Konsum*. This is the only connection between the 'Ndrangheta clans in Erfurt and the privatisation process that could be established by examining archival data, business registry extracts, and police investigations, and by conducting fieldwork interviews.

Against the evidence discussed so far, the purchase of three privatised buildings by *Matteo* should be seen as exceptional in two ways. First, it concerned a professional investor; second, it involved a stream of privatisation that remained isolated from the general process, lacking adequate oversight. Beyond this, the transition in general and the privatisation specifically were very German processes. The criminal dimension was very German as well. It played out within a tight network of German bureaucrats and investors in which external interference

[98] Information retrieved from Company House at: https://www.companyhouse.de/Heinrich-Stueer-Sozialwissenschaftler.

was difficult, and certainly not within the capability of a couple of outsiders who had just moved to the East. The Erfurt group did not have the insider information necessary to take advantage of the privatisation process, nor the necessary social capital or reputation to tap into the network of people that had such information.

Figure 18 – Sale Contract between *Matteo* and the *Konsum* in Erfurt, 1992. Excerpt 1



MAGISTRAT DER STADT ERFURT
Fischmarkt 1
O-5010 Erfurt

Az.: [redacted]

Gegen Empfangsbestätigung gemäß § 212a ZPO

Eingegangen
- 9. FEB. 1993
Rechtsanwälte
R. Karras u. Partner

Herr
Notar [redacted]
[redacted] 15 b
W-6400 Fulda

Erfurt, den - 5. Feb. 1993

Negativattest nach § 28 Abs. 1 Satz 3 Baugesetzbuch und nach § 30 Thüringer Denkmalschutzgesetz

Genehmigung nach Gesetz zur Regelung offener Vermögensfragen und nach Grundstücksverkehrsordnung

Kaufvertrag
vom 19.12.92 URNr. [redacted]

Veräußerer:

Konsumgenossenschaft e.G.
O-5020 Erfurt Schlösserstraße 25

vertreten durch die Herren Dr. [redacted] und [redacted]

Erwerber:

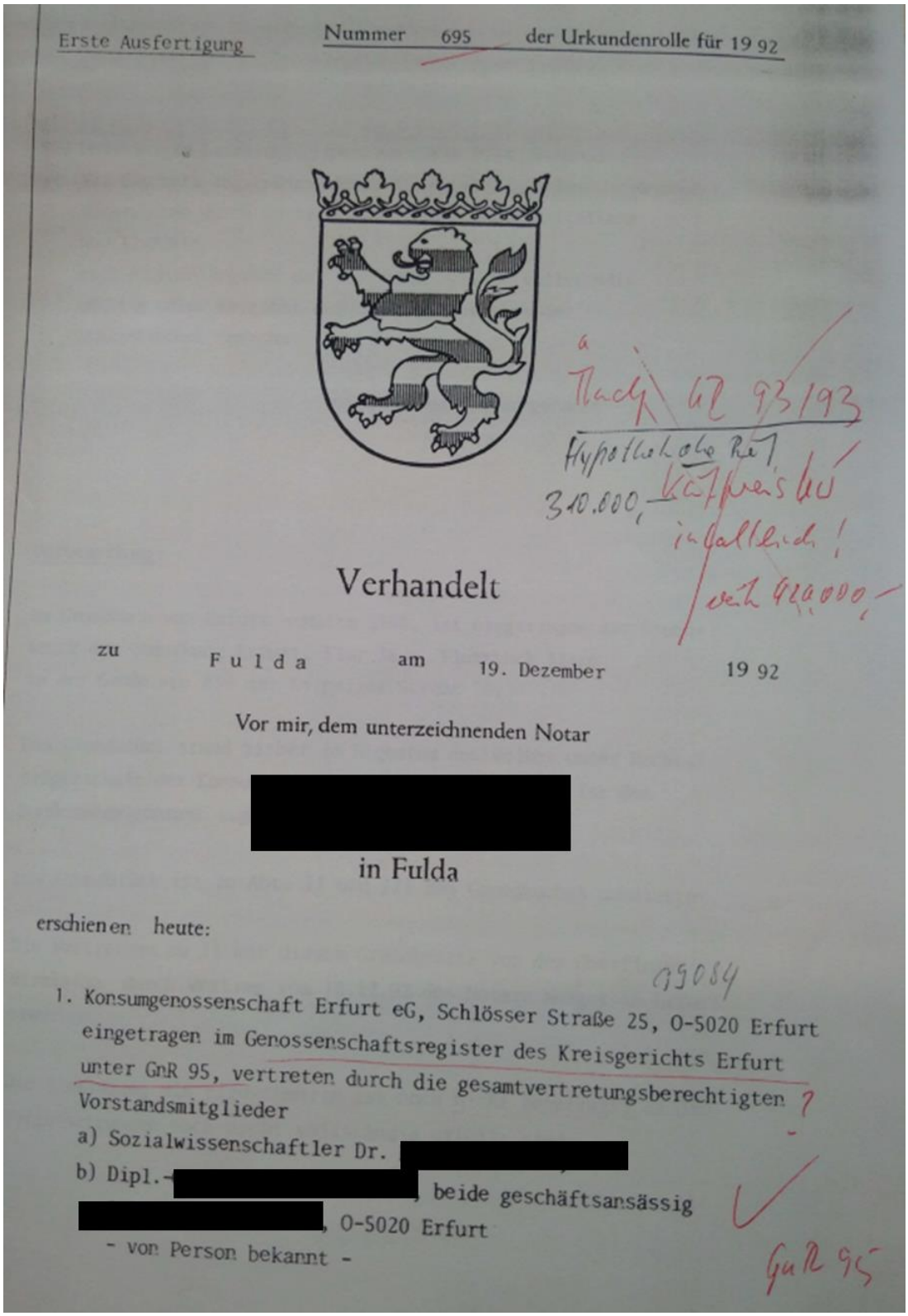
[redacted]
- I-Riccione Via Capronti

Grundstück [redacted]

Gemarkung:	Grundbuchblatt:	Flur:	Flurstück:
Erfurt-Mitte	2456	38a	124/6

Note. The figure shows excerpt N.1/4 of the contract between *Matteo* and the *Konsum* in Erfurt for the purchase of a flat in Erfurt.

Figure 19 – Sale Contract between *Matteo* and the *Konsum* in Erfurt, 1992. Excerpt 2



Erste Ausfertigung

Nummer 695 der Urkundenrolle für 19 92

Verhandelt

zu Fulda am 19. Dezember 19 92

Vor mir, dem unterzeichnenden Notar

[redacted]

in Fulda

erschienen heute:

1. Konsumgenossenschaft Erfurt eG, Schlösser Straße 25, O-5020 Erfurt eingetragen im Genossenschaftsregister des Kreisgerichts Erfurt unter GnR 95, vertreten durch die gesamtvertretungsberechtigten Vorstandsmitglieder

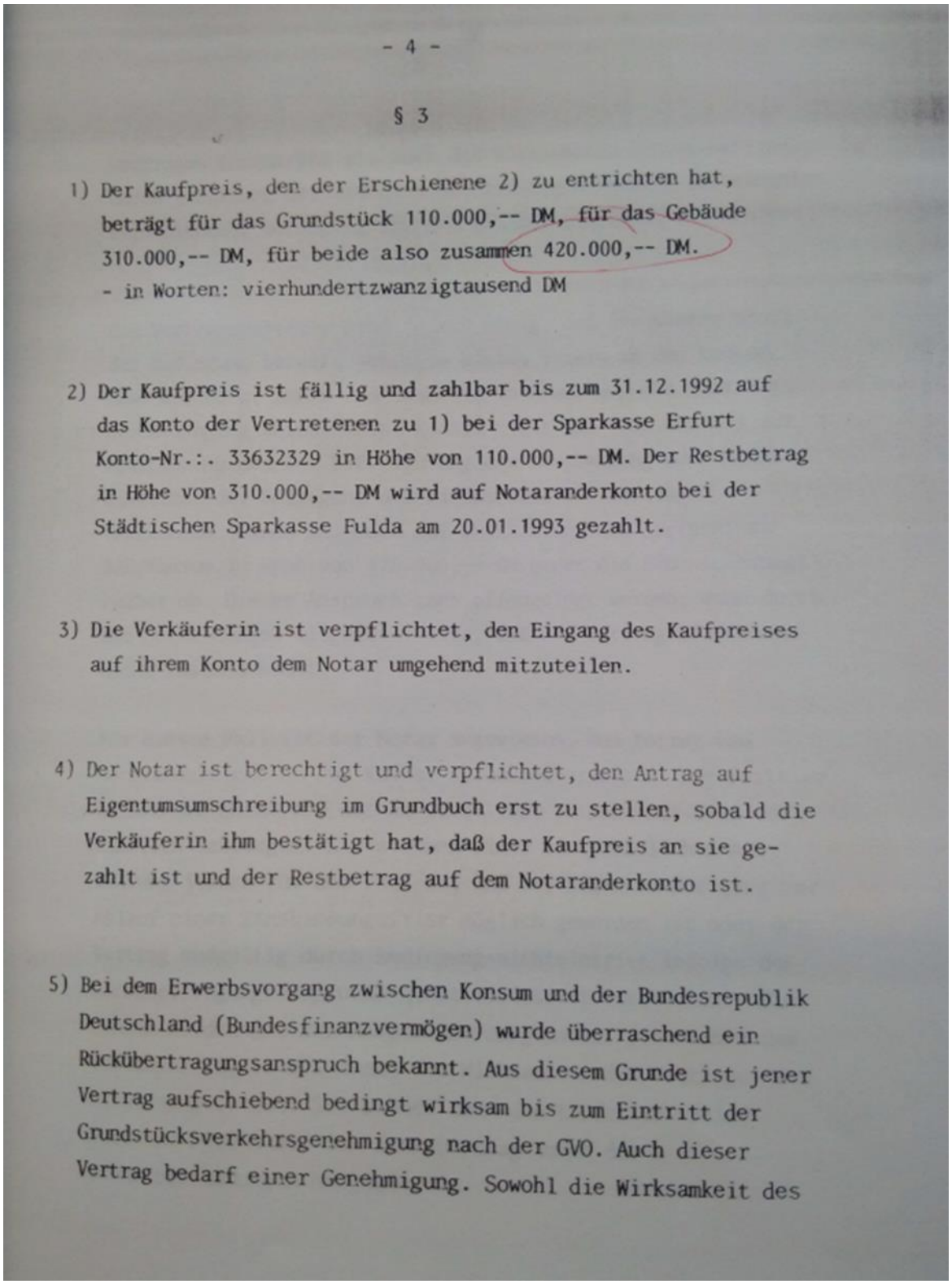
a) Sozialwissenschaftler Dr. [redacted]

b) Dipl.-[redacted], beide geschäftsansässig [redacted], O-5020 Erfurt

- von Person bekannt -

Note. The figure shows excerpt N.1/4 of the contract between *Matteo* and the *Konsum* in Erfurt for the purchase of a flat in Erfurt.

Figure 20 – Sale Contract between *Matteo* and the *Konsum* in Erfurt, 1992. Excerpt 3



- 4 -

§ 3

1) Der Kaufpreis, den der Erschienene 2) zu entrichten hat, beträgt für das Grundstück 110.000,-- DM, für das Gebäude 310.000,-- DM, für beide also zusammen 420.000,-- DM.
- in Worten: vierhundertzwanzigtausend DM

2) Der Kaufpreis ist fällig und zahlbar bis zum 31.12.1992 auf das Konto der Vertretenen zu 1) bei der Sparkasse Erfurt Konto-Nr.:. 33632329 in Höhe von 110.000,-- DM. Der Restbetrag in Höhe von 310.000,-- DM wird auf Notaranderkonto bei der Städtischen Sparkasse Fulda am 20.01.1993 gezahlt.

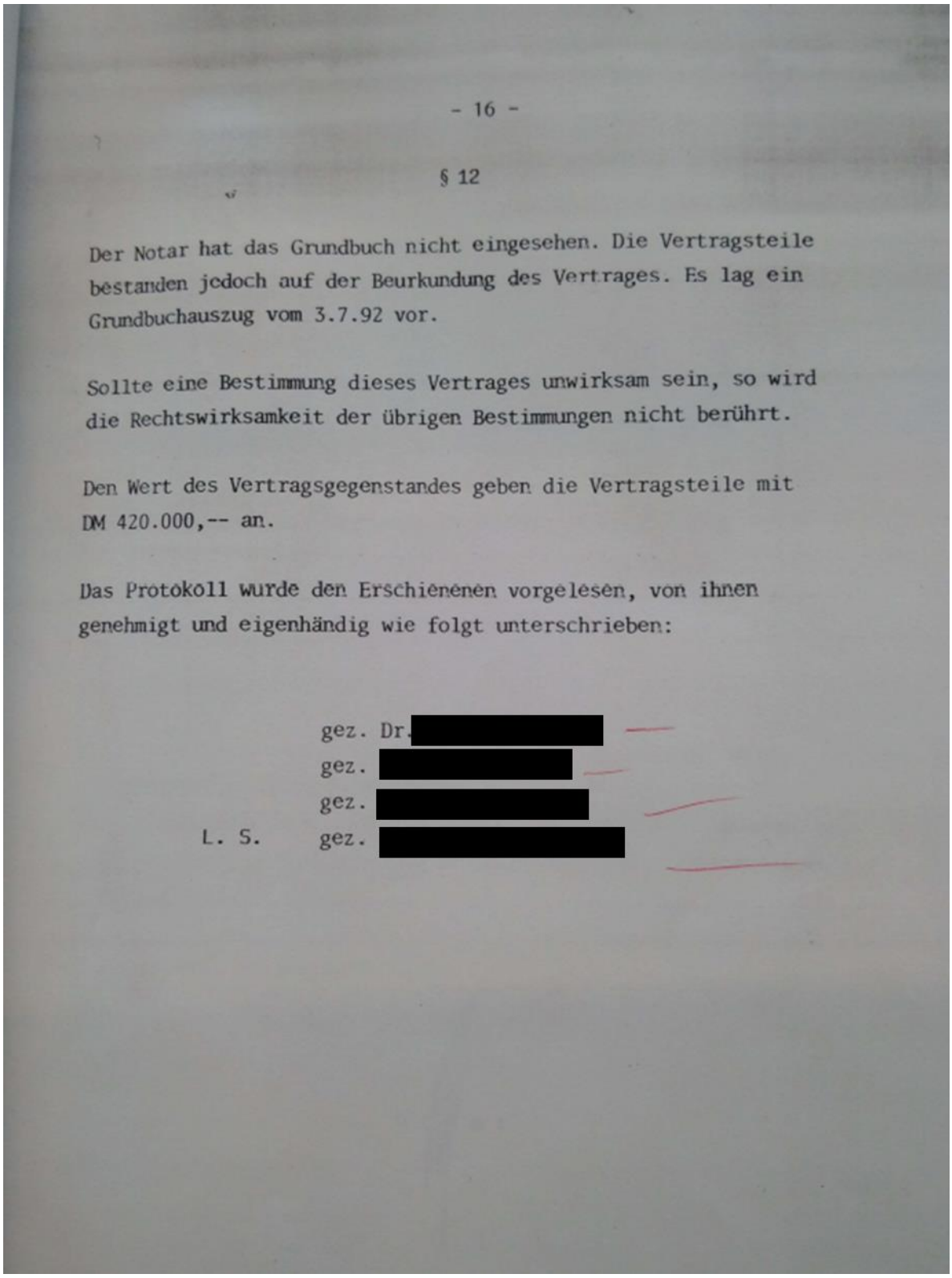
3) Die Verkäuferin ist verpflichtet, den Eingang des Kaufpreises auf ihrem Konto dem Notar umgehend mitzuteilen.

4) Der Notar ist berechtigt und verpflichtet, den Antrag auf Eigentumsumschreibung im Grundbuch erst zu stellen, sobald die Verkäuferin ihm bestätigt hat, daß der Kaufpreis an sie gezahlt ist und der Restbetrag auf dem Notaranderkonto ist.

5) Bei dem Erwerbsvorgang zwischen Konsum und der Bundesrepublik Deutschland (Bundesfinanzvermögen) wurde überraschend ein Rückübertragungsanspruch bekannt. Aus diesem Grunde ist jener Vertrag aufschiebend bedingt wirksam bis zum Eintritt der Grundstücksverkehrsgenehmigung nach der GVO. Auch dieser Vertrag bedarf einer Genehmigung. Sowohl die Wirksamkeit des

Note. The figure shows excerpt N.1/4 of the contract between *Matteo* and the *Konsum* in Erfurt for the purchase of a flat in Erfurt.

Figure 21 – Sale Contract between *Matteo* and the *Konsum* in Erfurt, 1992. Excerpt 4



- 16 -

§ 12

Der Notar hat das Grundbuch nicht eingesehen. Die Vertragsteile bestanden jedoch auf der Beurkundung des Vertrages. Es lag ein Grundbuchauszug vom 3.7.92 vor.

Sollte eine Bestimmung dieses Vertrages unwirksam sein, so wird die Rechtswirksamkeit der übrigen Bestimmungen nicht berührt.

Den Wert des Vertragsgegenstandes geben die Vertragsteile mit DM 420.000,-- an.

Das Protokoll wurde den Erschienenen vorgelesen, von ihnen genehmigt und eigenhändig wie folgt unterschrieben:

gez. Dr. [redacted]
gez. [redacted]
gez. [redacted]
L. S. gez. [redacted]

Note. The figure shows excerpt N.1/4 of the contract between *Matteo* and the *Konsum* in Erfurt for the purchase of a flat in Erfurt.

4.4.3 Civic Trust

In his work on democracy, Putnam (1993) explained the North-South gap in Italy as the result of different historical repertoires of civic collaboration. According to the political scientist, in the south of Italy, the absence of a collective memory of successful civic collaboration undermined trust within communities, ultimately impacting institutional performance and socio-economic development (Putnam 1993: 157). This ecosystem, he argued, explained the origins and continued existence of Italian mafias. Is the North-South gap in Italy the equivalent of the East-West divide in Germany? And is this the reason why the ‘Ndrangheta settled down in the eastern part of the country?

While the discussion so far has established that, overall, the German reunification was well governed, the legacy of a divided country remains to this day, with important consequences for the social, economic, and political environment. The federal states in East Germany have the lowest levels of disposable income, the fewest business registrations, and the lowest electoral participation, while accounting for much higher unemployment rates than the rest of the country (Statistische Ämter des Bundes und der Länder 2017). In a similar fashion to the debate on the North-South divide in Italy, eastern states in Germany complain about having been left behind by the richer West, while the West complains about eastern Germans being resentful and ungrateful for the support that they have received throughout the years.

Nevertheless, at no point in time did any of the eastern states reach nearly the level of atomisation of society, mutual distrust, and systemic impoverishment that Putnam identified in southern Italy in the twentieth century. Although state-led and partly coerced, East Germany had a well-developed repertoire of civic engagement. Informed participation in political life was one of the cornerstones of the GDR and, in terms of numbers, more East Germans were involved in politics than West Germans (Staab 1996: 169-185). Notwithstanding that under GDR rule engagement was deprived of its democratic element

and designed as a way for the state to retain influence over its citizens, it seemed to provide the basis for a fairly quick and successful adaptation to democracy. Except for active membership in political parties, interest and participation in political life, including electoral turnouts, reached average levels in just a few years after the reunification (Staab 1996: 185). Furthermore, several different organisations, such as trade unions and civic groups, developed amid the complex period of the privatisation and, although not solving the complexities of the East-West gap, contributed to giving a voice to the interests of East Germans (von Beyme 1991: 163).

Generally, the level of trust in the East has remained stable throughout the recent history of the country, although comparatively lower than in the western part of Germany. [99] Furthermore, among the eastern states, Thuringia has registered higher levels of political participation and trust in institutions, with a trend showing a generalised increase in trust, with only rare fluctuations, limited to the political environment, over the past twenty years. Certainly, it was not characterised by "a pattern of horizontal mistrust and vertical exploitation" that was identified by Putnam as being at the origin of the mafia's success in southern Italy.

Nevertheless, there is no indication that generalised trust within the community has translated into resistance against the activities not only of the Erfurt group but also of the other illegal actors established in the city. On the contrary, as the next section demonstrates, trust in institutions, if coupled with state inertia, can turn out to be a factor facilitating mafia transplantation.

[99] Bundesagentur für Arbeit (BA): Arbeitslosigkeit im Zeitverlauf, Based on a representative sample of respondents. For methodology, see Reiser et al. 2019, pp.82-88, https://presse.wdr.de/plounge/tv/das_erste/2018/09/20180906_ard_deutschlandtrend_4.html.

4.5 State Response

If the fall of the Berlin Wall, contrary to what has been widely assumed, did not constitute a unique window of opportunity for Italian mafias to infiltrate the German economy, what can explain the (apparently exceptional) capacity of the Erfurt group to invest all over the country? Furthermore, there must have been something that allowed the group to gradually transition from purely trading activities towards developing a governing dimension, even if that has not been fully fleshed out.

From the discussion so far it has emerged that the group's capacity to invest systematically in the legal economy coincided with the moment in which it started to cooperate with *Matteo*, the professional investor (see 4.2.1). Alongside the availability of a specific set of skills that were necessary to set up the investment system, the most significant factor that allowed the Erfurt group to make inroads into the German economy and gradually carve out a quasi-monopolistic position within the sector of Italian restaurants in Erfurt was the absence of state response. That absence might be because of a lack of intent, lack of capacity, or both.

First, it becomes clear that a state response was hindered by structural conditions constraining the capacity to identify, prevent, and disrupt money laundering activities in Germany. More than simply facilitating the systemic investment of illicit proceedings by the Erfurt group, these structural conditions have created the ideal ecosystem for more general dubious economic practices, or indeed Italian mafias. Meanwhile, it is also clear that the institutions responsible for investigating and prosecuting the Erfurt outpost failed to provide not only an adequate response (as was the case in Hesse), but any response at all. Although the German authorities have been investigating key individuals of the Erfurt group since 1992, they have never acted upon the evidence that they have collected over the years, to the extent that their

actions are, at the time of writing, being discussed in a parliamentary enquiry into the cessation of the investigative activities.[100]

The last section discusses the long-term consequences of a failed state response within a context of generalised trust. Building on Putnam's conceptualisation of social capital (1993: 167-181), and its perpetuation even within a context of bad institutional performance, dynamics of social acceptance within the community are explored, which brings to light a self-reinforcing cycle weakening the capacity to respond further.

4.5.1 Intent to Respond

In 2002, the Thuringian state police began Operation Fido. Several alleged members of the Erfurt group were put under surveillance, the system of investments outlined above (see 4.2.1) came to light, and the links to the Calabrian 'Ndrangheta became obvious. Phone intercepts confirmed that members of the group considered themselves to be part of an *'ndrina*. The local prosecution office went as far as to approve the use of undercover agents, one of whom managed to gain the trust of group, gathering important information on aspects up until that point unknown to the police. Then, all of a sudden, the entire operation was called off.

Almost two decades later, a team of journalists released a series of revelations by insider sources claiming that the decision to stop the investigations was taken for dubious reasons, allegedly ranging from internal power struggles to corruption, and against the advice of the police officers assigned to the case (Bettoni at al. 2021, 5 March). While a portion of the case

[100] The original scope of the parliamentary enquiry was to elucidate the "causes and circumstances under which the prosecution office in Gera decided to stop all investigations into organised crime activity within the framework of the police Operation Fido". The scope of the parliamentary enquiry has been widened to include all mafia activities in Thuringia, beyond the specific case of Operation Fido (Thüringer Landtag 2021).

files had already been deleted in compliance with German regulations, which require the destruction of sensitive data after a certain period of time (this varies depending on the type of data, type of crime, and the federal state) (P21), the remaining documents were to be examined by a series of enquiries launched by the state parliament, the state ministry of justice and the state ministry of the interior in March and April 2021.

Thuringian state institutions were plunged into chaos. The Christian Democratic Party, the same party that held all the relevant positions of power during the alleged misconduct, blocked the nomination of the president of the parliamentary committee twice, thereby preventing it to operate.[101] Leaked information from the ministerial enquiries alleged that the "vested interests" of some government officials had been exposed. Meanwhile, the local prosecution office declined to comment, while the state prosecution office communicated that the interruption of the investigations was not documented any further in its archive. Reaching out to the state police was also in vain. At first, following a written request for a general meeting, officers seemed open to discuss the matter, but after having reviewed the specific questions that form the object of this study, they declined to be available for any interview.[102]

Scrutiny was not welcomed for a reason: it was not the first time that the institutions responsible for the fight against crime – and organised crime specifically – in Thuringia had struggled to perform. The Thuringian police (LKA) in particular has had a troubled past. Six years after its constitution in 1991, only 75% of the 527 posts originally planned had been assigned, 100 of which were young recruits just out of the police academy with no

[101] The president nominee was on each occasion a member of the opposition party of the far left (*Die Linke*). This might be one of the reasons why the Christian Democrats did not support her candidacy. The parliamentary committee eventually began operations on 21 June 2021 (Hemmerling 2021). The candidate testified at its first session, on 20 July 2021.

[102] Two requests sent: 29 April 2020 and 25 May 2020. Before rejecting the request, the police asked for the specific interview questions for internal assessment. The second follow-up request was left unanswered. The federal police offices of Hesse and Baden-Württemberg, meanwhile, have made themselves available for discussing the other case studies.

experience. All in all, considering secondments and health-related absences, only two thirds of the staff was effectively in service. On top of being understaffed, in the early years of operation the LKA was busy with internal power struggles, distracting from operative work. Furthermore, collaboration with other institutions, such as the state intelligence service, was hindered by personal conflicts between managers. This was the situation that Egon Luthard inherited when he took on the position of president of the LKA in 1997 (Bundestag 2013: 84-86).

In an official hearing on the shortcomings of the police in Thuringia, Luthard claimed to have never wanted the position because he was not qualified for it. He said that he had been forced to take it on, even though he had no experience or knowledge of half of his tasks, especially in the realms of coordination, management, and networking. Most significantly, he admitted to many scandals within the Thuringian state police, including corruption and collusion cases, and recalled an incident in Erfurt directly involving a restaurant owned by the clan. When the police raided the restaurant in question for a murder-related investigation they ended up face to face with two of the highest public officials in Thuringia. Luthard testified:

> "The [Erfurt] LKA – and this has to be said out loud – had many scandals. Just one example is the case of when the special commando unit entered an Italian restaurant [in Erfurt] and started the searches, but the Governor [of Thuringia] was there with the state Minister of Home Affairs for a meeting. They [the police] were completely shocked, uncoordinated." (Bundestag 2013: 84)

Surprisingly, the incident did not seem to attract much attention from the local media and there is no official record of it in either the state cabinet office or the ministry of the interior (J5).

The LKA, however, is not the only authority that can be tasked with monitoring organised crime activities in Germany. In some federal states, the domestic intelligence service can be involved as well; in Thuringia, this was the case from 2002 to 2013. The picture emerging

from the published situational reports showed that little to no attention was dedicated to Italian organised crime except for the years 2007 and 2008 in the immediate aftermath of the Duisburg massacre (Thüringer Innenministerium 2004-2014). For that period, the report highlighted possible connections between individuals in Erfurt and the shooting in Duisburg:

> "According to the available evidence, one of the big Italian mafia organisations, the Calabrian 'Ndrangheta, has links with Thuringia. In Italy, the organisation is mainly active in the fields of counterfeit money, money laundering, drug, weapons, and human trafficking, extortion, and corruption. Germany seems to be, for the 'Ndrangheta, a place of refuge. Proceedings from illicit activities are likely invested here, in the real estate sector and gastronomy."(Thüringer Innenministerium 2008: 104).

According to the Thuringian minister of the interior, immediately after the Duisburg shooting, the state police set up an information-gathering project, to which the domestic intelligence service contributed, and a channel of communication with Italian partner services was also established. Subsequent reports, however, did not reveal any further information and, within a short time, Italian organised crime was abandoned as a priority altogether (see Table 5).[103]

In sum, none of the institutions directly responsible for monitoring and responding to organised crime did so with regard to the Erfurt group. Today, these same institutions are resisting a transparent enquiry to establish responsibilities. Although at the time of writing the enquiries are still in the early stages, a worrying trend of silence in the face of questioning and non-cooperation is emerging. Had this happened in Calabria, many would have not hesitated to speak of *omertà*.

[103] The candidate thanks Axel Hemmerling for this information.

Table 5 – Priorities of the Domestic Intelligence Service of the Federal State of Thuringia 2003-2013

Priorities, Domestic Intelligence Service, Federal State of Thuringia (2003-2013)	
(Year)	*(Priorities in the Monitoring of Organised Crime Activities)*
2003	Drug Trafficking / Prostitution
2004	Drug Trafficking / Prostitution
2005	Prostitution / Asian Organised Crime / Outlaw Motorcycle Gangs
2006	Outlaw Motorcycle Gangs / Asian Organised Crime / Prostitution
2007	Prostitution / Outlaw Motorcycle Gangs / Asian Organised Crime / **Italian Organised Crime**
2008	Outlaw Motorcycle Gangs / Prostitution / **Italian Organised Crime**
2009	Outlaw Motorcycle Gangs
2010	Outlaw Motorcycle Gangs
2011	Outlaw Motorcycle Gangs
2012	Outlaw Motorcycle Gangs
2013	Outlaw Motorcycle Gangs

Sources: Thüringer Innenministerium (2004-2014). Verfassungsschutzbericht Freistaat Thüringen. Pressefassung. Erfurt.

4.5.2 Capacity to Respond

The question remains as to why none of the state institutions in Thuringia provided any response to the settlement and gradual entrenchment in the legal economy of what they themselves described as a mafia group. While some of the evidence just discussed pointed to

a generalised lack of intent to respond, it is crucial to recognise that capacity to do so was equally curtailed by structural conditions that stretch beyond the specific case of Erfurt.

According to a study commissioned by the German finance ministry (Bussman 2016), an estimated amount between €50 billion and €100 billion (~£42 billion to ~£85 billion) is laundered every year through the financial and non-financial sectors in Germany. Experts, activists, German police officers, Italian prosecutors, and even several former Italian mafiosi who became state witnesses all agree on one point: the German economic system is particularly vulnerable to money laundering operations (Zoppei 2017, Schraven and Meurer 2017, Mafia Nein Danke 2020, P1, P19). At the same time, the lack of reliable data and statistics (Netzwerk Steuergerechtigkeit 2018: 9), together with very limited investments in research, makes it difficult to assess the exact amount and dynamics of shady economic practices, money laundering, and corruption in Germany, and whether and to what extent criminal organisations are implicated. While some isolated studies do exist – a survey of public accounts in the area of Cologne, for example, found out that 52% of the municipalities experienced corruption (von Maravic 2007: 456) – Germany is still a "developing country" in terms of research about such criminal phenomena.

It is possible to point out three main liabilities that make Germany as a whole an ideal location for investing illicit proceedings, even without resorting to complex operations. First, the absence of any limit to the use of cash makes it virtually impossible to trace illicit capital injections in a variety of economic sectors, particularly in gastronomy and real estate. Second, monitoring and compliance institutions are overwhelmed and unable to provide effective oversight. To complicate the picture further, access to information and the general level of transparency (for example, in terms of ownership structures or tax reports) is inadequate to the point that it prevents any mechanism of checks and balances, both across authorities and by civil society.

Germany is a cash-intensive economy with no upper payment limit. The unlimited use of cash is not only legal but also socially accepted and defended as a constitutional right. The German Federal Bank estimates that 74% of all transactions in 2017 were made in cash. This percentage increases to 96% for payments up to €50 (Deutsche Bundesbank 2017: 8). In the real estate sector in particular, but also in construction, cash payments are used to cover up shady deals (Henn 2018) to the extent that the federal government referred to a distinctively high level of risk (Bundestag 2018). Any estimate of the reach and significance of the phenomenon, however, is difficult, if not impossible. Anecdotally, transactions have reached the range of millions of euros (see, for example, ZDF 8 February 2011) and compliance officers confirmed that the real estate sector plays a significant role in money laundering, while reporting at the same time that they rarely encountered cases of laundering themselves (Teichmann 2018: 374).

In addition, there is virtually no control or supervision over a variety of actors, including notaries and goods traders, such as jewellers and car sellers, who are involved in high-value cash-intensive businesses. Self-regulation does not seem to be an option and cooperation with compliance officers is reduced to the minimum required by the law. Between 2006 and 2017, for example, notaries flagged up only an average of under three cases of suspicious transactions from a total ranging from 10,000 to 60,000 reports annually (Henn 2018). Sebastian Fiedler, the head of the Association of German Criminal Police Officers and a financial crime investigator himself, explained that "The fact that we have no cash limit and no one who controls what actually happens there leads to the problem that – at least in this first money laundering stage – we do not even know where the problems are." (P19) According to his estimates, less than 1% of the total value of money laundering activities in Germany gets detected.

While many of the cases of money laundering and tax evasion never get flagged up, German authorities also struggle to deal with those that get reported. In 2018, the Services Union (*Dienstleistungsgewerkschaft Ver.di*) estimated that 16,000 job positions in the tax authority were missing (Netzwerk Steuergerechtigkeit 2018: 8), while the Financial Intelligence Unit (FIU), which is dedicated to the fight against money laundering, processed only half of the reported cases (Greive 2018, 18 July). Moreover, in 2017, the FIU was transferred from the BKA to the customs authority, complicating access to police files and generating controversies among different authorities to the point that a confidential report to the parliamentary finance committee described the FIU as "a significant danger to domestic security" (Greive 2018, 18 July).

Last but not least, access to information, especially financial information, is extremely restricted, even for law enforcement (Transparency International 2015: 1), which is further complicated by a general lack of transparency of ownership structures (V6). The obligation to report the ultimate beneficial owner to the transparency register provides for extensive exemptions, while the determination of beneficial ownership[104] remains very complex and sometimes impossible, to the point that the European Commission has repeatedly threatened infringement procedures as a result of Germany's failure to comply with European anti-money laundering regulations (European Commission 2019).

In sum, therefore, both the intent and capacity of state institutions to respond were at very low levels. Certainly, the very limited means at the authorities' disposal further discouraged action. However, while the same structural limitations applied to all the case studies, the intent to respond recorded in this specific case is significantly lower. As a result, it seems

[104] Beneficial ownership refers to the actual person who enjoys the benefits of ownership, without the title of the property being in his or her name.

inappropriate to explain away such an inadequate response by reducing the issue to limited capacity.

4.5.3 State Inertia

The absence of state response allows criminal organisations to operate undisturbed and, potentially, grow and gain in stability over time. When *Antonio* arrived in Erfurt, his links to the 'Ndrangheta in Calabria were already established, but there was no group, no structure in his new home. The outpost's development was gradual. Initially, investments were local and individual. It was only over time, as the group started to organise, gained access to professional skills, and slowly integrated into the local community that a proper system of investment was set up. As more restaurants, cafes, and pizzerias populated the city centre, the group entrenched itself in the local community, up to the highest levels of local politics.

Dynamics of converging interests that both enable and strengthen entrenchment in the community make it particularly difficult for authorities to identify and adequately respond to mafia organisations. As Gambetta (1993: 8) pointed out, what makes the mafia such a worrisome problem is that "no one has an immediate interest in behaving differently, even if one sees its drawbacks." Some of the evidence discussed so far has already illustrated this point. The restaurant owners who got caught in the racket run by the clan Farao-Marincola might have, in other instances, actively sought out the support of the clan. Certainly, some of them benefited from the clan protecting their market or intervening to solve disputes and recover unpaid credits (see 3.2.2). The ice-cream shop case, in which a German businessman ended up entering into business with the very family that threatened him just a few years earlier, is another point in case, further proving that such dynamics are not exclusive to specific communities and operate independently from generalised levels of civic engagement

and trust in institutions. What happens when the party with an interest in common with the mafia is the state itself or, more precisely, a representative of the state?

To the best of the candidate's knowledge, there is no indication, in Germany, of direct corruption by public officials or mafiosi – alleged or not – serving as public officials. Nevertheless, it is also apparent that individual members of the clan have strategically gained the trust of local political figures, creating a closeness between the political milieu and the mafia that reflects the same dynamics that characterise territories with a traditional, longstanding mafia presence. Over time, such a dynamic inhibits both intent and capacity to act, pushing state institutions into a state of inertia.

It was not rare for the Erfurt group to invest significant amounts of money into the renovation or improvement of restaurants for no apparent economic return. For example, a lot was invested in the restoration of a restaurant within a sixteenth-century building just in front of the city hall. The then-mayor, Manfred Ruge, clearly recalled that specific event, which was confirmed by police investigations later, because the building in question was not for sale, but somehow still needed such significant investments. The owners (the Chamber of Guilds) requested 800,000 DM (~£370,000) for the management contract alone, on top of the complete restauration of the building and without ceding ownership. No one wanted to take on the business under such conditions. The city could not afford to take care of it, but having an abandoned building just in front of the city hall was not a good look, said the mayor. He was grateful that someone finally took care of the building and ever since was a regular visitor of the restaurant (I3). In 2000, he even celebrated his re-election as mayor there:

> "We decided to do 'Bella Italia'. Italian music, federal ministers come and speak, I was there… We did this as our election rally celebration and they could profit as well, there were so many people, they were queuing!" (I3)

Just around the corner from the city hall, another restaurant was taken over by the group. According to the mayor, "Before [the Italians arrived] Germans tried to make the business work, with no success" (I3). It was only the Italians who managed to survive the period of losses and kept going. When asked whether this was not raising any suspicion, he said:

> "I have no way to establish where the money comes from. Therefore the only question for me is whether this or that comes to the benefit of the city […] My point is: they want to earn money, we want to collect taxes. What is wrong with that?" (I3)

Again, as was the case with the clan Farao-Marincola, it was possible clearly to observe how a dynamic of converging interests created a situation of dubious vicinity between local politics and the mafiosi, to the point that, as mentioned earlier, when the police searched one of their restaurants, they found themselves having to face their own direct superior, the state minister for the interior, who was having dinner there. As in North Hesse, proof of straightforward corruption could not be established.

However, in contrast with Hesse, German authorities never acted on the evidence collected in Erfurt.[105] On the contrary, the only ones to have had trouble with justice were the journalists who reported the case.[106] What follows is that mafiosi were, de facto, aided in embedding into society, building up social capital, and gaining the trust of the local community, which remains ignorant of the fact that they are criminal actors. Manfred Ruge said in his defence after being accused of turning a blind eye to the Italian mafia's activities during his time in office:

> "The point is that when you realised that something was wrong or suspicious, and you then went to the ministry of interior and asked what was going on… Nothing! What were you supposed to do then? And I have no idea whether there was no information

[105] *Antonio* was convicted while in Duisburg, and other individuals connected to the group have previous convictions, for example in Italy, but the German authorities never acted on the evidence collected in Erfurt.

[106] In 2015, the public broadcaster aired a documentary on the alleged presence of an 'Ndrangheta structure in Erfurt. Following legal action by one of the individuals included in the reporting, which was completely anonymised, the broadcast was forced to edit around one minute of content.

> because they are not supposed to share anything, or whether there was nothing. All of this, I cannot assess." (I3)

Notwithstanding individual responsibility and, most significantly, the importance of public officials holding up ethical and moral standards beyond the mere threshold of legality, the mayor's point is central to understanding an underlying dynamic that facilitated the group's transplantation to Erfurt. Is it realistic and reasonable to expect a mayor – or anyone else– to take action if the very institutions that are tasked to do so – that is, the police and prosecution – have already decided not to?

This dynamic risks being exacerbated by a context of generalised trust. The mechanism in place is the same observed by Putnam in his conceptualisation of historical repertoires of civic traditions, according to which patterns of trust are self-reinforcing, even when socially inefficient (Putnam 1993: 179). But while Putnam expected these patterns to be an obstacle to the mafia, in fact they can turn out to be the opposite. Where the trust in institutions is low, the decision not to act against an alleged crime can be expected to be read by the community as negligence. Where trust is high, instead, that same decision is more likely to be understood as based on a careful assessment of the evidence by the relevant authorities and, therefore, justified; the rationale is that if they were mafiosi, the state would have taken action against them.

In this respect, a context of generalised trust, accompanied by both lack of intent and capacity to respond, might translate into a factor facilitating mafia transplantation, insofar as it pushes state institutions into a state of inertia. More specifically, state inertia not only allowed the Erfurt group to operate undisturbed for decades but also, most significantly, contributed to the group's legitimacy and a high degree of social toleration within the local community, which in turn weakened the capacity of civil society and different state institutions to respond, creating a self-reinforcing vicious circle.

4.6 Conclusions

When *Antonio*, one of the "most promising recruits" of the 'Ndrangheta clans from San Luca, first arrived in West Germany to escape law enforcement in the early 1980s, he could not have anticipated meeting *Luca*, the public face and businessman of the Erfurt group, ten years later. Nor did he predict the fall of the Berlin Wall or the reunification of Germany, as no one did. He also did not know, at the time, about the collaboration, almost twenty years later, with *Matteo*, a professional investor. He was not "farsighted", he did not have "the German political situation under control", and did not follow "a precise and conscious expansion strategy". Nor did the swift transition from a planned to a market economy in East Germany offer the mafiosi a viable inroad into the German economy, as many analysts, researchers, and practitioners have claimed.

This case study confirms that the emergence of a demand for mafia services is not a foregone conclusion, but depends on the capacity of the state to establish itself as a credible protector (Varese 2003, 2011, Milhaupt and West 2000). In Germany, at the time of the transition, the existence of an already established democratic state-structure in the West guaranteed stability of process, ensured adequate oversight, and protected the newly created property rights system in the East. While in Germany the chaos of rushed privatisation triggered parasitic behaviours intended to maximise short-term profits rather than long-term investments, the Erfurt group did not have access to either the relevant social network or the insider information necessary to take advantage of the boom in the market that followed the transition period.

None of the evidence at hand indicates that members of the 'Ndrangheta invested in companies, buildings, or any other type of activity privatised during the transition period.

And while absence of evidence is not evidence of absence, this is a strong indication that they did not do take advantage of the privatisation, at least not in a significant or systematic manner. What paved the mafia's way into the German economy, beyond the one window of opportunity opened by the privatisation, was not a specific and exceptional event, but a set of structural conditions that have made the entire country vulnerable to money laundering activities. The lack of a limit for the use of cash, obscure ownership structures, inadequate checks on financial transactions and investment activities, as well as insufficient oversight of specific categories of professionals, such as notaries and accountants, have created the ideal conditions for dubious economic practices across Germany, allowing a range of illicit actors, among them Italian mafias, systematically to invest their criminal proceedings.

Against this background, the Erfurt group entrenched itself in the new territory, built up social capital, and, over the years, gained a dominant position in the market of Italian restaurants in Erfurt, while expanding its investments beyond, both to seven further German states and internationally. However, there is no evidence that the group regulated access to the market, ensured credit recovery, created cartels, handled disputes, enforced contracts, or provided protection to legal or illegal actors in any other way. From this perspective, it is not possible to say that the group has fully transplanted into the new territory. However, the group displayed instances of governing, which – although limited and only fledgling – it would be a mistake to dismiss. The establishment of the investment system was explicitly designed to avoid competition and de facto allowed the group to position itself as a quasi-monopolist on the market (despite the fact it never acted like one). Furthermore, it is highly likely that the group was involved in a labour racket, although there was not sufficient empirical grounds to establish this with certainty. This intermediate state, in which governing instances are not fully fleshed out and yet nonetheless present can be identified as a case of transplantation *in fieri*.

The discussion of this case revealed that, given a supply-demand dynamic that created ubiquitous opportunity structures, the absence of a governing dimension was not necessarily the result of a conscious decision to diversify between governing and trading activities. Rather, it was an expression of a gap between intent and capacity of the criminal group on the one hand, and the state on the other. In the first months after the reunification, during the most chaotic and unregulated period, the leading figures of the Erfurt group were still reportedly active in Duisburg, in the west of the country. In short, even if there had been a demand for protection or mafia services, it would not have been met by any supply. But even during the second period, in which supervision of the privatisation process decreased, the first members of the Erfurt outpost had just arrived in the city. They were (and were considered) outsiders, and there was no network of connections that they could have tapped into in order to access the information needed for profiting in any significant way.

What allowed the group to operate undisturbed for decades, gradually transitioning from trading on a market towards trying to protect it, was the inadequacy of state response. While structural conditions inevitably constrained the capacity to respond, as was the case in Hesse, in Erfurt state inertia reached the point that an official parliamentary enquiry into alleged negligence has been set up. In a context of generalised trust, state inertia not only allows for criminals to operate untouched, but it also, most significantly, contributes to their integration into society. Based on the assumption that if they were mafiosi, the state would have taken action against them, the group was de facto aided in embedding into the local community. This in turn weakened the capacity of civil society to resist and the state to respond, triggering a self-reinforcing vicious circle that has become increasingly difficult to address. This proves crucial especially in the study of mafia expansion into new territories, insofar as this qualifies as a gradual process of adaptation to a new environment – or indeed, as a failure to do so.

Chapter 5: Neither Trading nor Governing

In the first months of 2008, the Italian police noticed recurring meetings and phone calls between two individuals hitherto relatively unknown to investigators. One of them, Domenico Oppedisano, was soon to take on the rank of *capo-crimine*, the highest function in the 'Ndrangheta, at the head of the coordination body known as the *Crimine*.[107] The other, *Giuseppe*, was a Calabrian individual living in Germany, in the mid-sized city of Singen, just on the border with Switzerland. In their conversations, *Giuseppe* repeatedly asked Oppedisano whether he was allowed to "keep his team" and stay independent, because another group from Switzerland was trying to seize control.

Within a few months, tensions flared up and, according to the prosecution, investigations uncovered the existence of a nest of 'Ndrangheta groups around Lake Constance, which forms part of the border between Germany, Switzerland, and Austria. Little was known about the groups, their activities or even their existence before 2008, and yet, it emerged that they had existed for decades. Fearing escalation into a potentially violent mafia feud, Swiss, German, and Italian authorities started monitoring their every move, uncovering a wealth of information that was unprecedented in kind.

[107] Domenico Oppedisano already surfaced in the investigation "Armonia" (1998), but was not subject of specific attention at the time: Antonio De Bernardo, written conversation, 19 March 2021.

Figure 22 – ‘Ndrangheta Ritual by the *Locale* of Frauenfeld, Switzerland. Excerpt of Surveillance Video Recording.



Source: video retrieved from: https://www.youtube.com/watch?v=9-lV-vkaNL8&ab_channel=Rai

The case of the ‘Ndrangheta around the lake is widely cited in the literature on mafia migration as a prime example of the organisation’s capacity to reproduce faithfully norms, rules, and rituals in new territories all around the world (Bedetti 2012: 46-48, Dagnes et al.: 198, Sciarrone and Storti: 50). Police surveillance documented over 15,000 conversations revealing ranks, functions, and rules governing these groups and their relationship with the organisation in Calabria. Affiliates were even caught on video carrying out ‘Ndrangheta

rituals. Leaked to the press, the images of a dozen middle-aged Calabrian men sitting around a table in a small room evoking the founding myth of the ‘Ndrangheta, went viral on television and in newspapers (see Figure 22).

While replicating the same structure and rules in new territories is considered typical of the ‘Ndrangheta, empirical evidence to prove it is still relatively rare. In neither of the cases discussed so far did organisational features come to light with such a level of detail as did for the ‘Ndrangheta outposts around Lake Constance. This case study provides a tangible example of the organisation’s capacity to replicate, in other countries, the same organisational structure typical of the Calabrian territory. In the same exact way as in their home territory, in Germany and Switzerland the mafiosi around the lake gathered in *‘ndrine*, built up *locali*, and followed a system of ranks and functions that linked them directly into the hierarchy of the organisation as it was set up in Calabria. Just like any other clan in Reggio Calabria, the groups around Lake Constance were part and parcel of the ‘Ndrangheta. They were structured in the same way, followed the same system of ranks, respected the same rules, carried out the same rituals.

And yet, this chapter shows that decades after moving to the new territory, these ‘Ndrangheta groups failed at transplanting not only their core business of protection to the new territory but also to trade, either legally or illegally, to any significant extent. By doing so the chapter questions the assumption that the reproduction of a specific organisational and normative apparatus is by itself a reliable indicator of mafia transplantation and demonstrates that the presence in a new territory of a supply of mafiosi, as well organised as they might have been, does not automatically lead to a mafia group either transplanting in full or even just trading in the new territory.

Consequently, one might ask whether a mafioso who does not engage in any criminal activity still can be considered a mafioso. The immediate answer is yes: a mafioso will always be a member of the organisation. Membership is for life in all mafia organisations, including the 'Ndrangheta (Varese 2018). One can only be "suspended" from duty if the organisation decides so (this happens in very exceptional cases of misbehaviour) and one continues to remain at the complete disposal of the organisation should it ever need the mafioso again.

However, at the analytical level, taking on this perspective means reducing the mafia phenomenon to its membership. Not only is such an approach narrow, if not simplistic, but, consequently it also fails to account for the variance in the phenomenon of expansion to new territories that this thesis seeks to address.

But if these organisations did not qualify as mafia, what were they instead? Why was the structure in Switzerland trying to expand its "control" to Germany? What was it supposed to control exactly? And why were the groups in Germany worried about losing their independence? Was there ever a conflict between these organisations? And if there was one, what was it about and how was it solved? Furthermore, what happened after the conflict? What are these organisations doing today?

This chapter sets out to explore the case beyond the matter of the law. The analysis first shows that a set of 'Ndrangheta cells, all ultimately linked to one family, came to form two "sides" with opposing interests: one around the group in Singen, Germany; the other around the Frauenfeld group, in Switzerland. Based on thousands of intercepted conversations, background information gathered during fieldwork, and official judicial documents, it is proved beyond reasonable doubt that these outposts belonged to the Calabrian mafia, directly responding to its upper coordination body, the *Crimine*. However, beyond reproducing the

'Ndrangheta's organisational and normative apparatus – and fighting over its "correct" application – these groups seemed to be virtually "out of business" in the new territory.

The analysis moves on to show how years of investigations by the authorities of three different countries (Italy, Switzerland, and Germany), including extensive surveillance measures and the use of undercover agents, simply failed to bring to light any meaningful criminal activity after the 1990s. And yet, absence of evidence does not mean evidence of absence. While in principle this objection can be raised as regards all aspects of the case studies discussed so far, and the general limitations of using police and judicial data have widely been discussed in the methodological note to this thesis, it becomes crucial when discussing "negative" observations. Therefore, the analysis is complemented by a discussion of why and to what extent the data collected are in fact a reliable indication that absence of evidence can, in this specific case, be considered a reliable proxy for evidence of absence.

In short, this chapter provides a snapshot of "failure" to govern or trade in the new territory by established mafia groups, and an analysis of the circumstances that led to this situation. Thereby, it completes the range of variation on the dependent variable discussed in this thesis, namely mafia expansion to new territories. The specific period over which failure to govern or trade has been observed is from 2009 to 2016. This is the time during which major investigations into the groups were conducted, leading to no incriminating findings. While 2016 is the cut-off year for most of the investigations, police forces continued carrying out routine checks regarding some of the individuals involved. The sporadic and discontinued nature of these checks and the scant sources available to document the actual level of scrutiny made it difficult, however, to make reliable statements for the period after 2016. At the same time, though, it is highly unlikely that the groups engaged in any significant activity, as the main figures were on trial, being acquitted only in 2019.

As in the two previous case studies, the second part of the chapter is dedicated to discussing in which respect and to what extent migration, specific local conditions, and state-response hindered the groups of interest from entrenching themselves in the new territory.

As far as migration is concerned, the significance in terms of size and stable presence of the Italian community in the place of settlement made it possible to unpack one of the central arguments in the literature on mafia migration: the relevance of culture and specific types of behaviours, allegedly responsible for the resilience of mafias. In this respect, the apparent relevance of specific cultures (and subcultures) is due to confusion at both the analytical and empirical level, as well as the conflation of the two. Furthermore, contrary to what has been argued with regard to the Calabrian communities in Australia and in Canada (Sergi 2018b, Sergi 2019a), there is no indication that the Italian diaspora has provided protection or in other ways contributed to the transplantation of these groups.

In terms of local conditions in the new territory, it becomes clear that the clans struggled to remain competitive in their new place of settlement because they were squeezed in between fairly lively and populated criminal markets and legal, export-oriented high-tech markets. From the perspective of governing, compared to the other case studies, the Lake Constance ecosystem not only offered limited inroads for private protectors, but also proved relatively resistant to mafia penetration more generally. From the perspective of functional diversification – that is, in terms of trading activities on licit and illicit markets – the highly competitive environment made it more difficult for the clans to establish themselves on the market.

Last but not least, this case study brings to light the fact that, despite thorough investigations and a fairly high level of general attention to these groups by the authorities not only in Italy

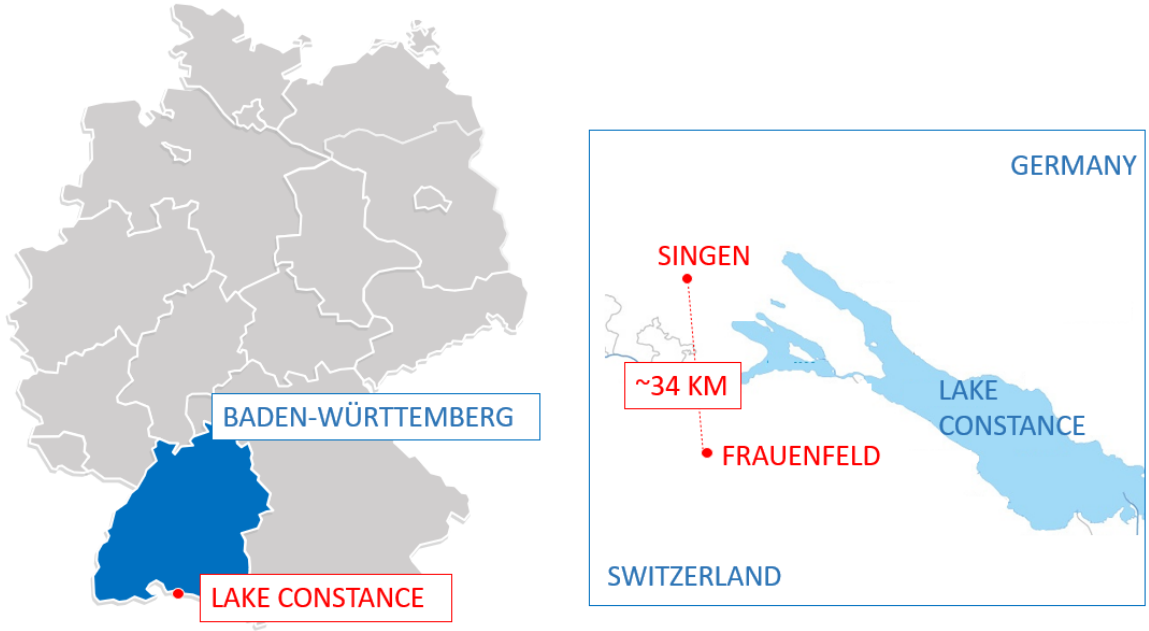
but also in Switzerland and Germany, the capacity of respond by state institutions has remained constrained.

5.1 The Outpost

From the 1970s onwards, a number of individuals who were allegedly members of the ‘Ndrangheta arrived in the area around Lake Constance. Over the years, they organised into several groups that belonged to two main clusters, one operating in Germany, the other in Switzerland. These two clusters are the object of analysis throughout this chapter. Thanks to extensive police surveillance, it was possible to document that the groups formally organised as an ‘Ndrangheta structure, with specific ranks and roles, as well as a common pool of resources. Two of the groups, in Singen and Frauenfeld (see Figure 23), are reported to have been organised into major and minor societies, therefore presenting the typical structure of the *locale* (see 2.1.1). However, very little information on the alleged members, their pasts, and their trajectories was available in the material accessible for consultation, consisting in the files of four main operations conducted by the Italian police, Operation Crimine, Crimine bis, Helvetia, and Rheinbrücke.[108]

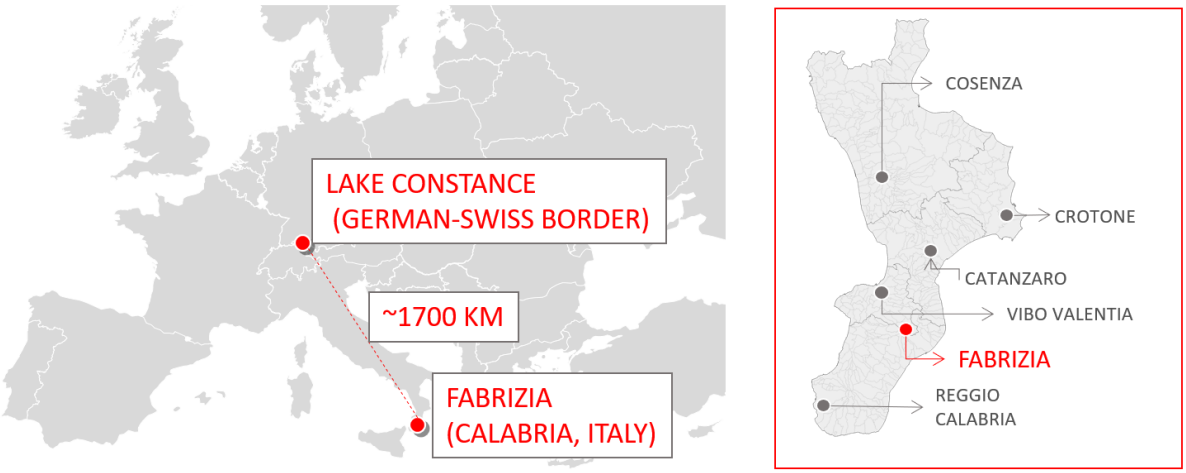
[108] In addition the Italian operations, German authorities conducted Operation Santa, while Swiss authorities conducted Operation Capo Due. It was not possible to access the files of these operations, but most investigative findings were shared by German and Swiss authorities with their Italian counterparts and constitute part of the consulted material.

Figure 23 – Map of the New Place of Settlement: Lake Constance Border, between Germany and Switzerland



Source: Candidate's elaboration. © Templates by Yourfreetemplates.com

Figure 24 and 25 – Map of the Outposts' Place of Origin (Fabrizia) and Distance to the New Place of Settlement (Lake Constance)



Source: Candidate's elaboration. © Templates by Yourfreetemplates.com

On the Swiss side of the lake, authorities observed activities of the 'Ndrangheta in the cities of Winterthur, Müllheim, and Frauenfeld, the last home to a *locale* for several decades. Within a decade of the arrival of the future boss in Switzerland in 1970, the outpost in Frauenfeld was already fully operational and part of a wider network of 'Ndrangheta structures stretching across the north of Italy.[109] By 2009, it was possible to identify 21 alleged members of the group. Almost all of them lived in the canton of Thurgau (N=15), of which Frauenfeld is the capital city, while just a few were registered in the neighbouring cantons of Zurich (N=2) and St. Gallen (N=1). It is important to consider that cantons in Switzerland are very small, especially when compared to Italian regions or German states. Thurgau, Zurich and St. Gallen combined make up less than 4,000km^2. Therefore, although members of the Frauenfeld group might have operated across three different cantons, they were very much localised in the area around Frauenfeld and its immediate vicinity.

At first sight, this group seems significantly smaller than the Erfurt outpost and the clan Farao-Marincola. However, the 21 individuals mapped by the Italian police as part of the Frauenfeld outpost were all considered "made members" of the 'Ndrangheta to the extent that, for many of them, it was even possible to document their specific rank and role within the organisation. If only actual affiliates are considered, the Erfurt outpost included around 25 individuals. While in the case of the clan Farao-Marincola the latest investigation only identified 15 affiliates operating in Germany,[110] the police indicated that some more were on the radar,[111] therefore also showing a very similar picture. Obviously, these numbers indicate

[109] In the provinces of Milan, Como, Varese, Brescia, and Pavia.
[110] In 2008, a confidential intelligence report by the federal police identified 45 alleged members of the clan operating in Germany (BKA 2008).
[111] But could not be included in the investigation material because the evidence collected did not meet the required burden of proof.

only a fraction of the total. Nevertheless, the consistency across case studies is still worth noting and might be a starting point for future research, such as, for example, in terms of whether this indicates a sort of "natural" size for such outposts or rather reflects policing practices in Germany.

In terms of provenance, most of the members in Frauenfeld that were identified by the police were born in the province of Vibo Valentia (N=14/16), and in particular in the village of Fabrizia (N=12). Of the remainder, one each were born in the provinces of Reggio Calabria, Catanzaro, and in Calabria's neighbouring region, Campania, in the province of Salerno (see Figure 25). Only one person was born in Switzerland, in Frauenfeld itself. As a consequence, the *locale* of Frauenfeld considered itself to be a projection or an outpost of the 'Ndrangheta in Fabrizia, as the boss pointed out, leaving no doubts for alternative interpretation:

> "Our society has been formed for 40 years […] It's been 40 years that this *locale* has been responding to Fabrizia […] And I want Frauenfeld to respond to Fabrizia because this is where I was born."(Tribunale di Locri 2017: 23)

In this statement it becomes evident how the place of birth has an immediate relevance within the organisational structure of the 'Ndrangheta. Together with family lineages, which can but do not have to coincide with specific areas, the place of birth establishes alliances, hierarchical relationships, and jurisdictions.

Against this background, the variety of places of birth of the 16 individuals identified by the Italian police as operating on the German side of Lake Constance stands out. While most were born in Calabria (N=12), they came from all provinces: six from Vibo Valentia, three from Reggio Calabria, two from Catanzaro and one from Cosenza. Furthermore, they were allegedly split across several structures and operating from different locations. The main structure, according to information collected by the police, was the one in Singen. Although little to no information about its activities or history in the country before 2008 came to light

during the investigations, this cell seemed to have been operational from the mid-1990s onwards, probably – but this could not be confirmed – as an offshoot of the Frauenfeld structure.[112] Of the seven individuals identified by the police as part of the group in Singen, two were born in Germany and one in Toronto. The rest were born in Italy, although spread across Calabria (N=3) and the southern region of Campania (N=1).

In 2009, the boss of Singen, *Giuseppe* , claimed that under his direction the structure had been granted full recognition by the *Crimine* in Calabria: "It's been seven years that my society responds to the *Crimine*, seven years… […] they can go to the *Crimine* and ask what are the names that respond." (Tribunale di Reggio Calabria 2015: 9) Just next to Singen, in Rielasingen, another group had allegedly set up another outpost. Eight individuals were identified as part of this structure (Tribunale di Reggio Calabria 2015: 25-25, 84, 138). All were born in Calabria, in the provinces of Vibo Valentia (N=4), Reggio Calabria (N=2), and Catanzaro (N=2). Regarding the other structures allegedly operating on the German side of the lake, the evidence provided in the judicial files was very thin. The presence of a group in the city of Ravensburg was assumed on the base of one intercepted conversation discussing its (alleged) boss. He was said to have left his position for private matters related to his marriage and was to be reinstated in his position as soon as he had resolved the issue. However, no individuals belonging to the structure in Ravensburg other than the alleged boss were ever identified.[113] Radolfzell was indicated as a further outpost of the 'Ndrangheta because a group of suspects met every Saturday in the city but no additional evidence was ever collected in this case either (Tribunale di Reggio Calabria 2010: 484). Lastly, the city of Engen was also mentioned among the structures in Germany(Tribunale di Reggio Calabria

[112] It is not possible to exclude that the group had already existed for much longer.
[113] And a meeting that had allegedly taken place in Calabria, which discussed the same matter (Tribunale di Reggio Calabria 2015: 26).

2010: 418), although in this case, apart from a single defendant registered there, there was no evidence indicating the existence of a structure in any of the consulted files.

The state police of Baden-Württemberg doubted that each of these structures constituted an independent *locale* of the 'Ndrangheta, as suggested by Italian authorities (DIA 2019: 41, DIA 2016: 100, DIA 2015: 95). The head of the organised crime unit pointed out that "All these places, they are very close to each other. Distinguishing between Rielasingen and Radolfzell and so on, it is very fine-grained" (see Figure 26). While there was no doubt that there were 'Ndrangheta cells in the area, he said that it remained unclear "whether each of them really forms a *locale*"(P5).

Figure 26 – Map of the Frauenfeld and Singen 'Ndrangheta clusters



Source: Candidate's elaboration.

5.2 Activities

Information about both licit and illicit activities in connection with the clans of interest was scarce, sometimes with gaps of many years, and with only limited amounts of detail, at least when compared to the other case studies reviewed so far. The analysis brings to light every piece of evidence available and establishes that, several decades after their settlement around Lake Constance, these longstanding 'Ndrangheta outposts were out of business. In other words, they were not involved in any significant criminal activity or legitimate enterprise, nor did they establish any degree of control over local communities, markets or territory more generally. In short, they neither traded nor governed in the new territory.

The absence of evidence, however, begs the question of whether there was no trading or governing activity taking place under the radar of the police. If the police did not detect any significant involvement in criminal activities, it is still possible that investigators might have missed something. Police investigations may deliver only an imprecise portrayal of the actual criminal activities taking place and the risk of undetected crimes remaining unaccounted for can never be completely dismissed. It is not possible to exclude the fact that there may have been some evidence of interest if only there had been a larger sample size or better sources available. This concern applies to the screening of governing and trading activities on both sides of the lake. More generally, it is inherent to any enquiry of this kind.

However, as far as investigations go, those into the 'Ndrangheta around Lake Constance between 2009 and 2016 were certainly thorough. Notwithstanding the limitations that are typical of every attempt at bringing to light "secret activities" and acknowledging potential blind spots that might have misled the police into concluding that no crime at all was committed, it is unlikely that the authorities of three separate countries, all looking into the

same network of people for a relatively long period of time and with quite invasive measures[114] all missed out on anything of significance.

This raises a separate question: what were the clans doing then? Most of the alleged mafiosi were unskilled employees, often in the construction sector. Some were machine operators, one a plasterer, another a handyman.[115] In Switzerland, three were receiving state benefits in the form of a disability pension. And yet, it turns out, they were also involved in a mafia conflict that, beyond keeping them busy for years, also involved the organisation in Calabria.

This section starts by unpacking the conflict, exploring what the clans were fighting about and what the consequences were. The origin of the conflict, it emerges, was the personal ambition of one individual. *Luigi*, the boss in Frauenfeld, set out to move up the hierarchical ladder of the organisation and elevate his *locale* into the point of reference of all the 'Ndrangheta structures operating in the greater area of Lake Constance. He launched an internal power struggle, triggering an intra-organisational conflict with the other 'Ndrangheta groups the independence of which was affected by his ambition. However, in contrast to the many feuds and mafia wars that duly grab the attention of the public, practitioners, and researchers alike, this conflict never turned violent. A long negotiation between all the involved parties in Switzerland, Germany, and Calabria ultimately adjudicated the case, avoiding any display of force or physical conflict.

The second part of the analysis investigates whether, beyond being involved in a conflict, the clans actually were involved in further activities, either trading on legal and illegal markets or demonstrating any attempt at governing in the new territory. It becomes clear that the groups

[114] Measures were invasive, comparatively speaking. They included, for example, the use of undercover agents and the surveillance of public spaces, measures that require a solid motivation for being approved in Germany (and to a certain extent in Switzerland as well).
[115] Only two individuals were registered as business owners: a car-trader in Switzerland and a cafe-owner in Germany.

intended to trade, especially on illegal markets. Some of them were involved in drug and weapon trafficking, as well as robberies, at the very outset of their formation. By 2009, however, this was not the case any longer. While some intent still to be involved in similar activities could be deduced from reading the transcripts of intercepts collected by the police in their most recent investigations, none of the planned actions seemed to have ever materialised. Governing, instead, seems to have been excluded *a priori* by the groups, although this was impossible to establish with certainty due to the nature of the evidence at hand.

5.2.1 The conflict

After an exile of seven years, *Luigi* , at the time boss of Frauenfeld, returned to Switzerland in 2003 (fedpol 2014: 29). He re-activated the *locale*, which apparently had been put to rest in his absence, and expected to take back his role in the region as if nothing had happened. In the meantime, he had developed a further ambition: bringing all the 'Ndrangheta groups originally coming from the greater area of Fabrizia in Calabria – the place from which he came and to which his *locale* responded – under one aegis, no matter whether they operated in Switzerland or in Germany. According to the Italian anti-mafia prosecutor Antonio De Bernardo, who followed the case over the years:

> "This was the seed of something that very much looks like an intermediate coordination structure […] gathering everyone coming from the Tyrrhenian area of the province of Vibo Valentia, Fabrizia, under one representative."(P27)

Intermediate structures of coordination outside Calabria are not uncommon. Although organised slightly differently from another, and sometimes serving different purposes, similar coordination bodies have come to light in Canada and Australia (Sergi 2018b, Sergi 2019,

Tribunale di Reggio Calabria 2019), as well as in different parts of northern Italy.[116] The very network of 'Ndrangheta clans in Lombardy (of which Frauenfeld used to be a part) built up an intermediate coordination structure in the mid-1980s (Perna 2018: 18). The plan had in mind, therefore, was neither unprecedented nor unusual.

But, as with any plan that involves one party assuming leadership at the expense of others, this plan encountered resistance. Fearing the loss of their independence, the clans operating on the German side of Lake Constance, headed by the boss of Singen, brought the matter to the attention of the respective clans of reference in Calabria. The negotiation that followed kept the clans busy for almost two years. However, winning the conflict was not a military endeavour. Instead, it required a specific capacity to navigate the system – that is, the organisation and its rules – in order to win over a coalition of forces. Rather than orthodox obedience to the rules, it became about the capacity to play by the rules, creating a legitimacy (or sometimes only a perceived legitimacy) that matters within these organisations. As De Bernardo put it, the "winning faction" is usually the one capable of "reasoning, planning for the long term, finding the compromise, and maintaining order"(P27).

The Nature of the Conflict

What originally started as a conflict between two specific individuals, the boss in Frauenfeld and his counterpart in Singen, quickly developed into a cause of instability for the entire area of Lake Constance. The news of an attempted takeover by the *locale* of Frauenfeld spread quickly from one affiliate to another, and the groups on the German side of the lake started to worry. First, they tried to understand whether the information was correct. One affiliate

[116] At the time of writing, according to confidential police information possessed by a team of German journalists, such a structure exists in Germany and meets annually in the city of Duisburg, in the federal state of North Rhine-Westphalia. The German federal police confirmed the hypothetical existence of such structure. (Bettoni et al. 2021, Klaubert 2021).

wondered: "*Luigi* [the boss] from Switzerland put himself on top of us… I knew something… but… it was not official…. his intention, or was it?" (Tribunale di Locri 2017: 22).

Next, they tried to understand the nature of the problem. One affiliate explained that "The *locale* of Rielasingen is under Fabrizia. But [*Luigi*, boss of Frauenfeld] goes around saying that it is under him. That Rielasingen is under him, that Frankfurt is under him, that Ravensburg is under him*"* (Tribunale di Reggio Calabria 2010: 400). Another one asked whether Ravensburg could be "under Frauenfeld" despite being in Germany and not in Switzerland. A similar question was asked regarding Frankfurt. Others started to count the "defectors": "he [*Luigi*] took people from *Moossendorf*, three, four, five people, I don't know how many, then Frankfurt, plus Switzerland… he wants to be the mafia boss of here as well, he wants to lead!" (Tribunale di Locri 2017: 22). While waiting for the events to unfold, affiliates made conjectures. One said: "I don't think he [*Luigi*] will get this through. […] He has to get opinions from all the parties, he cannot just do his own thing, if he does his own thing he will get in trouble." Another responded: "I do not think so either, of course not. It's obvious [that he can't do what he wants]" (Tribunale di Reggio Calabria 2015: 42-43).

On the one hand, the assumption was that the clans in the Calabrian area from which the boss in Singen and the other groups came had always responded to the boss of Fabrizia, of which the Frauenfeld structure was an outpost. By extension, since in Calabria Fabrizia was in control, so Frauenfeld should thus be entitled to control Singen, mirroring the set up in Calabria, and, more generally, the groups on the other side of the border that also came from the same geographical area in Calabria.

On the other, following the same reasoning, the boss in Singen contended that Prateria, the city he was linked to in Calabria, had never been subject to Fabrizia in the hierarchy of the organisation. Therefore, he claimed, Singen was to remain independent from Frauenfeld:

> "He [*Luigi*] told me that Prateria had always responded to Fabrizia. I told him he is dreaming! That Prateria has never responded to Fabrizia, that he does not know all the things I know." (DDA 2008c: 1836)

This could seem a straightforward issue to solve: either Prateria was subject to Fabrizia and therefore Frauenfeld, as a projection of Fabrizia, was entitled to control Singen, an outpost of Prateria or the opposite was true. And yet, answering this question turned out to be more complex than expected.

The same secrecy that protects criminals from the authorities requires them to use code words and deceptive signals, and omit information. Obviously, during a dispute, this can mean an escalation in misunderstandings and miscalculations, even more than is generally the case.

Within the context of criminal mobility, the flow of information is made even more complex by distance. Phone conversations fuelled speculation and created mix-ups, as affiliates tried to communicate over the phone while not giving away too much information in case the calls were intercepted (which they often were). At the same time, within a day of driving any affiliate could be back to his hometown to talk in person, which happened regularly and complicated the picture even further as these conversations went unrecorded.

Everyone seemed to be constantly talking to everyone else, although never on the record, which therefore meant it was impossible ultimately to check the veracity of the information received. The result was a great deal of confusion, especially among the lower ranks. The following excerpt, extracted from a long discussion between two affiliates, perfectly illustrates the complexity of the situation:

> "Now here it's a mess, because we do not know… the boss [of the *locale* of Singen] says he is leading. Toto' instead said [something else]… And the one from Radolfzell said it's impossible that we are leading, because we are under Fabrizia […] and in August, down there [in Calabria] I asked Toto'… I asked him 'what are we?' and he said we are the ones leading… Then I talked to someone else, I asked someone else, and he told me that Fabrizia can decide… that they can keep them leading… If this is true of course…" (Tribunale di Locri 2017: 22).

The challenge was to understand to what extent the respective claims – of autonomy by the German groups and of expansion and leadership by the Swiss structure – were legitimate. From the conversations, it also clearly emerged that there was a very high level of uncertainty about their own roles or the rules to be followed. One affiliate, for example, engaged in a reflection on what it means to be a leading *locale*, concluding that he simply did not know:

> "If one *locale* is under another *locale*, then it cannot be leading… is that right? If the others are under Fabrizia then there cannot be a *capo-locale* [boss] […] I do not know whether he is a *capo-locale* [boss] or whether he is not, I do not know… I do not think so, because they are under Fabrizia…" (Tribunale di Locri 2017: 92).

The authorities in Germany and Switzerland listened in to thousands of conversations like these. This seems to have been virtually everything with which the mafiosi busied themselves.

The Resolution of the Conflict

The Singen boss was not necessarily the smartest of all mafiosi, but he proved better at navigating the system than his rival, the boss of Frauenfeld. He prevailed for two main reasons. On the one hand, he made sure to follow the rules formally and always be in contact with the group in Calabria. On the other, he benefited from a personal relationship with one of the most influential individuals in the 'Ndrangheta at the time. The Frauenfeld boss, meanwhile, did not maintain an equally tight relationship with the organisation in Calabria and, as a consequence, his personal network there was outdated, not reflecting the current balance of power within the organisation. This was the reason for his defeat.

From the intercepts it emerged that *Giuseppe*, Singen's boss, was in constant exchange with the organisation in Calabria and kept everyone informed on the developments taking place

within the outpost in Germany. Conversations covered a whole range of topics, mainly of an organisational nature, such as affiliates who were trying to defect to the other side or ranks that had been "illegally" handed out. It was not surprising, therefore, that when he realised that *Luigi*, Frauenfeld's boss, was trying to expand his control into Germany he immediately reached out to his contacts in Calabria and asked for help. This was the beginning of a long negotiation, stretching over two years and involving many different figures across Germany, Switzerland, and Calabria.

During this time, *Giuseppe* travelled to Calabria at least seven times. Every time, he met with the same individual, Domenico Oppedisano (DDA 2008c: 1812-1861). At the time, Oppedisano was at the head of the *locale* of Rosarno in Calabria, one of the most powerful structures in the area. Not long after the beginning of the conflict, Oppedisano took on the function of *capo-crimine*, the head of the supreme coordination body of the 'Ndrangheta. As one affiliate in Singen put it: "Don Mico Oppedisano [is our representative], he is one of the *Crimine*! He is from Rosarno, he is the number one!" (Tribunale di Reggio Calabria 2015: 9). While the *capo-crimine* is under no circumstances the boss of bosses of the Calabrian mafia, his power relies in managing the *Crimine*, the coordination body of the organisation, and, through that, directly intervening in matters of the interpretation and application of those sets of rules that ultimately decide what is "legitimately" 'Ndrangheta and what is not . While not intervening in the day to day business of the clans, the *Crimine* is responsible for deciding on disputes brought to its attention by the clans and formally recognise the set-up of new *locali* (for more details, see 2.1.1). Everyone agreed on one aspect: without permission from Calabria, *Luigi*'s claims were empty words: "he responds to them [the *Crimine*] as we all do. […] without instructions from them [the *Crimine*], nobody can do anything" (Tribunale di Locri 2017: 22). In other words, therefore, the *capo-crimine* was the perfect contact to have for a dispute of this kind.

Oppedisano's position in the conflict was firm and balanced. He listened to his friend *Giuseppe*, reassured him, but did not take any side. In lengthy phone conversations he patiently explained:

> "Who thinks that [*Luigi*] can make these rules? Do not waste your time with gossip. […] What does this even mean? They have to come here [in person] and tell me [directly]! When they come here, then we will talk and then I will be able to tell you how things really are. For now, you stay as you are."

In 2009, the same year Oppedisano was nominated *capo-crimine*, *Giuseppe* moved back to Calabria, leaving someone else in charge on his behalf in Germany. Whether he decided to do so to escape the attention of law enforcement (the state police of Baden-Württemberg had just started an investigation against him) or whether he thought that was the best way to ensure that he had the upper hand in the conflict with Frauenfeld remains unclear; ultimately, the decision certainly helped.

Luigi, meanwhile, was less strategic. Despite being a senior criminal with more than three decades of experience within the organisation, he committed a number of mistakes that, eventually, foiled his ambitious plan. First of all, he bypassed the organisation in Calabria from the very start. He directly communicated his expansion plan to *Giuseppe*, without ensuring support from the *locale* of Fabrizia, his parent group. Even when the matter was escalated, he hesitated in travelling to Calabria and make his case. As one affiliate commented:

> "They all waited for him [*Luigi*], they also waited for Mimmo down there [in Calabria] and neither of them went. […] They had to clear up all these things… all the things that have been said, no? And they did not go." (DDA 2008c: 1870)

Then, when *Luigi* finally decided to go to Calabria, he met with the "wrong" people. Failing to keep up with the new powers that had developed in Calabria during his absence, he met

with the clan Mazzaferro, with which the Frauenfeld outpost used to be linked in the 1970s and 1980s. Probably he thought that this was his most reliable and longstanding contact, the one he could trust. By 2009, however, the Mazzaferro did not hold any of the higher roles in the area any more and had been substituted by another family clan. Notwithstanding the relationship of trust, they had no choice but to take a step back. As one affiliate reported back to Germany: "they [the Mazzaferro] simply told him that he wasted the trip" (DDA 2008c: 1862).

Furthermore, *Luigi* did not consider that the Mazzaferro, as well as the new clan that took their place, were representing a lineage of the 'Ndrangheta from the Ionic side, while at that point in time, in that geographical area, power was in the hands of the Tyrrhenian families, in particular the structure in Rosarno, headed by Oppedisano (Tribunale di Reggio Calabria 2015: 30-31). The groups active in Singen and the other German cities formally recognised the supremacy of the *locale* of Rosarno and were therefore considered "in order".[117] *Luigi*, instead, appeared to still be associated only with the Mazzaferro clan and had not pledged his allegiance to Rosarno, as was required. Therefore, according to an intercepted conversation among two mafiosi operating in Lake Constance, his *locale* was not considered to be "in order" any longer:

> "Do you know what they told him [*Luigi*] down there? That he has to put his own [*locale*] in order because it is not in order. It still comes up with the Mazzaferro […] those in Rosarno have told [the mafioso] from Frankfurt that he [*Luigi*] should come and put his [*locale*] in order because it is not in order as it is. [They said] all the others are in order, his is not." (DDA 2008c: 1871)

This point was critical in deciding the conflict. It granted the *locale* of Singen, and the others operating in Germany, formal legitimacy while *Luigi* and his group were considered to have been acting improperly, at least against the background of the new powers. It followed that

[117] All the groups coming from that specific geographical area in Calabria and operating in Germany.

Luigi's claims of supremacy were illegitimate too. The verdict, agreed by all parties and the *Crimine*, was clear:

> "They paid them a visit this morning and told him [*Luigi*] that he can forget all his plans. […] They also told them that if they are not able to take care of their business, if they do not keep things as they are, they will get up there [to Switzerland]… They told them to keep Switzerland and let everyone else keep their own thing." (DDA 2008c: 1861)

The end of the conflict was sanctioned by a series of structural changes, decided in Calabria and aimed at finding a compromise acceptable to all the parties involved. The first decision regarded the formal position within the hierarchy of the structure in Frauenfeld. It was "put in order" and officially subjected to Rosarno, as was required by the balance of power in the province of Vibo Valentia at the time. Next, it was confirmed that each group maintained its autonomy with respect to the other groups operating around the lake. Finally, the figures directly involved in the conflict – that is, the two *capo-locali* of Singen and Frauenfeld – were forced to take a step back, at least on paper. *Giuseppe*, who had returned to Calabria, was no longer boss in Singen but took on a key role as contact point for the outpost back home, while *Luigi* left his role as boss, which was taken up by his nephew.[118]

As De Bernardo pointed out, coercive strength is often overrated when it comes to intra-organisational dynamics. This does not mean that violence becomes irrelevant. Undoubtedly, coercive capacity and the capacity to use violence at an individual level are central components of projecting power. However, such abilities risk becoming a blunt sword without a further capacity to legitimise one's position within the system, no matter at what

[118] In exchange he took on the role of *mastro disponente* in Frauenfeld. Furthermore, according to the intercepts, he had received "something" as well, most likely a higher rank (P18).

level. As Varese put it: “the exercise of the boss’s authority must be viewed by members as legitimate and can be judged against the rules” (Varese 2017b: 98).

5.2.2 Neither Trading nor Governing

Based on the evidence discussed so far, there can be no doubt that the groups operating on either side of Lake Constance represented formally recognised outposts of ‘Ndrangheta structures, fitting in to the organisation’s hierarchy and following its rules and decisions. The conflict between the two factions and its resolution provided ample and detailed proof of that. But if rules and rituals are an organisational means to an end – for the ‘Ndrangheta, as for all other mafias and for legal enterprises (see Catino 2019) – then what remains to be established is the nature of the business of these “set of firms” operating around Lake Constance.

According to the Swiss federal police, there was no doubt that the group that had settled in Frauenfeld in the 1970s was a criminal conspiracy: “although the criminal activities of the *locale* do not stand out as spectacular, at least at first sight, they were at the core of its existence” (P18, also P17). And yet, despite having been on the radar of law enforcement for almost four decades, evidence of systematic engagement in criminal activities amounted to little, especially from the mid-1990s onwards. The groups operating on the German side of the lake first appeared on the police radar in 2009, in connection with the investigation into the dispute with Frauenfeld. In this case as well, despite the widespread use of video and phone surveillance, next to no criminal activity was documented.

The following section reviews all the evidence that could be retrieved from the consulted sources. These consisted mainly of investigative documents, either indictments or background intelligence reports compiled by the police, integrated with interviews with the officers and prosecutors following the case. A crucial point when discussing “negative”

observations is acknowledging that, as noted, absence of evidence does not automatically mean evidence of absence. Therefore, the analysis is complemented by a discussion of why and to what extent the data collected are in fact a reliable indication that absence of evidence can, in every specific case here, be considered a reliable example of evidence of absence.

Trading

In the 1980s and 1990s, the *locale* of Frauenfeld was part of a network of 'Ndrangheta structures mainly active in the north of Italy. At the time, the groups were involved in drug trafficking (often in exchange for weapons), and organised armed robberies. During the same period, there was some evidence – although this was only mentioned in passing and not documented in any detail by the sources available – that the group had engaged in forced recollection of debts and a variety of violent crimes.

Then, starting in 1994, a series of operations by Italian authorities cracked down on the network in Italy,[119] including its links to the group in Frauenfeld. As a result, the alleged boss was expelled from Switzerland in 1996. The absence of significant criminal activities after the mid-1990s was also confirmed by the background checks carried out by the Swiss police in 2014 on 19 individuals considered to be part of the Frauenfeld structure. More than half of them (N=11, 58%) had not been previously known to the police. Most of the remaining individuals (N=5, 26%) had only been questioned by the police – four in relation to a robbery and one regarding an explosion – but eventually no charges were brought against them. Only three individuals had previous convictions and one of them was *Luigi* , the local boss. He was first investigated in 1975 for arms trafficking (he was accused of having trafficked seven

[119] Operation "I fiori della notte di San Vito" (1994) and "I fiori della notte di San Vito 2" (1996); for further detail, see Fortunato, M. (2012) Le Organizzazioni Mafiose in Provincia di Como: 1980-2010. Master's thesis, University of Milan, Milan.

pistols) and then, in 1993, he was convicted of drug trafficking, along with another member of the group. A third individual was arrested one year later for armed robbery (fedpol 2014).

After several years not on the police radar, the next known activity by the clan was in 2002, when the police foiled an armed robbery by the group. A search of private premises resulted in the seizure of one Kalashnikov with 70 cartridges and another four weapons, including a further 250 cartridges of ammunition. Drugs were found alongside some plastic bags, most likely used to prepare doses for street distribution. The amount, however, was negligible: 6g of cocaine were secured in total, split between two different searches (Tribunale di Reggio Calabria 2015: 54-55). The robbery attempt was stopped before it was carried out and no further evidence, beyond the few grams seized, suggested that the clan was involved in drug trafficking, to the extent that eventually the case was archived for lack of evidence. After 2002, it becomes impossible to find evidence of criminal activities in any of the sources consulted.

One plausible explanation might be that, as a result of the inactivity of the *locale* during the extradition of its boss, other groups active in the area – namely those gathering around Singen – started to fill the void, possibly taking over what originally was Frauenfeld's business (P17, P18). From the available sources it was possible to establish that the structure in Singen was well established at least from the early 2000s onwards. This suggests that it formed and then started to grow some time earlier, perhaps while the *locale* of Frauenfeld was impaired by the absence of its boss. However, it was impossible to test this hypothesis, as the information available was simply not enough to document any clear relationship between the decrease in activity by the Frauenfeld structure and the establishment of new 'Ndrangheta groups on the other side of the lake.

In 2009, when the German police began investigating, the *locale* of Singen and the other groups operating in the area were barely involved in any criminal activity. Again, the police conducted thorough background checks with no results. As one senior officer put it:

> "The investigators were desperate. They tried everything and really uncovered all there was to uncover. Yes, there were some sensational transcripts. One does not often have the chance to witness a mafia baptism. […] But that was it. They did not engage in any criminal activity, nothing we could see at least. Nothing. No drugs, no extortion, no robberies. Nothing at all." (P6)

Despite the widespread use of video and phone surveillance during the years of the conflict, in none of the conversations captured by the police between 2009 and 2016 (and included in evidence) was there any indication that criminal activity had actually been carried out. Moreover, as in Switzerland, in Germany the police carried out background checks on all the defendants and none of the individuals they investigated had any significant criminal record. All of them had spent the best part of the previous decades in Germany, worked regularly and never gave any reason for suspicion.[120] Might the police have missed something?

The first case study (see Chapter 3) brought to light the difficulty that German police forces have in identifying and responding to extortion activities that are not immediately visible, such as in terms of explicit threats or violent intimidation. The second case study (see Chapter 4) drew attention to money laundering activities and how they often go unnoticed due to an inadequate regulatory system and insufficient monitoring. Against this background, absence of activity might indicate that the groups in question here simply slipped through the cracks.

However, as far as money laundering is concerned, there was no evidence of any systematic or otherwise significant involvement. Italian authorities have never brought forward any

[120] One individual was believed to have connections with 'Ndrangheta clans in Canada, but no criminal activities in Germany were observed.

suspicion of money laundering. Background checks carried out in Switzerland and Germany led nowhere, with only one exception. One individual had been flagged up with the suspicion of money laundering. While investigating a robbery he himself reported and which turned out to have never happened, the police found the individual in possession of around €40,000 (£35,000) of unclear provenance. He was the owner of the bar in which the Singen group used to meet almost weekly and had previously also come up on the police radar for an illegal gambling machine he had set up there. It could therefore be that the clan was trying to launder illicit proceedings but if that was the case – and this has not been confirmed by the authorities or substantiated by any other evidence – the activity did not amount to anything significant nor systematic, as was the case with the Erfurt group.

Furthermore, there was no evidence that any of the clans in Calabria, although active on their territory, ever sent significant capital to their outposts. This last point is difficult to prove and it might be that some sums have, over the years, reached Switzerland or Germany without the police noticing. However, if this had happened systematically and involved significant amounts, it is plausible that some evidence would have been unearthed (again, as was the case with the Erfurt group).

Extortion activities seem to have been part of the Frauenfeld outpost's activity in its early years , although no details were available. In 2011, Frauenfeld's boss was intercepted talking about extortion and a series of criminal activities. He said:

> "I will not back out when it comes to murders, extortions, […] I want to work right now, and there is work to do with all of this, extortion, cocaine, heroin, 10-20kg a day, I am bringing them to you in person." (Tribunale di Reggio Calabria 2015: 61-62).

While it might well have been that there was "work to do", nothing in the available documentation indicated that he or other affiliates engaged in any of the activities he

advertised. Rather than constituting a proof of the *locale*'s involvement in all sorts of crimes, this sentence just highlights how desperately the clan wanted to get back in business. Similarly, the groups on the German side of the lake were looking for business. Using an undercover agent, the police managed to negotiate a drug deal, involving many kilograms of cocaine, directly with some of the affiliates. But the deal never materialised. Apparently, the source of the problem was in Calabria, although it was not clear whether it related to the absence of approval from the group there or simply that the clan had no availability of drugs to supply. The important point is that, again, they failed.

This is important because it illustrates the existence of an intent to engage in crime. These groups are in all respects criminal groups. They understand themselves to be part of a mafia organisation, which, in turn, recognises their membership. They have engaged in criminal activities in the past and showed intent to do so again. However, they did not manage this, or at least not to an extent that the police – in Germany, Switzerland or Italy – could find any evidence.

Governing

Starting in 2009, investigations continued, although not always with the same intensity, for several years (P22). Finally, there was no legal grounds on which the authorities could investigate any further: they had found nothing. Christoph Hettenbach, head prosecutor for the case in Germany, admitted that "[Even if we had continued to investigate] we would have not found anything beside the fact that they are mafiosi" (P22). But were they mafiosi? In other words, were they private protectors? Did they govern any territory, markets or community?

As far as the groups on the German side of the lake were concerned, there was no indication that any of them or their members were involved in governing activities. In Switzerland, meanwhile, the situation was different. In 2016, following the wave of arrests that at least partially disrupted the Frauenfeld *locale,* Swiss television reached out to the Italian community living in the area.[121] The few who picked up the phone declined to comment, saying that they had a family to think about. Others refused to acknowledge that anything had happened. The reluctance to speak is not evidence of a governing dimension but does indicate a certain level of recognition of the group in the new territory.

That the group played a role within the community came to light in another episode. During the years of the conflict, one Calabrian bus company, registered in a village next to Fabrizia, the place of origin of the Frauenfeld group, and offering long-haul trips to Germany and Switzerland, found itself in financial difficulty. According to the owner, the problem was that a competing company, also Calabrian, was offering a lower price for the same trip. He thought therefore to fix the problem by reaching out to an individual who was known for being part of the 'Ndrangheta "ecosystem" around the lake (although its specific affiliation did not emerge clearly from the sources available). This individual paid a visit to the competing company, in Frauenfeld, and suggested levelling up the prices in order to "find an agreement" that made everyone happy.

Was this a classic case of price-fixing? Cartel organisation is one of the core activities of mafia organisations around the world. Examples include the sale of fruit and vegetables and the fish markets in Palermo, controlled by the Sicilian Cosa Nostra (Gambetta 1993, 203-214), and the minibus services in Hong Kong controlled by the triads (Chu 2000, 60-61, see

[121] Because of the coronavirus pandemic, the candidate could not reach these communities herself and therefore relied on documentation archived by the Swiss public broadcaster and available upon request at the Organised Crime Observatory of Ticino (Osservatorio ticinese sulla criminalità organizzata).

also Varese 2001, Hill 2003). By enforcing collusive agreements of the sort, mafias govern over legal markets. Was this the business of the Frauenfeld *locale*?

According to the mafiosi themselves, this was not the case. First of all, the individual who intervened to fix the prices turned out to have operated without the knowledge of or the permission of the clan. Second, it emerged that imposing any exclusivity in the new territory was not the intention of the group, nor had it ever been. In a lengthy conversation, *Luigi*, the boss in Frauenfeld, and one of his affiliates discussed whether it was acceptable that someone acted on their "territory" without informing them. The affiliate complained to the boss, prompting him to punish the individual in question.

> Affiliate: "Compare, Luigi, if one comes to my house, one has to knock before coming in…"
>
> Boss: "Yes, yes."
>
> Affiliate: "And if I go to their place, I do the same. At least this is how I think about it, then everyone can have their own opinion."
>
> Boss: "All right, all right."
>
> Affiliate: "I would never go to someone else's place without knocking first. There are manners [by which, read: rules]."

Operating according to a strict division of territory is one of the key characteristics of mafia organisations in their home territory. Apparently, though, this was not the case in Frauenfeld:

> Boss: "Have we ever had such a rule here?"
>
> Affiliate: "What?"
>
> Boss: "Do we have these rules here?"
>
> Affiliate: "They are everywhere in the world, these rules, aren't they?"
>
> Boss: "I am asking you: do we have these rules as far as you know?"
>
> Affiliate: "Are you saying one can come to my place without knocking?"
>
> Boss: "Virgin Mary! You are impossible to deal with! Answer the question. Do we have these rules here, yes or no?"
>
> Affiliate: "Well, I thought they existed everywhere. Now, if they don't exist here… I don't know…"

> Boss: "Why are you not answering? Do we have these rules here?"
>
> Affiliate: "I am only sure that they exist, as they exist everywhere in the world."
>
> Boss: "But here, we have never used them. […] Up until now we did not do these things… We did things in the right way. We should decide the norms ourselves, no one else should. And that is the first point. The second point is that, up until now, we have not had this rule here." (Tribunale di Locri 2017: 56-59)

In short, the boss explicitly rejected the idea that any norm of exclusivity – that is, any form of control of territory – had ever applied in Frauenfeld. The bus entrepreneur who was asked to raise his prices seems to have had the same assumption. Surprised by the imposition, he immediately reached out to the mafioso, investigating whether such a request was legitimate and sanctioned by the group.

By doing so, however, he de facto recognised the clan as a "legitimate" source of power. Only the clan could decide whether he had to fix his prices, as any other request would not be perceived as legitimate. In an interesting twist, therefore, it seems that the clan decided that there were no rules of the kind in Frauenfeld. In other words, there certainly was an expectation by both the customer of client – in this case, the entrepreneur – and the clan's boss that activities of private protection should be sanctioned exclusively by the clan. However, it seems that in Frauenfeld they did things in a different way than was expected, in the sense that the rules in the new place of settlement were different. At the same time, it remains impossible to ascertain what the mafioso exactly meant. The police and the prosecution did not provide any specific reading of this discussion and further statements included in the material consulted did not provide any further clarity.

5.3 Migration

On the Swiss side of the lake, in 2002, the cantonal police of Thurgau raided the Calabrian Association of Frauenfeld (Associazione Calabrese di Frauenfeld, ACF) and nine people were stopped and searched on suspicion of planning an armed robbery and drug trafficking. Five were also members of the association's executive committee, including its president. According to the Italian police, they were all members of the *locale* of Frauenfeld (Tribunale di Reggio Calabria 2015). The association most likely provided cover, allowing them to meet without raising suspicion.

In her work on the expansion of the 'Ndrangheta to Australia and Canada, the criminologist Anna Sergi (2018, 2019a, 2019b) identified a specific "siege mentality" typical of Calabrians and southern Italians that, preserved by intergenerational transmission within diaspora communities, is claimed to protect and provide refuge for mafiosi. According to Sergi (2019b: 3): "Ethnic solidarity and traditional norms and values of the 'Ndrangheta, embedded in Calabrian migrant culture, provide the roof to these networks' behaviours and organization." From this perspective, the 'Ndrangheta is assumed to transform under specific circumstances into something different, which partly outsources criminal activities to other networks, while retaining a position of power within the community, indirectly but knowingly supporting such enterprises. From this perspective, the glue keeping it all together is a set of crystallised cultural canons – or 'ndranghetist behaviours (Sergi 2019b) – peculiar to the Calabrian people. Was this the reason why the 'Ndrangheta outposts seemed to have "lost" their criminal dimension over the years? More generally, what is the role played by the presence of Italian and Calabrian diaspora communities in the new territory?

While the inadequacy as a predictive variable of mafia migration at an aggregated level has been discussed extensively with the evidence provided by the previous case studies (see Chapter 3 and 4), in this instance, due to very limited information on the migration history of the individual mafiosi, it was impossible to establish whether there was a relationship with generalised migration waves from Calabria specially or Italy in general. Nevertheless, it is clear that the expansion into Switzerland and Germany was not part of a strategy of expansion by the Calabrian mafia or individual groups belonging to it. After a brief reconstruction of the history of the movement from Calabria to Switzerland and Germany, the significance in terms of size and stable presence of the Italian community in the new place of settlement of reference is considered.

5.3.1 Mafiosi Migration

There is only scant information on the individual mafiosi, their pasts, and their trajectories available in the material accessible for consultation. In most cases, for example, entry into the country could not be traced. Especially as far as the German outposts were concerned, it was virtually impossible to reconstruct individual mafiosi's histories. According to the investigating prosecutors and the state police, the few alleged members that they could identify had been living in Germany for a long period of time, probably several decades, but they "never stood out" (P22, confirmed by P5 and P6). It was therefore not possible to establish what motivated the individual mafiosi to relocate or when they did so exactly. As briefly mentioned, one plausible hypothesis is that the *locale* in Singen (as well as possibly the other groups around the same area) was an offshoot of the one in Frauenfeld, most likely having formed or gained independence towards the end of the 1990s.

The *locale* of Frauenfeld, therefore, seems to have been the oldest one, in this context. *Luigi*, the historical boss, arrived in Switzerland in the 1970s after having had trouble with the law in Italy (P27). While the specific circumstances were not known or recorded in the consulted material, this seems to confirm what has been observed in the previous case studies (Chapters 3 and 4), as well as in other empirical studies on mafia mobility more generally (Varese 2011, Arsovska 2014, Allum 2016). Mafiosi are usually pushed to relocate against their personal preference, which is to remain in their place of origin.

This is further confirmed by the history of relocation immediately preceding and then accompanying the first years of formation of the Frauenfeld outpost. By the time he relocated, *Luigi* was closely linked to the 'Ndrangheta clan of the Mazzaferro family, a relationship that he maintained over the years to the point that he still reached out to them during the dispute that took place four decades later. The Mazzaferro clan originally came from Marina di Gioiosa Jonica in the province of Reggio Calabria but started to build up its presence outside Calabria as a consequence of the relocation of its boss, Giuseppe Mazzaferro. At the time, convicted mafiosi were relocated away from their territory of origin in an attempt to restrict their networks while at the same time offering them a chance for reintegration into society. Designed with the best intentions, this policy turned out to have prompted many mafia clans to gain a foothold in territories previously untouched by the phenomenon (see Varese 2011). Giuseppe Mazzaferro was relocated to the northern Italian region of Lombardy and by the 1980s the outpost in Frauenfeld was part of a wider network of 'Ndrangheta structures stretching across the north of Italy,[122] all ultimately responding to the Mazzaferro family.

[122] In the provinces of Milan, Como, Varese, Brescia, and Pavia.

Over the years, the outposts in the north of Italy continued to grow in importance, to the extent that they initiated several secession attempts. While all separation plans were ultimately put to rest, the Mazzaferro clan paid the price for this secessionist policy by being completely sidelined in Calabria. In the meantime, in 1996, *Luigi* was expelled from Switzerland in connection with investigations carried out by the Italian police.[123] Convicted for drug trafficking, he immediately returned as soon as he was allowed to, in 2003 (fedpol 2014). During this period, the operations of the *locale* of Frauenfeld were significantly impaired, to the extent that it is highly likely that other groups operating in the Lake Constance area started to fill the void and grow in importance.

This picture, although based on very limited information, did not provide any evidence of a strategic plan of expansion into a new territory, further confirming the observations of the two previous case studies. At every stage of the process, all of the groups that have been observed seemed to have been pushed to relocate by external factors.

5.3.2 Generalised Migration and Diaspora Community

In a similar fashion to the history of Italian immigration to West Germany (see 3.3.2) in the 20 years following the Second World War foreigners in Switzerland almost exclusively came from Italy (Wanner 2001: 9-13), with some two and a half million people entering the country between 1946 and 1970 (ITENET 2005: 37). Up until the mid-1970s, they made up almost two thirds of all the foreigners living in the country, and then slowly decreased as many returned to Italy, many more naturalised, and new immigrant groups started to arrive. By 1990, only 34% of the foreigners in Switzerland were Italians and by 2000 the share had

[123] Operation "I fiori della notte di San Vito" (1994) and "I fiori della notte di San Vito 2" (1996); for further detail, see Fortunato 2012.

further decreased to 23% (Wanner 2001: 23). Nevertheless, those who stayed have a long and stable migration history in the country. By 1998, almost 40% of the Italians in Switzerland did not have a personal migration history (against an average within the foreign communities of 23.5%) while almost half of them had already been living in the country for at least thirty years (Wanner 2001: 19-28).

Likewise, Baden-Württemberg experienced a boom of arrivals in the immediate post-war period, with the county of Konstanz, where most of the alleged 'Ndrangheta groups are active, experiencing an increase of the total population by 31% in only five years, between 1950 and 1955. Two cities stood out for employing most of the foreign workforce: Singen and Radolfzell (Shilhab 2019: 27-28). By 1973, the Italian community was the biggest foreign community in the federal state (Land Baden-Württemberg 2020: 18) and, ever since, the numbers have remained stable, with a slow decrease explained in terms of naturalisations and some rare returns by immigrants to their hometowns in Italy.

On both sides of the lake, Italian immigrants first came from the north of the country. In the area around Singen, local industries strongly preferred to employ Italian women coming from the Veneto region, as they were assumed to have "higher moral integrity" than men (Schilhab 2019: 28 and 94). In the post-war period, the trend reversed, as was the case in Switzerland. Most of the early arrivals to Switzerland likewise came from the northern regions of Lombardy, Piedmont, and Veneto (Piga 2008: 23). Even today, most of the Italians living in Switzerland originally came from Lombardy (15%), although this is closely followed by the southern regions of Campania (13%), Apulia (12%), and Sicily (12%), with a significant, unquantified presence of Calabrian communities as well (ITENET 2005: 37).

At the time of writing, in Baden-Württemberg there are around 185,000 Italians, who constitute the biggest Italian community in Germany and the third biggest in the world, after

Rio de Janeiro and Buenos Aires (Statistiches Landesamt Baden-Württemberg 2019). The Italian diaspora in the Swiss canton of Thurgau seems almost insignificant in comparison, comprising less than 10,000 people (Dienstelle für Statistik Kanton Thurgau 2020). And yet, in both cases, they constitute around 15% (Thurgau: 14%, Baden-Württemberg: 16%) of the total population and represent in each area the second biggest foreign community. Zooming in further, it is possible to observe that in the specific areas where the 'Ndrangheta outposts have been created – that is, mainly in Singen in Germany and Frauenfeld in Switzerland – Italians are comparatively overrepresented (even if this is only slightly the case). In Singen, Italian citizens represent 18% of the foreign population (against the regional average of 16%), while in Frauenfeld, Italians constitute the biggest foreign community, with 1,230 individuals at the time of writing (Dienstelle für Statistik Kanton Thurgau 2020).

By comparison, the Italian community in Erfurt, the place of settlement of the second case study (Chapter 4), constitutes only a minority of the foreign population and has long been virtually non-existent. In the territory of the first case study as well, in Schwalm-Eder, Italians amounted to less than 0.5% of the population. This begs the question: has such a significant presence of Italians[124] in Baden-Württemberg and Thurgau influenced the transplantation process in any way? Has it provided a "roof" under which the mafiosi can hide?

The obvious answer, with specific reference to this case study, is no. As far as the individual trajectories of the mafiosi were concerned, the discussion has shown that, although only limited information was available, push rather than pull factors seem to have influenced the

[124] The Italian community is only a very imprecise proxy for the Calabrian community. Unfortunately, official statistics do not provide fine-grain data in terms of the specific region of origin of migrants but some information on the composition of the Italian community both in Switzerland and Germany can be derived from historical accounts and migration studies, which indicate that after initial immigration waves coming mainly from the northern regions in Italy, inflows were dominated by southern immigrants from Sicily, Campania, Apulia, and Calabria.

decision to relocate. The overlap with general migration waves, although possible and plausible, does not provide any additional explanation and, in light of what has been discussed in the previous case studies, should be considered critically from a macro-perspective. Furthermore, the inability of the groups to operate meaningfully in their new *locali* despite the presence of sizeable Italian and Calabrian communities rejects any assumption that states that there is a causal relationship between the presence of specific communities in a given territory and mafia transplantation to that territory. And yet, such an assumption is still widespread, not only among practitioners and in certain political fringes, but also among academics (Dalla Chiesa et al. 2016: 36, Dalla Chiesa 2017). In the following section, after a discussion of ss, size and competition in the new territory, it is argued that the reason behind this misconception is the conflation and confusion of the concepts of ethnicity, culture, and trust.

5.4 Local Conditions

Lake Constance, both on the German and Swiss sides, is a wealthy and economically successful area that has experienced significant migration from Italy and is home to a relatively lively crime scene. Why did so many ‘Ndrangheta structures settle there? Did they find a particularly fertile breeding ground in the Italian diaspora? Or were they rather attracted by large illicit markets and fruitful investment opportunities? And why, several decades later, is there no further evidence of any criminal activity in connection with those groups?

This section contextualises the events unpacked so far, by examining the environment within which these groups emerged, developed and, eventually, "lost" their criminal dimension. On the German side of the lake, the analysis focuses on the federal state of Baden-Württemberg, while on the Swiss side the unit of analysis is the entirety of Switzerland, although the regional specificities of the canton of Thurgau are also examined where possible.

While comparing a federal state to a nation state might seem an odd choice of units of analysis, it does make sense in this specific case. First, Baden-Württemberg and Switzerland are similar units of observation in terms of size and population. Baden-Württemberg has a population of about 11 million, compared to little less than 9 million in Switzerland, in areas of 36,000 km^2 and 41,000km^2, respectively. Comparing Switzerland to Germany instead would have meant comparing one country with another ten time its size and population. Comparing Baden-Württemberg to the canton of Thurgau would be equally disproportionate, as the Swiss canton has less than a tenth of the German state's population and size. Furthermore, size and population indirectly impact the number of sources available to compare. For example, whereas the state police of Baden-Württemberg publish a report yearly on organised crime with a varying degree of detail, the canton of Thurgau provides only general crime statistics with no insight into the organised crime situation.[125]

This discussion of the context will show that, all other things being equal, that the Lake Constance ecosystem offered limited inroads for private protectors. Meanwhile, the economic texture, characterised by international, export-oriented high-tech markets, has proved relatively resistant to mafia penetration. More specifically, its establishment and development over the years seems not to have given rise to a demand for private protection, either by

[125] Nevertheless, there is no intention to simplify the complex and diverse Swiss federal system to one entity, and the cantonal dimension will be considered throughout the analysis, whenever possible and sensible to do so.

Italian mafias or any other type of illegal protector. However, the area is home to dynamic criminal markets, populated by a variety of players more or less organised and involved in a range of criminal activities. Within this environment, the groups of interest were just one actor among many, who – far from being able to exercise any degree of control – were probably struggling to remain competitive.

5.4.1 Markets

Rich territories can be good covers for illicit investments. While a couple of million euros invested in a poor village in Calabria would immediately stand out, such sums are not easily noticed in London, New York or any of the large economic centres around the world. In between four of the richest and most developed countries in Europe – Germany, Switzerland, Austria, and Liechtenstein – Lake Constance potentially provides the ideal location for business opportunities of all kinds, legal and illegal. Why, then, have none of the 'Ndrangheta outposts here been able to take advantage of such a favourable opportunity structure? This brief overview shows that what at first looks like a very attractive market for "mafia business" is instead hostile to mafia infiltration.

First of all, the economic sector around the lake is populated with large corporations and there is virtually no evidence in the empirical literature of mafia control infiltrating large corporations (Reuter 1987: 7, Reuter and Gambetta 1995: 127, Lavezzi 2008: 202). On the German side, the number of businesses has decreased steadily over the years, with a trend towards a centralisation of the market in the hands of a few bigger companies, especially in manufacturing. For example, food production companies decreased by 72% between 1956 and 2008, while the number of employees working in this sector increased by 14%. The textile, clothing, and leather industries were hit even harder, with businesses falling by 94%

during the same time frame. Still, around 13% of German craft businesses can be found in Baden-Württemberg. While small and medium sized companies still generate up to half of their turnover in industry, today the state is home to more than 1,500 so-called market leaders: global companies controlling the largest share of the market in their sector. Together they represent 26% of the total of German large corporations and double the national average (by comparison, the very rich neighbouring state of Bavaria hosts only roughly 20%). Globally known brands, such as Porsche or Daimler-Benz, producer of Mercedes, rub up alongside hundreds of "hidden champions", companies not known for their brand but nonetheless leaders in their specific market branch. When it comes to hidden champions, Baden-Württemberg not only comes first in Germany, but also tops international industry leaders, such as Japan or Italy (Haas 2019).

The German federal state extends its economic influence onto the Swiss side of the lake, with the canton of Thurgau being tightly interconnected with and dependent on the economy in Baden-Württemberg (Dienststelle für Statistik des Kantons Thurgau 2019: 7), even though the canton does not display the same prevalence of large corporations on its territory.[126] Moreover, two of the most successful, rich, and thriving Swiss cantons, Zurich and St. Gallen, are only a 30-minute drive away from Frauenfeld. The canton of Zurich is the economic engine of Switzerland. It employs over a million people, representing 20% of all employees in the country. Its financial centre is one of the most important in the world, while the city is also home to numerous international insurance companies. In hardly any other canton does the financial sector contribute as much to the overall economic output as in Zurich.

[126] Some of the big Swiss companies, such as the global brand Maggi (acquired by Nestle in 1947), situated their businesses on the German side of the lake and therefore do not figure in the Canton Thurgau. This is another indication that the lake area is better understood in its entirety, instead of broken down by its national boundaries.

The greater area of Zurich accounts for a competitive innovation and patent environment, resulting from an efficient collaboration between universities, research institutes, and the private sector, which has attracted global companies such as Google, Microsoft, and Disney Research, which decided to develop their machine learning and artificial intelligence businesses in the country. Alongside the greater area of Zurich, St. Gallen is also one of the most important hot spots for innovation in Europe.[127] Once the largest and most important export area for embroidery and textiles, it is today the core of the so-called St. Gallen Bodensee Areas[128] that focuses on data and IP protection for new patents and research and development in the field of high-precision industries. In Baden-Württemberg, tech-intense industries – mainly automotive, electronics and mechanical engineering – are also strongly represented and have increased significantly in recent decades. Moreover, halfway between Stuttgart and Zurich, there is a global centre for medical technology, home to some 400 medical technology companies that manage their global businesses from there.

Beyond attracting large corporations, which because of their calibre are less likely to need mafia services, innovative and high-tech markets are also less vulnerable to mafia infiltration per se, as cartel formation is more difficult and less attractive in such highly competitive environments (Gambetta and Reuter 1995: 127, Lavezzi 2008: 198-202, Savona and Berlusconi 2015: 34). Connected to this, there is a third aspect that makes the specific structure of the lake economy relatively resistant to mafia infiltration: its export propensity. Large capital- and technology-intensive firms tend also to be exporters (Lavezzi 2008: 216). Baden-Württemberg in particular has a strong international focus and has seen its export volume more than double in the last twenty years. In 2015, more than half of sales (56.4%)

[127] Since 2011, Switzerland ranks number one in the INSEAD Global Innovation Index.
[128] The area includes the cantons of St. Gallen, Thurgau, Appenzell Innerrhoden, and Appenzell Ausserrhoden.

were generated from export-oriented companies. This is the highest value among all large states in Germany, with export goods accounting for little less than €200 billion (~£170 billion)in value and representing every third job in industry in the state.

While exports on the Swiss side of the lake have also been growing steadily, with 6,000 tons of cheese exported annually, in the Swiss canton of Thurgau local agriculture (mainly berries and vegetables) and fishing (in the lake) still make up a significant share of the economy, indicating that the region is not completely alien to economic activities potentially vulnerable to mafia infiltration, such as the construction sector or other branches characterised by a rather smaller size of firm, an immobile market, a high labour productivity, and a low level of technology. But while the same is true as well for the German lake-area, the overall opportunity structure is still significantly limited. In short, the mafiosi around Lake Constance were faced with international, export-oriented high-tech markets, open to foreign investments, dominated by large corporations, and characterised by a high level of competition. They were of virtually no use in that context.

5.4.2 Size and Competition

Baden-Württemberg and Switzerland are not generally "crime-free" territories. On the contrary, both suffer significantly from the presence of criminal groups with a varying degree of structure active in a range of criminal activities of varying degrees of seriousness. It takes only a ride from the lake to access some of the biggest drug markets in the region, lively red-light districts, liberal arms markets, and that is without considering the multiple choice of money laundering or tax evasion "paradises" (see 5.4.1). The picture drawn shows how the 'Ndrangheta structures around Lake Constance suffered from the lively competition of a variety of criminal actors.

Beyond having easy access to significant illicit financial markets and tax havens, the Lake Constance area is close to some of Europe's biggest drug markets. According to a waste water study by the European Monitoring Centre for Drugs and Drugs Addiction (EMCDDA 2019), conducted annually in around 70 European cities and town,[129] Zurich and St. Gallen steadily rank in the top-five cities for cocaine use, topping notorious markets, including London. Zurich in particular stands out, coming second only to the cities of Antwerp and Amsterdam. Moreover, both cities rank in the top ten for the use of methamphetamines and MDMA. Albanian groups were and still are reported to be active in heroin trafficking and distribution, while Turkish groups operated as wholesale importers of the substance (fedpol 2014: 14-15). Meanwhile, groups from Latin America and the Caribbean – mainly the Dominican Republic but also Bolivia – followed one another in supplying the cocaine market, with seizures amounting to several hundreds of kilograms (fedpol 2014: 19).

Furthermore, 45 individuals living in Switzerland with alleged links to Italian mafia clans have been arrested or investigated either by the Swiss or Italian authorities between 2010 and 2018 (Rossi 2019). The overwhelming majority (N=42, 93%) were accused of having had ties with the 'Ndrangheta, while connections with the Sicilian organisation Stidda, the Apulian Sacra Corona Unita and the Neapolitan Camorra emerged in only one case each.[130] By 2014, according to the Italian prosecutor Nicola Gratteri, there were about 20 'Ndrangheta structures operating in Switzerland, totalling around 1,000 alleged members of the organisation, a number that was confirmed by the Swiss police press office in 2019 (NZZ

[129] Waste water samples are analysed for the urinary biomarkers of the parent drug for amphetamine, methamphetamine and MDMA and for the main metabolite of cocaine, benzoylecgonine: for details on methods, see https://www.emcdda.europa.eu/topics/pods/waste-water-analysis.

[130] According to the Swiss federal police, there is a clear distribution of territory between the German-speaking northeast of the country, where mainly clans from the north of Calabria operate, and the French-speaking west, where the most important individuals come from southern Calabria instead. The picture drawn for the Italian-speaking canton of Ticino is slightly more complex, with many individuals operating across the border, tightly connected to the 'Ndrangheta structures present in northern Italy (fedpol 2014, fedpol 2015).

Article 2019) but which stands in sharp contrast to the official data communicated by the same institution just a couple of months earlier: it had reported only around 100 alleged mafiosi active in the country, which included all the main Italian mafias rather than just the 'Ndrangheta (fedpol 2019: 16).

In Baden-Württemberg, the only city to participate in the waste water study was the capital city, Stuttgart, which was surveyed in 2017 and stood out due to the usage of methamphetamines and MDMA, although it did not register significant levels of cocaine usage. In southern Germany more generally, however, the most significant drug market remains in the city of Frankfurt. The drug scene in Frankfurt developed in the 1970s and quickly became a significant and very visible problem with hard drug users – mainly heroine and crack cocaine addicts – openly injecting on the streets (Werse, Kamphausen and Eggert 2016). As the city slowly gentrified, policing increased to the extent that, according to the local police in the southern hinterland of Baden-Württemberg, the drug scene gradually moved towards the countryside, closer to the lake. This trend is reflected in the official crime statistics, according to which crimes in connection with drugs in the region experienced an increase of 27% in only twelve months, between 2013 and 2014 (Stihler 2015). The 'Ndrangheta from the area of Fabrizia had a link to the city of Frankfurt through two individuals who, although living around 350km away from Lake Constance, seemed to be part of that ecosystem.[131] More generally, Baden-Württemberg is populated by a variety of Italian mafia groups (Landtag Baden-Württemberg 2019) distributed across the entire territory.

[131] Alleged members of the Frankfurt structure (also referred to in the intercepts as a *locale* of the 'Ndrangheta) participated in some of the meetings in the Bodensee and were in regular exchange with the groups there, intervening – although at some distance – in the conflict.

Baden-Württemberg is also home to a thriving red-light district. Prostitution in Germany is not illegal, but the brothel environment is often characterised by a range of crimes, from drug consumption to human trafficking and exploitation. The capital city, for example, is home to the "Stuttgart Paradise", opened in 2008 at a cost of more than €6 million (~£5 million) by the entrepreneur Jürgen Rudloff, the owner of a chain of similar clubs all over Germany, and officially registered as a "male wellness centre" (Lorenz 2019). In 2019, Rudloff was sentenced to five years of prison for complicity in human trafficking, forced prostitution, and fraud. The court confirmed that he had collaborated with Outlaw Motorcycle Gangs (OMCGs) who provided him with sex workers and kept them subjugated by intimidation and threats (Soldt 2019).

More than 100 local OMCGs, with 1,400 and 1,600 members in total, are active in Baden-Württemberg, often leading to inter-group scuffles (LKA 2018: 89). Conflicts often escalate violently and have involved several murders and attempted murders (LKA 2017: 22). In 2016, one conflict between the Osmanen Germania Boxclub and the mainly Kurdish group Bahoz developed to the point that the authorities intervened with 34 arrest orders and 120 preventative searches. More specifically in Lake Constance area, there are several hundred so-called "rockers" organised in many different groups, of which the most prominent belong to the Hells Angels and the Gremium MC. Although some of these groups have recently been dissolved, the police consider the phenomenon to continue to be relevant in the region and has cautioned against the possibility it has merely submersed in its manifestation (Domgörgen 2018).

Among the priorities of the state police in the region there are – and have been for a long time – those groups categorised as "Eurasian" in order to describe the migration background of their members, who originally came from ex-Soviet countries. This category, however, includes a wide range of actors, from individuals belonging to former foreign intelligence

services to petty street-level criminals mainly involved in robberies, and more structured groups allegedly linked to the Russian mafia (Ministerium für Inneres Baden Württemberg 2017). Although it remains unclear to what extent the Russian mafia is present in the state with structured cells, in 2018 the police reported about a group that had set up an outpost organised around a common cash pool and allegedly following a specific set of rules the investigators attributed to the Russian mafia. The group was said to be active mainly within prisons, where it maintained a "climate of fear" (Ministerium für Inneres Baden Württemberg 2017: 90).

As far as Italian mafia organisations are concerned, Baden-Württemberg contains one third of all the alleged mafiosi active in Germany in 2018 (LKA 2018: 91, Landtag Baden-Württemberg 2019: 3), with the 'Ndrangheta being the most represented organisation. Over the years, activities connected to about a dozen different Calabrian clans have been registered across the territory, with a noticeable cluster around the city of Stuttgart (Schraven and Mauser 2017). This reflects the general distribution of organised crime activities in the state, which tend to concentrate in the centre and east, towards the borders with France. Beyond the 'Ndrangheta, the Cosa Nostra, Stidda, Camorra and Sacra Corona Unita have also been reported to be active in the state. While the Sacra Corona Unita and the 'Ndrangheta have been on the police radar mainly for drug trafficking (cocaine and amphetamines), the other Italian mafias organisations seem not to have developed a specific niche of activity, although drug trafficking comes to light more often than any other crime (Landtag Baden-Württemberg 2019: 8).

In sum, while the 'Ndrangheta groups from the province of Vibo Valentia that settled in the Lake Constance region failed to transplant meaningfully, both in terms of functionally diversifying their activities or governing in the new territory, many other groups seem to have

had more success. Whether any of them controlled territory remains unclear, but the available information indicates they participate in local illicit markets in competition with one other.

5.4.3 Civic Trust

In Baden-Württemberg, the police found it difficult to engage with the Italian community. In 2014, in collaboration with Italian civil society partners, they launched the initiative “Insieme si può” (“together we can”), a hotline for reporting crimes anonymously in Italian. Of the reports that reached the police, approximately 40 in total, most related to money laundering, membership of a mafia organisation, drugs, and environmental crimes. Other reported activities included instances of corruption and fraud (Mafia Nein Danke 2016). As a result, three investigations were started, which led to the conviction of one individual (Ministerium für Inneres Baden Württemberg 2017: 25). Judging from the number of reports, the initiative seemed to be welcomed by the community and led to results. Nevertheless, some voices, claiming to represent the Italian community, made unpleasant accusations of discrimination and stigmatisation (J2). The police commented that “The idea that we stigmatise people based on where they come from is ridiculous”(P6) but gradually abandoned the initiative.

At first sight, one can read this response as an attempt by some figures within the Italian community to protect “mafia behaviours”, either consciously or unconsciously, as part of a specific, southern mentality, as suggested by Sergi (2019b). However, upon closer inspection, the cultural argument misses the point. The reason that culture is inadequate as an explanation is the fact that the nature of the problem is not cultural, but one of trust. That difference is significant because, in the first instance, the explanation is supposed to lie with specific behaviours typical of specific migrant communities and, in the second, the explanation lies in the lack of trust between two actors.

The police did not hesitate to recognise that, in fact, the root of the problem was distrust:

> "Our impression is that we are dealing with a dark field, in which more and more is deemed legitimate. But we get nothing [reported]. Why do they not trust us? Why is no one coming to us and telling us what is going on? […] we have to admit that there simply is no established channel of communication or trust relationship between parts – at least parts – of the Italian community in Baden-Württemberg and the police." (P5)

Recognising that the core of the problem is one of trust between specific communities and state institutions acknowledges a further dimension to the dynamic. Trust, or the lack thereof, works in both directions, meaning that state institutions might be suspicious of those communities as much as those communities are suspicious of the state. Within this dynamic, the cultural argument is often used to absolve "host societies" of the responsibility for "foreign crime". This is reflected, for example, in the wording used by official police papers in Germany, which are starting to refer to a "refusal to integrate" as typical of specific cultures and therefore identifying them as hot spots for criminal behaviours (LKA Nordrhein-Westfalen 2018).

There is a difference between saying that criminal activities are covered up within diaspora communities because of ethnic or cultural solidarity and saying, instead, that the lack of trust between the community and the state prevents effective policing of such criminal activities. This difference is obviously crucial at the policy and policing level, but begins at the analytical level, with a confusion between the concepts of culture, ethnicity, and trust. In their study of kinship and violence within the context of criminal cooperation, Varese and Campana (2013: 264) exposed this confusion and argued that "invoking a specific subculture, social norms or sense of loyalty as the reason why criminals cooperate" assumes away the core problem of cooperation in the underworld: that is, trust. Similarly, Bovenkerk et al. (2003: 36) pointed out that while "ethnic descent or ethnicity are generally used in criminology as a variable to explain the differentials in crime rates and types of crime […]

ethnicity, like culture, is not a behavioural determinant in itself." From this perspective, ethnicity and kinship work as mechanisms to mitigate the lack of trust or manipulate trust, and so does culture or a specific subcultures, although to a lesser extent.

A second reason for confusion originates at the empirical level and relates to the abundance of Italian and Calabrian associations, restaurants, and cafes that have links with either individual mafiosi or their outposts in Germany and beyond. The use or abuse of cultural associations, such as the ACF, as far as this case study is concerned, or the German Association of Italian Restaurant Owners from Mandatoriccio (ARMIG) discussed with reference to the clan Farao-Marincola (Chapter 3), has little to do with cultural canons or behavioural norms embedded in specific subcultures. There is not much difference between the purpose of the ACF or the ARMIG and the purpose of any other legitimate activity serving as a cover for illicit behaviours. Their relevance is better explained in terms of pragmatic convenience, in the same way that Italian restaurants and cafes are used as fronts or logistical meeting points. In other words, the fact that they tend to be "Italian" or "Calabrian" seems rather to be a pragmatic choice: it does not raise suspicion and reflects the composition of the group and sometimes the personal skills within it (in the case of Italian restaurants, for example).

That said, both the presence of a sizeable Italian and Calabrian community in the new territory and the sometimes problematic relationship between parts of these communities and state institutions were not conditions sufficient per se to enable the groups to significantly entrench themselves in the new region.

5.5 State Response

Extensive police surveillance not only identified some of the members of the 'Ndrangheta outposts in Singen and Frauenfeld, but also documented their exact roles in the organisation, including their specific ranks, providing rare proof of their belonging to a mafia organisation. The most reliable information about the nature of the groups around the lake, for example, was provided in one of the many conversations between *Giuseppe*, the local boss and Domenico Oppedisano, his point of reference in Calabria who later became *capo-crimine* of the entire organisation. Oppedisano explained that Singen had a specific kind of legitimacy because it constituted not only a simple *'ndrina* (as apparently other groups in region did) but also a society (in Italian: *società*, for which, read *locale*). He cleared up the difference between the two:

> "If one has an 'ndrina he cannot be capo-societa' he is capo-'ndrina… then they have to give him a village to rule, they have to appoint him to that village […] and when they give a rank to someone there, the *capo-locale* (boss) and the *capo-societa'* have to participate. What they [other groups] have is not a society, it is an '*ndrina*. […] You are of a superior order than them because you are a society […] Yours is different… the other ones are '*ndrine*, yours is not, yours is a society, do you understand? You have a society, you have your own accountant, *capo-locale*…." (Tribunale di Reggio Calabria 2010: 362, and 440-441)[132]

Coming across evidence that confirms the internal structure of the 'Ndrangheta is rare. Most often, information about the organisation, ranks, and functions are drawn from accounts given by former mafiosi who decided to cooperate with the police. In this sense, the police proved very successful: the amount of information gathered was significant in terms of both

[132] It is not clear what the exact order of these sentences were, because they have been pieced together by the authorities writing the indictment, but they all refer to one single conversation that Oppedisano had with *Giuseppe* .

volume and quality.[133] This was the result of relatively successful international cooperation, a certain level of commitment by law enforcement, and the assistance of the investigating magistrates.

And yet, the case did not hold up in court. Eventually, almost all of the defendants were acquitted and returned home to Germany and Switzerland respectively. According to the Italian judges, the 'Ndrangheta around Lake Constance did not display the characteristics required by law to qualify as mafia.[134] Therefore, their members could not be convicted as mafiosi. In Switzerland, the barrister for the defence publicly welcomed the verdict that acquitted the alleged heads of the Frauenfeld group (Boromeo and Paggini 2019). In a private interview, he proudly explained how he made the case that the organisation in Frauenfeld simply was not a mafia association.

This raises a series of important questions, including whether the police have failed to disrupt these outposts, whether state institutions in Switzerland, Germany, and Italy failed to provide an adequate response, and how is it possible that, in the face of all the evidence collected, still no case could be made in order to confirm judicially the existence of these mafia structures.

This section explores two dimensions. First, the intent to respond is discussed; second, the capacity to respond is analysed. It is shown that in contrast to what happened in Thuringia (see Chapter 4), the state police in Baden-Württemberg thoroughly investigated the events. Furthermore, they followed through until the case was brought to court. The same was true for the Swiss federal police. In court, a number of problems relating to judicial cooperation, the specific decisions in terms of the charges brought by the prosecution, and, crucially, the absence of evidence of criminal activities, resulted in the overall failure to achieve judicial

[133] The amount of information is unprecedented as far as mafia outposts outside Italy are concerned.
[134] Other judges, making their decision on the same evidence, ruled the opposite. Even today, Italian jurisprudence is split by two competing interpretations of the law that have, at the time of writing, not yet been resolved.

culpability. And yet, it cannot be argued that this was a case of state failure. Failure would have meant the abrupt interruption of investigations without plausible reason, as was the case in Erfurt, or for state institutions to reject responsibility, hinder access, and act secretly, withdrawing from public scrutiny, as seems to have been the case in Erfurt. Nevertheless, as is shown below, a direct response in terms of capacity to disrupt in the long-term was itself limited. presented only limitations.

5.5.1 Intent to Respond

In 2007, Italian investigations as part of Operation Patriarca first led to Lake Constance. Subsequently, with Operation Crimine (2010), Crimine Bis (2010), Helvetia (2014), and Rheinbrücke (2015), the police continued monitoring the activities of the clans in Frauenfeld, Singen, Rielasingen, and the other villages around the lake, virtually without interruption until 2016.[135] In the meantime, triggered by a request for international legal cooperation from Italy, the prosecution office in Karlsruhe, Baden-Württemberg, started its own investigation, Operation Santa, while the Swiss authorities launched Operation Capodue in their jurisdiction.

It was not the first time that the Swiss police had investigated the *locale* of Frauenfeld. Almost 40% of the arrests and investigations against Italian mafias in Switzerland in the last decade happened in connection with the Frauenfeld structure.[136] In the 1990s, in connection with the investigations by Italian authorities in the north of Italy, the group had already ended up on the police radar, at that time for drug and weapon trafficking alongside other criminal activities. Investigators continued to monitor the mafiosi's activities over the years,

[135] Interruptions in the specific measures might have occurred but, overall, prosecution authorities had open files looking into these structures (among other things) for the entire period.
[136] Data extracted from Rossi 2019, categorised and calculated by the candidate.

intervening from time to time with searches and arrests that gradually recorded fewer and fewer pieces of incriminating evidence, as has been extensively discussed. Between 2010 and 2012, the Swiss police uninterruptedly monitored with bothvideo and audio surveillance the meeting point of the *locale* of Frauenfeld, in Wängi, a municipality in the countryside just outside the city. The richness of the data collected, including videos of formal 'Ndrangheta rituals mentioned above, remains unparalleled among investigations into 'Ndrangheta structures abroad.

On the German side of Lake Constance, however, the structures in Singen, Rielasingen, Radolfzell, and Ravensburg remained unnoticed until 2009. However, once alerted by their Italian counterparts, the authorities started thorough investigations and, within a few months, these were widened to include some 40 suspects from a starting point of just two. Beyond phone surveillance, which recorded or noted thousands of conversations, the police obtained the permit to bug the coffee shop where the group used to meet on Sundays, a measure approved only rarely by German judges and requiring a very solid motivation. Moreover, permissions were sought and granted to bug and follow the vehicles of the main suspects and an undercover agent was deployed to gather information and instigate a criminal transaction in the attempt of finding any proof of crime. Through the undercover agent, the police also planted a modified laptop that allowed them to follow all the conversations conducted on Skype, a commonly used but encrypted messaging platform.

Although strained by very limited human resources, the police in Baden-Württemberg had a track-record of continuous engagement in disrupting mafia structures operating on their territory even beyond the specific case in this study. In 2017, for example, a drug trafficking ring connected to the Sicilian mafia was brought to light. The cocaine arrived in the port of Rotterdam and was smuggled via Cologne to Baden-Württemberg and from there to Italy. On that occasion, the police seized €60,000 (~£51,000)in cash, four pistols, several cutting

weapons, 50kg of cocaine, six cars and various other goods worth over €145,000 (~£124,000; Bettoni 2017, June 28). In 2021, authorities intervened against further 'Ndrangheta structures active around Lake Constance and suspected of having been involved in trafficking cocaine across the Netherlands, Germany, Spain, and Italy. In Baden-Württemberg in particular, a scheme of tax avoidance emerged, leading to conspicuous seizures and the freezing of several bank accounts (Europol 2021, May 5).

In Switzerland, the fight against organised crime and specifically Italian mafia groups has been officially declared a priority in the 2020-2023 strategy by the Swiss Department of Justice and Police. Accordingly, the Swiss federal police has developed an anti-mafia plan, including a set of prevention and repression measures to provide an adequate response to the presence of mafia-like organisations and mafiosi on its territory. While the anti-mafia plan remains vague in its strategic outlook, some concrete steps in the right direction preceded its adoption. In 2018, 126 cases of suspected money laundering have already been considered by the police, most of which were in relation with Italian criminal groups. By 2019, 15 individuals were prevented from entering the country and two were expelled for membership of an Italian mafia association. One year later, a joint investigation with Italian authorities disrupted an 'Ndrangheta clan operating between Calabria and Switzerland.

In sum, it was possible to identify both a general intent to intervene against organised crime and mafia organisations, and a specific intent to do so with regard to the clans in this case study. What remains to be established is whether, along with intent, there was a concrete capacity to respond.

5.5.2 Capacity to Respond

Enforcement activities have weakened the 'Ndrangheta structures that were investigated. The *locale* of Frauenfeld was impaired in its operations following the arrest and then extradition from Switzerland of its boss. Then, twenty years later, the arrests all around Lake Constance, affecting individuals across the different clans, have also caused some disruption, although it is not clear to what extent. However, considering this case as a success for state responses would be equally wrong.

In terms of repression activities, the overall capacity to respond has proved not to significantly vary across case studies. This is not to say that intent to respond becomes irrelevant. However, it indicates a set of structural hurdles that de facto impair the concrete ability to intervene, notwithstanding intent. Unfortunately, it is only with intent that these structural hurdles can be removed in the first place.

It is relevant to note that in all instances – both in Switzerland and in Germany, whether in the 1990s or twenty years later – state action was prompted by Italian authorities. Without the support of and, arguably, insistence by Italian prosecutors, it is highly likely that investigations would never have been initiated. While judicial cooperation has improved over the last decade and cooperation with Italian authorities is obviously necessary when it comes to countering Italian mafias, the extent to which German and Swiss authorities are reliant on Italian initiative and evidence even to start an investigation constitutes a significant gap in their capacity to respond effectively to the phenomenon. This will increasingly become problematic as the specific category of Italian mafia offenders changes its demographic, including more and more naturalised citizens or second and third generation migrants, thereby limiting the opportunity for Italian authorities to initiate legal action.

Furthermore, as with the other case studies, the risk of "crime blind spots" – that is, specific criminal activities that, because of the very nature of the crime or due to a specific regulatory setting, remain "invisible" to law enforcement – cannot be completely dismissed in this case either. One criminal activity that is often missed is money laundering, which has emerged as a particular vulnerability for the German system (see Chapter 4). The second crime that often escapes law enforcement attention is extortion (see Chapter 3). This is because of the very nature of the activity, often including threats that disincentivise the reporting of the crime in the first place and, if posed implicitly, make it difficult to build up a case in court. There is no reason to assume that officers and prosecutors were better equipped to identify these criminal activities than their colleagues in the context of the previous case studies.

In addition, they had to face the exact same regulatory hurdles the authorities in the other case studies struggled with as well. As the prosecutor on the case recalled:

> "One problem was that these measures are subject to the strict requirement of proportionality according to German law. And they [the mafiosi] only met on Sundays and not every Sunday. We got the judge's decision for one month, for example, and then maybe they met once and only for an hour. […] We then got permission to continue three or four times but then the judges considered any further continuation disproportional, because we did not find anything. My perspective is, however, that we should have kept going for longer, at least six months." (P22).

Furthermore, data privacy limitations and, in particular, requirements to delete data after a certain period (this varies depending on the crime and the state), proved to be a key concern. As two police officers pointed out to me in 2019:

> "You are lucky to have found us and you are lucky that we are still here. Because this data expires, and we have to delete it. If you only waited another couple of years, then there would have been no one able to report anything about this any more." (P6)

Should any of the groups ever get back in business again, all the knowledge accumulated by police officers and prosecutors in their years of work and international judicial cooperation

would simply already be lost. Any possible link to further groups operating in Germany or beyond would be lost as well. Everything will be wiped out and this will happen not long from now for the German records, as if none of the events discussed in this chapter ever happened. This proves to be a significant problem, especially against the long-term nature of the presence of ‘Ndrangheta groups in Germany that, notwithstanding the level of entrenchment and activity in the new territory, have been proved to have permanently settled, in a phenomenon that by now already spans across several decades and at least two generations.

In the light of all these aspects, it becomes clear that the incapacity of the clans to establish themselves in any meaningful way in the new territory, neither as trading nor as governing entities, was not the direct result of increased state capacity. The authorities involved in this case study were not better equipped, staffed or got any special training or support than the authorities in previous case studies. While disruptive in the short term, in the medium to long term their intervention had no effect. Put in perspective, the events discussed in this chapter prove that while intent to respond varied significantly across case studies, the capacity to respond remained constrained at an insufficient level.

5.6 Conclusions

The ‘Ndrangheta structures in Lake Constance consist of a rare case study in which mafia membership can be proved beyond reasonable doubt – from a research perspective rather than a judicial one. The thousands of pages of conversations detailing rites and rituals, roles and functions, alongside the specific vocabulary used and the proven interactions with the

organisation in Calabria, all confirm that the structures in question were projections of the 'Ndrangheta, as the mafiosi themselves proudly stated. Investigations also proved that on the Swiss side of the lake, the group was involved in criminal activities – mainly drug trafficking and robberies, but also extortion – in the 1990s. More recently, however, none of the structures identified by the investigators, and the existence of which is proved by a significant amount of evidence, seemed to be "in business" or operational.

None of the investigations conducted by the Italian, Swiss or German authorities brought to light evidence of engagement in criminal activities in the period between 2009 and 2016.[137] No significant investment in the legal economy was detected either. Nor was there any evidence that the 'Ndrangheta groups around Lake Constance controlled territory or provided private protection. Most of the alleged mafiosi were low skilled employees, often in the construction sector. According to the lawyer who defended some of the highest-ranked suspects on trial, there was only one way to look at this: "The 'Ndrangheta [in Lake Constance] is not a mafia" (V4).

However, at least hypothetically, the absence of straightforward criminal activities might indicate that the groups transplanted to the fullest extent possible, in the sense that they exclusively operate as governing entities in the new territory, extracting rents from the activities of others rather than being directly involved in their execution. In other words, instead of operating on a market as mere "traders" they might have taken root in the new territory to the extent that they now control that market. And yet, it was not possible to find any evidence to substantiate this hypothesis either. By 2009 at the very latest, they did not trade any further in the new territory nor did they govern. In other words, they did not fully

[137] At least no evidence was contained in the files that the candidate accessed. If additional information was collected by the police but not included in the indictment or kept for background information this was not made available to the candidate.

transplant their core activity of protection nor did they simply diversify their activities in the new territory by trading on either legal or the illegal markets.

In this case, the groups of interest have settled to a new territory, replicated the typical organisational and normative apparatus of the ‘Ndrangheta there, and remained on the exact same territory for several decades. Most of the individuals involved still live there, at the time of writing. They would fulfil one of the two constituent elements of the concept of mafia transplantation: the sustained presence of a group abroad. For a certain amount of time, in the early years of settlement, these groups were also involved in specific criminal activities, indicating that there was an attempt at transplanting into or diversifying in the new territory. This attempt was observed again decades later during the most recent investigations, when both the boss in Singen and his counterpart in Frauenfeld advertised, with no success, their intention to deal in drugs and engage in other criminal activities.

In sum, if mafias adapt to a range of contextual and temporal conditions in a continuum up to fully fledged transplantation of the core activity of governing, this case is located at the far end, where transplantation has failed in terms of both trading and governing in the new territory.

The reason for the “failure” is difficult to grasp and can certainly not be contained in one straightforward explanation. Instead, it is to be found in different contextual factors that, each to a different extent, contributed to push these groups “out of business” or, alternatively, failed to provide a structural opportunity for them to entrench in the new territory.

First of all, the case in itself disproves any causal relationship between generalised migration and mafia transplantation. Furthermore, in contrast to evidence that presents the view that the ‘Ndrangheta abroad becomes a “polycephalous” phenomenon merging with its diaspora to the extent that it is virtually impossible to tell one from the other (Sergi 2019b), this chapter

offers an alternative perspective that questions the relevance of Calabrian "cultural canons" in facilitating or furthering criminal resilience. This does not mean that the overlap between the Calabrian community and specific dynamics within the Calabrian mafia should be dismissed. It has already been discussed how ethnic sub-networks provide more intense social relations and therefore serve as an echo-chamber for criminal reputations or as a basis for criminal cooperation (see Chapters 3 and 4, Gambetta 1993, Varese and Campana 2016).

However, this is not a feature specific to Calabrians. Similar dynamics can be observed within other diaspora communities culturally distinct and distant from another. Furthermore, it is not a feature specific to the Calabrian mafia, as it can be found equally pronounced in other mafia organisations, such as the Chinese or Russian mafias (Varese 2001, Wang 2017, Hill 2003). Often, the confusion originates from conflating the descriptive and analytical levels. As Bovenkerk et al. pointed out, the resulting problem is that ethnicity or culture is misunderstood as a behavioural determinant in itself and "instead of studying opportunity structures for crime, criminologists act as if ethnicity represents an independent compelling force affecting the crime pattern" (Bovenkerk et al. 2003: 36).

Nonetheless, this case study substantiates the finding that large markets and export-oriented economies are inversely related to a demand for mafia protection (Reuter and Gambetta 1995, Lavezzi 2008). While the constituencies within which the groups were active are relatively small – ranging from populations of 10,000 to 40,000 – they link into a dynamic, widely populated, and competitive environment, both in terms of licit and illicit markets. Within such an environment, remaining afloat in the long term proved a challenge these groups were simply not up to.

Against this background, the short-term disruption caused by law enforcement intervention proved adequate to disband the clans. Nevertheless, it has been shown that the tension

between the authorities' intent to respond and their effective capacity to do so prevented them from translating short-term interventions into medium- or long-term results.

In short, the evidence presented in this chapter confirmed that the presence of mafiosi in a new territory is not enough to produce successful transplantation (Varese 2011a: 11) or functional diversification. Even so, most of the alleged mafiosi protagonists of the events discussed in this chapter are still living around Lake Constance at the time of writing. Acquitted from all charges, they have returned to their homes. While arguably they pose a lesser threat today than other forms of mafia expansion to new territories, it is crucial to remember – perhaps especially in this instance – that the availability of a supply of mafia services can make a genuine demand for criminal protection "more likely, more elaborate, and more enduring" (Gambetta 1993: 199, see also Varese 2011a). At the risk of being a case of a dog that did not bark, this last point should not be dismissed.

Chapter 6: Conclusions

The research puzzle that this thesis set out to explore is how mafias expand into new territories. Three overarching questions have guided the analysis. The first aimed at examining why mafia groups decide to leave their territories of origin. Are they attracted to new markets? Are they following general migration waves? The purpose of the second question was to understand what mafias do once they have relocated. Do they aim to govern in the new place of settlement, as they do in their home territory? Or do they just trade on legal and illegal markets, without attempting to control them and thereby losing their specificity as mafias? The third and last question was designed to understand what external factors facilitate or hinder mafia expansion to new territories. What markets create a demand for mafia services? Does widespread civic trust in the society of the new territory prevent mafia transplantation? What is the role of the state in preventing or restricting mafia expansion?

The main finding of this thesis is that mafia expansion to new territories is not a foregone conclusion. It takes place under particular circumstances and results in a range of outcomes. While some mafia groups do transplant their core business model fully, governing or attempting to govern markets or communities, others participate in licit and illicit markets as one criminal actor among many. Sometimes, despite attempting to relocate their criminal business, they fail to do either. A comparative analysis of three case studies, each of which elucidated one possible outcome along the continuum from full transplantation to failure

revealed that mafia expansion into new territories is not a mechanical product of specific structural conditions but entails a strategic dimension both from the perspective of the criminal group and the state. In short, three dimensions determine the specific outcomes of expansion attempts: a supply-demand opportunity structure, the group's capacity to take advantage of such opportunities at a given point in time, and the state's capacity to prevent that from happening.

In none of the primary sources consulted was there any evidence that the expansion to a new territory was part of a strategic plan developed by individual mafiosi, one or more mafia clans or the organisation as a whole. However, in the longer term, the establishment and development of an outpost typically entailed elements of strategy and strategic behaviour that should not be overlooked (see also Campana 2011b). Once based in the new territory, mafiosi and their outposts could be used strategically by the groups with which they were linked in Calabria. For example, they were used to monitor investments and manage money laundering operations, as was documented by the Erfurt case. They could also widen the reach of legal and illegal activities, as was the case with the outpost of the clan Farao-Marincola, which de facto functioned as a terminal for the distribution in Germany of Italian products sold by companies controlled by the clan in Calabria. Furthermore, mafiosi interacted with the environments they were in and adapted to them. In this sense, the expansion of mafias to new territories can best be understood as an adaptation or learning process consisting of a gradual reaction to specific contextual factors (Catino 2019).

Before this study, empirical evidence of the nature and scope of the presence of the 'Ndrangheta in Germany was purely anecdotal. The overview presented in this thesis of activities carried out by three different 'Ndrangheta clans over a time span of 30 to 40 years has shown that the same dynamics evident in Calabria characterise German mafia outposts as well. The difference between the two lies not in the qualitative but in the quantitative

dimension, that is, in the reach, intensity, and pervasiveness of the phenomenon, but not in its nature. More precisely, while the control of territory, markets, and communities by the 'Ndrangheta is less common in Germany than it is in parts of Calabria, it still takes place under specific conditions. Since the 1980s it has been possible to document how clans have attempted to control drug markets in several German cities, supervised other criminals' operations, and managed extortion rackets, while providing genuine protection to both the underworld and the overworld. Gradually, some outposts have moved away from purely predatory activities on criminal markets to strengthen their presence on legal markets. As a result, they have integrated into local communities and strengthened ties with local politics, in a dynamic of converging interests typical of traditional mafia territories.

Against this background, it has been found that generalised trust across society and towards institutions in Germany has not hindered mafia transplantation. While confirming and substantiating earlier studies that suggested that mafias can exist easily in communities with moderate levels of civic trust (Varese 2011a), the analysis put forward in this thesis sheds light on a further theoretical implication. In the absence of an adequate state response, dynamics of converging interests can be exacerbated by a context of generalised trust towards institutions. In turn, converging interests – that enable and strengthen mafia entrenchment in the community – make it particularly difficult for authorities to identify and respond to mafia organisations adequately. This vicious circle is enabled by generalised trust and pushes institutions into a state of inertia: the strong belief in the integrity of institutions means civic society is less likely to believe that mafia groups could be present and thus institutions are less likely to investigate the possibility of mafia activity. However, more research is needed to understand the specific circumstances under which trust can enable mafia entrenchment. By drawing attention to the role played by trust (in addition to the lack of trust, see Gambetta

1993, Putnam 1993)[138] in facilitating mafia transplantation, this preliminary reflection hopes to have laid the groundwork for future research in this direction.

This thesis has also provided a deeper insight into the debate on migration within the context of criminal mobility. First, it finds that the decision by individual mafiosi to move to new territories does not necessarily overlap with general migration waves, thereby confirming previous accounts that have rejected simplistic associations between crime and migration (Varese 2011a). While generalised migration has proved inadequate, if not misleading, as a predictor of criminal transplantation at an aggregated level, it can explain individual decisions to relocate, as they are often influenced by the availability of social support networks. Generally, though, migration waves have not pushed mafiosi to migrate.

However, it would be equally wrong to dismiss the relevance of diaspora communities. Mafiosi operate at comparatively lower costs within communities of their own compatriots, as diasporas replicate networks of kinship, friendship, and ethnicity within which a reputation for the use of violence is cemented. Beyond preserving these reputations, the tightly knit relationships characterising these communities can result in dynamics of dependency in which immigrants remain entangled, while also making it easier to identify and punish non-compliance. However, this is different from saying that ethnic solidarity in the context of specific cultures breeds mafia activities. The perspective put forward by this thesis is that being part of a diaspora community results in a form of hostage-taking as conceptualised by Campana and Varese (2013): a mechanism by which an individual is de facto kept a hostage of the criminal organisation. In this sense, the presence of diaspora communities can create structural opportunities for mafiosi to govern in a new territory.

[138] This thesis does not reject mistrust as a significant variable but rather moves on to include trust in the debate.

It is also crucial to emphasise that diaspora communities are only one variable among many, one which by itself cannot explain mafia expansion to new territories. The variance of its significance across case studies indicates that several questions still remain to be answered. Mafia outposts have operated in areas where an Italian or Calabrian community was virtually non-existent or relatively underrepresented. Conversely, mafia outposts have, at times, also been unable to leverage the presence of diaspora communities. The study is limited by the lack of fine-grained immigration data, which has only documented immigration from Italy without accounting for the regions or provinces from which migrants originated. Against this background, anecdotal evidence indicates that the relevance of diaspora communities is limited to a cohort of countrymen sharing with the mafiosi the exact same place of origin, such as a province in Calabria or an even smaller geographical area. This might explain the contradictory findings but considerably more work will need to be done to elucidate this aspect. An ethnography of these communities, for example, could significantly contribute to the debate.

Furthermore, while most governing activities are reported to take place within diaspora communities, it has been possible to document that mafias in new territories do not refrain from interfering in local communities. Anecdotal but empirically rich evidence has shed light on how intimidation has played out outside diaspora communities. Initially, the absence of an already established reputation proved to be an obstacle requiring repeated, explicit threats. However, once this initial hurdle had been overcome, the dynamic set in motion was not different from what has been recorded within diaspora communities: the crime was not reported, the victim did not comply with the request, and, latterly, even entered into a business relationship with the same family that threatened him. While based on anecdotal evidence, the findings suggest that such dynamics are not exclusive to specific communities and operate independently from generalised levels of civic engagement and trust in

institutions, as well as specific cultural backgrounds. While the proximity observed between local politics and mafiosi provides further evidence to sustain this argument, the understanding of the relationship between mafia outposts and the local community in the new place of settlement continues to be at a preliminary stage. If the debate is to move forward, a better evidence base will need to be developed.

As far as contextual factors in the new territory are concerned, one contribution of this study has been to offer an in-depth discussion of the privatisation period that followed the fall of the Berlin Wall. The analysis tested and confirmed the property rights theory of mafia emergence (Varese 2011a, see also Gambetta 1993, Milhaupt and West 2000, Varese 2001), finding that mafia transplantation is not an automatic result of the spread of property rights, but rather the consequence of the state's inability to establish itself as an impartial and credible protector of these rights. However, taken together, the evidence discussed in this thesis documents that mafia expansion to new territories can take place also in the absence of exceptional opportunities for entrenchment, such as a boom in the market. While such opportunities can create a specific demand for mafia services that impact the reach and intensity of governing activities in particular, they are neither necessary nor sufficient for mafias to operate an outpost over sustained period in a new territory.

Mafia emergence and mafia mobility should not be conflated into one and the same phenomenon. While some of the mechanisms are similar, the emergence of a new mafia organisation and the establishment of a group in a new territory as part of an existing organisation are quite clearly two different phenomena. As far as the latter is concerned, the level of hostility or acceptance of the new environment turns out to be crucial. In addition to confirming that, all other things being equal, mafia outposts are more likely to be met with hostility the bigger the size of the place of settlement or the harsher the competition by other illicit actors (Varese 2011a), this thesis adds to the growing body of research on the

relationship between the state and criminal actors (Slade 2012, Skarbek 2014, Lessing 2017, Varese, Lonsky and Podvysotskiy 2020) by widening the original theoretical framework (Varese 2011a) to include the variable of state response.

Two main findings have emerged in relation to state responses in Germany. First, in terms of capacity, state response is generally constrained by structural conditions that make it difficult for authorities to identify mafia operations in the first place, and subsequently prevent and suppress specific criminal activities, namely money laundering and extortion. Furthermore, policing in Germany is often limited to one-off interventions against specific criminal activities, while there is a shortage of investigations into the structures and networks of organised crime, mainly because of limited human resources but also due to privacy and data-protection restrictions. This has resulted in a gradual process of adaptation for outposts, which have remained untouched at the organisational level but gradually learned from previous convictions and shifted business focus into legislative and policing blind spots. Nevertheless, when interventions succeed in targeting the leadership of the criminal structure, the disruption can be significant, as was the case with the clans operating around Lake Constance. Second, in terms of intent to respond, it was observed that the actual use of the limited tools at the authorities' disposal varied significantly across case studies, sometimes allowing, as was the case in Thuringia, mafia outposts to operate virtually undisturbed for several decades. This variance is most likely connected to the individual motivation and interests of the people involved, raising significant questions when it comes to those dynamics of converging interests that have been found not to be alien within the German context.

This study is the first in-depth, empirical study about the presence of the Calabrian mafia in Germany. But to what extent are its findings generalisable outside the specific case of Germany and, to a lesser extent, Switzerland as regards the Lake Constance example?

Notwithstanding the inherent limitations, this thesis adds to the understanding of how mafias expand to new territories beyond the specific case of the ‘Ndrangheta in Germany in three major ways. First, by testing a set of theories against evidence, it contributes to the understanding of each of these theories and the debates around them with both empirical substance and analytical implications. Second, the analysis corresponds with other studies (Gambetta 1993, Chu 2000, Varese 2003, Varese 2011a, Campana 2013, Catino 2019), confirming or dismissing findings resulting from very different contexts, but answering the same, or similar, sets of questions. Third, the research design adopted for this thesis also allows future research to engage with the findings, testing them against different case studies or even replicating the same case studies. In other words, by “accumulating results in a systematic way” (Vaughan 2011: 707) this thesis contributes to cumulative sociology (Varese 2022) allowing the scholarly debate to advance.

List of Respondents

The first column displays the coding for each interview. The second column presents features of the interviewees, as well as the place and type of interview (whether in person, online, over the phone or by written correspondence). The third column indicates the date of the interview. Some respondents were interviewed more than once; only the first date has been recorded.

Prosecutors and Police Officers

Code	**Interviewees, Place, and Type**	**Date**
P1	Chief Prosecutor, Prosecution Office of Catanzaro, Catanzaro, Italy (in person)	12 February 2019
P2	Chief Prosecutor, Prosecution Office of Lamezia Terme, Lamezia Terme, Italy (in person)	19 February 2019
P3	Chief Prosecutor, Prosecution Office of Reggio Calabria, Reggio Calabria, Italy (in person)	17 January 2020
P4	Criminal Police Officer, Düsseldorf, Germany (online)	27 August 2021
P5	Criminal Police Officer, Baden-Württemberg State Police, Stuttgart, Germany (in person)	22 October 2019

P6	Criminal Police Officer, Baden-Württemberg State Police, Stuttgart, Germany (in person)	22 October 2019
P7	Criminal Police Officer, Hesse State Police, Wiesbaden, Germany (in person)	17 June 2019
P8	General Prosecutor, Prosecution Office of Reggio Calabria, Reggio Calabria, Italy (in person)	27 January 2019
P9	Head of Carabinieri Police, San Luca, Reggio Calabria, Italy (in person)	October 2020
P10	Head of Mobile Squad, Police Office of Reggio Calabria, Reggio Calabria, Italy (in person)	13 February 2019
P11	Senior Police Officer, German Federal Police, Wiesbaden, Germany (in person)	20 June 2019
P12	Police Officer, German Federal Police, Wiesbaden, Germany (in person)	20 June 2019
P13	Police Officer, German Federal Police, Wiesbaden, Germany (in person)	20 June 2019
P14	Police Officer, Germany (in person)	June 2019
P15	Police Officer, Germany (in person)	June 2019
P16	Police Officer, Germany (in person)	June 2019
P17	Police Officer, Swiss Federal Police, Bern, Switzerland (in person)	17 November 2019
P18	Police Officer, Swiss Federal Police, Bern, Switzerland (in person)	17 November 2019
P19	President, Association of German Criminal Police Officers (2018-2021), Düsseldorf, Germany (in person)	12 December 2019

P20	President, Juvenile Court of Reggio Calabria, Italy (in person)	14 February 2019
P21	Prosecutor, Duisburg, Germany (online)	2 March 2021
P22	Prosecutor, Karlsruhe, Germany (in person)	3 December 2019
P23	Prosecutor, National Anti-Mafia Directorate, Rome, Italy (in person)	5 May 2019
P24	Prosecutor, National Anti-Mafia Directorate, Rome, Italy (in person)	7 February 2019
P25	Prosecutor, National Anti-Mafia Directorate, Rome, Italy (in person)	8 February 2019
P26	Prosecutor, Prosecution Office of Catanzaro, Catanzaro, Italy (in person)	13 September 2019
P27	Prosecutor, Prosecution Office of Catanzaro, Catanzaro, Italy (in person)	
P28	Prosecutor, Prosecution Office of Reggio Calabria, Reggio Calabria, Italy (in person)	12 February 2019
P29	Seconded National Expert for Italy, Eurojust, The Hague, The Netherlands (in person)	15 October 2019
P30	Senior Analyst, Europol, The Hague, The Netherlands (in person)	15 October 2019

Journalists

Code	Interviewees, Place, and Type	Date
J1	Investigative Journalist, Berlin, Germany (in person)	16 November 2019
J2	Investigative Journalist, Hamburg, Germany (in person)	2 July 2018
J3	Investigative Journalist, Radiotelevisione Svizzera, RSI (telephone interview)	10 April 2021
J4	Journalist, Correctiv (online)	11 February 2021
J5	Journalist, Frankfurter Allgemeine Zeitung, Frankfurt, Germany (in person)	30 June 2018
J6	Journalist, German Public Radio Station Mitteldeutscher Rundfunk, Erfurt, Germany (in person)	23 October 2019
J7	Journalist, German Public Radio Station Mitteldeutscher Rundfunk, Erfurt, Germany (in person)	23 October 2019
J8	Journalist, HNA Hessische/Niedersächsische Allgemeine, Melsungen, Germany (in person)	18 June 2018

Institutions (Representatives of)

Code	Interviewees, Place, and Type	Date
I1	Former Head of Handelsorganisation in Erfurt (1990-92), Germany (written correspondence)	June 2020
I2	Former Head of Treuhandanstalt in Erfurt (1992-1998), Germany (phone interview)	14 May 2020
I3	Former Mayor (1990-2006), Erfurt, Germany (in person)	12 May 2020
I4	Mayor, German City in Hesse, Germany (in person)	19 June 2019
I5	Member of City Council, German City in Hesse, Germany (in person)	19 June 2019

Various (not included in previous categories)

Code	Interviewees, Place, and Type	Date
V1	Analyst, German Institute for International and Security Affairs, SWP, Berlin, Germany (in person)	17 April 2019
V2	Anonymous Citizen, German City in Hesse, Germany (in person)	20 June 2019

V3	Anonymous Citizen, German City in Hesse, Germany (phone)	18 June 2019
V4	Defence Barrister in Tropea, Calabria (phone interview)	8 April 2021
V5	Former State Witness, woman (in person)	October 2019
V6	German Entrepreneur, German City in Hesse, Germany (in person)	20 June 2019
V7	President, Anti-Mafia Association Mafia Nein Danke, Berlin, Germany (in person)	11 October 2018
V8	Professor, Ruhr-Universität Bochum (written correspondence)	1 April 2020
V9	Volunteer, Anti-Mafia Association Mafia Nein Danke, Berlin, Germany (in person)	11 October 2018

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