

Chapter 2

The Ties That Bind: A Taxonomy of Associational Criminal Structures

Klaus von Lampe

Introduction

In his book “Lush Life” Dick Hobbs argues that “(s)erious crime should be understood in terms of interlocking networks which are (...) expressed as amalgams of family, neighbourhood, region, nationality, and which merge with purely instrumental commercial coalitions” (Hobbs, 2013: 103). Two recurring themes in the study of organised crime are encapsulated in this quote. The first theme is the social embeddedness of criminal structures (Kleemans & van de Bunt, 1999). Criminals do not act and interact in a social vacuum (Van Duyne, 1996: 344), “(t)hey are outside the law but inside society” (Hobbs, 1995: 13). The second theme is the interplay of functionally distinct structures that define the organisation of crimes and criminals. The distinction that Dick Hobbs makes is that between “commercial” networks centred on profit-making criminal activities and networks that are inherently social in nature but nonetheless shape and facilitate profit-making criminal activities. In particular, he stresses the importance of family and neighbourhood—“familial and highly localized allegiances”—for providing an organisational context for criminal “firms” as “the primary unit of organization of serious criminality” (Hobbs, 1995: 114).

There is a broad range of scholarly work that in one way or other contextualises profit-oriented co-offending structures with a view to their overlap with non-economic, social ties. Ianni and Reuss-Ianni (1972), for example, examined how an Italian-American family clan in New York, the “Lupollo family”, gave coherence and meaning to various licit and illicit business activities. In a subsequent study of criminal structures among African Americans and Puerto Rican and Cuban immigrants in

K. von Lampe (✉)

Department of Law, Police Science and Criminal Justice Administration,
John Jay College of Criminal Justice, New York, NY, USA
e-mail: kvlampe@jjay.cuny.edu

the New York area, Francis Ianni found “two forms of behavioural organisation” in crime networks which he labelled “associational networks” (Ianni, 1975: 293) and “entrepreneurial networks” (Ianni, 1975: 307). Associational networks are constituted by close personal ties formed in childhood gangs or in prison. The purpose of associational networks is not the commission of profit-making crime. Instead they play a role in fostering mutual trust among criminals, promoting a basic criminal code of conduct and in shaping criminal reputations (Ianni, 1975: 293–298). In the case of entrepreneurial networks, in contrast, individuals come together “largely for mutual profit, and their dependence upon each other is related entirely to advancing that profit” (Ianni, 1975: 307). A similar distinction of economic and social structures was made by Patricia Adler (1985) in her analysis of drug importers and wholesalers in Southern California. In her ethnographic research she found business structures—partnerships, groups and supplier-customer relations—embedded in “friendship networks, social affiliations with other drug world members that had business overtones” and “a larger circle of acquaintances which was composed of dealers and smugglers the individual knew socially, yet with whom he or she had no business dealings” (Adler, 1985: 63). Like Hobbs and Ianni, Adler saw illegal entrepreneurial structures emerge from underlying social relationships, namely friendship networks within the drug world but also kinship ties (Adler, 1985: 66–67).

From a different angle, Mark H. Haller looked at the roles performed by the Italian-American Cosa Nostra and also arrived at a differentiation of entrepreneurial and associational structures. Studying the Philadelphia family under the leadership of Angelo Bruno, Haller concluded that Mafia families do not have the character of business enterprises because “members (and their associates) are involved in independent legal and illegal activities that are their own and from which they derive income” (Haller, 1992: 2). The functions that the Bruno family served, Haller argued, were of a different nature, including that of a fraternal organisation which provides “male bonding and social prestige for members”, that of a businessmen’s association which provides “members with contacts and mutual assistance” and that of an association which sets and enforces rules among members similar to the self-governance of lawyers through the Bar Association (Haller, 1992: 2–3; see also Paoli, 1998).

Entrepreneurial and associational structures have been found to overlap and merge to different degrees. Dick Hobbs emphasises both entrepreneurial and associational characteristics in his depiction of the traditional criminal firms “based upon family ties and neighbourhood dispositions” (Hobbs, 2013: 105). Crimes may be committed “on behalf of the family enterprise” or members may “engage in a range of individual projects” where the firm serves as a “brand, a rhetorical device that encapsulates the entrepreneurial activities of family members and their close associates” (Hobbs, 2001: 552).

In other research, the empirical relation between associational and entrepreneurial structures ranges from full separation to full integration. Ianni, for example, saw associational networks and entrepreneurial networks “as characteristic stages of development in black and Hispanic organised crime networks” (Ianni, 1975: 311) with entrepreneurial networks representing “the highest stage of organised crime network development” (Ianni, 1975: 312), implying that associational and entrepreneurial structures not only are separate entities, they may not even have a parallel existence

(see also Densley, 2012). In the case of Mafia families, associational and entrepreneurial structures are largely depicted as analytically and empirically distinct but intrinsically linked phenomena (see for example Anderson, 1979; Gambetta, 1993; Haller, 1992; Paoli, 1998; Reuter, 1983; Schelling, 1971). In the case of the Southern Italian mafia associations the greatest level of integration of associational and entrepreneurial structures appears to be reached when “illicit activities are sometimes run by the heads of the single families and the profits divided more or less equally between the affiliates” (Paoli, 2003: 144). An even further overlap of associational and entrepreneurial structures seems to exist where illegal enterprises form the centre of social interaction of participants. Anqi Shen, for example, in her study of female involvement in crime in modern China characterises illegal gambling operations in the context of so-called “black-society style criminal organisations” (BSSCO) as “a semi-working environment somewhere between a social club and a business setting” (Shen, 2015: 44) that provides “a sense of belonging, self-worth, status, and perhaps also an imaginary welfare support and protection” (Shen, 2015: 45).

There is a growing recognition that “looking beyond offender’s immediate co-offenders [is] key to understanding success in making money out of crime or in avoiding detection” (Bouchard & Ouellet, 2011: 85) and that there is a “need to include different types of criminal (co-offending and institutional associates) and kinship associations when analyzing deviant networks” (Malm, Bichler, & Van De Walle, 2010: 53). However, there is no clear notion, let alone a consensus on how to delineate and conceptualise this sphere that surrounds co-offending structures. Concepts such as those of network core and periphery (Malm et al., 2010), of strong and weak ties (Morselli, Tremblay, & McCarthy, 2006), or of manifest and latent ties (von Lampe, 2003) capture the fact that there are gradations in cohesiveness and frequency of interaction between criminals, yet as such these concepts contribute relatively little to a better understanding of the nature of the ties that bind criminals outside of co-offending structures. A more fruitful approach in this respect appears to be the consideration of different functions that the ties connecting criminals may serve. Ianni’s distinction between entrepreneurial and associational networks is one such differentiation, the distinction between illegal enterprise and illegal governance another (Varese, 2010). But arguably this is as far as current conceptualisations go. In particular, there does not seem to be a coherent conceptual framework with which to order the terrain populated by such phenomena as Hobbs’ family firms, Adler’s friendship networks or Haller’s fraternal organisations. The purpose of this chapter in honour of Dick Hobbs is to propose a tentative classification that may mark a first step in this direction.

Criminal Structures and Associational Criminal Structures

The starting point of the following discussion is a conceptualisation of criminal structures that is broader than the notion of co-offending networks and seeks to encompass all the myriad ways in which criminals interact and are connected with

other criminals. A criminal structure according to this view can be defined as “an arrangement of relationships between criminals that have an impact—directly or indirectly—on the commission of crime” (von Lampe, 2016: 93). The definition applies to three functionally distinct types of criminal structures alluded to above (see also von Lampe, 2003: 16; 2016: 101–104). There are first of all entrepreneurial criminal structures. As indicated, these are configurations that serve economic functions in the sense that they are geared toward generating material benefits through criminal activities. Then there are associational criminal structures, the focal point of this paper. Associational criminal structures serve social functions. Their contribution to profit-making crime is only indirect, for example by facilitating the collaboration of criminals through the creation of a common basis of trust. The third functional type of criminal structures are those that perform quasi-governmental functions by controlling and regulating the behaviour of criminals, for example by providing mechanisms for the non-violent resolution of conflicts between illegal entrepreneurs in a particular territory or market (Reuter, 1983).

Even though these three types are not necessarily empirically distinct, it is important to distinguish them analytically in order to avoid comparing apples and oranges. What sets associational criminal structures apart from entrepreneurial and quasi-governmental structures is their inward orientation. Entrepreneurial and quasi-governmental structures are defined by collaborative ties that are oriented towards interaction with the outside world, be it customers of illegal goods and services, victims of predatory crimes or subordinates to illegal governance. Associational criminal structures, in contrast, are defined first and foremost by the social bonds that connect their members and by the demarcation of members from non-members. Associational criminal structures are also the more permanent and more static element in crime networks as opposed to the more dynamic and more flexible networks that characterise illegal businesses and illegal markets. It is one of the main contentions made here that there are highly diverse relational patterns among criminals that fit this mould, including mafia families, biker gangs, peer groups, friendship networks and possibly entire criminal subcultures.

Common Features of Associational Criminal Structures

The concept of associational criminal structures as used here is a further elaboration of Francis Ianni’s concept of associational networks which stresses the non-economic nature of some of the ties that connect criminals. The term “associational” refers to the quality and function of social ties; it does not necessarily imply the existence of an association in the sense of a delineable organisational entity. The concept of associational criminal structures is also more encompassing than the word “criminal” suggests. The focus is not narrowly on configurations that are criminal per se, formed by criminals for criminal purposes. The concept of associational criminal structures also includes configurations that are rooted in legitimate society, for example outlaw biker gangs that are officially registered clubs. They do not

conflict with the law by their mere existence, their collective actions may also be within the bounds of the law and they may have among their ranks law-abiding citizens. Yet at the same time they function as associations of criminals with respect to the members that are breaking the law (Barker, 2007).

As discussed elsewhere (von Lampe, 2016: 172–182), associational criminal structures provide benefits for criminals in essentially four different ways. They create and reinforce social bonds, they facilitate communication, they promote mutual support, and they establish and enforce a code of conduct among their members and thereby increasing predictability and security in an environment that is chaotic and full of risks.

Bonding

Associational criminal structures as understood here are patterns of relationships that connect offenders through social bonds that are affectionate rather than instrumental in nature. They instil a sense of belonging based on perceived commonalities of their members, respectively perceived differences between members and non-members. Outlaw motorcycle gangs, for example, construct their identity around a shared defiance of mainstream society, and an adherence to particular notions of masculinity and brotherhood and a hedonistic lifestyle centred on motorcycling (Barker, 2007; Quinn & Koch, 2003).

The bonds that define associational criminal structures can be an original product of the formation of or recruitment into an associational criminal structure. However, it is arguably more common to see pre-existing social relationships, namely family, friendship and community ties, constituting the building blocks of associational criminal structures. In that case, social bonds are transformed and reinforced rather than established in the first place. For example, in the case of the Sicilian Mafia, the Italian-American Cosa Nostra and especially the Calabrian ‘Ndrangheta there is a strong overlap between associational structures and blood families (Paoli, 2003: 30–31). At the same time, the obligations that come with membership in a mafia association go beyond the obligations linked to familial ties and, in fact, they may conflict with the allegiance of a member to his blood family to the extent that the killing of a relative, when deemed necessary by the mafia association, has to be accepted “without showing any resentment or sorrow” (Paoli, 2003: 79).

Belonging to an associational criminal structure means sharing a common bond, perhaps based on shared characteristics, experiences, interests or values. At the same time, belonging to an associational criminal structure implies a distinction between insiders and outsiders, members and non-members, suggesting that members possess certain qualities which non-members are lacking. Membership in an associational criminal structure, therefore, conveys some sense of exclusivity even where there is no formalised membership. For example, in the case of friendship networks among drug traffickers (Adler, 1985) or in the case of charismatic underworld figures that are surrounded by a clientele of less influential criminals (Albini,

1971) one can expect to find some shared notion of where the line is drawn between insiders and outsiders. Take Dick Hobbs' account of the "City Arms" pub where status differences between "full-time villains" and strata of less well-respected criminals were reflected in the spaces that each group occupied in the bar room (Hobbs, 1989: 142–143). However, the notion of exclusivity is arguably most salient where membership is clearly defined. This is true for Italian mafia-type associations and the Italian-American Cosa Nostra as well as for other fraternal associations with formalised membership such as the post-Soviet Thieves in Law (*vory-v-zakone*) or the Hell's Angels outlaw motorcycle gang, all of which are highly selective by their own standards in the recruitment and admission of new members and portray themselves as elites in their respective spheres. Prospective members have to undergo a lengthy process of screening, testing and schooling, and those accepted will tend to consider membership an important personal achievement, typically resulting in an enhanced social status within their subcultural milieu or even within larger parts of society (Barker, 2007: 73; Haller, 1992: 2; Lombardo, 1994: 300; Paoli, 2003: 152; Varese, 2001: 175).

The sense of belonging is further amplified where formal membership is attained through initiation rituals and where the association itself and membership in the association are shrouded in secrecy, characteristics that are shared by secret societies such as the Italian mafia-type associations or the Chinese triads (Paoli, 2003; Chu, 2000). The rite of initiation and the shared secret of the inner workings of the association demarcate a world separate from and in many respects in opposition to legitimate society (Paoli, 2003: 18; Simmel, 1950: 359). At the same time, relationships within this world are typically modelled after those found in the legitimate spheres of society, namely kinship. Criminal associations commonly frame internal structures in quasi-familial terms as those between brothers, between father and son or between uncle and nephew (Chu, 2000: 19; Hill, 2003: 67–68) and assume that the ritual kinship ties formed by the initiation into the association create a level of commitment and trust similar to that of natural family bonds (Paoli, 2003: 76).

Irrespective of ideas of "brotherhood" and "family" that could be discounted as pure ideology, there are various ways in which associational criminal structures can promote mutual trust. To the extent that membership is homogeneous, solidarity and trust may emerge from a sense of likeness (Paoli, 2003: 52). Continuous interaction among members is also likely to generate trust, namely, through the formation of affectionate bonds and a growing sense of predictability of the others' behaviour where this is not already the foundation from which associational criminal structures are built. Members of mafia-type organisations, for example, typically spend considerable time socialising with other members, although this may be confined to smaller groups ("crews") within larger mafia families (see Pistone, 1989; Ulrich, 2005), whereas outlaw motorcycle gangs such as the Hell's Angels hold regular weekly meetings and organise a host of other social events at the level of chapters, the basic organisational unit, and even at national and international levels (Barker, 2007). To the extent associational criminal structures select members according to their assumed worth as criminals, trust can emanate from the expectation that these individuals have proven their reliability and trustworthiness. Importantly, this

expectation may not only be shared by members but also by outsiders. In these instances, trust is based on the assumption that members of a particular associational criminal structure can generally be trusted (Skarbek, 2014: 77; von Lampe & Johansen, 2004: 170).

Communication

Associational criminal structures can be viewed as forums for the relatively secure exchange of criminally relevant information. Communication among members is secure to the extent that individual members can have confidence in the reticence of the other members. This is a matter of mutual trust as well as of the adherence to and enforcement of a code of conduct, discussed further below, that emphasises secrecy. The facilitation of communication within associational criminal structures has implications in at least two important respects, the commission of crimes and the promotion and reinforcement of a criminal ideology (see Quinn & Koch, 2003: 287–288).

Associational criminal structures provide privileged communication channels for the sharing of information that is relevant for successfully carrying out illegal activities, for example information about potential co-offenders, crime opportunities, and know-how. The communication within associational criminal structures will also strengthen, directly or indirectly, a positive self-image as criminal and will promote norms and values that justify or even glorify criminal conduct and a criminal life-style and ultimately “make crime easier (less inhibited) and more attractive” (Thrasher, 1963: 265).

Mutual Support

The bonds that tie individuals together in an associational criminal structure almost by nature establish a commitment to mutual support. There is an unspoken or explicit obligation to come to the aid of other members when needed. Letizia Paoli, drawing on Weber and Sahlins, has argued that in the case of mafia-type associations the initiation marks a “status contract” and a “contract of fraternization” that subject members to a “regime of generalized reciprocity”, which means that members have to lend support to other member “with no expectation of short-term rewards” (Paoli, 2003: 17).

Mutual support can come in various ways and can translate into different kinds of benefits for members. However, it is important to note that conceptually and empirically, belonging to an associational criminal structure does not translate into an obligation to participate in or otherwise support specific criminal endeavours of other members. Associational criminal structures are confined to the role of “nurturing and generating deviant collaborations” (Hobbs, 2001: 550) while members are generally free in their decision to choose co-offenders. Even in the case of mafia-type

associations, members “are in no way obliged to select their partners from within the mafia community” (Paoli, 2003: 5; see also Chu, 2000: 87).

An important aspect, potentially even the main *raison d'être* for some associational criminal structures is protection against threats from other criminals. When criminals associate and band together in “mutual protection associations” (Quinn, 2001: 384) they can find strength in numbers in a chaotic and hostile environment where no recourse to the police and the courts is available to protect property rights and personal safety. In this respect, belonging to a recognisable collective of criminals creates a “protective cloak of association” (Hobbs, 2013: 160).

Associational criminal structures may also provide protection against law enforcement, for example through the sharing of corrupt ties to law enforcement officials, through help with the intimidation of witnesses, support for fugitive and incarcerated members and their families, and by way of financial aid to cover legal costs. Support may be lent directly by one individual member to another or in an organised way where the associational criminal structure provides a framework for the pooling of resources. However, not all associational structures and not even all formal criminal associations actually do provide such services. For example, a study in the USA found that “there is little evidence that spouses and families of organized crime members or associates are taken care of in any systematic way, if husbands are imprisoned” (Edelhertz & Overcast, 1993: 135). On the other hand, collective mutual support does not hinge on formal organisation. Informal networks, such as friendship groups or entire underworld milieus, may serve a similar function by raising funds on an ad hoc basis (Fordham, 1972: 115; Kerner, 1973: 214).

In some cases, material support for individual members is institutionalised in a communal fund to which members and sometimes also non-members make contributions in the form of entry fees, membership dues or payments on special occasions (Anderson, 1979: 35; Paoli, 2003: 48, 86). This is perhaps best exemplified by the Thieves in Law, a criminal association that came into existence in the Soviet Gulag system and that is organised around a communal fund (*obshchak*) (Serio, 2008: 160; Volkov, 2002: 58). The *obshchak* is set up inside a particular correctional facility, in a particular territory or by a particular group of Thieves. Reportedly, there now also exists a national *obshchak* with a volume of several hundred million US dollars (Shalikashvili, 2009: 34; Skoblikow, 2006: 51; Sobolev, Rushchenko, & Volobuev, 2002: 84). The use of funds is authorised by membership meetings for the benefit of individual members, for example to cover medical, legal and funeral expenses or to bribe law enforcement and prison officials (Skoblikow, 2006: 51; Sobolev et al., 2002: 86; Volkov, 2002: 58).

Code of Conduct

One basis upon which associational criminal structures are commonly built is a code of conduct, a set of shared behavioural norms. It is hard to imagine that there could be the kind of bonding and mutual support characteristic of associational criminal

structures without such normative consensus. The question is more how unique and how encompassing the norms and values are that are shared by the members. In the case of mafia-type associations they may “constitute a separate legal order” (Paoli, 2003: 120). Some of the rules may be specific to a particular associational structure, some may be adopted from a larger subcultural context, and some may represent a universal code of conduct that simply reflects the imperatives of associating under conditions of illegality. There are striking similarities between the traditional codes of conduct of such geographically and culturally disparate associations such as the Sicilian Mafia, Chinese triads, Japanese yakuza groups and also underground movements like the French Resistance during World War II (Chu, 2000: 3; Cressey, 1969: 171; Hill, 2003: 73). As Donald Cressey has pointed out, these organisations survive under illegality by essentially abiding by the same set of rules that include “(1) extreme loyalty to the organization and its governing elite, (2) honesty in relationships with members, (3) secrecy regarding the organization’s structure and activities, and (4) honorable behavior which sets members off as morally superior to those outsiders who would govern them” (Cressey, 1969: 171). These rules protect, first of all, the existence of an associational structure, and where an internal hierarchy exists, they protect in particular the interests of the leadership. Directly or indirectly, however, the rules also benefit the individual members, namely by making the behaviour of those they interact with and rely on more predictable and thereby reducing the complexity of the reality they face (Haller, 1992).

Rules Primarily in the Interest of the Association as Such

The norms and values that govern associational criminal structures can be roughly grouped with respect to their functions with some mainly pertaining to and benefiting the associational criminal structure as such and some primarily benefiting individual members. The main function of some rules, it seems, is to define an associational criminal structure as a separate entity with distinct qualities. For example, some criminal associations have established rules that forbid members to make their livelihood from anything other than crime (Hartmann & von Lampe, 2008: 112; Paoli, 2003: 125; Serio, 2008: 152). Similarly, there are commonly rules in place that mandate members not to seek assistance from or to collaborate with the government in any form, especially not in matters of security and justice. In the Sicilian Mafia, for example, according to one turncoat, “it is a fundamental rule for every man of honor never to report a theft or crime to the police” (cit. in Gambetta, 1993: 119; see also Paoli, 2003: 109). These rules set an associational criminal structure apart from legitimate society but also lift its members above the ranks of less determined criminals.

Other rules stipulate how members should behave in order to be honourable, and by implication, what is required of members in order to uphold and strengthen the reputation of the associational structure (Decker, Bynum, & Weisel, 1998: 408; Gambetta, 1993: 120). Some elements of the code of conduct are derived from the

broader social context. In the case of Italian mafia-type associations, for example, behavioural rules are variations of conservative norms and values centred on masculine honour and sexuality and on family morality (Travaglino, Abrams, Randsley de Moura, & Russo, 2014). Mafiosi are supposed “to lead an irreproachable family life” (Gambetta, 1993: 120; see also Paoli, 2003: 74). Mafiosi are also expected to “live an outwardly modest life” (Cressey, 1969: 216) and to “conceal their own importance, and to minimize any signs of their power” (Paoli, 2003: 111). The context specificity of some of these rules becomes apparent when one looks at other associations of criminals that have rather different ideas about proper behaviour, namely outlaw motorcycle gangs. Their codes of conduct, for the most part, emphasise such things as promiscuity and aggressive machoism and stress the importance of riding a motorcycle regularly (Barker, 2007; Quinn & Koch, 2003).

A third type of rules seems to aim primarily at sustaining associational criminal structures. Some of these rules apply mostly to formal criminal associations and pertain to the participation of members in group activities and to the continuous support of the association, namely by paying membership dues. Members of outlaw motorcycle gangs, for example, commonly are obliged to attend regular meetings and to participate in other club-related events (Barker, 2007). Rules on how to behave on these occasions supplement the more basic rules, such as the Hell’s Angels rule “No using dope during a meeting” (Barger, 2001: 46).

Obligations of secrecy can also be understood as rules that protect the continued existence of associational criminal structures. Not disclosing privileged information reduces the threat of outside interference from law enforcement and from other criminals (Reuter, 1983). However, there are important variations in the scope of what is considered privileged information that is subject to the code of secrecy. In one extreme, associational criminal structures are organised as secret societies and their very existence is meant to be kept a secret (Gambetta, 1993: 121; Paoli, 2003: 108). In the other extreme, the existence of associational criminal structures is propagated and members openly display symbols such as tattoos, pins or patches that make their membership status visible to outsiders (Barker, 2007; Hartmann & von Lampe, 2008).

The code of silence overlaps with rules against cooperation with the authorities and not to inform on other criminals. Sometimes the impression is given, especially in journalistic accounts, that this is something specific to mafia-type associations and their code of *omertà*. *Omertà* is a concept that originates in Sicilian culture and is linked to “the idea of a true man” who is supposed to protect his honour, his property and his family through his own efforts (Hess, 1996: 109). In contrast, silence and non-cooperation with the government are principles that are traditionally recognised in criminal circles, including inside prisons, and more generally in marginalised segments of society (Albini, 1971: 267–269; Cressey, 1969: 176; Ianni, 1975: 306–307; Sutherland, 1937: 10; Taylor, 1984: 149; Thrasher, 1963: 142).

Rules of secrecy may be flanked by rules against behaviour that increases the risk of a member disclosing sensitive information. In the Sicilian Mafia, for example, members are obliged to exercise “stringent self-control and self-discipline” and

they must refrain “from getting drunk or using drugs” (Paoli, 2003: 111). Likewise, information concerning the mafia group must not be put in writing (Paoli, 2003: 112). In a similar vein, some associational criminal structures prohibit involvement in certain types of crimes, partly because they are deemed dishonourable and partly out of concern that they may attract increased law enforcement attention (Haller, 1992: 4). In the case of mafia-type associations, for example, more or less strictly enforced prohibitions have existed against direct involvement in drug trafficking and kidnapping for ransom (Anderson, 1979: 37; Haller, 1991: 6; Paoli, 2003: 125), and against violence directed at law enforcement officials and ordinary citizens (Lombardo, 2013: 164).

The code of silence can be viewed as a specific expression of a more general principle of unequivocal loyalty towards the associational structures and its individual members. Another manifestation of this principle is absolute obedience to the leadership in the case of hierarchically structured criminal associations (Cressey, 1969: 168; Hill, 2003: 72). Indeed, former Mafia boss Joseph Bonanno in his autobiography mentioned “obedience to one’s superiors” first in a list of duties of a mafioso (Bonanno, 1983: 77).

Rules Primarily in the Interest of Individual Members

While some norms primarily benefit and protect associational criminal structures as such, other norms appear to protect first and foremost the interests of individual members. Two basic rules need to be mentioned in this respect, the obligation to provide mutual support and the corresponding obligation not to harm other members. This latter principle is translated into a number of different rules that apply to most if not all associational criminal structures. One important rule prescribes honesty in dealings with other members. “The rule of truth”, Gambetta explains with regard to the Sicilian Mafia, “is said to be even more important than the notorious rule of silence” (Gambetta, 1993: 122). In addition, there are more specific rules that address typical conflict scenarios and are designed to avoid or resolve disputes among members. A member is usually not allowed to physically assault another member (Abadinsky, 2013: 59; Hill, 2003: 72; Decker et al., 1998: 407), or in the case of the Hell’s Angels, only according to rules that limit the risk of serious injury: “Any fights between members will be STRICTLY one onto one, no rings are to be worn, no weapons to be used, no kicking when a guy is down” (cit. in Detroit, 2012: 234). Personal property of other members must also be respected (Decker et al., 1998: 407), as well as, in the case of male dominated or all-male associational structures, the wives or girlfriends of another member (Barker, 2007: 48; Chu, 2000: 3; Hill, 2003: 73; Skarbek, 2014: 118). In addition, an obligation commonly exists to respect the business interests of members and not to enter into direct competition with one another (Anderson, 1979: 71; Edelhertz & Overcast, 1993: 113; Haller, 1991: 6–7; Sutherland, 1937: 12).

Enforcement of Internal Rules

Complementary to the existence of rules are mechanisms for the enforcement of rules. In their most developed forms, associational criminal structures like the Sicilian Mafia and Italian-American Cosa Nostra or the Thieves in Law have a quasi-judicial system in place which, notably, not only maintains internal discipline but also serves a governance function that extends to non-members (Reuter, 1983; Volkov, 2002). Responsibilities and procedures for responding to violations of internal rules are formalised to some degree (Cressey, 1969: 207–211) with senior members charged with settling disputes among members and meting out punishment for transgressions against the code of conduct (Haller, 1992). However, internal discipline can also be enforced in non-hierarchical criminal associations such as the Thieves in Law where internal governance is exercised by the membership collectively in meetings that have absolute authority over individual members (Serio, 2008: 155; Sobolev et al., 2002: 91–92). In less developed associational criminal structures such as friendship networks, responses to rule violations are more informal, involving members on an ad hoc basis, and may not go beyond a “reaction of disapproval” (Weber, 1968: 34).

Depending on whether the violated norms primarily protect the associational criminal structure as such or the interests of the individual members, the system of rule enforcement can take on the form of criminal justice or civil justice or a combination of the two. Criminal justice responses come in the form of punishment that is meted out for wrongdoing against common interests, whereas civil justice applies to the resolution of conflicts between members as parties of equal status. Typical forms of punishment that associational criminal structures use include fines, temporary suspension of membership, expulsion, humiliation, corporal punishment, and death (Barker, 2007: 92–93; Chu, 2000: 34; Paoli, 2003: 128–129). Typical civil justice measures are orders to desist from inappropriate behaviour, to financially compensate the wronged member, or to show gestures of reconciliation (Cressey, 1969: 210; Maas, 1997: 172–173).

A Typology of Associational Criminal Structures

In the preceding section it has been argued that associational criminal structures constitute a distinct pattern of relationships among criminals defined by a set of core functions that are essentially social in nature. In this section a typology is proposed with which the various manifestations of associational criminal structures can be grouped into more homogeneous subcategories as a basis for further theorising and research. The proposed typology rests on two criteria, formalisation and legality. Formalisation refers to the degree to which the behaviour and the relations within an organisation are explicitly specified independently of the individual characteristics of those occupying positions in the organisational structure (Scott, 1981: 15).

	Informal ←————→ Formal	
Legal ↑ ↓ Illegal	Type A Family-based Association	Type B Outlaw Motorcycle Gang
	Type C Friendship Network of Drug Traffickers	Type D Cosa Nostra

Fig. 2.1 A typology of associational criminal structures

Legality, for the purpose of the present discussion, pertains to the degree to which structures originate in and constitute legal entities. The combination of both dimensions leads to the differentiation of four types of associational criminal structures (Fig. 2.1).

The first two types of associational criminal structures are represented by relational patterns that are rooted in legitimate society and may have retained some degree of legality, even to the point that they have a dual nature as criminal and as non-criminal structures. Some of these structures resemble formal organisations and some are informal collectives.

Associational criminal structures that have some footing in legitimate society and at the same time show no formalisation (Type A) are arguably best exemplified by natural families that provide cohesion and status to members who engage in criminal activities. This seems to apply at least to some of the “family firms” described by Hobbs (1989, 2001, 2013) as well as to, for example, Arabic-speaking family clans that are powerful players in the German underworld (Henninger, 2002; Kamstra, 2014). These “family-based associations” (Hobbs, 2013: 97), to the extent they overlap with the underlying kinship unit, are inherently legitimate structures simply because natural families as such cannot be subject to criminalisation. Their recruitment patterns are also rooted in mechanisms that by nature are legitimate in that membership is primarily attained through birth or marriage. However, it seems that some individuals not related by blood can also gain “an allegiance to such a firm” (Hobbs, 2013: 105) in a more conventional sense through mutual recognition of a status of affiliate (see Hobbs, 2013: 161).

The second type of associational criminal structure that has a footing in legitimate society but in contrast to family-based associations shows a high level of formalisation (Type B) is perhaps best represented by those outlaw motorcycle gangs that hold a legitimate status as officially registered associations or foundations and that protect their club insignia as registered trademarks (Barker, 2007: 132).

The implication is that the efficiencies of formal organisation can to some extent be exploited for illegal purposes. Furthermore, the legal status of an association means that it is an easily identifiable and recognisable entity which facilitates the build-up and use of reputational capital (Hartmann & von Lampe, 2008: 134).

The other two types of associational criminal structures captured by the fourfold typology are characterised by their rooting and embeddedness in entirely illegal contexts. These structures have been formed in pursuit of illegal purposes. In one case (Type C), associational criminal structures are informal patterns of relations that have emerged in the context of illegal activities, represented, for example, by the friendship networks of drug traffickers described by Patricia Adler (1985). One typical pattern was that of “circles” of drug dealers who socialised on a daily basis, thereby promoting mutual trust and facilitating the exchange of information about suppliers and customers (Adler, 1985: 70–71). These structures may be difficult to identify and delineate for criminals and law enforcement alike, but they are far less ambiguous targets for law enforcement than the family-based associations of Type A. In the other case (Type D), associational criminal structures have been formed by criminals for criminal purposes and show a high degree of formalisation. One example is the Italian-American Cosa Nostra with its formalised membership and formal hierarchical order, including the ranks of ordinary member (“soldiers”) and mid-level “lieutenant” and the leadership ranks of “boss”, “underboss” and “consigliere” (Cressey, 1969: 112–115).

It goes without saying that there are other dimensions across which associational criminal structures vary and that are not captured by this fourfold typology. For example, there are variations in the degree of vertical differentiation and in the importance attached to the use of violence. In both respects the Thieves in Law constitute a deviant case with their flat hierarchy and a code of conduct that does not particularly emphasise the use of violence (Serio, 2008: 165; Varese, 2001: 155–157; Volkov, 2002: 57).

Conclusion

Starting with the notion that there is more to criminal networks than co-offending structures, this chapter seeks to systematise some of the patterns of relations that connect criminals and that are not directly geared towards the commission of profit-making crimes. The focus is on associational criminal structures as opposed to entrepreneurial criminal structures and quasi-governmental criminal structures. Two main points are made in this discussion, first that a broad range of structures are similar in that they perform the same set of functions fostering, for example, bonds of trust and mutual support, and second, that these structures can be meaningfully grouped within a fourfold typology based on the criteria of legality and formalisation. As a result, some salient similarities and differences are highlighted between phenomena described in the empirical organised crime literature such as family-based associations of criminals, outlaw motorcycle gangs, friendship

networks of drug traffickers and mafia-type associations. It is argued that these phenomena represent functional equivalents with respect to the bonding of offenders and that they have to be taken into consideration when analysing and assessing criminal networks. Future research should examine what implications variations in the legality and formalisation of associational criminal structures have with respect to their resilience and their impact on profit-oriented crime and illegal governance.

References

- Abadinsky, H. (2013). *Organized crime* (10th ed.). Belmont, CA: Wadsworth.
- Adler, P. A. (1985). *Wheeling and dealing: An ethnography of an upper-level drug dealing and smuggling community*. New York: Columbia University Press.
- Albini, J. (1971). *The American mafia: Genesis of a legend*. New York: Meredith Corporation.
- Anderson, A. G. (1979). *The Business of organized crime: A Cosa Nostra family*. Stanford, CA: Hoover Institution Press.
- Barger, R. 'Sonny'. (2001). *Hell's Angel: The life and times of Sonny Barger and the Hell's Angels Motorcycle Club*. London: Fourth Estate.
- Barker, T. (2007). *Biker gangs and organized crime*. Newark, NJ: Matthew Bender.
- Bonanno, J. (1983). *A man of honor*. New York: Simon and Schuster.
- Bouchard, M., & Ouellet, F. (2011). Is small beautiful? The link between risks and size in illegal markets. *Global Crime*, 12(1), 70–86.
- Chu, Y. K. (2000). *The triads as business*. London: Routledge.
- Cressey, D. R. (1969). *Theft of the nation: The structure and operations of organized crime in America*. New York: Harper & Row.
- Decker, S. H., Bynum, T., & Weisel, D. (1998). A tale of two cities: Gangs as organized crime groups. *Justice Quarterly*, 15(3), 395–425.
- Densley, J. A. (2012). The organisation of London's street gangs. *Global Crime*, 13(1), 42–64.
- Detroit, U. (2012). *Höllennritt: Ein deutscher Hells Angel packt aus* (5th ed.). Berlin: Ullstein.
- Edelhertz, H., & Overcast, T. D. (1993). *The Business of organized crime: An assessment of organized crime business-type activities and their implications for law enforcement*. Loomis, CA: The Palmer Press.
- Fordham, P. (1972). *Inside the underworld*. London: George Allen & Unwin.
- Gambetta, D. (1993). *The Sicilian mafia: The business of private protection*. Cambridge, MA: Harvard University Press.
- Haller, M. H. (1991). *Life under Bruno: The economics of an organized crime family*. Conshohocken, PA: Pennsylvania Crime Commission.
- Haller, M. H. (1992). Bureaucracy and the mafia: An alternative view. *Journal of Contemporary Criminal Justice*, 8(1), 1–10.
- Hartmann, A., & von Lampe, K. (2008). The German Underworld and the Ringvereine from the 1890s through the 1950s. *Global Crime*, 9(1&2), 108–135.
- Henninger, M. (2002). 'Importierte Kriminalität' und deren Etablierung. *Kriminalistik*, 56(12), 714–729.
- Hess, H. (1996). *Mafia & Mafiosi: Origin, power and myth*. New York: New York University Press.
- Hill, P. B. E. (2003). *The Japanese mafia: Yakuza, law, and the state*. New York: Oxford University Press.
- Hobbs, D. (1989). *Doing the Business: Entrepreneurship, the working class, and detectives in the east end of London*. Oxford: Oxford University Press.
- Hobbs, D. (1995). *Bad Business: Professional crime in modern Britain*. Oxford: Oxford University Press.

- Hobbs, D. (2001). The Firm: Organizational logic and criminal culture on a shifting terrain. *British Journal of Criminology*, 41(4), 549–560.
- Hobbs, D. (2013). *Lush life: Constructing organized crime in the UK*. Oxford: Oxford University Press.
- Ianni, F. A. J. (1975). *Black mafia: Ethnic succession in organized crime*. London: New English Library.
- Ianni, F. A. J., & Reuss-Ianni, E. (1972). *A Family Business: Kinship and social control in organized crime*. New York: Russell Sage.
- Kamstra, S. (2014). Berlin im Griff der OK? *Der Kriminalist*, 46(7–8), 18–26.
- Kerner, H.-J. (1973). *Professionelles und organisiertes Verbrechen: Versuch einer Bestandsaufnahme und Bericht über neuere Entwicklungstendenzen in der Bundesrepublik Deutschland und in den Niederlanden*. Wiesbaden: Bundeskriminalamt.
- Kleemans, E. R., & van de Bunt, G. H. (1999). The social embeddedness of organized crime. *Transnational Organized Crime*, 5(1), 19–36.
- Lombardo, R. M. (1994). The social organization of organized crime in Chicago. *Journal of Contemporary Criminal Justice*, 10(4), 290–313.
- Lombardo, R. M. (2013). *Organized crime in Chicago: Beyond the mafia*. Urbana, IL: University of Illinois Press.
- Maas, P. (1997). *Underboss: Sammy the Bull Gravano's life in the mafia*. New York: HarperCollins.
- Malm, A., Bichler, G., & Van De Walle, S. (2010). Comparing the ties that bind criminal networks: Is blood thicker than water? *Security Journal*, 23(1), 52–74.
- Morselli, C., Tremblay, P., & McCarthy, B. (2006). Mentors and criminal achievement. *Criminology*, 44(1), 17–42.
- Paoli, L. (1998). Criminal fraternities or criminal enterprises? *Transnational Organized Crime*, 4(3–4), 88–108.
- Paoli, L. (2003). *Mafia Brotherhoods: Organized crime, Italian style*. New York: Oxford University Press.
- Pistone, J. D. (1989). *Donnie Brasco: My undercover life in the mafia*. New York: Signet.
- Quinn, J. F. (2001). Angels, Bandidos, Outlaws, and Pagans: The evolution of organized crime among the big four 1% motorcycle clubs. *Deviant Behavior*, 22(4), 379–399.
- Quinn, J., & Koch, D. S. (2003). The nature of criminality within one-percent motorcycle clubs. *Deviant Behavior*, 24(3), 281–305.
- Reuter, P. (1983). *Disorganized crime: The economics of the visible hand*. Cambridge, MA: MIT Press.
- Schelling, T. C. (1971). What is the business of organized crime? *The Journal of Public Law*, 20(1), 69–82.
- Scott, W. R. (1981). *Organizations: Rational, natural, and open systems*. Englewood Cliffs, NJ: Prentice-Hall.
- Serio, J. D. (2008). *Investigating the Russian mafia*. Durham, NC: Carolina Academic Press.
- Shalikashvili, M. (2009). *“Diebe im Gesetz”: Eine kriminelle Organisation im deutschen Jugendstrafvollzug?* Berlin: Wissenschaftlicher Verlag Berlin.
- Shen, A. (2015). *Offending women in contemporary China: Gender and pathways into crime*. Basingstoke, UK: Palgrave Macmillan.
- Simmel, G. (1950). *The sociology of Georg Simmel, translated, edited, and with an introduction by Kurt H. Wolff*. Glencoe, IL: The Free Press.
- Skarbek, D. (2014). *The social order of the underworld: How Prison Gangs Govern the American penal system*. Oxford: Oxford University Press.
- Skoblikow, P. A. (2006). Über kriminelle (“diebische”) Traditionen und Normen bei der Beilegung von Streitfällen in Russland Anfang der 1990-er Jahre. *Kriminalistik*, 62(1), 46–54.
- Sobolev, V. A., Rushchenko, I. P., & Volobuev, A. F. (2002). *Organized criminal groups in Ukraine: Traditional and typical (sociological essay)*. Kharkov: National University of Internal Affairs.
- Sutherland, E. H. (1937). *The professional thief: By a professional thief*. Chicago, IL: The University of Chicago Press.

- Taylor, L. (1984). *In the underworld*. Oxford: Basil Blackwell.
- Thrasher, F. M. (1963). *The Gang: A study of 1313 Gangs in Chicago*, abridged edition. Chicago, IL: University of Chicago Press.
- Travaglino, G. A., Abrams, D., Randsley de Moura, G., & Russo, G. (2014). Organized crime and group-based ideology: The association between masculine honor and collective opposition against criminal organizations. *Group Processes and Intergroup Relations*, 17(6), 799–812.
- Ulrich, A. (2005). *Das Engels Gesicht: Die Geschichte eines Mafia-Killers aus Deutschland*. München: Deutsche Verlags-Anstalt.
- Van Duyne, C. P. (1996). The phantom and threat of organized crime. *Crime, Law and Social Change*, 24(4), 341–377.
- Varese, F. (2001). *The Russian mafia: Private protection in a new market economy*. Oxford: Oxford University Press.
- Varese, F. (2010). What is organized crime? In F. Varese (Ed.), *Organized crime: Critical concepts in criminology* (Vol. I, pp. 1–33). London: Routledge.
- Volkov, V. (2002). *Violent entrepreneurs: The use of force in the making of Russian capitalism*. Ithaca, NY: Cornell University Press.
- von Lampe, K. (2003). Criminally exploitable ties: A network approach to organized crime. In E. C. Viano, J. Magallanes, & L. Bidel (Eds.), *Transnational organized crime: Myth, power and profit* (pp. 9–22). Durham, NC: Carolina Academic Press.
- von Lampe, K. (2016). *Organized crime: Analyzing illegal activities, criminal structures and extra-legal governance*. Thousand Oaks, CA: Sage.
- von Lampe, K., & Johansen, P. O. (2004). Organised crime and trust: On the conceptualization and empirical relevance of trust in the context of criminal networks. *Global Crime*, 6(2), 159–184.
- Weber, M. (1968). *Economy and society: An outline of interpretive sociology*. New York: Bedminster.

Illegal Entrepreneurship, Organized Crime and Social
Control

Essays in Honor of Professor Dick Hobbs

Antonopoulos, G.A. (Ed.)

2016, XIX, 360 p. 5 illus., 2 illus. in color., Hardcover

ISBN: 978-3-319-31606-2