

SOCIOLOGICAL ANALYSIS OF ORGANISED CRIMINALITY IN TURKEY

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ERTAN BEŞE

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Approval of the Graduate School of Social Sciences

Prof. Dr. Sencer AYATA
Director

I certify that this thesis satisfies all the requirements as a thesis for the degree of Doctor of Philosophy.

Assoc. Prof. Dr. Sibel KALAYCIOĞLU
Head of Department

This is to certify that we have read this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Doctor of Philosophy.

Prof. Dr. Kayhan MUTLU
Supervisor

Examining Committee Members

| | |
|------------------------------------|------------------------------|
| Prof. Dr. Yusuf Ziya ÖZCAN | (METU, Sociology) ----- |
| Prof. Dr. Kayhan MUTLU | (METU, Sociology) ----- |
| Prof. Dr. Tülin İÇLİ | (HACETTEPE, Sociology) ----- |
| Assoc. Prof. Dr. Sibel KALAYCIOĞLU | (METU, Sociology) ----- |
| Assoc. Prof. Dr. Aslıhan ÖĞÜN | (HACETTEPE, Sociology) ----- |

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Name, Last name: Ertan BEŞE

Signature :

ABSTRACT

SOCIOLOGICAL ANALYSIS OF ORGANISED CRIMINALITY IN TURKEY

BEŞE, Ertan
PhD, Department of Sociology
Supervisor: Prof. Dr. Kayhan Mutlu

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This thesis argues that organized crime is a sociological phenomenon with criminological dimensions that constitutes a threat to public security and order, economic development, social integrity, democracy and peace in Turkey, and consequently to the national security of the country. Sociological and political causes of organized criminality will be assessed through a multidimensional approach based on the identification of different conceptual areas and related indicators that characterize organized crime groups.

Keywords: Organized Crime, Criminal Network, Mafia-like Association, Violence, Ruffian(ism).

ÖZ

TÜRKİYE’DE ORGANİZE SUÇLULUĞUN SOSYOLOJİK ANALİZİ

BEŞE, Ertan
Doktora, Sosyoloji Bölümü
Tez Yöneticisi: Prof. Dr. Kayhan Mutlu

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Bu tez, Türkiye’de organize suçların ortaya çıkışını, köklerini, yapı ve faaliyetlerini ve organize suçların Türkiye’de kamu güvenliğine karşı oluşturduğu tehlikeleri analiz etmekte ve ayrıca Türkiye’de özellikle Susurluk Kazası’ndan hemen sonra önemli bir gündem yaratan organize suç olgusunun analizi için kapsamlı bir rehber geliştirmeye çalışmaktadır. Bu nedenle, bu tezin temel amacı, Türkiye’deki organize suçluluğa ilişkin olarak sosyolojik bir bakış açısıyla teorik bir yaklaşım oluşturmak ve Türkiye’deki organize suçluluğu bu teorik çerçeve içerisinde sosyolojik temel ve sonuçlarına dayalı olarak değerlendirmektir.

Anahtar Kelimeler: Organize Suç, Suç Şebekeleri, Mafya-Tipi Örgütlenme, Şiddet, Kabadayılık.

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CHAPTER I

INTRODUCTION

I. 1. Introduction

In the field of Criminology there is nowadays more emphasis than formerly on the idea that crimes are not always committed by criminals acting on their own, but that many crimes are planned and committed by several offenders operating together. Therefore, Criminology has seen the introduction of terms like ‘organized crime’, ‘group crime’, ‘gangs’, ‘corporate crime’ and ‘organizational crime’. Accordingly, in the last ten years there have been more and more empirical and theoretical studies into criminal activities that require a certain form of collaboration and organization.

Despite the fact that the roots of organized criminality have a long historical depth, it is still a modern phenomenon. Since the early 1970s, the security organizations and judicial authorities in the Western countries have launched to an intensive examination of the further methods to fight against a new type of criminality of which the nature is as yet not clearly identified.

The perpetrators of this type of criminality tend to invent some extra techniques of committing particular crimes in such a way that they would have a better chance of getting away from police inspection. Those who have committed this type of crimes that have an organized nature were all benefitted from the opportunities of free market economy as the businessmen acting in legal economy. Since then, those crimes which are mostly committed by way of utilizing or exploiting the contingency of economic system and by means of well-designed organizational structure in a professional manner have come to be named ‘organized crime’.

Moreover, the traditional image of organized crime as an activity that is dominated by centrally controlled organizations with a clear hierarchy and strict division of tasks is apparently a bit outdated or is, at least, not satisfactory to describe the recent organized criminality to a large extent. Nowadays, transnational character of organized crime is fully underlined in English literature to better portray it as a

collection of offenders and criminal groups that enter into collaboration with each other in varying combinations either in a local or international basis.

The traditional literature and researches on organized crime have ranged from the theoretical and historical to more grounded efforts to describe the field of study and the phenomenon of organized crime. Much of these resources focus upon particular instances of organized crime or certain legally proscribed activities such as drug trafficking, illegal arms trafficking, racketeering, forced prostitution, the mafia or 'family crime businesses' or prominent actors in organized crime historically. While this view seems to have dominated much of the early work in the field, more recent researches suggest that the top-down, highly rigid organizational structures assigned to such traditional organized crime groups as the Cosa Nostra or Mafia may not be accurate. The notion of the highly organized, rigidly regulated crime family is most often associated with Donald Cressey in his work 'Theft of the Nation' (Cressey, 1969).

In the recent studies of organized crime, furthermore, particularly in the international literature, the traditional view of criminal groups as centrally controlled organizations has been replaced by the notion of transnational criminal networks. However, this position is consistent with a network model of organized crime, wherein the structures of organized crime groups are characterised as diverse, decentralised associations in which relations between core actors are defined horizontally. Correspondingly, it is emphasized that not only transnational organized criminality has criminal networks, but also some local criminal organizations may have their own network models. Thus, concepts and theories of social networks have been developed in social sciences.

The term of '**criminal network**' has been a popular concept to designate the structure of the groups of people who are involved in organized crime and furthermore to better use these kinds of structures in theoretically explaining and empirically investigating criminal collaborative links. Meanwhile, this term in criminology mostly refers to the transnational dimension or characteristic of organized crime and does not however have so many concepts and theories that have

developed in criminology and the other social sciences in relation to the formation, structure and effects of social networks.

The characteristics of global or international criminal networks are generally disclosed by describing some specific illegal transnational markets such as smuggling and large-scale trading in narcotics, trafficking in women and the market for stolen cars. The activities of illegal groups in illegal markets also indicate how these groups differ from each other.

Despite the reality that no consensus exists even on the definition of organized crime, it is flourishing all over the world. On the other hand, it is highly conceivable that there is much more accord on the theoretically fundamental and practically significant questions.

Why does organized crime emerge in a country and expand its activities and influence to other countries? There is a growing recognition of the vulnerability of developing societies and emerging democracies to this problem and continued study of the phenomenon in mature economies. Without a richer understanding of the phenomenon, organized crime will continue to thrive because the roots of the problem will remain unexposed.

It is worth noting that organized crime offers the academic community the best chance to undertake multidisciplinary research that all social science disciplines, such as sociology, political science, law, security studies, international relations, economics, international political economy, anthropology etc. could be involved in the efforts to be able to explain the worldwide existence and success of such groups.

I would also like to emphasize that theoretical insights from the '**social network approach**' can be highly significant to criminological explanation of organized criminality that might be regarded as one of the distinguished characteristics of some organized crime groups based in Turkey as well.

Thus, I have referred to the concepts from social network theory and to the image of 'social capital' to describe and explain the main characteristics of criminal groups with social organizational dimensions that perform illegal activities. For example, especially the groups that operate in a large-scale heroin market tend to be close-knit, cohesive and ethnically homogenous, just because these types of illegal

activities appear to be related to the legal and financial risks associated with the crimes in question, and thereby to the required level of trust between collaborating criminals, which refers to, namely, social capital.

I. 2. Studying Organized Criminality

The peculiar nature of organized criminality which is strictly connected with the secrecy of organized crime groups causes the problem of reliable sources. As is clear, our problem does not consist primarily in the realization of a bibliography of books and articles, but in the selection of all kinds of institutional, academic etc. sources.

Studying organized criminality or this type of crime groups means explaining the causes creating this type of criminality, impacts on the local, national and international structures, variety of this type criminal groups and their main characteristics in respect of leadership, continuity, membership, resorting violence, family based etc and how they are entrenched in their original surroundings and how they can expand into other regions or countries each with a peculiar world economy. All the traditional levels of analysis are implied individuals, states and international level but also new ones appear as clans, ethnic groups, etc...

Although a multidisciplinary study is the most appropriate method for this topic; we are basically going to focus on the sociological aspects of the issue. As should be already evident, we may develop some theoretical propositions based on epistemological remarks and premises such as the assumption that not all social reality is directly observable. Every kind of social action implies many elements that are not quantifiable, such as dynamic relations among different subjects, unwritten rules, conflicts of values of which frequently we come across in organized crime issues. This means, on the other hand, invisible structures may affect the final result.

The reality includes only what fits into our definitions which mean that we need concepts and theories. Even empirical researches must be oriented by hypothesis and models of analysis. Our first task, is thus to define organized crime and to distinguish between the many different species inside the whole genus.

We can imagine a sort of 'continuum' starting from organized crime in the sense of a group of individuals who act together to commit various types of serious

crimes such as racketeering, illegal arms trading, smuggling, armed robberies, drug trafficking, soliciting prostitution, trading stolen cars, organized gambling, abduction for ransom and many others, on a national or transnational basis; then crime syndicates as criminal groups well-structured with different hierarchical roles and devoted to the search for profits, acting first of all as entrepreneurs, and finally with Mafia at the other end of the continuum, as the most specialized criminal group type which is also using politics and resorting violence and force, if necessary, as a means of threat and fear to obtain profits that means the totalitarian control of a territory.

Maybe in certain circumstances a sort of ‘natural’ trend exists and it is possible to talk about a kind of evolution of organized crime groups that identifies the type and description of the relevant group or activity. For instance, the Mafia type organized criminality, which is the topmost level of organized criminality in terms of capacity to firmly influence the political, economical and social system, is the point of arrival in this respect that indicates of which an organized crime group has developed links with elements of the political system and has sustainable ability to resort to use of force or violence and threat through armed members and ability of imposing certain rules in order to provide internal disciplinary and external influence. In Turkey, as we shall be dealing with in Chapter V, organized criminality can be identified in three distinct period of time that each term manifests its own specific traits that come to existence in a process of evolution.

Or, on the contrary, a criminal group may halt its evolution at the level of crime syndicate for which even some characteristics of Mafia type organized criminality may exist. If these assumptions are true, then it may be argued that the Mafia can evolve into a purely legal enterprise and thus societies must ultimately learn to coexist with Mafia. Is this assumption convincing or valid for Turkey?

Therefore, our second task could be to classify organized crime groups by measuring its power and performance in various respects, such as the level of entrenchment and that of expansion. ‘Entrenchment’ consists in the conquest of a territory, which can be achieved by using armed force or diplomacy, both against other criminal groups and against state representatives. The ‘expansion’ refers to the

capacity of a criminal group to embark on the colonization of new regions which might be in the same city, in bordering regions or in new states.

To realize such a dynamic fact means to adopt a systematic approach towards the phenomenon that means a particular way of outlining a social reality or organizing some theories or models about the way of certain political, social, economic or criminal reality works. The system of organized criminality, as a systematic way of committing specific crimes in a particular manner, has an authority, a regime of rules and values, and a community which has borders through which it communicates with other counterparts. This systematic approach, then, could help us to obtain a dynamic representative of the criminal world on which we want to gather information.

The models identified or applied by various authors, as I am going to refer to in the later part of my thesis, have in common a strong orientation to concrete events and settings. The ‘models’ are largely constructed with specific manifestations of organized crime in mind that have emerged under specific historical and cultural conditions.

The authors mostly try to overcome the resulting limits in applicability by combining different approaches. However, these composite models, although they potentially touch a wide range of issues, still fall short of an overall framework that is designed to consistently analyze and compare phenomena across historical and cultural variations, because these composite models arrange and link phenomena more or less as if the only possible constellations are those defined by specific historical cases.

In contrast, when we speak of organized crime research as a process of creating a cumulative body of knowledge (Lampe, 2002:189-198), we need a conceptual framework that allows for the empirical existence of any conceivable constellation of the phenomena that fall under the umbrella concept of organized crime, regardless of whether or not they resemble commonly known events or stereotypical imagery.

At this point, I would like to refer to the ‘notion vulgaire’ in the Durkheimian sense (Durkheim, 1973:22), which reflects social reality as much as emotions,

prejudices and ideologies of those involved in the construction process that as an assumption that ‘organized crime’ is first and foremost a construct.

I. 3. Objectives of this Study

A great deal of knowledge and information about organized crime is held by various institutions in different countries but it is not used to its fullest potential. By studying international and national (though it is very limited) literature on the subject, analyzing police files or evaluating experiences in organized crime, I hope to stimulate a greater utilization of existing knowledge. My thesis aims to inform scholars, researchers, law enforcement agents, judiciaries and all other persons or institutions in the field of organized crime about relevant developments and research activities in Turkey. It is also intended as a contribution to an increase in knowledge about organized crime.

The first and foremost practical goal of this study, furthermore, is to develop a theoretical and comprehensive guidance to analyze the phenomenon of organized criminality in Turkey, which has created an exclusive agenda in Turkish politics and daily life particularly after the event of Susurluk accident on November 3, 1996. It is also one of the primary objectives of this study that draft a roadmap to grasp the recent scandalous happenings, media coverage and other related issues to the organized crime activities and conspicuous gang groups or leaders in Turkey in the light of most common theoretical approaches taken part in international academic writings on organized criminality all over the world.

In Turkey, it is recently possible to see a very wide media coverage about and comments on mafia news which are mostly descriptive and aiming at disclosure of dialogues and tapped or taped telephone conversations between high level bureaucrats, businessmen, members of judiciary and, of course, members of organized crime gangs. Those who have a look at what have already been written or said about mafia, or more correctly organized crime, may rightly surmise that the issue had been deeply and very sensitively examined and dealt with. The reality is, however, not as it is deemed since the issue proposed for agenda by the daily media is irrelevant and deprived of essence due to its mostly magazine appeal.

In other word, the crimes committed by specific groups which have a mafia type organizational structure are reflected as ordinary criminal activity in this context that is absolutely an erroneous approach. Organizing in a mafia type structure is, in fact, a social event of which most vital pillar is its economic power. The mafia type organized crime groups, in particular, which have obtained an economic power via its illegal activities, exert it in order to put pressure on the various components of economic, political and social environment at the cost of economic instability. On account of this, some economists put forward that if the things for mafia organizations in a country to go well and are flourishing; it means that the business affairs of those who work in an incorruptible way take a downward turn. Apart from a downward turn, in spite of their whole efforts to stay away from this type of groups, they may desperately find themselves in the midst of mafia's arms. Thus, they would come face to face for a willy-nilly confrontation.

Despite the fact that a large number of journalistic publications on some organized crime groups and certain persons involved in dirty deeds have existed in Turkey, since Susurluk incident in particular; academic writings have been very limited. The writings produced by various authors and commentators on organized crime in Turkey are, to a large extent, focused on state and mafia connections, life stories of well-known mafia members, recounting some grave corruption cases in the form of a story.

Besides, a comprehensive and an analytical study on this issue has not yet been materialized and, moreover, not taken an organizational and figurative inventory of organized crime groups and not been collected all required information and facts about number of groups, demographic characteristics of their members, financial strength and involvements in criminal activities for a full-extent of criminological evaluation. It is publicly known, on the other hand, that the Department of Anti-Smuggling and Organized Crime and the Department of Intelligence, which are both exclusively designed departments within the general structure of Turkish National Police Directory, have a highly exceptional documentary, records, statistics, intelligence information and naturally very

experienced personnel concerning organized crime. Yet, all these materials are widely juridical, operational and open to merely departmental use.

Accordingly, the primary objective of this thesis is to outline the theoretical approaches towards organized criminality in a sociological perspective and assess organized criminality in Turkey according to their sociological grounds and consequences at this theoretical framework. The analysis of each conceptual area and related representative cases will provide the framework for assessing organized criminality in Turkey. Sociological and political causes of organized criminality will be assessed through a multidimensional approach based on the identification of different conceptual areas and related indicators that characterize organized crime groups. Those elements, taken together, will help to generate assessment indicators.

The dissertation broadly seeks to provide police, intelligence units and all other law enforcement agencies, academicians, media and the community in general with reliable information on and criminological analyses of trends relating to organized crime groups in Turkey. The findings of the study will support and expand the technical and academic information in order to enable it to guidelines on suitable strategies to prevent and combat organized crime. Moreover, the outcomes of the project will support the technical cooperation activities of the related institutions and will allow it to assist them in the formulation of policies and guidelines on suitable strategies to prevent and combat such groups.

Through chronological analysis, the study will allow the identification of trends and the forecasting of their possible future developments and strategies. The findings of the project will be presented in the relevant chapter of the thesis.

Such a dynamic approach to the phenomenon of organized criminality will let us better know about organized crime groups and their decision-making process allow for the development of an innovative analysis of highly sensitive initiatives and to the observance of rules of organized crime that is clearly distinguished affiliation and internal codes of conduct.

I. 4. Method of Work and Research Sources

My thesis will focus on two aspects of the phenomenon of organized criminality. First of all, I shall fully elaborate the characteristics and components of

organized crime and assess the main indicators in general by studying on basically academic literature and by examining those criminal organizations that appear to be pre-eminent on the basis of public and academic accounts.

I shall give particular attention to their internal structure and modus operandi. With regard to the internal structure, general aspects of the modalities through which they recruit, infiltrate and manipulate institutional and political entities and new members; the stratification of power inside the groups in respect of hierarchy, roles, differentiation of tasks and assignments; the presence of a corpus of rules and laws inside the group; the possible presence of high command structures; and the existence of possible fraternizing mechanisms such as family, ethnic, religious and political that ensure the loyalty of members to the group will be dealt with. The analysis of the strategies developed by the criminal groupings will shed light on the mechanisms that allow and encourage their expansion and continuity.

The thesis will also evaluate most prominent Mafia type criminal organizations operating in Turkey on the basis of a dynamic approach consisting in the identification of specific conceptual areas that refer to the groups themselves and to the social, economic and political context. Therefore, the broad objective of this study is to assess critically the beginning and flourishing of organized criminality in Turkey.

The problem, in fact, is to verify the reliability and the genuineness of each source, because of the frequency with which also public agencies assemble their reports using second-hand information, and often without even making it explicit.

I shall adopt a method of work that includes the establishment of a network of information providers who are experts on organized crime groups and a network of relations to qualified and appropriate contact (key) persons in the field for analysis and interpretation, the organization of a series of interviews for consultation with an advisory panel composed of law enforcement agencies, middle and high ranked policemen working for the Anti-Smuggling and Organized Crime Departments/Branches and Intelligence Bureau of Police Headquarters. Moreover, I shall establish with relevant, national statistical institutes, non-governmental research

institutes and academia in order to collect and analyze relevant information and data on organized criminality in Turkey.

In order to meet the broad objective, the thesis will proceed in three phases and each of these phases will employ appropriate types of research techniques and take part in relevant Chapters.

The first phase will be devoted to the establishment of the network of information providers and to the collection of relevant information on the organized criminality and pertinent organized crime groups. Accordingly, I shall adopt a diversified approach in the collection and analysis of relevant information, in order to achieve the broadest possible perspective on the phenomenon.

As a matter of course, I shall continually collect and review various sources of information consisting of statistical publications, the collection and analysis of official reports of relevant law enforcement agencies or public institutions such as police organization, research studies, monographs, articles, reports of governmental and *ad hoc* committees (for instance, The Inquiry Commission for Susurluk Event) etc. and of course a review of the professional literature including relevant publications, etc.. In this phase, I secondly applied personal communication with the members of police organization people in different ranking positions and in relevant departments in order to extract their knowledge, perceptions and attitudes towards the organized crime.

The second phase, of which the greatest part takes part in Chapter IV and Chapter V, will focus on the evaluation of that information accumulated in the course of the first phase I and, especially Chapters III and IV, to some extent, will comprise applicable theoretical approaches.

Finally, the last phase will analyze the organized criminality in Turkey through all those criminological approaches taken part in relevant chapters. I am going to the analysis of samples of recent criminal cases by file analysis and interviewing of functionaries involved. Therefore, Chapter V examines the implications of the Turkish experience of organized criminality and gives the people a clue to explore analytically the recent years' episodic anti-mafia operations in Turkey.

A brief map of this thesis is as follows:

The first Chapter is a classical introductory one that precedes and makes known the general framework of the study as just it is ongoing now.

The Second Chapter explores the concepts, academic, legal and empirical definitions, characteristics and components, impacts and the models of organized criminality.

The Third Chapter analyzes a number of theoretical issues relating to organized criminality by touching upon most common and most prominent organized crime theories.

The Fourth Chapter will be primarily and unequivocally dealing with the sociological theories of organized criminality with a thorough emphasis on the social capital of organized crime.

The Fifth Chapter assesses the historical background of this sort of criminality in Turkey in the meaning and assets of 'social history'. This chapter also includes the activity fields of organized crime groups in Turkey.

The Sixth Chapter, which is the largest part of the thesis, will pay a special attention to the organized criminality in Turkey in such a way that traits of organized crime groups, common and typical characteristics will be examined in the light of all collected documentary and information.

The thesis comes to an end with a conclusive summary in Chapter Seven.

CHAPTER II

THEORIZING ORGANIZED CRIME

AND

THE CONCEPT OF ‘ORGANIZED CRIMINALITY’

II. 1. Definitions of Organized Crime

A study on the phenomenon of organized crime aimed to a common understanding must start from a definition of the concept of organized crime. Such a concept logically precedes the explanation of the situation relevant to the various types of illicit activity that any single activity necessarily implies the existence of an organisational structure. An example can be made with regard to the international trafficking of drugs and to the laundering of the money thereof criminal activities which need to be carried out in an associated way.

Organized crime is very much in the minds of ordinary citizens, policymakers, politicians, journalists and scientists as a highly intriguing phenomenon of today. Their feelings and perceptions are often guided by mystification, mistaken assumptions and exaggeration, but this is not to say that organized crime does not exist. Serious contemporary social and political problems are influenced by its existence: the problem of migration to Western Europe is to a considerable extent the result of large-scale human trafficking; the international smuggling of drugs has a profound impact on local drug-problems; and without trafficking in women there would be less brutal exploitation of prostitutes.

The term encompasses very wide and diverse types of criminal activity, much of which is sufficiently serious in magnitude that organized crime has come to refer at once to ‘all serious crimes’ and thus to nothing. The implications of this imprecision in terminology are not small since there are direct policy and law enforcement implications to the quest of actually attempting to ‘understand’ the phenomena. The term may incorporate what in fact might be very diverse types of criminal activity that therefore ought to be responded to with diverse regulatory and

enforcement strategies. Thus it would appear that while the task of definition is neither easy nor simple, to the degree that we must understand the concept before we can begin to address it, definition is a necessary and important undertaking.

The term 'organized crime' can be used in two very different senses. It can simply mean systematic and illegal activity for power or profit. Today, however, the term is usually used in a second sense, and has become virtually synonymous with gangsters in general or the 'Mafia' or mafia-type organisations, in particular. It is usually implied or stated by those using the term in this sense that gangster organisations have gained an unacceptable level of power through violence and the ability to corrupt weak, greedy and therefore passive public officials; organized crime in this sense is a threat to rather than part of the rest of society.

The implied or stated answer to the problem of organized crime understood in this sense involves increasing the law enforcement power of every individual nation state and increasing the collective power of the international community because these organisations are now known to operate globally. The threat posed by organized crime in other words must be met by nations committing more resources towards increasing the effectiveness of policing efforts at home and collaborative efforts between nations (Woodiwiss, 2000:1).

The term of 'organized crime' was first time used in the United States of America in the 1920s in order to describe a new phenomenon with social, economic, legal and political dimensions. Since 1960s, the term of 'mafia' and 'organized crime' has been used in a synonymous meaning (Woodiwiss, 1993:8, 12).

The term organized crime was first used in Italy, on the other hand, in the mid '70s when, upon the outbreak of kidnappings for ransom and the onset of terrorism, laws were amended as a result of the increasing awareness of the difference between offences committed by individuals and 'organized' offences.

Then, the distinction was based on two main features: the number of people involved and the steady and skilled nature of the organized criminal activity compared with the contingent and accidental nature of individual crime.

Serious efforts to define and discuss organized crime began in the 1920s and 1930s. The phrase 'organized crime' was used in several different senses but only

rarely limited to signify separate associations of gangsters. To most academics and professionals concerned with the subject, organized crime usually referred to certain types of criminal activity and was virtually synonymous with racketeering. The word 'racket' was by then well established as meaning an illegal business or fraudulent scheme and, it followed that racketeering was understood to refer to such activities as dealing in stolen property, insurance frauds, fraudulent bankruptcies, securities frauds, credit frauds, forgery, counterfeiting, illegal gambling, trafficking in drugs or liquor, or various forms of extortion. It was also generally understood that criminal networks could and often did include the active involvement of police, politicians, judges, lawyers and ostensibly legitimate businessmen (2000:1).

All efforts to understand organized crime from the 1920s and early 1930s were constrained by limits to knowledge and understanding shared by most middle class Americans at this time. Systematic and profitable crimes against native Americans and African Americans, and, since the end of early twentieth century 'muckraking' journalism, crimes committed by big business were not thought to be aspects of the problem. Most early efforts to describe and analyse organized crime were also constrained by the class bias of liberal reformers and the widely-held assumption that it was a problem mainly confined to city slums. Despite these limits, many early efforts to analyse or portray organized crime did have the important merit of asking questions about American laws and institutions (2000).

A couple of decades after those first analyses, criminal geography has completely changed. Individual crime hardly exists. The organisation forcefully broke in the criminal world and by now any criminal activity has its own structured shape ranging from the exploitation of prostitution to the illegal immigration, trafficking of arms, illegal waste disposal, industrial or financial espionage, computer offences.

This updated notion of organized crime includes those criminal associations whose organisational structure is not only aimed at implementing the group's criminal plan, but it further reflects a global purpose which goes beyond the criminal activity and aims to achieve more power. In this respect, their common basis is founded upon the business logic of profit-gaining, of enrichment and of the illegal

markets with the resulting firm-like highly developed organizations. In this respect, the Mafia type conspiracy is regarded as prejudicial to the economic public policy.

The international scientific community proposed various patterns to achieve a definition of the 'organized crime' notion which may be agreed upon and accepted. For instance, a phrase identifying organized crime was used as "the group of people steadily devoted to the commission of offences against property or of offences affecting the economy and provided with a complex organisation in which costs, profits, re-uses, investments are planned in a manager-like prospective so as to allow these groups to take advantages within the illegal market" (World Conference of Ministries of Justice on International Organized Crime, 1995). This approach is in fact more a sociological than a legal one and exceedingly restrictive.

According to the European Union situation report on organized crime, presented in Brussels on November 6 of 1998, the term 'organized crime' stands for "a wide range of phenomena with many differentiations in types of activities, markets, people involved, crimes committed, levels of organisations and other aspects" (Roberti:117).

In the view of this report; "organized crime groups are known to be exploring and exploiting new areas of crime with vigour not unlike that of legitimate business exploring and exploiting new commercial markets. Currently the trend in organized crime activity includes increased involvement in those criminal activities that generate high profits and at the same time lower risks to involved criminals in terms of lower detection rates by law enforcement, partly due to the complexity and costs of long term investigations, and/or imposed penalties. Crimes that present relatively low risks to organized crime are the smuggling and trafficking of human beings, and other economic crimes including frauds and ecological crimes. Economic crimes are therefore expected to remain on the increase both in volume and magnitude".

According to the Report, these make it difficult to depart from a definition of organized crime that is commonly accepted and covering all its relevant manifestations. The economic aspect, and generally the drive to accrue resources by any means, is the key aim, not to say the only one, which explains the strategic and tactical choices made by any kind of criminal organization. Yet the possibility to

make profits is not enough by itself; it needs to be supported by a favourable environmental situation which can be defined a governmental and economic and financial vulnerability (Roberti).

Even a brief review of the literature and research in this area reveals quickly that the development of a single, overarching definition which can encompass all forms of organized crime has proven illusive. At the same time, organized crime activity is an umbrella concept which covers a wide range of quite disparate activities. In this case, the achievement of a common definition may run the risk of doing more to obscure the nature of those activities than to illuminate organized crime as a category of criminal behaviour. At least part of the difficulties around conceptualizing the umbrella concept of organized crime arise from the reality that much of the research in the field focuses on specific instances or case studies of what may be deemed the ‘classic’ forms of organized criminal behaviour, most notably ‘the old-style mafia’ or ‘family business’.

Consistent with this approach, we have a range of definitions of particular types of organized crime activities, but as yet await the collection of these into a universally-accepted definition which is capable of both general application and sufficient detail to respect the variations across individual cases or activities. Thus, it is possible to come across abound definitions of organized crime in various perspectives. It is a practical solution to classify various approaches taking part in definitions towards organized crime in accordance with their dominant emphasis that we can divide these approaches into three main categories:

II. 1. 2. Academic Definitions:

In 1976, Michael Maltz identified six means by which organized crimes are executed: violence, theft, corruption, economic coercion, deception, and victim participation (Maltz, 1976:338-346). Kenney and Finckenauer (1995) provide a definition of organized crime that combines ‘actors’ (those participating in organized criminal and crime groups) with ‘acts’ (the means of organized crime).

For them, organized crime groups: are non-ideological; have an organized hierarchy; have continuity over time; use force or threat of force; restrict membership; obtain profit through illegal enterprises; provide illegal goods and

services desired by the general populace; use corruption to neutralize public officials and politicians; seek a monopoly position to obtain exclusive control over specific goods and services; have job specialization within the group; have a code of secrecy; and plan extensively to achieve long-term goals.

Crime is often considered organized if the actors are involved on a sustained basis, that is, if the activity is one of continuing criminal enterprise. In order to meet these criteria, organized crime groups often incorporate strategies similar to those employed in licit markets, including entrepreneurial skill, specialization, and coordination with the additional components of violence and corruption that allow for the propagation of illicit activities.

Howard Abadinsky, who is the best known and most leading scholar on organized crime, defines it merely as ‘**a non-ideological enterprise**’ that involves a number of persons in close social interaction, organized on a hierarchical basis for the purpose of securing profit and power by engaging in illegal and legal activities (Abadinsky, 1998:7).

Howard Abadinsky emphasizes the points below as main characteristics of organized crime in his definition: “**A non-ideological enterprise** that involves a number of persons in close social interaction; **organized on a hierarchical basis** for the purpose of securing profit and power by engaging in illegal and legal activities; positions in the hierarchy and positions involving functional specialization may be assigned on the basis of kinship or friendship, or rationally assigned according to skill; permanency is assumed by the members who strive to keep the enterprise integral and active in pursuit of goals; it eschews competition and strives for monopoly over particular activities on an industry or territorial basis; there is a willingness to use violence and/or bribery to achieve ends or maintain discipline; membership is restricted, although non-members may be involved on a contingency basis” (Ryan & Rush, 1997:137).

Another definition posits that “organized criminal groups are simply business organizations operating under many different management structures and dealing in illegal products” (Pace & Styles, 1983).

Sociologist Diego Gambetta describes the Italian Mafia as “that set of firms which (1) are active in the protection industry under a common trademark with recognizable features; (2) acknowledge one another as the legitimate suppliers of authentic Mafioso protection; and (3) succeed in preventing the unauthorized use of their trademark by pirate firms.” (Gambetta, 1993:155)

Economists also have attempted to define organized crime. Thomas Schelling, for example, focuses on extortion as the primary line of business and defines organized crime as “large-scale continuing firms with the internal organization of a large enterprise, and with a conscious effort to control the market” (Schelling, 1971a:114, 115).

Richard Posner defines organized crime as “criminals organized into illegal firms . . . operating in such criminal fields as loan sharking, prostitution, gambling and narcotics but also in legitimate fields as well and employing violence and the corruption of police as key business methods” (Posner, 1992:242).

Mark H. Haller have suggested that much of what might be referred to as organized crime is less like complex organizations than a series of more or less formalized partnerships (Haller, 1990:229). Albin appears to concur with Haller, noting that while the organized or syndicated crime group certainly has ‘rational’ characteristics, it is more accurately portrayed as a ‘loosely-knit system of patron-client or network relationships than as the manifestation of a rigidly organized, bureaucratic one’ (Albin, 1998:350).

Margaret Beare suggests that a horizontal organization is increasingly more likely than a hierarchical one, but she qualifies this position with a perception that organized crime structures will tend to vary depending upon the activities to which they are directed (Beare, 1998:15). Even across this variation, however, Beare perceives that the bulk of organized criminal operations may be seen to manifest three central, common characteristics, namely:

- A structure that allows individual criminals to be removed and substituted without jeopardizing the viability of the criminal activity,

- Criminal activity committed via continuing criminal conspiracies (i.e., ongoing, repetitive criminal activity rather than one or two criminal acts committed for profit,

- the capacity to operate through political corruption and/or the potential for violence drawing together these qualities, Beare proposes the following definition of organized crime: “Organized crime is ongoing activity, involving a continuing criminal conspiracy, with a structure greater than any single member, with the potential for corruption and/or violence to facilitate the criminal process” (Beare, 1998:15).

As a definition of the category of deviance known as organized crime, Beare’s definition offers a good point of departure. For purposes here, however, two qualifications on this construction of the term are necessary. First, some concern coagulates around the use of the term ‘conspiracy’ in Beare’s definition, insofar as this would seem to imply a purposive knowledge on the part of individual participants not only of their role in, and contribution to, the ultimate ‘goal’ of a particular organized criminal activity (Dickson-Gilmore *vd*, 2003:10, 11).

Beare’s definition, however, does not address motivations that understanding why people engage in this form of activity is crucial to understanding not only the nature and content of organized crime activity, but also in devising responses to it (McIlwain, 1999:18).

The challenge, of course, is how one might include the essential factors in a definition of organized crime. Insofar as organized crime is seen less as a type of crime than as a “process of an activity possessing certain attributes and characteristics”; for instance, one way to incorporate the admittedly important matter of motivations may be through the simple recognition of motivations as one such attribute.

Ümit Kocasakal puts forward that there have been three essential categories in defining organized crime that one of which is concerned with the detection of crime as a police work; the second one is focused on legal aspects and the third one is related to the criminological explanations. The definitions taking part in the first category are broad and practical definitions aiming at designating the symptoms and

criteria that should be taken into consideration during the investigations rather than featuring descriptive symbols, and touching upon all the risks, dangers or perils for the society that may be caused by organized criminality.

In these definitions, the emphasis is laid on the well organized structure of the organized crime groups, adaptation to economic developments and activities, investing a large amount of money, making use all sorts of professional activities, division of labour and employing specialists on their activity area, feeling a need for moneylaundering, heading towards a large amount of money, diversity in activities and setting no limit to their activities, hierarchy, monopolizing some specific markets, having influence and putting pressure on media and resorting to various kinds of severe violence (Kocasakal, 2000:43, 44).

Kocasakal, secondly, enunciates that the legal definitions of organized crime contemplate to clarify the judicial proceedings and punishment procedures, investigation methods and powers, descriptions of illicit activities (etc.) that may differ from one legal system to another. However, legal definitions of organized crime are to have common characteristic elements such as the required number of members, who have have come together to commit some certain types of crime, to be clearly considered an organized crime group (inclusively three or more persons), continuity, employing some specific methods and techniques of operation, intention to make a large amount of money and jeopardizing public order. He maintains that criminological approaches toward organized crime bring in, on a large scale, the social aspects of it (Kocasakal, 2000:43, 44).

It is surely possible to run into various attempts to define organized crime in Turkish academic discourse and legal texts projected by Turkish scholars or commentators. Çetin Özek, for instance, who is one of the most prominent professors of Turkish Criminal Law and has a most seniority, defines ‘organized crime’ as below: “Organised crime is an organizational structure made into a disciplined, hierarchical and continual group possessing by those with more than one person whose intention is to commit the crimes of same objectives which posits to spoil and has a harmful effect on the public order and much more grave than the term of ‘complicity’”(Özek, 1998:195).

According to Murat Çulcu, a very well-known researcher - journalist with his works on mafia, 'the mafia' is assumed that an illegal organization which has been originated by the local forces of withstanding against the central and official authority of contemporary state that is the safeguard, the protector and the guarantor of the legal ground on which the freedoms enjoyed, on the basis of local values, on account of receiving the support of local people, in line with the advantage to themselves or self-interests (Çulcu, 2001:30).

Kayıhan İÇEL, who is another famous and superior professor of Turkish Criminal Law, has defined 'organized crime' as "an organizational structure made into a disciplined, in hierarchical order and continual group possessing by those with more than one person who are sharing same intentions to commit the crimes of same objectives which posit to spoil the public order." (İçel, 2002:7).

As a result, it is most probable to spot a large number of definitions of organized crime in both literature and legal texts. The components or elements within all these definitions are inasmuch as not analogous; generating a scientific, satisfactory, convincing and persuasive definition of organized crime is yet full of difficulties. Because of these difficulties, it has been strived to determine the criteria and elements of organized crime in Turkey as in some other countries too. In a work carried out by Âdem Sözüer, a 'seven characteristics of organized crime' have been revealed (Sözüer, 1995:56 – 59):

i. Organized crime groups supply the commodities and services, in particular, needed or demanded by various segments of the community which are, indeed, strictly prohibited by law.

ii. Organized crime groups are composed of the perpetrators who have committed the crimes with specific nature and specialized in various illegal activities, and acting upon a rational conduct and upon a plan in which a strategical and tactical framework have been formerly envisaged in such a way that they they operate in a system of functional division of labour, hierarchical order to acquire economic benefit, political potency and all other advantages of upper and underworld. Each organized crime group, nevertheless, may not have equal level of strict hierarchiacal order. Association of several perpetrators for committing crime

does not always suggest the occurrence of an organized criminal activity in any event. The essence of being an organized crime group for associations or organizations is based on their intention to pursue profit from illegitimate activities and make it a way of life and also constantly commit certain types of crime in either very rigid or relatively soft hierarchical order.

iii. Organized crime groups give priority to criminal activities which bear a low cost and low risk but get immediate favourable results and they are specialized in the fields of criminality that apparently give rise to no victimization so that they would avoid severe punishment. For the reason that the victims of drug related offences or the victims of forbidden games of hazard keep away from reporting the crime due to their contribution.

iv. Organized crime groups firmly interfix their legal and illegal activities with each other to keep their illegal exertions secret and launder the black money to legalize it.

v. They may invariably resort to brutal violence or force to reach at their goals, notwithstanding that it would not be an apparent application at all times. Not to attract public attention, they have recourse to intimidation as a first step and then to violence and compulsion as a last resort. Organized crime groups resort to violence or intimidation generally to keep their normative values alive, sustain internal discipline, punish inharmonious members and secure the organizational objectives.

vi. Organized crime syndicates endeavour to infiltrate into the political environment, police and other security forces, intelligence organizations, judiciary, media and economic system in order to avoid an effective criminal investigation, to make the persons or institutions in charge of carrying out the inquiry ineffective by the way of neutralizing them, to benefit from legal aid, launder the black money and ultimately to make a positive image about themselves in the society. In this way, they please to utilize the prestigious and effective personality of public authorities or influential neighbourhood, since they could never survive in other way.

vii. Organized crime syndicates constitute interdependent and mutually supportive interest groups to succeed in gaining possession and distribution of illegal

commodities and services by means of cooperation in international sphere. Furthermore, emotions of belonging to the criminal group and required norms and patterns of behaviour are created at once.

Feridun Yenisey, a professor of Criminal Law, plainly specify the benchmarks applied to identify organized criminality:

- a- a detailed preparations,
- b- Professionalism,
- c- To act in a merchant nature,
- d- To take counter-measures,
- e- Regional or international relations,
- f- Hierarchy,
- g- To get assistance,
- h- high life-standard,
- i- Joint ownership,
- j- Close contact with the media, and

k- (As a significant indicator) contacts with those persons who play a leading role in public administration (Yenisey, 1999:46-47).

Mustafa Ruhan Erdem roughly sums up the measures of testing proposed by various authors or specialists in respect that whether it is an organized crime group or not as follow (Erdem, 2001:37 – 48):

1. a cautious and detailed preparation for committing a specific crime and then a very careful implementation of it;
2. supraregional and international relations;
3. adaptation to market demands;
4. hierarchical group structure;
5. interdependency among more than one members, and authority to achieve an exact obedience;
6. moneylaundering;
7. counter-observation, protection, using nicknames, forged stamps and other technical facilities;
8. defending the gang members against jurisdiction;

9. menacing and intimidating the eye-witnesses of crime that they had committed;
10. causing the public servants to degenerate;
11. monopolizing in sectors or markets;
12. an ambition to make profits at any cost;
13. a flexible criminal technology and a many-sided preventive measures against criminal investigations;
14. Responding to the demands of people for illegal commodities and services.

II. 1. 2. Legal Definitions: Article 2 of The United Nations Convention against Transnational Organized Crime¹ deals with use of terms and defines organized criminal group, serious crime, and structured groups. Article 2 states that ‘Organized criminal group’ shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit;

‘Serious crime’ shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty; [and,] “Structured group” shall mean a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure.

In a similar fashion, The European Union drafted a set of Characteristics of Organized Crime, containing the eleven components (EU/12247/1/94 Rev.1, Annex):

At least six of these components must be present, three of which must be those numbered 1, 5 and 11, for any crime or criminal group to be classified as organized:

¹ The Convention was adopted by resolution A/RES/55/25 of 15 November 2000 at the fifty-fifth session of the General Assembly of the United Nations. In accordance with its article 36, the Convention was open for signature by all States and by regional economic integration organizations, provided at least one Member State of such organization has signed the Convention, from 12 to 15 December 2000 at the Palazzi di Giustizia in Palermo, Italy, and thereafter at the United Nations Headquarters in New York until 12 December 2002.

1. Collaboration of more than 2 people;
2. Each with own appointed tasks;
3. for a prolonged or indefinite period of time;
4. using some form of discipline and control;
5. Suspected of the commission of serious criminal offences;
6. Operating on an international level;
7. Using violence or other means suitable for intimidation;
8. Using commercial or businesslike structure;
9. engaged in money laundering;
10. Exerting influence on politics, the media, public administration, judicial authorities or the economy;
11. Determined by the pursuit of profit and/or power.

In Turkish legal system, ‘The Law on Prevention of Benefit-Oriented Criminal Organisations’,² which was enacted by the General Assembly on 30 July 1999 with 4422 code number and got into force on 01st of October 1999.

In the wording of the first article of this Act, a ‘benefit-oriented criminal organisation’, which applies to ‘organized criminal organizations’, is specified as follow:

Those who set up organisations to commit crimes or manage such organisations or act on behalf of such organisations or wilfully and knowingly undertake services, in order to take control of management and administration of an institution, establishment or enterprise directly or indirectly; take control of or gain control or influence over public services, press and publishing institutions; bids, privileges and licensing transactions; establish cartels and trusts concerning financial activities; inflict scarcity or reduction of items or articles; cause price fluctuations; get unfair benefits on behalf of oneself or others; or elicit votes of people in elections or prevent elections from being held, by means of exercising force or threat or making people to be subject to themselves or undertaking overt or covert clandestine co-operation among their members in whatsoever form, shall be imposed an imprisonment term of three to six years solely for this reason, whilst an

imprisonment term of two to four years shall be imposed on offenders who become members of such organisations.

If the said organisation is armed, the sentence shall be increased from one-third to half. An organisation is armed, even though no armed action has already been engaged, when the arms and explosives have been prepared or possessed in line with the organisation's aims.

If the criminal author is a civil servant or a public person then the sentence shall be increased from half up to one.

Values or products or their substitutes which are intended for commission of crime or used in commission of crime and revenues of any property, which needs to be confiscated, or any benefit generated through crime shall be decided that they be confiscated to State.

Provisions of this Article, however they are called, shall be applied to the open or clandestine organisations which share the common goals with the said organisations and which use the power of bewilderment or getting people scared or silenced through oppression.

Sentences for the offences committed by members or non members on behalf of such organisations, for realisation of aims mentioned in paragraph 1 and the crimes under Article 296 of the Turkish Penal Code No 765 dated 1.3.1926 shall be imposed more heavily, from one-third to half.

The ones who commit crimes under this Law, or publicise through written, audio or visual publication means the actions, aims, goals of the such organisations, in order to produce unfair benefits for such people or organisations or to enhance the power of making people scared, silencing through oppression, or intimidation or make propaganda for such organisations in any manner shall be sentenced with an heavy imprisonment term of two to four years and a heavy fine of one to five billion Turkish Liras. Furthermore, it shall be ruled that activities of such publishing institution should be suspended from one to three days.

² 30/7/1999 tarih ve 4422 sayılı 'Çıkar Amaçlı Suç Örgütleriyle Mücadele Kanunu'; Yürürlük Tarihi: 01 Ağustos 1999.

II. 1. 3. Empirical Definitions:

Mostly laymen and people in Turkey define or perceive ‘organized crime’ as groups of those particular species of organized crime groups named ‘Mafia’ which is, in fact, a way of conceiving of politics, sometimes even with regard to the use of force and violence. Mafia represents an informal ‘solution’ to the absence of formal institutions or to their insufficient effectiveness in performance. It indicates that it is also capable of gaining consent despite the fact that it resorts to violence.

The term of ‘mafia’ is mostly used as synonym of the concept of organized crime all over the world. However, It refers to a special formation and subculture with peculiar codes of behavior. This formation comes to existence as a phenomenon with its sociological, political, economic, psychological and legal dimensions. By that way, it has come to have impacts on whole local and global sphere. Arguably, the term of ‘mafia’ contains sociological implications whereas the concept of ‘organized crime’ refers to legal usage. Therefore, organized crime (or mafia), as a multidimensional phenomenon, has become one of the most interesting issues of criminology and sociology in recent years.

Increasingly, however, it appears that the nature of organized crime is changing and that this traditional vision may need to be revised. In the past decades, the perspective of organized crime has been broadened, largely as a result of drug trafficking. As we look toward the future, it is increasingly evident that organized crime must be viewed from an even broader context because of its predominating transnational character. For example, Interpol defines organized crime as ‘any enterprise or group of persons engaged in a continuing illegal activity which has as its primary purpose the generation of profits and continuance of the enterprise regardless of national boundaries’.

The Sicilian Mafia, the ‘Ndrangheta, the Camorra, the Boryokudan (Japanese Yakuza), Chinese Triads, Korean criminal groups, Turkish drug traffickers, and Colombian drug cartels and other South American drug organizations are also known or are reported to be involved in criminal activity together with each other or with other major international OC groups. These groups have particularly cooperated with

their Russian counterparts in international narcotics trafficking, money laundering, and counterfeiting.

For instance, 23 people were arrested during a 500-strong police raid on suspected Turkish organized crime gangs in North London. The group—linked to international heroin trafficking, gunrunning, and extortion rackets, which was said to be “probably the biggest organized crime group in the UK.” Rival Turkish and Kurdish gangs and mafias are responsible for establishing and running professional networks used to distribute close to 70 percent of the heroin coming from Afghanistan through the Balkans (Transnational Threats Update, 2003:4).

Mafia-type organized crime groups, which have specifically converged onto illegal check and deed exaction, illegitimate squatter-housing or car-park jobs, operate merely in Turkey. Drug and human traffickers, gunrunners and traffickers in women and girls mainly for the sex industry, on the other hand, are mostly mafia-type organizations operating in an international or even a global level.

Mafia type criminal organisations today increasingly act on a transnational scale, in agreement or in competition with other international criminal organisations, namely with the new Mafias which have been operating also in Italy for a long time. Yet their establishment on the territory will still be the requirement for the control of the markets and, thus, for their existence as steady criminal structures (Roberti: 113).

Consequently, when we are to talk about ‘organized crime’, specifically in international academic discourse, it extensively refers to transnational criminal organizations. But historically, organized crime has been viewed in terms of the ‘traditional’ or ‘familial’ crime syndicates broadly known as ‘mafia’. Transnational criminal organizations is mostly considered as organized crime groups that are based in one country; commit their crimes in one but usually several host countries, whose market conditions are favorable; and finally conduct illicit activities affording low risk of apprehension. There has been a ruthless rivalry among the worldwide operating organized crime groups originating from various geographical, cultural, social and national roots. Although organized crime groups collaborate from time to time, it is quite fragile partnership just for special occasions, or as Putnam pointed out, is ‘joint venture’.

One of the fundamental forces underlying the growth and increasingly international character of organized crime are the technological explosion and economic boom of the post-Second World War period as well as the current geopolitical situation, which has been rapidly evolving since the collapse of the socialist world. For example, George Soros put forward this argument in an interview with Simon Peres for *New Perspectives Quarterly* (NPQ, 1998:25).

According to some commentators, due to the erosion of borders, the free movement of capital has given rise to the decrease in states' power. The creation of the European Union's single market and the end of the 'Iron Curtain' has led to the erosion of borders and created opportunities for organized crime syndicates from Italy, Russia, South America and Japan to expand into new markets abroad (Drozdiak, 1994:A20). As access to foreign markets increases, these groups are evolving into international corporations with wide ranging business interests.

The Emergence of Global Economy is regarded as another underlying factor. With the emergence of a global economy, the organized crime groups are finding more opportunities to extend their operations and new methods. The influence of multi-national companies is expanding all over the world, scientific knowledge is getting out of control and therefore today we are talking about a 'global capitalism'. Before he was assassinated two years ago by a Mafia bomb, Italian Prosecutor Giovanni Falcone predicted that organized crime syndicates were "about to be the biggest beneficiaries of a free Europe.... and thus will be no frontiers for crime, and there should be no borders for justice" (Arıboğan, 1996: 234 – 241).

II. 2. Distinctive Characteristics and Components of Organized Criminality

Organized crime comes to existence criminologically and sociologically as mafia type syndicates and differs from ordinary criminal gangs. Therefore, sociological dimensions or sociological preconditions creating opportunity for organized crime syndicates are highly significant. As in Italian experience, sociological facets of mafia prevail over its other dimensions and even its organizational structure contains sociological elements. The leader (or chief) of the

mafia, unlike other traditional criminal organizations, performs some essential social functions and roles besides leading the organization. Because he is able to resort to violence, if necessary, he may act as a mediator or go-between among individuals in society so as to dissolve the problems provoking hostility. In mafia terminology, this person is named as (mafiosi' or 'capo mafia'. Layman, on the other hand, calls these kind of persons 'godfather' possibly as a consequence of the famous Hollywood made movie 'The Godfather', directed by Francis Ford Coppola in 1972, of which scenario had portrayed the family of Carleones who was one of the most influential five Mafia families in New York.

The more social functions for Mafiosi, means the more economical and political influence. Mafiosi, in this process, makes efforts to be part of social structure by legalizing itself. For that purpose, he attempts to integrate itself into the social life and maintain to live inside the society on contrary to the bandits and classical gang groups. The status obtained by mafia engenders social, economic, political and cultural symbols, roles and missions. This social mission and roles obtained by mafia serve to legalization in the eyes of public, at least, so increasing and maintaining its power. As long as mafia grows stronger, it acquires more opportunities for 'partito connections' and takes advantage over legal system.

Organized crime groups essentially pursue not political or ideological goals, as in terrorist organizations, but merely economic goals they pursue and these groups, thus, are preoccupied with material things. Materialistic ambitions are the only motivations leading to organized criminality and determining the nature of their activities and political or ideological affiliations could play only a unifying role in an organized crime group. When we say that organized crime groups run after only materialistic enterprises, we do not mean that they would never have any political relations or ideological inclinations. Materialistic ambitions, in fact, imply to all ingredients of power and potency providing a capacity to dominantly keep an area or a sector in control within illegal markets. The concepts of 'power' and 'potency' in this organized crime context consist of three main elements:

(1) **Substantial power** that comprises of all kinds of economic, financial and monetary accumulation, skilled gang members, required weaponry and technical hardware etc.

(2) **Political potential** that is the capacity and function to establish and sustain 'partito' relations or connections which symbolizes, in mafia terminology, the ties of mafia in governmental offices and liaison with high level bureaucrats, politicians, security service members, banking and financial sectors' authorities. From this point of view, it is the subject that organized crime groups and politicians mutually manipulate each other for their own interests. As a matter of fact, the term of 'organized crime' implies to political potential in some places and times. The purpose of establishing 'partito connections' is to ensure political and bureaucratic protection for themselves and keep shut the authorities' eyes to their illicit activities. This particular point is a distinctive character of organized criminality distinguishing it from terrorist organizations using violence to realize their political goals.

At the subsequent stage that an organized crime group has completed its formation, it exert itself to establish partito contacts with the superior bureaucracy, financial milieu, security forces, intelligence community and political environment to be able to expand its power and influence. Organized crime groups tend to capture the state apparatus by way of infiltrating into vital foundations of it that generally materialized by settling advocate persons in parliament, higher judiciary, intelligence and security agencies, ministerial administration etc. In other words, organized criminals look forward to corrupting the superior bureaucrats and authorities of either developed or developing countries they have settled down or been active by means of bribing or purchasing their services.

This attitude is termed 'partito connections' in literature and organized crime or mafia terminology. Namely, politicians, bureaucrats, members of security and intelligence forces, army officers, managers in financial sectors, lawyers in judiciary, solicitors and barristers, industrialists, bank employee, journalists and media owners or their family members and close relatives may all involve in 'partito connections'. Organized crime syndicates establish the partito connections to politicians for the purpose that they could benefit from those politicians who are also tended to take

advantage to themselves in return. The most substantial self-interest of organized groups in the course of *partito* relations to the politicians, in particular, is that they could have a chance to prevent the parliament making legal arrangements to become law that would endanger or have a hazardous effect on their illegal activities and/or make their jobs difficult to run and would lead to being sentenced in case that they have been caught or, moreover, make good use of public awarding contracts through the mediation of politicians. Just as a relation of this kind had become known to public, it gave rise to governmental crisis and resulted in overthrow of the government in Turkey a couple of years ago soon after the investigative police operation for *Türkbank* affair.

Thanks to *partito* connections, organized crime groups manage to resolve all kinds of problems they encounter. That is a process in which each one of the parties look after each other. An increase in mafia's power makes establishing *partito* connection easier and the level of this power determines the nature of these kinds of relations. In other words, the mafia is able to get contacts to superior authorities for *partito* relations as long as its potency makes it possible. In this manner, they could have an opportunity to make their own gangs much stronger than rival gang groups as well. Since they never desire to encounter any question arising out of the state apparatus, they try to get those officials of whom they regard as an obstacle to make their aspirations come true ineffective, just because they have impeded their illegal activities and have not given in, through classical and recent methods. In the event that intimidation and political pressures have not worked out, they undertake to make all these officials ineffective by launching into slander or imputation campaigns and uncovering their misdeeds.

As Murat Çulcu pointed out, it is likely that there would be 'mafia solidarity' to be discussed at this point (Çulcu, 1998:44). By 'mafia solidarity', in Çulcu's point of view, it is meant that illicit activities are systematically carried out in a harmony and mutual support that likewise we have now and again encountered in Turkey.

Partito type relations are the distinctive trait of organized criminality or especially of mafia type organized criminality, distinguishing from other sorts of

crime or ordinary gang activities. These sorts of relations do not only guarantee protection against the legal system but also bring legitimacy and respect about mafia.

In case of intensive and strong *partito* relations, the state apparatus increasingly tends to intervene in criminal world. The term that of '*symbiosis*'³ is widely used to express this kind of situations. The more significant connections of *partito*, the larger number of organized crime groups have an opportunity to be active without being impeded or being sanctioned.

The infiltration of the representatives of organized crime groups into the state apparatus for the purpose of maintaining their illegitimate self-interests, instead of public interest, is to hinder political stability above all. Organized crime, moreover, is also damaging to the steady democracies as much as to the democracies in process of change. These kinds of organized structures, in this way, significantly weaken the principles of rule of law and the governments that come into power in plainly democratic manner since they maliciously cause to degeneration of the judicial processes and persons in legal and bureaucratic system.

The symbiosis, in the meaning of manipulation of public officials by organized groups through bribing, is, at the same time, the most essential factor complicating the fight against organized criminality, since those public officials make great amount of benefits thanks to this organizations. For that reason, they tend not to react to these criminal syndicates. The outgrowth of infiltration into the state apparatus by organized crime, and so there would be no effective struggle against it, is desolation of legitimate democratic environment and of rule of law (Shelley, 1995: 469 – 470).

Organized crime groups in Turkey, for instance, employ particular motives and various methods of contacting public officials with the intention to establish *partito* relations: Some of these are as below:

- Giving a bribe,
- Sharing common ideological affiliations,

³ A close, prolonged association between two or more different organisms of different species that may, but does not necessarily, benefit each member; or a relationship of mutual benefit or dependence

- Submitting several advantages outside bribing such as for appointments, promotions, and during investigations or inquiries etc.,
- Relations of being from the same place,
- Kinship ties,
- Free helping those public officials who perform risky and adventurous tasks as, for example, police and intelligence officers, members of special forces or army units etc who are in charge of fighting against terrorist organizations and their families, and surely the remaining family members of martyrs,
- Menace and intimidation,
- Blackmailing (via recording of malicious, deviant, illicit or obscene acts of people in secret, and photographs of this kind, tape recording etc.),
- Politically and financially supporting to politicians or their political parties throughout the election campaigns that is to say that it is a kind of converting the social and economic potency into the ballot.

The one of the segments of the community of which mafia has been in close contact with, in the meaning of partito connections and apart from politicians, is the personage of economy and finance world. That tie-in is simply inevitable on account that the basic motivation of organized crime is money and materialistic possessions. Through their networks of interrelation to business and finance world, they could have the opportunities of moneylaundering; of having a control over credits, public funds and investments; of interference the economy policies and of getting their share of public sources. In the same way that the network of partito between organized crime syndicates and superior bureaucracy, politicians and business world has been an important factor in Turkey for some persons in gain possession of great amount of wealth. That network of ties-in has been closely interrelated. The economically efficient businessmen, for example, are able to manipulate their economic potency over the official bureaucracy for this purpose.

Another area in which the partito type relations between organized crime and business world may appear is the way of searching for mafia's vigor to be utilized under the circumstances of merciless competition. The economy or business world, in this case, turns to the employer of organized crime groups which illegally

manipulates these groups as a means of transforming the competition in their own favour. In this context, organized crime syndicates present businessmen with various sorts of services and get, in return, a large amount of own share of the rent existing. In this network, organized crime utilizes the proximity of business world to money, whereas business world manipulates the unlawful authority of organized crime.

In Turkish organized crime groups, *partito* relations are usually carried out, rather than the leader of the gang, by close followers of the gang leader or by those members of the group who are specifically assigned by him/her for this task.

(3) Social potential, that might be a correct modification, is to get a social standing that provides social acceptability and respect. They appear in the society in an attractive manner with socially appealing behaviours and attitudes. The messages what they carry, as in the meaning of a Turkish slang word, are intravenous. They conduce to the aid of foods and clothing to poor segments of the society in each possible occasion in the pose of Robin Hood, of whom the historical metaphors are either Dadaloğlu or Koroğlu who were famous legendary folk heroes with their policies of siding with poor and unjustly treated persons against ruling or preeminent class. Those persons used to steal from the wealth and give out to the needies in ancient times.

It is a common point of view that the role of both serial movies of ‘Deli Yürek’ and ‘Kurtlar Vadisi’, in particular, have been the cause of Robin Hood image to be engaged in by organized crime group leaders in such a way that these serials which have had a very large number of fanatic fans, had reflected the mafia leaders in Robin Hood image. Furthermore, this situation has caused to emerge the idea of ‘good mafia’ particularly in the opinion of juveniles and teenagers with which an incentive impact on. And thus, a mafiotic answer or even solution to the all daily questions and social problems have come to be sought by younger circle of the society. Just because of that, organized crime groups are very pleased with mafia serials, and moreover, allegedly they have financially supported these serials.

In Turkish organized crime sphere, leaders of underworld never let upset their authorities. An attempt to question this authority gets an immediate and harsh

reaction. Social events like wedding ceremony and circumcision feast are all favorable and very significant occasions to make a hit. For that reason, they present very expensive gifts to the host of event. Another remarkable episode to show up for organized crime leaders in Turkey is funerals. They participate in funerals with an army of bodyguards and this practice is regarded as a tour de force.

I believe, at this point, that it is extremely required that the perceptions of '**Robin Hood Redistribution Paradigm**' and '**King John Redistribution Paradigm**' should be touched upon in this context as a significant and suggestive point of reference for socioeconomic background of organized criminality.

Since Montesquieu (1748) and Smith (1776), economists agree that good economic institutions must secure private property against expropriation – by both the neighbors and the state. Such security encourages individuals to invest in physical capital, and so fosters economic growth. Countries with good institutions grow and prosper, countries without them stagnate. Indeed, recent evidence (Barro 1991, DeLong and Shleifer 1993, and Knack and Keefer 1995) strongly corroborates the proposition that institutions effectively securing property rights are conducive to economic growth (Glaeser, Scheinkman, Shleifer, 2001:2).

An empirical literature shows the existence of a positive association between property rights protection, investment and economic growth. Some authors use political instability as a proxy for the degree of property right protection (Kormendi and Meguire (1985), Barro (1991), Alesina, Ozler, Roubini and Swagel (1996)). Svensson (1995) and especially Knack and Keefer (1995) use more direct and accurate indicators of the security of property rights. Velasco and Tornell (1991) and Checchi (1996) study the distributional effects of capital movements and derive capital rights as the outcome of non-cooperative games between heterogeneous agents. Models of growth that incorporate the notion of property rights are in Cohen and Michel (1991), Tornell and Velasco (1992) and Murphy, Shleifer and Vishny (1993). Cohen and Michel analyze an economy where property rights on foreign capital are subject to renegotiation by domestic government. The credibility of the government with respect to the defence of property rights is endogenously

determined together with the rate of growth of the economy (Belletini, Ceroni, 1999:4).

Fajnzylber, Lederman, and Lloayza (2002) have shown that countries with higher inequality suffer from more violent crime. These results are generally robust to controls for the absolute level of poverty (Glaeser, Scheinkman, and Shleifer, 2001:1).

Glaeser, Scheinkman and Shleifer propose a new mechanism by which inequality shapes economic and social outcomes: subversion of institutions. There is a large theoretical literature on inequality and growth, including Aghion and Williamson (1998), Alesina and Rodrik (1994), Banerjee and Newman (1991, 1993), Benabou (1996a, 1996b, 2002), Murphy, Shleifer, and Vishny (1989), Perotti (1993), Persson and Tabellini (1994), Piketty (1997), and Rajan and Zingales (2002) (Glaeser, Scheinkman, Shleifer, 2001:1).

Glaeser, Scheinkman and Shleifer argue that inequality is detrimental to the security of property rights, and therefore to growth, because it enables the rich to subvert the political, regulatory, and legal institutions of society for their own benefit. If one person is sufficiently richer than another, and courts are corruptible, then the legal system will favor the rich, not the just. Likewise, if political and regulatory institutions can be moved by wealth or influence, they will favor the established, not the efficient. This in turn leads the initially well situated to pursue socially harmful acts, recognizing that the legal, political, and regulatory systems will not hold them accountable (2001:1,2).

Inequality can encourage institutional subversion in two distinct ways:

1. The Robin Hood Redistribution Paradigm: The havenots can redistribute from the haves through violence, the political process, or other means. Such Robin Hood redistribution jeopardizes property rights, and deters investment by the rich. This mechanism is emphasized by Perotti (1993), Alesina and Rodrik (1994), and Persson and Tabellini (1994).

2. The King John Redistribution Paradigm: The haves can redistribute from the have-nots by subverting legal, political and regulatory institutions to work in their favor. They can do so through political contributions, bribes, or just

deployments of legal and political resources to get their way. This King John redistribution renders the property rights of those less well positioned – including small entrepreneurs -- insecure, and holds back their investment. Interestingly, the writers of the Enlightenment, including Smith, were much more concerned with King John redistribution by monopolies and guilds than with Robin Hood redistribution. Here we describe a particular version of King John redistribution similar to the one that concerned Smith (Glaeser, Scheinkman, Shleifer, 2001:2)

Inequality crucially shapes institutional subversion. In the legal context, the rights and wrongs of the case still matter even when the litigants are unequally matched. But if there is some scope for private action to influence outcomes, then relative resources also matter (2001:3).

When the two litigants are relatively equally matched, the outcome depends on the merits of the case. But when legal armaments are unequal, the stronger litigant has an advantage in court. When courts are subverted, there is less reason not to harm in the first place. If the politically strong expect to prevail in any court case brought against them, they would not respect the property rights of others. This breakdown in the security of property follows inequality when institutions are weak to begin with. The breakdown in property rights in turn deters investment, at least by the potential victims, with adverse consequences for economic growth (2001).

In many countries, the political response to institutional subversion by the rich was not institutional reform, but rather a turn to massive Robin Hood redistribution, often in the context of a social revolution. Such revolutions replaced the old oligarchies of the rich with the new socialist or institutionalist oligarchies. In some cases, the massive redistribution that followed dramatically slowed economic and social progress. In other cases, the principal effect has been a change in elites, with continued capture of institutions by those in power (2001:28).

Along with everlasting professionalization and net-widening of organized crime in the process of economic and technological development have made the manipulation of the balance of forces within the democratic system and constitutional state for organized crime groups and also provided some advantageous opportunities for these groups to make the law enforcement agencies in charge with

struggle against themselves entirely ineffective. Italy is the most fitting example to this kind that the symbiosis between organized crime and state apparatus came to existence to that extent. In Italy, the authorities, such as police chiefs, attorney generals, public prosecutors, and even politicians, who are legally in charge to contend with organized criminality infiltrated into the state apparatus, encountered so many serious problems and especially several public prosecutors had been eliminated by the Mafia.

A new era has begun for organized crime with the ending of cold war. As Raufer pointed out, there have been existed some regions of the world where states' authority and any legal order, even at a minimum level, can not be fully implemented. The neighbourhood of so-called 'The Golden Crescent' and 'Golden Triangle' in Asia and the chaotic areas of Africa, Latin America, Somalia, Colombia and Peru, are all considered among these regions and called 'grey areas' (Minc, 1993).

The 'Mafia method' or rather the whole gamut of instruments on which it is based, is usually identified under criminal law by means of three characteristics: 'powers of intimidation deriving from the bonds of the organisation', 'coercion' and 'conspiracy of silence' and all three are essential and necessary aspects of this conspiracy offence.

In terms of aims, whereas a simple conspiracy aims to commit acts defined as criminal offences in law, a Mafia type organized crime conspiracy can also be organized with the aim of obtaining direct or indirect control of economic activities, authorisations, public procurement contracts and services or profits or other unjustified advantages for the organisation or others or to prevent or obstruct the free exercise of the right to vote or to procure votes for itself or others at elections.

The conceptual areas that will be used to generate the characteristics and the main indicators of organized crime or criminality may be divided into two categories:

- 1) those directly related to the groups themselves; and
- 2) those of a more social, economic or contextual nature

1. Characteristics of the Groups which are directly related to the Organized Crime Groups: The conceptual areas related to the organized crime

groups include the organizational formula and the availability of three basic resources: capital, violence and the capacity to influence law enforcement and the judicial system.

The analysis of the organizational formula includes issues related to the presence of an internal hierarchy and structure; to the existence of high command entities above the single organized crime groups such as semi-formal institutions with different tasks such as dispute settlement among organized crime groups and decision-making concerning highly sensitive initiatives; and to the observance of rules of affiliation, internal codes of conduct and the regulation of activities, as well as to the number and quality of their affiliates (Organised Crime And International Terrorism: From Cooperation Towards Symbiosis, 2004).

Capital refers to the availability of considerable economic resources that derive from the activities of the group and the capacity to reinvest the proceeds of crime in legal and illegal activities. It is obvious that organized crime activities are usually of financial nature. The main aim is to increase benefit. And this is achieved through the use of varied, usually illegal, methods. This is one of the main characteristics of organized criminality differs from terrorism which have both, in fact, have some common so that terrorist organizations have mostly political goals to achieve, mixed with cultural, ideological or religious aspects (Organised Crime and International Terrorism: From Cooperation Towards Symbiosis, 2004).

The availability of capital is also linked to the capacity of the groups to maintain an oligopolistic position in illegal markets. The oligopolistic sector of illegal markets consists of a limited number of enterprises of varying national origin and composition engaged in supplying illicit goods and services.

Violence refers to the systematic use of intimidation and threats to manipulate behavior and to the militaristic impact of the group. In the analysis of this aspect, the following elements may be considered: (1) the availability of personnel specialized in the professional use of violence; (2) the availability of normal and sophisticated weaponry for the protection of persons, goods and markets that belong to the criminal enterprise; (3) the size, the composition and the territorial extension of the criminal groups; and (4) the capacity to carry out strategies based on the use of force

on a small and large scale against other organized crime groups, the State, civil society, economic operators etc. and, consequently, to jeopardize the stability of democratic institutions and reduce the safety of citizens.

The most common typical picture in Turkey, for instance, is that of illegal actors operating in a geographical area being subordinated to another criminal group which controls the use of violence, sets and enforces rules of conduct and levies a tax on criminal activities. Such a constellation can in some respects be regarded as the natural outcome of a process that takes effect under conditions of illegality.

Presumably, the monopolization of violence can work for the benefit of all, because it will tend to reduce the overall level of violence that otherwise may occur. However, the emergence of a 'power syndicate' appears to be dependent on the presence or absence of a number of conducive and countervailing factors. Respectively, 'power syndicates', first of all, need to have personnel capable of using violence effectively.

Secondly, the existence of a 'power syndicate' implies the ability to monitor the criminal activities of other criminal actors. Given the clandestine nature of most areas of crime, this will tend to be possible only where criminal actors are integrated in dense networks that guarantee a free flow of information, or where illegal activities are characterized by high visibility, continuity and fixed places of business, such as in the cases of illegal casino gambling and the street sale of illicit goods (Schelling, 1971a:114, 115; 1971b:71-84).

This, in turn, presupposes not only a demand for these goods and services but also a certain level of tolerance on the part of the society at large and a lack of motivation, possibly brought about through corruption, or a lack of resources on the part of law enforcement to stop such illegal activities. Furthermore, in order to maintain their advantaged position in a cost efficient way and to fend off free-riders, power syndicates will try to establish an identifiable reputation for the effective use of violence (Gambetta, 1993; Reuter, 1983).

This requires a sufficient level of recognizability which increases the visibility for law enforcement at the same time. Finally, the media potentially play an ambiguous role in this context. On the one hand, the media can help establish a

reputation for particular criminal groups. On the other hand, concentrated media coverage will put pressure on law enforcement to focus on these same groups. These considerations imply a wave-like path of development characterized by the rise and subsequent downfall of a 'power syndicate' as the most likely scenario.

The analysis of economic resources takes into consideration (a) the methods of capital accumulation which is referring to relationship between legal and illegal activities; (b) the number and type of illegal markets in which organized crime groups are involved that means diversification of illegal activities; (c) the relevance of the geographical, sociological, political, cultural or sub-cultural elements within an environmental context that determines the specialization of a given criminal group in a particular illicit activity; (d) the availability of specialized expertise and know-how in the management of particular illegal activities such as smuggling of toxic waste, trafficking of weapons, manufacturing of narcotics, money laundering etc.; (e) the placement and involvement of the criminal group in the context of the various phases of a given illicit activity as cultivation, manufacturing, trafficking and distribution in the drug business; (f) and the capacity of the criminal group to reinvest the proceeds of crime in legal and/or illegal activities within the country or abroad (Organised Crime And International Terrorism: From Cooperation Towards Symbiosis, 2004).

The aim of committing crimes, while inherent in Mafia-type organisations and an aspect of their structure since the organisations are characterised by the use of violence, is not, however, the final and sole aim of the organisation. In fact, the individual offences committed, such as "settling accounts" or acts against representatives of public institutions, are part of a broader strategy that seeks to acquire, increase and consolidate economic power as part of an entrepreneurial vision that makes no distinction between the proceeds of criminal activities and legitimate profit and considers intimidation and violence to be normal tools of its trade.

Organizational crimes are characterized by the use of a legitimate or illegitimate business enterprise for illegal profit. All forms of organizational criminality have in common the use of business enterprises for illegal profit. But

most striking point that must be acknowledged in advance is its transnational character. Modus operandi of organized crime resembles multinational companies.

It takes advantage of legal economy but mostly by distortion. Organized crime contemplates achieving a maximum profit at all costs. For that purpose, it organizes itself in clandestine cell system with very detailed division of labor and responsibility. It resorts violence, if necessary, for intimidation and attempts to affect market conditions and public policy. Organized crime groups are mostly strict hierarchic and has specific mechanisms in order to maintain discipline, loyalty, internal honor and conformity.

This is why Mafia-type organisations attempt to acquire control of significant areas of legitimate activity as well as criminal activities, such as drugs or arms trafficking. It is important to stress that the legitimate activities are not conducted simply as a consequence of and a front for criminal activities. They are a natural outlet for criminal activities in the context of the Mafia mind-set. Crime is therefore a means to acquire economic and political power and it leads to an overall logic of continually expanding into areas of legitimate power. This has all been clearly recognised by the legislature, which has defined the offence of membership of a Mafia-type organisation in such a way that, even if a series of offences have not been committed, it is still an offence for the organisation to intend to exploit Mafia methods to acquire a monopoly position, for electoral or political gains or to obtain an unjustified advantage.

Criminal actors decide how to allocate their resources between productive and unproductive activities, or, in other words, between generating an output or influencing its distribution. The assumption is that one group of actors will emerge with an ever increasing potential for violence while all other actors will find it increasingly useless to invest resources in the potential for violence themselves (Skaperdas & Syropoulos, 1995:61 - 82).

Although drugs have provided and still provide criminal organisations with extraordinary possibility for enrichment, they are certainly not their one and only source of profit and neither the most important one. On the contrary, the most developed criminal associations increasingly tend to direct and diversify their

interests towards equally profitable illicit activities which they consider to be less risky because they are morally regarded as less disgusting or because they are subjected to less heavy penalties and less investigation or because it is more difficult to find them since the finding would require the victims' co-operation which is not easy to obtain (extortion, control of public works' contracts, exploitation of prostitution, smuggling, frauds, trafficking of human beings, gambling, etc.).

The capacity to influence law enforcement and the agreements or conventions on mutual legal assistance and judicial system refers to the ability to infiltrate and extradition and international cooperation against organized manipulate institutions and political actors. Effective use of crime and on related issues; the presence of specialized this resource can guarantee impunity to criminal units in relevant law enforcement agencies, the judiciary and organizations and neutralize the efforts of law enforcement other areas such as the military; and inter-agency agencies.

This conceptual area is characterized by the cooperation at the national and international levels against capacity to establish a nexus with the political, institutional, organized crime, through joint initiatives and strategies of economic and financial sectors; by the presence of members of organized crime groups in illicit lobbying networks; the capacity to promote the interests of the organized crime group through direct representation in the political system at local, national and international levels and the use of intimidation, corruption and violence towards opponents in the political, economic and institutional arenas.

The ability to combine the availability of capital, crime, violence and the capacity to influence law enforcement and the judicial system is due to the polyvalent nature of organized crime groups. The most threatening criminal groups are those that are able to concentrate economic and financial power and develop strategies of violence and intimidation that allow them to perform as a powerful pressure group in the political arena. Such sophisticated groups can simultaneously control the most efficient political or bureaucratic power and most profitable segments of the major illegal markets on a continuous basis. Moreover, these groups are extremely flexible and, as such, are able to move from one activity to another in

response to specific strategic options or in order to conceal themselves when necessary.

2. Characteristics of the Environment which has Social, Economic or Contextual Nature: The conceptual areas related to the social, political and economic context in which organized groups behave include the response of the criminal justice system and law enforcement agencies to organized crime and to the impact of organized crime on society at large.

The legal framework of a given country is an important element in the overall analysis of the environment in which criminal organizations operate. It demonstrates the degree of awareness of State agencies and institutions to the phenomenon of organized crime. For example, features that might suggest awareness on the part of a system might include the existence of special provisions recognizing mafia-type offences; the introduction of diversified investigative tools and procedural mechanisms that facilitate the investigation, trial and sentencing of organized crime groups; the existence of bilateral or multilateral treaties, agreements or conventions on mutual legal assistance and extradition and international cooperation against organized crime and on related issues; the presence of specialized units in relevant law enforcement agencies, the judiciary and other areas such as the police and intelligence organizations; and inter-agency cooperation at the national and international levels against organized crime, through joint initiatives and strategies etc.

For the contextual nature of organized crime, the most remarkable and striking point to be stressed on which is its **transnational character**. The concept of ‘transnational crime’ is exactly a quarter century old. The then United Nations Crime Prevention and Criminal Justice Branch coined the term in order to identify certain criminal phenomena transcending international borders, transgressing the laws of several states or having an impact on another country” (Mueller, 2001:13).

Article 3 of The United Nations Convention against Transnational Organized Crime notes that an offence is transnational in nature if;

- a) It is committed in more than one State;

b) It is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State;

c) It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State; or

d) It is committed in one State but has substantial effects in another State.

In the last decades, organized crime groups have expanded their dimension and activities worldwide and are currently a global threat posing a concrete danger to the international community. Criminal groups have established international networks to better carry out their activities both in licit and illicit markets by employing sophisticated strategies and diverse *modi operandi*. As a result, they are able to infiltrate the financial, economic and political systems of countries all over the world (Global Studies On Organized Crime, United Nations Office At Vienna Office For Drug Control And Crime Prevention, Centre For International Crime Prevention Office For Drug Control And Crime Prevention, United Nations Interregional Crime And Justice Research Institute, February 1999).

In a supplemental survey to the Fourth United Nations Survey of Crime Trends and Criminal Justice Operations, transnational crime was defined in the following manner: “Offences whose inception, prevention and/or direct or indirect effects involved more than one country” (United Nations, 1995, para 9).

Phil Williams draws many parallels between Transnational Organized Crime and the operations of legitimate industry (Williams, 1992) and suggests that they form strategic alliances (Williams, 1994). It may be, however, that because transnational organised criminals so clearly pursue profits, and take explicit account of the costs and benefits of exploiting criminal opportunities, they are vulnerable. This feature of Transnational Organized Crime makes it an attractive prospect for preventive measures that seek to reduce opportunities, impose additional costs, and reduce the rewards of crime, as discussed later in this report.

In the context of a debate about whether a set definition of transnational organized crime is either possible or desirable, the United Nations Convention against Transnational Organized Crime outlined some useful characteristics of

Transnational Organized Crime without imposing the strict constraints of a tight definition.

The internationalization of organized crime is evidenced by the increasing expansion of major illegal markets such as those linked to trafficking in drugs and arms, trafficking in human beings, other forms of smuggling and money-laundering. Moreover, criminal organizations have expanded their opportunities to enter licit society through the globalization of financial and economic markets and their interaction and cooperation with other organized criminal groups in different countries.

At this point, it must be pointed out that there is a definite connection between the organized crime and terrorist organizations. As proof it might suffice to just list some of the main sources of financing used over the years to support terrorism: bank robbery and robbery of other financial institutions; trafficking of drugs, human beings, arms; prostitution; protection rackets; different illegal businesses; smuggling; etc. (Organised Crime And International Terrorism: From Cooperation Towards Symbiosis, 2004).

In this respect, it is possible to bring four approaches to this matter:

1. Organized crime, together with specialized charity foundations, forms the life-support system of international terrorism. This category of terrorism includes Al Qaeda and other organizations that are co-operating with it. Presently, Al-Qaeda is transforming from a classic terrorist organization to a global terrorist movement with its local branches all around the world in order to achieve its goals and to support its global ambitions. The challenging question is whether this is an integral structure or some two-way system.

2. Organized crime and terrorism form a constantly functioning intricate system, which gives both parties the opportunity to maintain their sovereignty, while being dependant upon each other through functional ties.

3. Organized crime and terrorism form a fully integrated system (symbiosis), where the leading role belongs to the terrorists.

4. Organized crime and international terrorism are so different in their basic nature and have such differing goals that there is no real permanent connection or

cooperation between the two. They simply make use of each other when it is to their momentary advantage to do so.

It is obvious that the details of the cooperation level can vary drastically from one region and country to another. Therefore, it is essential that we keep this factor in mind when formulating a comprehensive strategy when trying to eliminate activities of this nature. It must also be kept in mind that terrorist organizations which get their hidden support from a government are usually not as dependent upon the support of organized criminal organizations as those terrorists who operate on their own. In spite of the fact that the initiators of this cooperation are terrorists in most cases, we cannot totally exclude the possibility that organized crime groups might invite terrorists to participate in their activities.

Indeed, four basic types of illegal cooperation can potentially exist between an international terrorist movement and organized crime circles:

1. Financial cooperation

Financial cooperation consists of carrying out both legal and illegal activities with the clear purpose of supporting international terrorism. These would include the making of fake identification and credit cards; hawala-banking; protection rackets; large-scale fraud and investing in legal businesses such as charity foundations which is the kind of legal investing in legal businesses, so as to use them for illegal purposes at a later date. In fact, it is fairly well protected from the traditional scrutiny of law enforcement authorities. 'Hawala', for instance, is an international underground banking system that allows money to show up in the bank accounts or pockets of terrorist without leaving any paper trail. There are no contracts, bank statements or transaction records, and yet those who use the hawala networks can move thousands of dollars around the world in a matter of hours (Ganguly, 2001).

2. Logistical cooperation

This can include the providing of varied services, such as smuggling and infiltration; transportation, accommodation which often means provision of hiding places and safe-houses; communication that includes the use of legitimate means for discovery of illegal information and assistance for obtaining arms, ammunition,

explosives and other essential equipment and supplies, which would be difficult to obtain otherwise.

3. Technical and technological support

This usually entails the hiring of cooperative lawyers and the obtaining of legal or fake documents such as living and working permits, passports, citizenship documents, etc. Very often it can also mean the obtaining of essential information from corrupt or cooperative government officials. One example of cooperation of this kind is the widespread use of legal and illegal immigration processes in Western Europe and Scandinavia.

The radicalization and reinforcement of various ethnic groups in Europe has demonstrated the effectiveness of illegal and highly conspiratorial cooperation and the apparent weaknesses of immigration laws and controls. This means that there is a desperate need to find new ways for integrating minorities.

4. Corruption

Corruption, since it weakens the whole structure of society and undermines the authority of law enforcement, is a serious threat for every society in the age of the fight against international terrorism. Corruption, with all its many facets, can provide terrorist groups with convenient means for achieving their goals and help them obtain support for their endeavors from the very core of the targeted society.

II. 3. Impacts of Organized Crime

The United Nations International Centre for Crime Prevention has recently emphasised the notion of dangerousness, that is, the threat that organized crime poses to persons, institutions, and licit markets, and these elements are outlined as:

- transnational organized crime groups engage in crimes which are wrong in themselves;
- in economic terms, the groups bring about material loss to victims;
- in psychological terms, the groups foster intimidation, coercion and fear;
- in a social sense, the groups generate mistrust in institutions;
- an ability to challenge political and institutional authority;
- an ability to invest illicit proceeds into the licit economy;

- The investment in proceeds abroad thus removing resources from the domestic economy (United Nations, 2000a:5-7).

By defining the elements of dangerousness it was intended that governments would be able to increase the focus of their preventive efforts.

While the Mafia economy is taking increasingly developed and dangerous forms, the awareness that the development of criminal economy has a dreadful and irreversible impact on the legal economy has hardly spread: an impact which corrupts the financial and banking circuits, distort the markets' trend, and – resorting to instruments which are alien to the lawful entrepreneurial world - feeds the black economy and steals money to the tax revenue.

According to a survey conducted in 2003 by EURISPES Research Center, based on Italy, it has been established that the Italian mafia had murdered 700 persons and gained 32 billion pounds in past four years. As stated by Cumhuriyet Journal with a reference to the news reported by the English Daily Telegraph; more than half of this amount, 18 billion pounds in other words, gained from drug trafficking. Seven billion of it is owned by Ndrangheta in Calabria. In that report, it is noted that Cosa Nostra gained 6 billion and Camorra of Napoli did 5 billion pounds form drug trading. It is thought that approximately half of 666 murders recorded between 1999 and 2003, committed by Camorra (Cumhuriyet Gazetesi, 12. 12. 2003:5; aktaran Saçan, 2004:18)

What is worse, the criminal economy brings about a kind of sharing of interests which seems to make the border between the criminal world and the society fade, establishing a steady collusive network of relations other than the traditional one linking criminals and the victims of the offence.

The breaking of the border between the 'attacker' and the 'victim' clearly appears, for instance, with respect to the unlawful relations between organized crime and enterprises obtaining public works' contracts; these unlawful relations were found following to various inquiries which led to know that, in many cases, the legal enterprises themselves asked the Mafia groups for funds to expand their markets.

Thus, organized crime is, nowadays, beheld as not only being a global threat, but also locally a grave menace for democratic and economic development of

countries due to its strategy to infiltrate into the state apparatus. In addition, a mafios society is undoubtedly an impediment to the principle of rule of law which is one of the main prerequisites and indispensable elements of contemporary democratic state in such a way that the concept of the rule of law is determined upon achieving the supremacy of law, equality and justice on totally contrary to mafios society that provides privileges to private interests, regards every means to attain ambitions as permissible, replace central values with local ones, inflicts alternative enforcement mechanism upon state's legal system, individualizes the ideas of equality and justice.

Consequently, it is so clear that there is no way for coexistence between the rule of law and mafios society. If we are talking about a society in which some people, mafiosi in original terms, are acting upon mafia rules and having means to form mafia type organizations and widely known with wide mafia activities; it indicates the actuality of a mafios society. In other word, society is pertinent to mafia type organizations due to its social, economic, political and legal structure, ethical values and corrupted institutions. In this case, it is essential to analyze these characteristics of a given society in order to comprehend the phenomenon of mafia in it.

Furthermore, organized crime is a serious and growing problem that threatens public safety and has an impact that goes far beyond the obvious violence and economic losses we suffer as a society and individually. Organized crime activities like money laundering, illegal drugs, economic crime, people smuggling, contraband smuggling and motor vehicle theft affect the health and safety of all citizens. It has devastating impacts on our communities, our families, and those most vulnerable like tradesmen or businessmen.

Organized crime flourishes in transition economies; it persists in developed nations; it thrives under globalization. More than forty percent of the Russian economy, for example, may be controlled by criminal groups (Shelley, 1997:14). In Japan, the influence of organized crime extends from prostitution to golf course development, from banking and securities to disaster relief (Sender, 1991: 25). In the United States, mob developments continue to make front page headlines (Berger, 1999:A1). In recognition of the severity of the problem, both the United Nations and

the G8 have begun to devote resources to combating international organized crime (Bassiouni & Vetere, 1999; Coyle, 1998:24).

The corrupting influence of organized crime, combined with the use of violence and intimidation, represents a threat to public institutions here in Turkey and around the world.

With regard to the impact of organized crime on society, it will be necessary to take into consideration various elements such as the level of perception of the threat caused by organized crime groups such as collective reactions against organized crime through public protests, creation of associations, such as victim protection associations, as well as governmental commitment in the promotion of awareness campaigns addressing the problem of organized crime.

Since the Susurluk Event, there has been a strong national consensus that governments must strengthen the range of arrangements to combat mafia type organized criminality and maximize the effectiveness of resources. The need to address, in particular, the shared concerns of illegal drugs, economic crime and frauds, money laundering and the use of new computer and communications technologies in crime was underscored by that time.

After all, the seriousness of the problem lies in the complexity of these organizations and their activities, their global penetration and the threat they pose to democracy and legitimate economic development. Organized crime has been a serious problem for most of the 20th century, but it has only recently been recognized as a threat to the world order. This criminality is regarded as a potential threat to undermine the integrity of individual countries, but it is not yet perceived as a prominent threat to the nation-state. Meanwhile; it is generally accepted that failure to develop viable, coordinated international policies against this constantly growing transnational criminality may undermine the nation-state in the 21st century.

In addition, globalization and the opening of countries in transition to the world economy have created an opportunity for national criminal groups to extend their illicit economic activities by establishing links with foreign and international criminal networks and maximizing their profits by creating economies of scale.

It is known that the operational features of today's organized crime, mafia type or not, have developed as a result of the globalization of both legal and illegal markets and of the abatement of frontiers according to a pattern based upon two guidelines:

(i) The first one includes the increase in asset and capital interexchanges due to the development of computer science and the mobility of offenders on territories;

(ii) The second one marked by interconnections among criminal aggregates which in the past were separated and unrelated.

Such a reality leads analysts to refer to an integrated criminal system characterised by a transnational nature and by its heterogeneous elements.

The transnationality of organized crime is a feature other than its internationality. By the latter term, in fact, we mean the fact of a criminal group operating not only on the territory of the country where it arose and performing its activity also abroad. The former, instead, refers to the co-operation established by criminal groups among themselves so as to manage some criminal markets more profitably.

Some of the components of globalisation have affected transnational criminal opportunities. We may overview some of the Globalisation Factors factors which have produced opportunities for Transnational Organised Crime or broadened developments in transnational organized crime in Europe and North America (Adapted by Adam Bouloukos, Graham Farrell and Gloria Laycock from Keh and Farrell, 1997: 91):

A. Technological Change:

- Cheaper and faster transportation - Effect: Facilitator to trafficking of illicit products.
- Postal system distribution improvements - Effect: Facilitator to trafficking.
- Improved computer and electronic communication technologies - Effect: Facilitates large and rapid cash transactions in layering stages of money laundering. It facilitates covert communications between and within criminal groups.

B. Socio-economic and political change:

- General trade liberalisation, particularly in developing countries - Effect: Increased trade provides cover and markets for trafficking illicit products.
- Increases shipping and aviation (trade and tourism).
- Trade agreements (EC, NAFTA) - Effect: Increased flow of licit trade and reduced border checks both reduce risk of trafficking illicit goods.
- Political integration (Eastern Europe and CIS; South Africa) - Effect: Increased trade to new markets gives increased cover and markets to traffickers.
- Increased migration - Effect: Family networks, ties and cover for trafficking and distribution networks.
- Increased global communications and financial transactions - Effect: Provides opportunity and cover for international money laundering.

Perhaps the most significant individual socio-political event of recent decades that has created new opportunities for transnational organized crime has been the advent of Perestroika, the subsequent dissolution of the Soviet Union, and the resultant market-oriented economies. These changes created new opportunities for organized crime in the region, concurrent with new government institutions that were ill equipped to address the growing problem. The result was that “[a]t the end of the 1990’s, official sources reported that Russian organized crime was composed of around 70,000 members and controlled an estimated 50 percent of the economy, including one third of the country’s 1,800 banks, 1,500 state-owned companies and 4,000 companies quoted on the stock exchange.

There were an estimated 110 transnational criminal groups based in Russia, which operated in 40 countries.” (United Nations, 2000b:27)

Organized crime groups infiltrated both public and private institutions and industries, and, as a result, legitimized themselves so that the line between licit and illicit rapidly became blurred. Organized crime groups have become major employers by replacing the formerly state run labor markets and trade unions. High levels of corruption in public government and private industry have reduced public trust and the willingness of foreign firms and agencies to invest in the region. The instability of the financial sector has resulted in massive capital flight, estimated to

be about \$1 billion per month, which is likely to include laundered funds from criminal activity (United States, 2000).

II. 4. The Use of Models in the Study of Organized Crime

The importance of models in the study of organized crime originates from the notion that they are basically heuristic devices that guide and systematize research rather than presenting final conclusions.

Because of the diversity and complexity of organized criminality, organized crime groups are generally examined according to some key criteria. Analyzing of organized crime groups is generally based on the following characteristics (Shelley, 1995:474):

- (1) Longevity as an actor in organized and transnational crime,
- (2) Stage in the country's development during which the group has come to existence,
- (3) Political structure of the country in which the group is based,
- (4) Economic structure of the host country,
- (5) Form and strength of legal authority in the host country,
- (6) Forms and variety of illicit activities,
- (7) Organizational structure of the criminal group, and
- (8) Investment of the proceeds from organized crime.

Dr. Klaus von Lampe argues that any meaningful model of organized crime has to include six basic elements which are, in fact, consisting of three core and three environmental elements (Lampe, 2003:6). **The three core elements** represent what has variously been labeled organized crimes which are (1) The actors who cooperate in rational, non-impulsive criminal activities, (2) The structures that connect these actors, and (3) The criminal activities these actors are involved in.

The three environmental elements represent environmental factors that are (1) Society, (2) Government, and (3) the realm of public discourse, i.e. the media.

The notion of 'models of organized crime' has in the past been most closely linked to a threefold classification proposed by Jay Albanese (1989: 91-102; 1994), who distinguishes a '**hierarchical model**', a '**patron-client model**' and an '**enterprise model**' of organized crime. **Jay Albanese** emphasizes that these

‘models’ really represent different ways of looking at organized crime in different ‘paradigms’ which can be combined to get a more complete picture (Albanese, 1994).

This understanding of “models of organized crime” has been further elaborated by **Boronia Halstead** (Halstead, 1998) and later on by **Phil Williams** and **Roy Godson** (Williams and Godson, 2002). Williams and Godson (2002) take the discussion another step further by linking certain social conditions with certain manifestations of organized crime and these, in turn, with certain social consequences or impacts.

Furthermore, there would be a general classification of models in the social sciences which distinguishes between causal and analytical models and analytical model as the most appropriate conceptual framework for further research on organized crime.

I would like to review briefly the use of models in the study of organized crime. This touches the more fundamental question of how the social sciences should go about exploring such a highly complex and elusive issue as organized crime.

I would like to point out that there are three key works that represent the prevailing convention in the organized crime literature on what a ‘model of organized crime’ is supposed to be. These models of organized crime are represented by Jay Albanese’s Three Models, Boronia Halstead’s Micro & Macro Level Models and Williams and Godson’s Five Models.

Jay Albanese’s Three Models of Organized Crime is also divided into three sub-models as Hierarchical, Patron-client and Enterprise Models which are originally referred to the American Cosa Nostra.

The ‘**hierarchical model**’ pertains to the official view of the Cosa Nostra as a nationwide bureaucratic organizational entity (Cressey, 1969). The ‘**patron-client model**’ is represented by the works of **Joe Albin** (1971) and **Francis and Liz Ianni** (1972) and re-conceptualizes the Cosa Nostra as a web of asymmetric ties embedded in local or ethnic networks. ‘The Enterprise model’ was originally proposed by **Dwight C. Smith** (1980) and centers around economic activities and the primacy of market forces over group structures.

Boronia Halstead (1998) distinguishes different models with her **Micro & Macro Level Modeling** not only by the underlying conception of the nature of organized crime but also by specific social conditions that are assumed to be responsible for the emergence of one or the other manifestation of organized crime. She distinguishes two broad categories, ‘group-focused models’ and ‘economic models’ in which these categories differentiate various models that emphasize particular aspects of criminal groups’ such as the structure, activities and social embeddedness.

Halstead highlights the explanatory power of these models regarding to the factors that lead to or facilitate the emergence or shaping of organized crime phenomena on the micro or macro level. On the micro level **Halstead** discusses, for example, how illegal enterprises can be perceived as organizations influenced by internal and external stakeholders (Lampe, 2003:2).

Halstead, drawing on the multiple-constituency approach in organization theory (Bedeian & Zammuto, 1991:68), explains: “Applying this model to organized crime, a particular illicit enterprise might be analyzed by identifying the various factions or stakeholders with an interest in the enterprise, examining the nature of the interest and assessing how the range of interests interact and what the power relationships between the interests might be. For example, in the market for an illegal commodity such as cannabis, these interests would include cannabis users, cannabis wholesalers, cannabis retailers, law enforcement policy makers, law enforcers, health policy makers, corrupt public officials, and other less obvious groups, such as the media (Halstead, 1998:8).

The interaction between these constituencies and the relative power relationships between them will determine the nature of the illicit enterprise. The multiple constituencies approach draws into focus the fact that agents that might have an impact on the structure and operation of illicit enterprise are not just those who gain directly from it.” (Lampe, 2003:2).

Other models identified by Halstead relate to macro level phenomena such as illegal markets, which are discussed with regard to external regulation and internal business culture (Halstead, 1998: 16).

Williams and Godson distinguish five potentially predictive models that emphasize causal relations between certain environmental conditions, certain manifestations of organized crime and certain outcomes in their discussion of a methodology for anticipating the further evolution of organized crime.

1. “**Political models**” can explain the increase in particular types of crime and the emergence of criminal structures as the result of a weak state, an authoritarian form of government, and a low degree of the institutionalization of the rule of law (Williams & Godson, 2002: 315-323).

2. “**Economic models**”, in Williams and Godson’s typology, include those approaches which attempt to predict organized criminal behavior with a view to the dynamics of supply and demand and the levels of control of illegal goods and services (2002: 322-328).

3. “**Social models**”, the third type of models defined by Williams and Godson (2002: 328), emphasize the cultural basis for organized crime, the idea of criminal networks as a social system, and the importance of trust and bonding mechanisms as the basis for criminal organization.

4. The “**strategic or risk management model**”, in turn, conceptualizes the activities of criminal enterprises, for example the corruption of public officials or the exploitation of safe havens, as means to minimize risks emanating from operating in a hostile environment (2002: 335-339).

5. “**Hybrid or Composite Models**”, which finally Williams and Godson’s typology includes, variously combine political, economic, social, and strategy factors to predict, for example, that in certain states characterized by weak government, economic dislocation, and social upheaval, transnational criminal organizations will take control of much of the domestic economy to use it as a basis for operating in host states where lucrative markets and supporting ethnic networks exist (2002: 340-347).

Apart from all these main or sub models, I would like to briefly touch upon Jonathan Turner’s **causal models** and **analytical models** which he proposes as of two essential types of models (Turner, 1991: 17). **Causal models** aim at explaining a

dependent variable by one or more independent variables and present a simple lineal view of causality.

As a sociologist, Jonathan Turner (1991) defines a model as “a diagrammatic representation of social events. The diagrammatic elements of any model include: (1) concepts that denote and highlight certain features of the universe; (2) the arrangement of these concepts in visual space so as to reflect the ordering of events in the universe; and (3) symbols that mark the connections among concepts, such as lines, arrows, vectors, and so on” (Turner, 1991: 15 - 6).

Analytical models, in contrast, portray a complex set of connections among a set of variables (1991:18). The analytical model accounts for all sociological, psychological, cultural, economic or political dimensions of the problem. Furthermore, the model is also designed to apply to all conceivable historical and geographical settings.

The model provides a conceptual scheme for the analysis of each and every case in its own right, but from a comparative perspective with the use of the same terminology, within the same broad conceptual framework and with the same research questions in mind.

The first step in the construction of an analytical model of organized crime is to determine what aspects of the social universe to include. This is not so much a definitional question than a matter of tentatively marking out a field of study. In the absence of a generally accepted, authoritative definition of the term ‘organized crime’, the only fairly inclusive approach seems to be one which outlines the field of study by the scope of the public and scientific debate. Organized crime, then, is what people so label. This includes just about any kind of cooperation for the rational, i.e. non-impulsive, commission of illegal acts, regardless of the social status or the motives of the perpetrators (Lampe, 2002: 195). Accordingly, the elements of the model should be selected with a view to those factors that either represent or significantly influence the emergence and continued existence of patterns of criminal cooperation for the rational commission of criminal acts (Lampe, 2003:6).

The second step in the construction of an analytical model of organized crime is to determine the level of abstraction. There are manifold ways to further

differentiate the model and to dissolve the elements into ever smaller units of analysis. How far one should go depends largely on the respective research question that the model is supposed to help formulate or answer (2003:7).

The third step in the construction of an analytical model is to determine by what kind of links the model elements are connected. In the way modeling is understood here, this is an ongoing process which accompanies the entire research process. From the onset it is important to note that elements are not necessarily connected simply by unidirectional causal links. Rather, it can be expected to find direct and indirect connections working in different directions (2003:8).

In addition, organized crime syndicates operating in the manner of legitimate fly-by-night companies have created interconnected network systems in local and international markets through the mediation of hierarchically horizontal and linear organizational structure models. 'La Cosa Nostra in the USA', in this context, may be given an example of the most complex models of organized crime. The historical roots of 'La Cosa Nostra' reach over to organized criminality in Italy. After the migrations from Italy to the USA, Italian originated organized criminal groups joined with criminal organizations in large American cities and then dominated in criminal world. These criminal groups with tight hierarchic order got access to the labour unions in which they had a strong base and developed licit economic association.

CHAPTER III

SOCIO-CRIMINOLOGICAL ANALYSIS OF ORGANIZED CRIMINALITY

III. 1. Introduction

The literature on organized crime displays a marked lack of consensus on fundamental issues. As noted in previous Chapter, there is little agreement even on a definition of organized crime. On the other hand, there is less disagreement on the question of why the phenomenon exists. In order to comprehend the phenomenon of organized crime properly it is required to outline a theoretical framework including sociological, legal and political aspects and causes of it.

III. 2. Organized Crime Theory

Organized crime research has regained momentum in the post-Cold War era, yet the field remains dominated by single-society studies of low generalizability. Two hypotheses of organized crime are unequivocally important. **The state failure hypothesis**, one of these, argues that the failure of the state to deliver key political goods such as security, justice, and stability encourages criminal groups to perform state functions. **The economic failure hypothesis** holds that poor economic outcomes such as high unemployment, low standards of living and a reliance on an underground economy stimulates the growth of criminal syndicates as suppliers of demanded goods, services, and jobs. Analytical results provided general support to both hypotheses. Judicial independence and black market activities are also the strongest political and economic correlates of organized crime.

Most serious criminological commentators of first generation saw organized crime as much less static and hierarchical than current orthodox thinking on the problem. In a 1926 article, for example, Professor Raymond Moley suggested that the conception of organized crime as a vast underworld organisation, led by a 'master mind' with workers, lieutenants, captains, was melodramatic nonsense' (Moley, 1926, as quoted in Woodiwiss, 2000:3). Frederic Thrasher in *The Gang*

(1960:416) made it clear that ‘... organized crime must not be visualized as a vast edifice of hard and fast structures’. Frank Tannenbaum in *Crime and the Community* (1936:115) noted that ‘while crime is organized, it is not unified.’ Edwin Sutherland in *The Professional Thief* (1937:209) stated that, organized crime was ‘not organized in the journalistic sense, for no dictator or central office directs the work of the members of the profession.’

Sutherland’s later work went beyond the class bias of most early criminologists and located the most significant organised criminal activity amongst the respectable and powerful in society. In *White Collar Crime* (1949) Sutherland found that the criminality of the corporations, like that of professional thieves was persistent, extensive, usually unpunished, and most often deliberate and, involved the connivance of government officials or legislators. It was, in sum, organized (Woodiwiss, 2000: 3).

Thrasher noted the importance of ‘certain specialised persons or groups, who perform certain indispensable functions’ for professional criminals. These included doctors, political manipulators, professional or obligated bondsmen, criminal lawyers, and corrupt officials. Even when he was focusing on the community of career criminals itself, Thrasher emphasised its fluidity (2000: 3).

While there is considerable definite organization, largely of the feudal type, there is no hard and fast structure of a permanent character. The ease of new alliances and alignments is surprising. Certain persons of certain groups may combine for some criminal exploit or business, but shortly they may be bitter enemies and killing each other. One gang may stick closely together for a long period under favourable conditions; yet if because for real dissension arises, it may readily split into two or more bitter factions, each of which may eventually become a separate gang. Members may desert to the enemy on occasion. Leaders come and go easily; sometimes with more or less violence, but without much disturbance to the usual activities of the gangs. There is always a new crop coming on - of younger

fellows from whom emerge men to fill the shoes of the old 'barons' when they are slain or 'put away...' (Thrasher, 1960:414-5).

Moley, Thrasher and other commentators also followed in the progressive urban reform tradition and emphasised that certain political conditions were essential for successful organized crime. Moley's experience in organising the major Cleveland and Missouri crime surveys had brought him to the conclusion that was similar to progressive era perspectives - machine politics was in effect a form of organized crime (Woodiwiss, 2000:3).

Other commentators pointed to the active complicity of lawyers in the organisation of crime. 'In every racket is a lawyer,' according to Henry Barrett Chamberlin of the Chicago Crime Commission: "This lawyer has studied in a law school; he is an associate of most of the lawyers of the community; he has a decent appearing home; ... he is a member of his bar association; he is invariably a lawyer who is in politics; he is so strong in all sorts of activities that he can't be disbarred" (Chamberlin, 1931-2:668; as quoted in Woodiwiss, 2000:4).

Towards the end of the 1920s more commentators began to see Prohibition and other aspects of America's moral reform programme as exacerbating the problem of organized crime. According to E. W. Burgess in the Illinois Crime Survey of 1929, there was 'no blinking the fact that liquor prohibition has introduced the most difficult problems of law enforcement in the field of organized crime' (Friedman, 1993:340).

Others extended the point to cover other prohibitions such as the anti-gambling, drugs, and prostitution laws. Tannenbaum, for example, argued: "The number of unenforceable laws increased the field of criminal activity and nurtured the criminals who profited by these laws to the point of creating a system definitely outside of the law and beyond the police power... The profit-making aspect made such organization possible, and played an important role in paralyzing law-enforcing agencies through political manipulation and direct corruption" (Tannenbaum, 1936:46).

The connection between unworkable laws and successful organized crime was made explicit by Chamberlin. He wrote in 1931 that: “Organized crime is today a great, unmanageable threatening fact in the lives of our communities. It is not enough to ask whether the machinery of law enforcement is good, we must go further, call in question the wisdom of the laws themselves and discover whether or not some of our experiments are not as menacing in their effect as criminal activities. It may be found that some of the very best intentions of our idealists have supplied the pavement for the hell of organized crime.” (Chamberlin, 1931-2:669; as quoted in Woodiwiss, 2000:4)

III. 3. The Most Prominent Theories of Organized Criminality

Organized crime theories are designed, to a large extent, for a systematic assessment or evaluation of the special circumstances or factors creating an appropriate sphere or grounds for organized crime to flourish and lead its life. These theories have grown up and undergone several changes from past to present and have been diversified as determined by the scientific disciplines and methods applied for analysis and various approaches towards it. Some countries where organized crime had grown fast may have some specific circumstances and characteristics.

The validity, the feasibility and the intelligibility of these theories to be applied in certain cases, thus, depends on periodic events in past and on the geographic region or neighbourhood. Several of these theories have been plainer whereas many others are oriented towards the explanation of organized criminality in an individual country or in a period of time. The plain theories are those ones which contemplate to perceive organized criminality in the theoretical and methodological framework of disciplines such as sociology, economy, social psychology, political science and international relations. These theories are, in fact, also related to the organized crime models.

The most remarkable ones of these theories mostly emphasized in relevant literature are below:

III. 3. 1. Ethnic Succession Theory

Ethnic succession is the rule for transition in organized crime. As one group wanes, another group stands ready to take its place. Today, other ethnic groups have forged a loose confederation of organized crime. These include the Dixie Mafia in the South, Latin American gangs in the Southwest, and White ethnic groups across the nation, and Italian and Cuban groups operating worldwide. Since 1970, Russian and Asian (Chinese and Japanese) groups have been operating on U.S. soil, the Russian groups especially good at fencing stolen merchandise and the Asian groups especially good as the heroin market. Nigerian/West African groups also operate in the U.S. American-made biker gangs pick up the market for drugs not monopolized by other groups. The Columbian drug cartels concentrated on cocaine smuggling. During the 1980s and into the 1990s, the black gangs abandoned their inner city isolation and adopted the 'franchise' model (e.g., the Crips or the Bloods).

III. 3. 2. Economic Theory of Organized Criminality

Economic theory has traditionally emphasized the monopoly that organized crime enjoys over illegal products and services. Thus, criminals organize themselves into firms for the same reasons that 'legitimate' firms organize which is to reap economies of scale or monopoly rents (Schelling, 1984:162).

Economic and financial vulnerability is linked to low competitiveness and efficiency. Governmental vulnerability arises when the country's economic competitiveness and development are not ensured by the institutions and government bodies responsible for the safeguard of citizens' rights, the settlement of disputes and, in general, the compliance with laws. In this respect, criminality paves the way for imposing its own non-economic and illegal instruments in the sectors of production and exchanges. Thus, the environmental vulnerability becomes a requirement to establish and spread out various criminal activities (Roberti: 118).

The economic analysis of crime takes account of individual tendencies and explains that anyone can commit a wrong on the basis of a reasonable cost-benefit assessment. The person who infringes the law expects a clear benefit out of his action. The offence turns to be almost physiological and related not to genetic anomalies, personal or environmental situations, but to a range of variables outlining

the opportunities and the ties upon which one decides to commit licit or illicit actions, according to convenience. These variables can be grouped in two main sets respectively connected to (Roberti)

(i) Efficiency of governmental institutions, namely justice;

(ii) Efficiency and equity with regard to the production and allotment of resources and market transparency.

To gain a better understanding of the role of organized crime in an economy, we adopt two heuristics. First, we use the term “organized criminal firms” to emphasize the fundamentally entrepreneurial role of organized crime. Second, as more fully developed below, we characterize the private enforcement activities of organized criminal firms as ‘illicit entrepreneurialism’ because it takes place outside the bounds of state ordering, in the shadow of violence (Milhaupt & West, 2000:6).

The traditional economic approach theorists have cast doubt both on the idea that organized crime relies primarily on extortion, and that monopoly is the best concept to understand the activities of organized criminals. In the past several years, observers have begun to change their perspective on the services provided by organized criminals and the relationship between organized crime and the state. For example, Diego Gambetta argues by focusing on Sicily that organized criminals deal not in extortion, but in protection, including the protection of contracts in the form of dispute settlement (Gambetta, 1993:155; Alexander, 1997:175). Even more interestingly, he argues that rather than being a monopoly, organized crime competes with the state to provide this service (Milhaupt & West, 2000:9).

Second, it implicitly suggests that the state’s institutional structure supplies incentives for illicit firms just as it does for legitimate enterprises; thus, firm adaptation is the central problem of economic organization in illegal as well as legal markets (2000:10).

Finally, the stylized histories of regions as diverse as post-feudal Sicily and post-Soviet Russia, which Gambetta and others rely upon in developing their arguments; contain interesting parallels with Japanese history, suggesting that societies currently experiencing significant organized crime problems began from a common starting point. Even the U.S. experience with organized crime suggests a

linkage between ineffective or ill-advised state structures and organized criminal activities (2000:9).

III. 3. 3. New Institutional Economics Approach to Organized Criminality

New Institutional Economics literature argues that the structure and activities of organized criminal groups are significantly shaped by the state. Organized crime is the dark side of private ordering as an entrepreneurial response to inefficiencies in the property rights and enforcement framework supplied by the state (2000:2).

In Turkey, organized criminal groups, the mafia among others, have traditionally operated in black market activities, selling commodities and services that consumers want but that the state declares illegal and naturally created black markets for cigarettes or alcohol etc. during this prohibition period or prices out of the market by inefficient regulation that created gray markets in the garment or transportation industries. The universal point emerging from all the instances is that where the state fails to get the institutions right, it invites dark-side private ordering to fill in the gaps.

Illicit entrepreneurs substitute for state-supplied or state-sanctioned public services, especially as alternative enforcers of property rights. This ‘dark-side private ordering’ provides a convincing explanation for the emergence and role of organized crime in both developed and developing economies (2000:4).

In the light of the assumptions, it may be suggested that the success of organized crime rests more on the design of state-supplied institutions than on traditional anti-crime strategies. Accordingly, a state should alter its institutional incentive structure and introduce additional enforcement agents to be able to combat organized crime most effectively. At least where a state’s institutional structure generates substantial incentives for dark-side private ordering, attacking organized crime as crime may be unsuccessful and possibly even counterproductive.

III. 3. 4. Criminal Network Approach to Organized Criminality via Social Network Analysis

In the field of criminology the term ‘criminal networks’ has recently become fashionable as a designation for the structure of groups of persons who are engaged

in organized crime, though the use of the concept ‘criminal networks’ in criminology is in general not precise enough. Networks consist of persons and relationships between persons. These persons have characteristics. In addition to age, sex, social status, ‘criminal’ (committing crimes) is one of these characteristics. Social relationships also have many characteristics. Both offenders and non-offenders maintain non-criminal relationships with other criminals and non-criminals.⁴

In fact, outside the field of criminology, it is not unusual for social networks to occur within groups of people who, in one way or other, regularly have contact with each other or meet each other, such as colleagues, classmates or neighbors. The question is thus whether criminal collaboration should be regarded as a cause or as a consequence of social networks.

Criminal networks can be specified in more detail when the theories, concepts and methodologies of social network theory are applied. Criminal groups that are engaged in large-scale transnational smuggling and trading of heroine are mostly based on collaboration between members of cohesive (and often ethnically homogenous) social networks. This seems to be much less the case in the trafficking of women and the trade in stolen cars.

These persons however form unusually significant links between criminal groups, for example because they bring people into contact with each other, and they can speak to different groups and people in order to get matters arranged, etc., Kleemans et al. (1998) called these the intersections in criminal networks and they especially drew attention to the underexposed phenomenon of the facilitators, who occupy a central position due to a specific skill, such as money launderer or as a forger of documents.

Social networks consist of two sorts of elements: actors and relations between actors. In most studies of social networks the actors are persons, with characteristics and features such as age, sex, education, criminal record, physical strength or temperament. A relationship may or may not exist between two persons.

The existence of a relationship indicates that both persons are linked to each other directly in some way or other. Just like people these relationships between

⁴ For insatance, Sutherland’s theoretical views are strongly based on this notion.

persons also have characteristics. In the literature some nineteen different characteristics of social relationships are distinguished. Examples of these are the frequency of contacts, the age (duration) of the relationship, the degree to which the relationship is affective or instrumental, or whether the relationship is hierarchical and the degree to which the relationship is homogenous [i.e. between similar persons as far as personal or background characteristics are concerned] (Bruinsma & Bernasco, 2004:80, 81).

Although it is possible to distinguish the various characteristics of the relationship between two people analytically, these are the characteristics that are often difficult to distinguish in practice. Most social relationships show various characteristics simultaneously since they are multiplex.

In addition to persons and relationships, both elements of social network, there have been three other aspects that are important when it comes to analyzing social relationships (2004:80, 81):

- (1) **The characteristics of the network structure as a whole:** Structural characteristics can be attributed to networks as a whole. These include the size (the number of persons who participate in it), the density (proportion of existing social relationships compared to all possible relationships in a network) and the cohesion of a network.
- (2) **The characteristics of the position that a person occupies in the network structure:**
- (3) **Relationships between networks:** When we think of the last characteristic we have in mind the number of intensive and affective social relationships within networks. It is assumed that social networks with many mutual affective relationships are more permanent and durable than if they were only to consist of instrumental relationships. Thus we see within many ethnically based criminal groups that there are affective and other forms of emotional relationships with family members.

These networks have stronger group cohesion as a result. Another feature of a network is that within the network a number of factions or clusters can be identified, that can also be called cliques. This term was for example used by the Fijnaut Research Group to typify the Dutch hash networks (Fijnaut, 1998). Within cliques we see a further compression of the number of multiplex social relationships. The characteristic segregation is linked within a network to the presence of cliques or clusters. This form of segregation must be distinguished from the segregation of a social network within a society.

The clusters occupy a more or less isolated position in a social network. The number of links maintained by the clusters with the rest of the network is of importance in this. Social networks also have a form. They can have the form of a chain or be hierarchical or central.

When social networks have a chain-like form, there are few social relationships between the persons and the links between people in the network are often not direct, but often occur via someone else in the network.

Hierarchical networks occur, for example, in the business world or in government. If within a larger social network a particular clique holds a central position then this is a central network. People have individual characteristics and features, which are separate from their relationships with other people, but they also derive characteristics from their positions in one or more networks. A person, for instance, can occupy a central position or a more marginal position.

Social networks are also linked to other networks, through persons who are involved in both networks. If social networks were not to be connected to each other in some way or other then nothing would exist that was like a society. All networks would then exist segregated from each other.

In this respect, three particular illegal markets are essentially significant which because of their complex logistics at least require some collaboration and organization by the suppliers: (1) smuggling and wholesale of heroine, (2) trafficking in women and (3) trading in stolen cars. With the last mentioned this concerns the systematic theft and “recycling” of cars, and the sale of cars or car parts elsewhere. This is therefore not joyriding, and/or car theft for own use (Bruinsma, 1996).

These three activities mentioned above have two common characteristics, in addition to their illegality and the consequent necessity to hide them from criminal investigation agencies. All three activities are forms of crime that serve a market. In all cases there are products or services that are obtained illegally, which are moved and that have to be sold to resellers or end users (Bruinsma & Bernasco, 2004:80, 83).

There is a certain danger in categorizing them in terms of the nature of the market being served, because criminal collaborative links are not necessarily market-specific. After all, it appears from many sources that not all offenders are always specialists. A large number of offenders are engaged in various types of crimes, in some cases with both trafficking in heroine and women and in stolen cars.

That can be explained if one considers that certain characteristics and skills can be utilized in different criminal activities, such as a willingness to take risks, an ability to conceal illegal activities, an ability to threaten violence, a willingness to use violence and having an extended network of criminal contacts (2004).

The working methods used and of the size and social structure of the groups' active in illegal markets for **heroine**, **women** and **stolen cars** require an intense attention due to the relationship between characteristics of the illegal markets and the size and structure of the collaborative relationships between actors in these markets.

According to Bovenkerk & Yeşilgöz (1998:45 onwards), there are, in general, many family relationships between the members of the Turkish groups trading in heroine market of the Netherlands, such as between fathers, sons, nephews, cousins and brothers in-law. Because the number of Turkish people in the Netherlands has become quite large as result of chain migration and because the families involved in the Netherlands maintain frequent contacts with family members in Turkey, it is possible that the entire trade chain from production in Turkey to sale in the Netherlands is based on family relationships. Nowadays Dutch drivers are often used to arouse less suspicion among the investigating organizations.

The dominance of Turkish groups in the Dutch heroine market seems therefore not only to arise from the fact that Turkey is an important supply country, but it is also facilitated by the relatively large size of the Turkish community in the

Netherlands, through the extended family relationships between the members of this community and through the relatively important role of these relationships in Turkish culture (1998:151).

In the heroine trade large geographic distances have to be crossed. In doing this there are criminal networks active that, from a social network perspective, can be typified as follows. The constituents of networks are, on the whole, social relationships in which there are very frequent contacts. This serves to scrutinize the trade for irregularities given that there are large sums of money involved, but also to keep an eye on where the other person is (1998).

The social relationships are mostly homogenous in nature: those involved have comparable characteristics when it comes to age, social class, country and region from which they come. These homogenous relationships are strengthened by the affective bonds that they have with each other, often based on mutual family relationships and a common region or village of origin in Turkey. Most of the mutual social relationships of the members of a criminal network are thus multiplex, layered. They relate to several life areas. These social relationships are reflected in the characteristics of the criminal network in the drugs trade. The size of such a network is generally large (there are many places in the world where contacts are needed and people have to know each other closely to minimize the risks), the network has a high density (most conceivable social relationships are filled: there are many direct relationships because everybody knows everybody else through the existing family relationships), and the network has strong cohesion (1998).

In police files, Bruinsma and Meershoek (1999) identified 23 criminal groups and distinguished among them two sorts of collaborative relationships. The first type, called a clique, consists of two or three Dutch professional criminals who regularly collaborate without a specific division of tasks or a hierarchical relationship. Most members are traditional pimps who now again engage in trafficking in women, generally as 'buyer' of 'ordered' women.

The second kind of collaborative relationship is an organized criminal group of, on average, eleven persons with a specific division of tasks, and that uses more violence and that traffic in considerably more women than the cliques. Four of the

twelve groups identified are based abroad where they operate brothels, discotheques and bars. These groups do not have regular clients for women in the Netherlands. They thus each time seek interested buyers. The other groups are, as far as working method is concerned, comparable but operate from within the Netherlands, where they exploit brothels, sex clubs and prostitute windows. They work closely together with partners in the country of origin when it comes to ensuring a supply of women. It is difficult on the basis of the study by Bruinsma and Meershoek (1999) and the cases studied by Kleemans (1998) to indicate to what extent the criminal groups identified actually form cohesive social networks.

Yet the description of the working method suggests that those who collaborate in this market do not form cohesive social networks. This applies particularly to the collaborative relationships between suppliers and buyers of women, which often relate to one-off transactions between strangers. The descriptions of the criminal groups also do not give rise to the impression that they maintain anything other than purely instrumental relationships. The traffickers in women thus seem to operate rather more often as 'free agents' than as a component of a network of cohesive (family) relationships). This is also expressed in the criminal networks to which they belong.

The social networks can be described as three clusters that are linked to each other via 'thin' lines. The social relationships are mostly instrumental, are only affective within one of the three clusters and then only to a limited extent. The frequency of contacts between the clusters is low and mostly restricted to instrumental contacts. Within the clusters those involved often have much in common: age, education and background (homogenous relationships), but they almost never maintain affective relationships (Bruinsma & Bernasco, 2004:86).

As a result, from this brief overview of social networks and the elements from which social networks are constructed, it is immediately apparent that a restricted characterization such as criminal networks does not do sufficient justice to the complex reality. In that last case there are only relationships between people with the common characteristic that they commit crimes. It usually remains unknown or vague, as to what and which social relationships they have in common, and which

characteristics, form, and content their criminal network has. Other complicating factors are also that social networks can rarely be sharply delimited from their environment and that people participate in different networks that often overlap each other (2004:83).

In addition social networks change their form and content in the course of time and social networks do not arise randomly. They are the consequence of the inclination of people to associate by preference with those of a similar disposition and of societal preconditions. Thus the local neighborhood and the school are important conditions for the formation of social networks among young people. For adults, such conditions are their work and the city/town in which they live (2004).

From this perspective the social network thus forms an infrastructure, which is not a priori criminal, for criminal collaboration. The question is however, to what extent does criminal collaboration in itself also create (affective) links between the collaborating partners and therefore as such generate social (criminal) networks. In this perspective social networks do not exist in advance, but rather that they arise as consequence of regular criminal collaboration (2004:91).

If we only filter out the criminals and their mutual criminal collaborative relationships, then a 'criminal network' arises that does not do justice to the other relationships within larger social networks. Criminology can therefore profit from the social network concepts that have been developed in other disciplines.

III. 3. 5. Political Theory of Organized Criminality

Possibly, the most prominent causes of organized crime lie in the political structure of host countries. Accordingly, state apparatus plays an important role for the existence and level of organized crime. Organized crime groups in both developed and developing democracies seek to corrupt high-level government officials both on the groups' home turf and in the countries where they operate. But these groups are often more successful when their efforts are conducted in nation-states that are in political transition, because the controls over the legal process do not yet function as they do in a stable democracy.

Organized crime groups often tend to usurp the place of the state in societies undergoing a transition to democracy, as their representatives assume key positions

in the incipient legislatures, which are responsible for crafting the new legal framework for the society. Their presence within legitimate state institutions undermines political stability because their goals are to further their own criminal interests (illicit profits), not the interests of the populace at large.

Moreover, organized crime is detrimental to existing democracies and as well as to societies in transition to democracy. Organized crime undermines the rule of law and the legitimacy of democratic government by means of corruption individuals and the judicial process.

Therefore, 'state structures' and 'state-society relations' are essential factors for arising and longevity of organized crime groups. Peter Evans attempts to characterize variations in state structure and state society relations. Relations among state agencies and organizations, relations between these agencies and individual firms are all historical patterns of ties among individuals (Evans, 1995:19). For example, states are connected to 'economic elite' or 'the capitalist classes' via ties to particular firms and individuals. The success or failure of transformative projects run by the state depends on how they jibe with the strategies of particular firms (1995:20).

Different kinds of state structures create different capacities for action. Outcomes depend both on whether the roles fit the context and on how well they are executed. He emphasizes that the contradiction between the ineradicable necessity of the state in contemporary social life and the grating imperfection with which states perform is a fundamental source of frustration (Evans, 1995:4). Ideas about variations in state involvement have to be built on the historical examination of particular states. Evans' starting premise is that variations in involvement depend on variations in the states themselves (Evans, 1995:10, 11).

Political corruption, on the other hand, is widely common in the countries with low profile of democracy. Corruption generally occurs if the rulers of the country handle the state bureaucracy and all other source of national economy as if their own property. Bureaucracy, in this case, operates as an apparatus of maintaining ruling power and functions to sustain personal interests. This is the basic form of corruption.

On that occasion; Evans brings arguments about the neo-utilitarian perspective which was prevalent in the 1980s with its prediction that state involvement would produce an economically stagnant, politically stable symbiosis between officials with the capacity to create rents and private actors anxious to take advantage of them. He claimed that he had found the opposite. State involvement was associated with economic dynamism, and the result was political contestation, but not symbiosis (1995:16-17).

On that ground, Joel MIGDAL's *Strong Societies and Weak States* is one of the best examples of the opposite approaches, in which state-society relations are seen as an undercutting counterpoint to state involvement. For Migdal, Third World states remain 'weak' even though they have 'become formidable presence even in the far reaches of their societies' and 'greatly affected the course of social and economic change.' They are weak because 'diffused fragments of society have stayed strong', retaining at the local level the ability to frustrate state actions (1995:36).

Totalitarian state system and then structured lawlessness stemming from it create a proper environment for organized crime activities. 'Structured lawlessness' refers to the legal systems which are controlled by an authoritarian ruler or a minority's wishes. Despite the existence of myriad laws and legal apparatus in the countries that encountering a kind of structured lawlessness, they are not rules for regulating relations among the members of a self-governing society.

Rather they were tools for maintaining power, to be used, abused or ignored by those who held power. The significance of arbitrary policies designated by the ruling persons or groups is the exclusion of the codified rules. Structured lawlessness, thus, affords ample space for official and unofficial criminality. (Testimony of Fritz W. Ermarth on Russian Organized Crime and Money Laundering before the House Committee on Banking and Finance, 21 September 1999).

In the ideological states, inasmuch as the security forces and judiciary, namely law enforcement agencies converge upon the ideological factors as a threat

for the state regime and give priority to the protection of it, it inevitably paves the way for disregarding organized criminal activities and furthermore breeds the constitution of contacts between organized crime groups and politicians or bureaucrats. At that point, it is a possibility that the state agents would employ organized crime groups to eliminate rival groups or ideological opponents. Thus, state agents, organized crime and terrorist organizations may cooperate to establish an illegal association among themselves (Galeotti, 1998:29).

Possibly the most substantial one among the causal factors for emerging of organized criminality is the legal vacuum or the legal gap which may arise out of various reasons (Beare, 2000:3). The situation of a legal vacuum may arise, for instance, because of the absence of legal norms, or low quality of existing legal norms, or conflicts between existing legal norms (a situation typical of a systemic transition), or non-enforcement of legal norms due to a poorly organized state mechanism. In post-communist Russia, for example, all these characteristics are present in abundance. The legal vacuum created by the post-communist transition has both its beneficiaries and its victims. Hence, the more powerful the beneficiaries, the longer the vacuum will remain.

The universal point emerging from our study is that where the state fails to get the institutions 'right', it invites dark-side private ordering to fill in the gaps.

One of the most typical legal vacuum patterns which constitute a cause for organized crime to flourish is the occurrence of a considerable level of gap between the official property rights and the law enforcement capacity of the state. In other words, it is to say that individual property rights of the citizens are not being properly or sufficiently protected by the law. This gap, consequently, is a result of the inefficiency of legal system and enforcement agencies on the one hand; and the lack of consciousness of the victims in insisting on their rights and nonexistence or failure of independent law enforcement agencies or redressor institutions, on the other hand.

To some extent, criminal organizations are formed by the state institutions like any legal companies. However, this is not a kind of positive formation but a

negative one and stems from the shortcomings mentioned above. Due to the operation of the rule that ‘nature never admits any gap’, the gap between the official property rights and the state capacity to enforce the law is inevitably filled in by criminal organizations that described as the dark-side of private ordering.

According to Milhaupt and West (Milhaupt & West, 2000:8), criminal organizations appear to be in a competitive position against the state in the implementation of property rights and providing public services. It substitutes the state by this way. In the states of transition, legal vacuum is much more constant and large-scale. Moreover, the more powerful beneficiaries, the most constant legal vacuum (Beare, 2000:3).

Some organized crime may even be socially and economically desirable, if the alternative is disorganized crime and dysfunctional state ordering. The universal point is that where the state fails to get the institutions ‘right’, it invites dark-side private ordering to fill in the gaps. Organized crime is an entrepreneurial response to gaps and inefficiencies in states’ enforcement institutions. We may accordingly predict that organized crime groups will be positively correlated to the number of profitable transactions such as extortion. More importantly, in the absence of workable legal mechanisms, enforcement requires credible threats of physical violence that means the privatization of state coercion.

In countries where the state is relatively weak, alternative institutions may develop that usurp or supplement some important state functions. In particular, organized crime groups may be able to extort payments from firms, perhaps in return for providing protection from other criminals and a measure of property rights enforcement.

Conversely, when a state has formal institutions with a significant gap between formal legal rights and enforcement mechanisms, it risks missing out on valuable network leading to a declining spiral from ‘legitimate’ private enforcement to gang enforcement. As Thomas Schelling puts it, “when the law has no way of enforcing contract, the underworld provides it: a man submits to the prospect of personal violence as the last resort in contract enforcement.. Evidently there is some

part of this racket that thrives on a void in our legal and financial institutions.” (Schelling, 1984:70)

This focus on institutional subversion by the powerful is related to the literature on lobbying (Grossman and Helpman, 2001), and has appeared in a number of recent studies. Acemoglu and Robinson (2000, 2002) and Glaeser and Shleifer (2002c) examine how political incumbents design inefficient institutions to keep themselves in power. Glaeser and Shleifer (2002a, 2002b) consider the consequences of the subversion of institutions by the powerful for the design of efficient legal systems and regulatory schemes. Sonin (2002) examines the effect of the subversion of institutions by Russian oligarchs in the 1990s on the country’s transition (Glaeser, Scheinkman, and Shleifer, 2001:2).

A strong middle class develops only when institutions protect it from the powerful. The causality between inequality and injustice runs in both directions. Initial inequality leads to subversion of institutions, but weak institutions themselves allow only those able to protect themselves to become rich (2001:3,4).

It would be an acceptable assumption that the mafia extorts the money from illegal activities more easily than legal firms’ or their activities. This assumption is motivated by a widely accepted observation that the organized crime extracts rent primarily from illegal businesses: “...why is the biggest victim of organized crime an illegal business rather than some legal business? ... A first criterion for target selection by organized extortionists is that the victims should be poor at protecting themselves. In particular, one would like victims who have no ready access to the law. Therefore the criminals, themselves may be ideal victims” (Schelling, 1984:186).

Schelling’s argument refers to ‘ghosts’ or firms that do not have any above ground operations. The same considerations, however, are applicable to firms that combine above and underground activities. The gist of Schelling’s argument was that underground firms could not ask the state for protection against either organized or ‘disorganized’ criminals. Therefore, underground firms had both greater need for the mafia’s services (protection against other criminals) and less opportunity to resist extortion by the mafia itself. The same reasoning can be applied to the ‘mixed’ firms.

We argue that it is easier for the mafia to tax the firm's underground activities such as untaxed sales than to tax above ground activities. The firm presumably cannot ask the state to enforce contracts over underground transactions or uphold property rights over underground inventory.

It should be easier for the firm to appeal for state protection with respect to legitimate activities. In addition to being more likely to seek the protection of the state, it would be difficult for the firms to allocate cash generated by legal transactions to make payoffs to the mafia. The assumption of different tax rates imposed by the mafia on above and underground activities may be particularly easy to accept in the framework where the firm possesses a factor of production (e.g., labor) that it allocates between above ground and underground production (Alexeev, Janeba, Stefan, 1999:3).

This type of framework is used by Grossman (Grossman, 1995:143-60) as well as Johnson (Johnson, 1998:387-92) who assume that the mafia taxes only illegal activity. However, that there is no a priori reason to expect the mafia to restrict itself voluntarily in such a way. If the official government is relatively weak (for instance, in Russia) the mafia can and does tax legal as well as illegal sales, although presumably it is somewhat constrained in its ability to tax the former. We may model this constraint as an exogenous limitation on the tax rate that the mafia can impose on above ground transactions.

The exogenous nature of the limit on the mafias above ground tax rate can be justified by assuming that when firms appeal for protection from the government, they deal with a law-enforcement agency that operates largely independently from the revenue-maximizing tax authorities. While this law-enforcement agency may prosecute illegal economic activities or report them to the tax authorities, the latter cannot bargain with the firm over the level of protection from the mafia, making it contingent on the size of tax payments (Alexeev, Janeba, Stefan, 1999:4).

In various complex areas of economic and social governance, organized criminal groups are the only enterprises with the human and monetary capital required to provide alternatives to inefficient state mechanisms. Legitimate firms do not emerge to fill in the institutional gaps for several reasons. Precisely because some

of the activity is prohibited by the state, legitimate firms rarely enter the market. The most obvious historical example in the United States is the domination by organized crime of alcohol markets during Prohibition that had formerly been, and subsequently became again, the province of legitimate firms.

The prevalence of private ordering of all kinds dampens demand for greater state and state-sanctioned enforcement activity. Network externalities are simply the increasing returns nature of products whose value increases with the number of consumers of that product. Laws and enforcement institutions exhibit increasing returns characteristics. Widely used laws are likely to be well serviced by lawyers and judges (Kamar, 1998:1923–24; Klausner, 1995:757).

The more laws are used, the more they will lead to the development of precedents and the sophistication of legal professionals. The growth of experienced, state-sanctioned enforcement and information agents, in turn, is likely to foster demand for law reform generally. The point is not to convert private ordering into state ordering, but to set the state incentives so that entrepreneurialism is channeled into outlets that reinforce rather than erode legal and social norms (Baumol, 1990:893).

Finally, a variety of barriers to entry, including economies of scope, relations with police, and outright intimidation of competition help organized criminal groups maintain increasing returns and thwart competition. Thus, the stimulation of state-sanctioned enforcement and information agents is a crucial aspect of organized crime eradication.

In regard to Turkey, it is the issue which is under debate that whether the occurrence of organized crime groups directly related to the lack of political authority or failure of political authorities. For example, in Dr. Saçan's view, the latter is much more presumable. As a result, the inefficient implementation of the laws and the lack of legal codification give rise to the occurrence of organized crime groups." (Saçan, 2004:77).

CHAPTER IV

SOCIOLOGICAL THEORY OF ORGANIZED CRIMINALITY

IV. 1. Introduction

Organized crime is closely related to modern global developments. Open borders, corporate governance, modern information technology, globalization, increasing mobility, these entire processes offer a wide range of illegal opportunities for organized crime.

Sociological literature on organized criminality traditionally has focused on the cultural or ethnic linkages that dictate the structure and cohesiveness of organized crime groups, largely by passing the more fundamental question of why such groups emerge.

First of all, there is no organized crime without organized criminals and these organized criminals are not independent from their social environment characterized, for example, by social and cultural cleavages.

In turn, the types of crimes these criminal actors are engaged in may depend on personal skills, just as certain cooperative structures may in part depend on individual properties such as reliability and sociability. At the same time, criminal structures are influenced by the type of activity they serve. An extortion gang, for example, requires structures different from an illegal casino (Block, 1983). Accordingly, social factors can directly or indirectly influence the shape of criminal structures, for example, through the demand for particular illicit goods and services that require one or the other type of group structure.

There are, however, three differentiations pertaining to the nature of criminal structures that need to be made in order to avoid comparing originally and fundamentally very different things. The first differentiation that would be proposed is between criminal networks in the sense of webs of criminally exploitable ties as latent structures, on the one hand, and patterns of criminal cooperation as manifest structures, on the other hand. The underlying assumption is that a great deal of what

is labeled 'organized crime' involves the flexible use of personal ties for the commission of criminal acts (Van Duyne, 1996: 341 - 377; Fijnaut, 1998; Potter, 1994). This means that there are webs of personal ties connecting criminal actors that could be activated for criminal cooperation but only a certain share of these ties are actually used at any given point in time.

The second differentiation accounts for the fact that criminal structures can serve different functions that all criminal structures serve essentially one or more of three purposes: economic, social and quasigovernmental (Lampe, 2003: 7).

The crucial distinction here is between economic and non-economic functions because it allows to analytically separating illegal enterprises in a broad sense, including market-oriented groups as well as predatory criminal groups, from fraternal associations which only indirectly, through their individual members, are involved in crime for material gain. It should be obvious that there are substantial differences in the conditions for their emergence and their impact on the immediate and broader environment, notwithstanding the fact that economic and non-economic functions may empirically overlap (Lampe, 2003:7).

The third differentiation pertains to 'micro' and 'macro' structures within the sphere of illegality. There are not only criminal collectives that form out of economic or socio-cultural interests, but there are also, potentially, overarching structures that concentrate power in a given illegal market or geographical area. Following the distinction between economic and non-economic structures, these entities can be divided into two categories: '**illegal market monopolies**' and '**quasi-governmental power syndicates**' (Block, 1983).

On this level of abstraction, the model can address two key questions that have been raised in the organized crime debate: (1) how patterns of criminal cooperation emerge and are transformed, and (2) how within those criminal structures positions of power develop that are relevant for the criminal structures themselves and for society at large (Lampe, 2001).

The same applies for the government in such a way that law enforcement pressure impedes the emergence of complex criminal structures. Government may play some other roles via its policies on economy by creating opportunities for

criminal activities such as through banning importing some commodities or goods or rising taxes for goods like alcohol or cigarettes and defining certain acts as illegal. The Media, finally, can be a crucial factors by raising or shifting attention to certain phenomena, for example certain areas of crime, certain criminal groups or certain ethnic groups.

More recently, some sociologists, for instance Gambetta, have argued that the primary market for organized crime services is in unstable transactions in which trust is scarce and fragile and more generally, that organized criminal firms arise in societies characterized by a lack of trust (Gambetta, 1993:77). Thus, for example, the rise in organized crime in Eastern Europe and Russia is explained as an outgrowth of Communism, which is said to have systematically destroyed trust in government.

Neither approach, however, is wholly satisfying. First consider the sociologists' recent fascination with trust. Many of the services that organized criminal firms offer around the world involve not risky black or gray market transactions, but intervention in transactions that ought to be 'stable' in that they are formally supported by the legal system debt-exaction or labor dispute resolution, for example. Even more damaging to the proposed correlation between low trust and organized crime is the case of Japan, which no sociologist has managed to explain (Milhaupt & West, 2000:8).

Thus, the hypothesis that networks which are characterized by high density and a large proportion of affective relationships (in short: cohesive networks) are pre-eminently suited to criminal collaborations where a great deal of mutual trust is needed. Trust is principally important in activities that are linked to major criminal and financial risks. Collaboration in the smuggling of and wholesaling of heroine, in particular, is one of the most risky enterprises which takes place primarily by criminals who are mutually embedded in cohesive networks.

Collaborative relationships between persons, who jointly participate in cohesive networks, are more durable and stable than collaborative relationships between persons who participate in less cohesive networks. Therefore, the collaboration between offenders in cohesive networks might be of a longer duration, because their mutual relationships are not merely instrumental, whilst persons who

participate in networks that are looser often restrict their collaboration to just one or a few criminal projects.

On the other hand, criminal groups with a few mutually segregated clusters in less risky criminal activities collaborate more than criminal groups in which the clusters are more directly connected to each other. In all these hypotheses the assumption is that the structure of social networks is a fact and this structure is, to a greater or lesser degree, suitable for indicating collaborative relationships between network members.

Organized criminality is an organic element in the pattern of horizontal mistrust and vertical exploitation/dependence that has characterized southern culture and social structure for at least a millennium in Italy.

According to Putnam, in accordance with the fact that if the absence of credible state enforcement of laws and contracts was one precondition for the emergence of the Mafia, a second, no less important, was the ancient culture of mistrust, Diego Gambetta emphasizes this prerequisite for mafioso power: “Distrust percolates through the social ladder, and the unpredictability of sanctions generates uncertainty in agreements, stagnation in commerce and industry, and a general reluctance towards impersonal and extensive forms of cooperation” (Gambetta, 1988:162).

IV. 2. Social Capital of Organized Criminality

Social capital is based on the idea that social relations have real value and utility of themselves, in addition to being of emotional and subjective importance to our lives. More recently human capital was conceptualised as a productive resource located in people and fostered through experience, education and training. Using the same logic, social capital is conceptualised as a productive resource that lies in the relations and interactions between people (Arnold, 2003:4, 5).

Thus, the concept of social capital now extends two previously developed notions, physical capital, which refers to investments in productive physical things such as machinery, and human capital, which refers to investments in productive capacities of the self such as education.

Economists have long identified capital in natural resources, in finance, and in productive equipment. From a purely economic viewpoint of these relations and interactions, high levels of social capital reduce transaction costs, but in the broader context of community, social capital does much more, and is both a private benefit and a public good. For Putnam, social capital is a compound composed of two major elements: (1) networks of civic engagement, and (2) norms of generalised reciprocity, which together generate social trust, and it is this construction that will be employed in what follows.

‘Social capital’ simply means that participation in social groups and networks can have positive consequences of individuals and society. The notion reappeared with modern sociology and is already well developed in the writings of Marx, Durkheim, Simmel, and Weber. Contemporary social thinkers, however, use the term specifically with reference to the notion of capital, a concept that gives the notion its distinctive and potentially critical focus.

In sociology, social capital is broadly defined as the advantages and opportunities accruing to people through membership in certain communities (Bourdieu, 1985). ‘Social capital’ is also broadly defined as the set of rules, norms, obligations, reciprocity, and trust embedded in social relations, social structures, and society’s institutional arrangements which enables its members to achieve their individual and community objectives (Coleman, 1990). In Coleman’s point of view, social capital emerges from social ties as a resource of individuals. Thus, the source of this capital lies with the people a person is related to.

Social capital is, in addition, defined as the relationships, networks and norms that facilitate collective action. Thus, social capital is not a homogeneous concept but comprises various social elements that promote individual and collective action. It follows from this definitional complexity that measuring social capital is problematic. Nevertheless, researchers have used indicators of social capital based on people’s participation in social organizations, attitudes of civic cooperation, and the sense of trust among community members. No single indicator can embrace the whole spectrum of social capital, but they can jointly approach its complex concept.

Some include trust in the definition but others argue for keeping what social capital is distinct from what it does. Another fundamental distinction is often made between ‘bonding’ and ‘bridging’ social capital. Bonding social capital refers to those relationships and norms that strengthen ties within groups. Bridging refers to linking across groups.

Social capital is closely related to both social cohesion and human capital. Social capital is both a consequence and a producer of social cohesion. Whereas social cohesion emphasizes processes and outcomes, social capital emphasizes the notion of investments and assets that bring benefits, benefits that are not fully appropriated by the individuals making the investments. And while human capital focuses on the individual agents who invest in education and training, social capital emphasizes the relationships and norms that link those individuals.

James Coleman is the first author who developed the concept systematically, writes that ‘social-structural resources’ can be conceived as a capital asset for the individual, that is, as social capital. Social capital is defined by its function. It is not a single entity, but a variety of different entities having two characteristics in common: They all consist of some aspects of a social structure, and they all facilitate certain actions of individuals who are within the structure. Like other forms of capital, social capital is productive, making possible the achievement of certain ends that would not be attainable in its absence. Like physical and human capital, social capital is not completely fungible, but is fungible with respect to specific activities. A given form of social capital that is valuable in facilitating certain actions may be useless or even harmful for others. Unlike other forms of capital, social capital inheres in the structure of relations between persons and among persons. It is lodged neither in individuals nor in physical implements of production (Coleman, 1990:302).

Likewise, Nan Lin defines social capital as “investment in social relations with expected returns in the marketplace.” “In this approach, capital is seen as a social asset by virtue of actors’ connections and access to resources in the network or groups of which they are members.” (Lin, 2001:18).

But why are some people willing to make resources available to others without any explicit compensation? Sociologists identify two main motivations:

First, people may do it because of strongly internalized norms what sociologists call ‘consummatory behavior’. They donate to charity, obey traffic rules, and pay their debts on time because they feel obligated to do so. Alternatively, people might be willing to make resources available for instrumental reasons. In this case, social capital affects the behavior of individuals because it enhances the level of social punishment of a society (Portes, 1998:1–24).

Resources are used as capital when they produce a return in excess of investment that can be captured by the investor. By analogy, social capital refers to productive investments in social relations. Social relations can be viewed as social capital when they function as an investment on which the participants gain a return. The returns on investment need not be monetary: they can involve anything of value, such as recognition, prestige, education, enhanced capacities for self-rule, or health. The reasons social capital works to provide these kinds of returns, is that social relations can provide the antecedents of cooperation, through which individuals’ resources are complemented, combined, and multiplied to mutual benefit. These antecedents include, for example, (a) information; (b) influence leveraged through intermediaries; (c) certification of trustworthiness; and (d) reinforcements for promises and commitments.

Most conceptions follow this logic. Pierre Bourdieu, the first to use the concept systematically, defined social capital as “the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalized relationships of mutual acquaintance or recognition” (Bourdieu, 1985:241–58, 248). As Bourdieu’s use of the concept is in fact totally instrumental that is focusing on the benefits accruing to individuals by virtue of participation in groups and on the deliberate construction of sociability for the purpose of creating this resource.”

Consequently, social capital is a key concept in the growing recognition of the interconnections between social and economic outcomes. There is growing evidence that social capital has important implications, for prosperity, health and self-rated happiness. People who have strong networks of relationships tend to be more successful in their careers and live longer. The same seems to be the case for

communities and societies in which there are strong and overlapping networks of formal and informal relationships; individuals in communities and societies with strong social capital tend to be more prosperous, healthier and experience less crime.

Interest in social capital research was given tremendous impetus by the work of Robert Putnam. For Putnam, social capital is a compound composed of two major elements of which are networks of civic engagement and norms of generalised reciprocity, which together generate social trust, and it is this construction that will be employed in what follows. He marshals a compelling case for the importance of social capital in terms of a range of social and economic outcomes, and then documents a dramatic decline over the last several decades in social capital in the United States. Putnam's sobering assessment of U. S. social capital makes the phenomenal success of the U. S. economy that much more mysterious.

We clearly need to know more about the determinants of social capital. Social capital is an individual investment decision influenced by a range of factors. Most of the social capital contributions herein analyze social capital by looking for correlations between networks of relationships, norms and trust, and favorable social outcomes, such as strong economic performance, lower crime and better health.

This type of analysis also provides important insights into what factors seem to reinforce social capital. For example, there is a very strong association between higher education and measures of social capital, suggesting public investment in education may be one lever that governments might use to strengthen social capital.

As every social organization does, organized crime too calls for social capital equipment to materialize its objectives. 'Social capital', as we mentioned earlier, is the distinctive characteristics of a given organization such as 'trust', 'norms' and 'networks' of which facilitate coordinated activities and expedite the effect of social activities. Social capital which is consisting of all these components is usually a prerequisite of achieving the targeted objectives for organized crime syndicates (Güvel, 2004:65).

Three particular points are explicitly important for the social capital of organized crime which is (1) risk, (2) uncertainty, and (3) trust.

In general, those people who have a tendency or potential to commit crimes are regarded as ‘untrustworthy’ and ‘uncooperative’ persons. Even life in a mafia-type criminal organization is fraught with uncertainty, distrust, suspicion, paranoid anxiety and misunderstanding. The most essential question which organized criminality encounters, thus, is the minimization of all these sorts of risks and problems.

Because the members of organized crime groups have no recourse to the judicial system in the event of contract violations and deceit, they have to rely largely on ‘trust’ to cope with the risks that are inherent in interactions with others under conditions of illegality (Johansen & Lampe, 2002:1). From this starting point, we may consider ‘trust’ to be the fundamental and necessary component of organized criminal activities. The outcome, under this assumption, is ‘the higher efficiency, the less risk and uncertainty’.

Because trust is a necessary component of criminal relations, organized crime tends to be embedded in ties of kinship, ethnicity, and ritual kinship within Mafia-like fraternal organizations. On account of this consideration, the most substantial question to be clarified is that how and by what means this requirement of trust would be fully satisfied. For this reason, it calls for a definition of ‘trust’ and a comprehensible explanation of why those people who have involved in organized criminal activities feel confidence in each other.

Trust is a controversial issue in the social sciences, as reflected by the wide range of competing definitions used to describe it. In sociology, trust is willing acceptance of one person’s power to affect another. It is discussed more formally in the articles on social capital, profession and authority. In the context of social capital pertaining to organized criminality, ‘trust’ can be simply defined as ‘expectation or belief in other members’ sincerity or reliability, especially under conditions of uncertainty, not to harm each other and not to be in violation of the implicit and explicit decrees and the codes of behaviour of the group based on mutual understanding and then keeping the secrecy of the organization and not selling out.

Trust generally involves an element of risk, but this is especially true in the sphere of illegality where no recourse can be taken to judicial institutions to seek

compensation in the event that expectations of loyal behavior are violated (Paoli, 2002:84) and where every accomplice is a potential informer and hostile witness (Reuter, 1983:115).

People's feeling of confidence in each other depends on the effect of various psychological and sociological agents. In order to distinguish these agents, it is divided into two main groups: '**Personality based trust**' and '**Calculative trust**' (Johansen & Lampe, 2002:3, 4).

I. Personality Based Trust (Psychological Agents): The first category corresponds at least in part with the concept of trustworthiness or loyalty on the part of the members of organized crime. The notion of loyalty pertains to the propensity of members to conform to the interests and expectations of other beyond the boundaries of any institutionalized or agreed obligation. A certain member of organized crime group trusts the other one because he/she believes in the prevalence of certain individual dispositions that guide the other one's behaviour for the benefit of this member. This belief may have different foundations.

The most obvious foundation for such a belief is past observations of the person's behavior and the resulting expectation that he/she will behave in a similar fashion in the future. Criminal actors have various opportunities to prove themselves and build up a reputation for being reliable in the activities of a delinquent peer group, in prison life, or in a situation which is specifically arranged to serve as a test for someone's reliability. Even the media may have a trust-building function to the extent they portrait individual criminals as reliable in underworld terms (2002:3).

The belief in the prevalence of certain individual dispositions may also be linked to certain character traits ascribed to a member, for example an emotional bond tying him/her to any other member, mostly to the leader of the group, or an adherence to certain norms and values that suggest that he/she will behave in accordance with these norms and values and thus in the manor desires by the other member. Consequently, the source or origin of trust in criminal organizations would be personal traits of each member. There are three psychological factors determining the existence of the feeling of trust based on personal traits (2002):

The first one is personal traits: Individuals make their decision on whether they trust each other through the past experiences and observations on others. Criminal actors have various opportunities to prove themselves and build up a reputation for being reliable, for instance, in the activities of a delinquent peer group, in prison life, or in a situation which is specifically arranged to serve as a test for someone's reliability. Even the media may have a trust-building function to the extent that portrait individual criminal as reliable in underworld terms.

The belief in the prevalence of certain individual dispositions may also be linked to certain character traits ascribed to the person, for example an emotional bond tying this person to another special person or an adherence to certain norms and values that suggest that he/she will behave in accordance with these norms and values and thus in the manor desired by the other person.

The second one is rational considerations: One of the most obvious foundations of trust is past observations of a person's behaviour and the resulting expectation that he/she will behave in a similar fashion in the future. Individuals develop a sense of trust by taking the rewards for loyal behaviour or the sanctions for disloyal behaviour into consideration. The reward, under consideration, is a financial one and the sanction is a kind of corporal punishment with violent exposition. Hence, the most significant means in this respect seem to be financial reward and the threat of violence.

The third one is the existence of abstract rules: Those people with a social status, ethnic or blood-ties and ritual kinship are expected to behave in accordance with the codes of behaviour.

II. Calculative Trust: Calculative trust is tied to the perception of individual dispositions is calculative trust. The person expects others to be loyal because he/she expects them to respond rationally either to rewards for loyal behaviour or to sanctions for disloyal behaviour.

These positive and negative incentives may be external to the relation of someone and other, or they may be conditions that the other person has purposefully set to influence him/her. In the latter instances, trust is based on the expectation that

his/her behaviour can successfully be manipulated. The most significant means in this respect seem to financial reward and the threat of violence (Reuter, 1983:116).

The expectation of loyal behaviour may also be derived from generalized assumptions about certain groups of people that are defined by some common property such as social position or ethnicity.

The most appropriate frame of reference for discussing trust in the context of organized crime is presumably a network approach. Trust is a property of dyadic relations that form the basic elements of criminal networks. The dyadic relations involve a trusting person and a trusted other person.

The sociological determinants of trust are interrelated to kinship, fraternal organizations, ritual kinship, deviant subcultures and ethnic communities within which the relation of two persons is embedded. In these circumstances, trust is placed not, or not only, in a person but in the functioning of this kind of overarching structures which are perceived to insure loyal behavior regardless of the particular persons involved because disloyalty would have repercussions beyond the given dyadic relation. Regarding the search for trust, on that account, three types of social network are particularly important: Kinship, ethnicity and fraternal organizations and deviant subcultures. Organized crime tends to take root in kinship, ethnicity and fraternal organizations so as to secure trust.

i. Kinship and Organized Criminality: Kinship provides a basis of trust to the extent that it creates a natural bond of cohesion among relatives. As Anthony Giddens has pointed out, “kinship people can usually be relied upon to meet a range of obligations more or less regardless of whether they feel personally sympathetic towards specific individuals involved” (Giddens,1993:295).

Kinship and the other overarching structures can be reflexively expected to instill a sense of reliability that is attached to concrete individuals. In case that organized crime is embedded in a kinship network, criminals will be able to receive moral and logistic support from family members. However, family ties would turn out to be a source of risk when abused wives and disgruntled relatives volunteered information to the authorities.

Perhaps more significant trust factors than the immediate family are close-knit, local communities in rural areas, such as tribes and hometown fellowships, where disloyal behaviour would be directed not only against one person but against the entire community. Similar mechanisms could be observed in the context of legal associations such as sport clubs and cultural formations (Güvel, 2004:66).

ii. Fraternal Organizations and Ritual Devotion: Organized crime may tend to be embedded in ritual kinship such as fraternal organizations or deviant subcultures to have sufficient means to meet the need for trust:

Trust among members of fraternal organizations such as the American Cosa Nostra probably results from a general sense of predictability. Members of fraternal organizations can be expected to adhere to a set of mutually understood rules of conduct which in turn are ensured by selective recruitment combined with a period of testing and schooling, rigid enforcement of discipline, male bonding rituals and secrecy (Haller, 1992:3-4; Jacobs, 1994:102). Secrecy, as Georg Simmel has stressed, can have a binding force in and by itself by blocking members from outside interference (Simmel, 1992:448; as quoted by Johansen & Lampe, 2002:5). Conversely, not to trust a fellow member of a fraternal organization is likely to be seen as an insult, and in any case would fundamentally undermine the internal legitimacy of the organization (2002).

Bonds of trust similar to those linking members of fraternal organizations can bind members of a deviant subculture. Yet they tend to do so to a lesser degree. By definition, members of a deviant subculture share a set of norms and values and are likely to harbor feelings of solidarity in view of a hostile outside world. This has been noted, for example, in the case of the Western European drug cultures of the 1960s and 1970s (Ruggeiero and South, 1995:134). Another classic example is found in the community of professional thieves described by Edwin Sutherland (Sutherland, 1937:202-206).

iii. Ethnicity and Organized Criminality: Ethnicity constitutes one of the strongest arguments of which hypothesizes that it is an essential factor causing organized criminality. The sharing of a common culture, language and set of values may reinforce the trust, coherence, solidarity, encouragement, communication and

the advantage of compition. Ethnic bonding, thus, is to get stronger through the cultural values upholding secrecy and loyalty and furthermore, individuals may come to trust simply on the grounds that they share the same ethnic origin. The most important contribution of ethnicity to trust building is to ensure an atmosphere of confidence.

Nevertheless, the role of ethnicity alone as a trust producing factor has been a matter of some debate. In many instances, where bonds of trust are attributed to ethnic cohesion, the actual foundation may be found in social relations like kinship, friendship or community ties (Kleemans and van de Bunt, 1999:25; Potter, 1994:121).

However, ethnicity cannot be completely ruled out as a trust variable, considering that the marginalization of certain ethnic minority groups may eliminate moral precepts while at the same time creating internal solidarity. These factors may be reinforced by social norms of keeping matters secret from outsiders and by a high cultural value placed on loyalty (Bovenkerk, 1998:121-2).

Nevertheless, the real generator of trust may be stemmed from family and friendship ties, even where the trust has been ascribed to ethnicity as a trust producer. Ethnicity may be the main source of trust in which case of certain minority groups have been marginalized. It is a possibility that marginalized ethnic groups, again, would rule out some outstanding social values while at the same time displaying internal solidarity.

The relations between a marginalized ethnic minority community and its host society, which may lead to alienation, are also important factors that may play a role in the asymmetric relations between ethnicity and trust. Discrimination and intolerance are among the factors that can provoke conflicts, which undermine security and stability in such a way that growing up in a purely ethnic environment may slow down assimilation putting the residents at a disadvantage. Positive peer effects may be absent in segregated schooling. Spatial isolation can have adverse economic effects such as difficulty in acquiring jobs. As the ghetto economy becomes isolated, unemployment, poverty, crime and social problems increase, while

political power and public expenditures decline. This feeds the perception that the ethnic group is dysfunctional, increasing prejudice.

Harmonious relations between ethnic, religious, linguistic and other groups and again the actively promoted rights of persons belonging to national minorities would finally weaken the ethnic characteristics and so ethnic unity.

Otherwise, ethnic discrimination and alienation or inharmonious relations with other groups would create much stronger ethnic solidarity and conscious. Ethnic organized crime networks may flourish in large ghettos but become inoperable when the ethnic population is dispersed.

According to the 'Organized Crime Potential Index' conducted in Germany and devised to capture the level of organizational and operational sophistication of 'professionalism' of criminal groups. The index comprises 50 indicators that were originally formulated to assist investigators in detecting organized criminal structures. The 'organized crime potential' of criminal groups is too measured with reference to areas of crime and ethnicity. The 'Organized Crime Potential Index' has been consistent with the some other organized crime reports is that a majority of the recorded suspects for each year (52,1 percent in 2001) are foreign nationals (Lampe,2002:16,17).⁵

Apparently, there is a strong correlation between the average duration of investigations and the score on the 'organized crime potential' scale. This may be seen as a confirmation of the assumption that cases involving criminal groups with a high 'organized crime potential' are especially complex and difficult to handle (2002:17).

In 2001, the groups with the highest average 'organized crime potential' were found among those groups with Yugoslavian, German, Turkish or Italian membership. Among the foreign suspects the three largest minority communities in Germany also hold the largest shares in the organized crime reports: Turks with 8.7 percent, citizens from current and former Yugoslav states with 5.6 percent and Italians with 4.0 percent in 2001, respectively. Other significant minority

⁵ The share of foreign suspects in the preceding years was as follows: 1998: 62,7%; 1999:58,4%; 2000:56,2%; 2001:52,1%.

communities that appear in the organized crime reports include Poles with 3.9 percent, Russians with 2.6 percent, and Ukrainians with 2.0 percent and Iranians with 1.3 percent (2002:16).

Turkish organized crime groups are engaged in drugs and arms smuggling, money laundering and protection rackets. While these groups continue to dominate the heroin trade in the European Union impacting on the United Kingdom, the Netherlands and Germany in particular, there are indications that other groups have begun to challenge them. In some cases, Turkish groups are described as importing heroin and retaining strategic control, while ethnic Albanian groups distribute the drug (European Union Organised Crime Report, 2003:15). Turkish groups are renowned for their hermetic nature, which resembles a network structure which is usually connected through family or blood ties. They have a strict division of roles, and have severe internal control mechanisms used to discipline members of their group. Turkish groups are associated with high levels of violence and intimidation, which is often directed at other Turkish nationals living abroad.

It is worth noting that Turkish groups are increasingly known to collaborate with groups of different ethnicities and nationalities. This can be explained by the fact that many of the Turks settled in communities in the EU are now second generation, and have more familiarity with the host country. This has facilitated the development not only of Turkish Organised Crime, but also of these links to indigenous and other organised crime groups.

In the cases that criminal networks are embedded in distinct subcultures, criminal actors can rely on a social support structure which is larger than that provided by their immediate criminal network, but one more or less set apart from mainstream society and its institutions. An illustrative example of criminal Networks embedded in distinct subcultures is provided by Turkish and Kurdish drug smuggling and distribution rings. Germany has a foreign population of about 7.3 million, which amounts to 8.9 percent of the overall population. Turkish citizens form the largest

ethnic minority community numbering about 2 million, including about 500.000 ethnic Kurds (von Lampe,2002:20).⁶

In Klaus von Lampe's point of view, Germany has failed to integrate these large minority communities. He makes reference to a survey conducted among Turkish migrants in the year 2000, in which less than 50% felt that they could speak German well. More than 20% rated their speaking abilities as 'poor' or 'very poor' (*Der Spiegel*,10/2002:44). As a result, migrants, especially Turks and Kurds, have come to create parallel universes in which a system of ethnic businesses and cultural institutions allow to a considerable extent to live in seclusion from the German host culture. Only one out of five Turks speaks more German than Turkish in every-day life (*Der Spiegel*,10/2002:46). It seems safe to say that this seclusion facilitates the emergence of criminal networks (Bovenkerk, 1998).

In the drug business, large networks based on familial and friendship ties within the Turkish community and with similarly close ties to Turkey and other European countries are believed to play a major role, especially as importers and whole-sale distributors of heroin. About 40 percent of the heroin seized in Germany in the year 2001 could be traced back to Turkey. For instance, in one documented case, members of an extended family residing in Turkey, Germany and the Netherlands cooperated in the smuggling and distribution of heroin shipments in the 30 to 180 kilo range. In Germany, the drugs were handled by a 51 year old woman, her son and her three daughters, two sons-in-law, and a number of friends (Lampe,2002:20).

While the members of these criminal networks take advantage of the relative safety of their ethnic communities, they are at the same time familiar enough with the host society to make some use of its infrastructure. In the mentioned drug smuggling case, for instance, a telephone line with an unlisted number was obtained within a short period of time in an effort to impede further police surveillance (2002).

The heroin-market is strongly in the hands of Turkish and Kurdish crime-entrepreneurs as far as the European continent is concerned. The Turkish traders buy

⁶ Government estimate (BT-Drs. 14/2676;
<http://www.bundestag.de/aktuell/bp/2000/bp0002/0002057a.html>)

their merchandise in Pakistan or Afghanistan. The Turkish crime-enterprises are in essence patriarchal family enterprises. The members of such family enterprises reside in other European countries as well as in Turkey which accounts for the 'integrated trading line' between the supply in Turkey to the distribution points in the consumer countries, while the transport is also being carried out by members of the family or well known friends from the region of origin, often mutually connected by family ties. Such family-enterprises, headed by the senior member(s) of the family should not be confused with western hierarchical line-organizations (Duyne, 1996:8).

According to the police-analysis the Turkish family crime-enterprises are characterized by a 'cell-structure'. The executive segments of these family-enterprises should be considered independent 'cells', having insight into only a part of the trade flow and organization. According to the police such a cell-structure accounted for the strength of the Turkish organizations. However, notwithstanding such 'cells', which requires a kind of delegation pattern, the important leaders showed little inclination to delegate the operation of even such segments to these alleged cells. Very often they interfered with the business on the executive level resulting in much confusion. One may wonder whether the so-called 'cell-structure' is no more than a (Western) police projection on a culture where 'men of respect' do not delegate to cells, but give orders while standing in the frontline. Much to their own undoing (1996).

If the normal (licit) business nucleus in Southern Italy, Turkey or Pakistan is the (extended) family, in Northern Europe there are no such social-economic family units. Here legal and criminal business patterns develop pragmatically along trusted networks of friends and connections (1996:3).

The exceptions are the crime-enterprises of minorities in Europe whose businesses are family matters, which should not be equated with impersonal 'syndicates'. Given the multi-ethnic composition of present day Europe, it is clear that any static definition of organized crime will not conform to any monolytic presentation of organized crime. A West Indian crime family (matriarchate) differs widely from a Turkish family (patriarchate) in organizing their (crime) businesses. The former looks to the outsider a mere spectacle of organized chaos, while the latter

seems to operate along strict hierarchical principles. Still both models of crime-organization fulfil their aims to the participants (1996).

Having regard to the ethnic minorities, the leader of a crime-family does exert authority in his home country and in Europe where his relatives obey his orders. But it does not constitute a transnational authority. It is only the same authority over his own relatives in several countries, because the authority follows the family. The migration of the family to several countries means the spacial spreading of the authority. Only further integration in the receiving country can lead to mixing with indigenous crime groups and new (multi-ethnic) power-building (1996:24).

According to Robert Hislope, the collapse of the USSR and the wars in Croatia and Bosnia are significant factors that account for the concentration of Albanians in mafia crime organizations. Hislope notes that a Caucasian reluctance to deal with Turkish traders, for a variety of historical reasons, led to the acceptance of Albanian networks as preferential partners in the heroin trade (Hislope, 2002:14).

Simultaneously, wars in the former Yugoslavia also strengthened Albanian control of the drug routes. Before the breakup of Yugoslavia, 75 percent of all heroins destined for Europe went through Serbia, Croatia and Slovenia. The 1992–95 wars redirected the trade through the mountainous regions around Presevo and Macedonia, into Kosovo (Hislope, 2002:13, 14).

Finally, although a shared culture, language and set of values can sometimes (but not always) increase trust, communication and, ultimately, competitive advantage for some groups, it is inaccurate to adopt ethnicity as the only, or main, dimension for classification of organised crime groups. Among the criminal groups in this category are the ‘Sicilian Mafia’, ‘Jamaican posses’, ‘Colombian drug trafficking cartels or groups’, ‘Nigerian organised crime groups’, ‘Japanese Yakuza’ (or Boryokudan), ‘Korean criminal groups’ and ‘ethnic Chinese criminal groups’ (Morrison, 2000:3).

Anthony Giddens remarks that rituals are crucial both to the individual’s emotional well-being and to communal harmony and social integration. He writes that: “Without ordered ritual and collective involvement, individuals are left without

structured ways of coping with tensions and anxieties....Communal rites provide a focus for group solidarity at major transitions...[while] allocating definite tasks for those involved....Something profound is lost together with traditional forms of ritual....Traditional ritual...connected individual action to moral frameworks and to elemental questions about human existence. The loss of ritual is also the loss of such frameworks.” (Giddens, 1991:204)

IV. 3. Social Capital of Mafia-like Organized Crime Groups in Turkey

The structural characteristics of organized crime groups in Turkey, at the same time and on a large scale, reflect the social capital of it. In other words, the basic constellations of social capital of organized criminality designate their typologies and features to the extent that their publicly known or quoted names are affected by the specific characters of social capital.

In Turkey, organized crime groups are defined or distinguished either with the name of the leader of the organization or with the geographical location (region, city, town, district and neighbourhood etc.) where they have already based in or come from. Hence, we may experience the various types and structures in existence with regard to the structural characteristics of Turkish organized crime groups. These are as follow:

i. Familial Criminal Organizatons: Family based organizational structure which is, in fact, peculiar to Italy and Sicily originated Mafia or Mafia-like criminal organizations is also a distinctive and most common feature of Turkish organized criminal groups.

The terms of ‘familial criminal organization’, ‘family type organized crime group’ and ‘family based/structured organized criminality’ that contextually articulated together with ‘organized crime’, generally to identify its formation, or the essence of being a family type stands for a set of close-knit kinship network within the organization consisting of same family members. The ringleader or the boss is most likely the head of the family. There is always a group of consultants that helps in the decisions of the head of the family and they are also influential members of this family.

A family type criminal organization, thus, would have a hierarchical structure based on 'family' ties and be highly organized with a clear division of labour and use of rituals, and cloaked by a code of secrecy and silence. Traditionally, these families are hierarchically structured. However, as they are becoming increasingly sophisticated, they are evolving towards a looser network of 'cells' and work with other domestic gangs¹⁴⁴. This reflects the flexibility of Turkish groups, a feature which also results in them adapting and responding to difficulties and taking advantage of new opportunities (Galeotti, 1998:26).

The Turkish groups based in abroad, in particular, are renowned for their hermetic nature, which resembles a network structure which is usually connected through family or blood ties. They have a strict division of roles, and have severe internal control mechanisms used to discipline members of their group. Turkish groups are associated with high levels of violence and intimidation, which is often directed at other Turkish nationals living abroad.

There would be many parts the family, which include far stretching limbs that reach from the ringleader to his appointed henchmen that carry out his dirty work. The major or prominent organized crime leaders generally keeps a select few men at his posts around and at the respective parts of the country who receive nearly as much immunity and respect as their leader does. These men are given orders to follow, which they are to carry out even if the direction is completely asinine. They are allowed to set their own rules for their territory, but in return the members of the organization are required to pay dues to their leader. The responsible persons of the territories are allowed to make money off the people of the territory, but are also required to spend that money on whatever new endeavors the leader dreams of.

Nevertheless, the existence of family membership or kinship in the organization do not suggest that no any other persons outside the family could join or take part in it. Especially the triggermen (or assassins), lawyers, financial advisors and some other specialists are, in general, not family members.

Family-based organized crime syndicates have largely horizontal structure, and extensively use rituals and symbolism. The advantageous sides of being a criminal organization with family orientation come along with the high level of

secrecy and sense of trust. Furthermore, probably no problems or fewer disagreements would come about in distribution of possessions and income.

Predominantly, the mafia-like criminal organizations engaged in drug trafficking are generally based on family or tribal ties. However, the larger organizations may share a common hierarchical structure, based on compartmentalization, restricted membership (family, ethnic or territorial ties), and trust and secrecy.

In the Susurluk Report, announced by Kutlu Savaş, who was the head of the Inspection Committee of the Prime Ministry, to the proper authorities, as a result of an investigation aftermath of the Susurluk Scandal, some crucial remarks and criticism have been included with reference to the various expert findings. Some of these as below:

As a consequence of the assessing the existing information on the seized narcotic substances, it has been noticed that the arrested persons accused of drug trafficking are close relatives, having partnership links and registered in the same Public Registration Office. It has been realized that these persons have been engaged in organized (criminal) activities by establishing boundless organizations in contact with some international (criminal) groups or persons, and then been transformed into the family organizations which constitute the financial sponsors of terrorist groups. The majority of these organizations operating in Turkey are originally from the Southeastern and Eastern Anatolian Regions of Turkey. These groups that formerly started with the little amount of hashish smuggling have converged their activities on narcotics trafficking due to the increasing demand and net profit. Having regard to the drug smuggler organizations, in general, it appears that they are intertwined with each other and in contact with other criminal organizations. These organizations tend to build a kinship tie and strengthen the present relationships through intermarriages with a view to set a union of forces for cooperation among themselves and reinforce the trust. Another complementary factor in maintaining the continuity of the relations is the 'key figures' with the capacity of attracting attention in the organization. These figures play an essential role in getting the organizations in touch with each other and then going into action (The Susurluk Report, conducted by Kutlu Savaş, 1998:84 - 86).

On the other hand, there is a particular point that must be emphasized on the issue of ‘familial organized crime structures in Turkey’ and not be confused with the argument that the leaders of Turkish mafia-like groups have no desire for the involvement of their wives and childrens in their illegal activities, insofar as it is possible. They are very cautious about the liasion of their wives or childrens to the organization except the bodyguards they have appointed for the protection of the family.

ii. Hometown-fellowship (Hemşerilik) Type Organized Criminality: The second most remarkable type of the organized criminal structures in Turkey is the one of which is based on hometown-fellowship references. In this type of organized criminal groups, the crucial factor bringing and keeping the organization or group together is the virtue of being from same city, region, town or district. The group of people taking part just around the leader are those of who originally come from same city, town or region with him and exceptionally other group of people from different places would be. Since the entire organizational structure has been built on this major factor, hometown-fellowship or regionalism basis facilitates the process of establishing and sustaining partito connections. Through manipulating this type of fellowships or regionalism, contacts with the politicians, bureaucrats or businessmen from the same part of the country for self-interest can be made much easily. Hometown fellowship is, thus, employed as a tool for the justification or legitimitation of the interrelations and for building reciprocal trust and accommodation of mutual interests. The groups based on hometown fellowship is not necessarily would be formed in city or town basis. As it may be placed in a city, town or even a village basis; it may be in a regional basis too. Recently, a ‘regionalist’ structure is mcuh more prominent. The core membership consists of the individuals who have blood-tie.

In Turkey, these groups are usually classified with their ethnic origin, if it is an outstanding character of the organization, as in ‘The Black Sea Mafia’, ‘The Kurdish Mafia’, and ‘The Circassian Mafia’ and so on.

Some ethnic, regional or local characteristics may play a facilitative role in formation and continuity of these groups. In the regions and areas, for example, where the blood feuds, tribal clashes, ethnic conflicts, murders for virtue and honour, excessive fondness for weapons, a general tendency to resort to violence and strict rules in domestic relations have been ascendant and widespread, these kind of groups and formations may easily come to existence. Because, the people of these regions have grown in an environment in which male dominancy is evident, courage or heroism is the mere value for esteem, and acquaintance with guns and death happens in a very young ages. Those who pull the trigger in murder cases of blood feuds and virtue or honour are juveniles. Then, they go to prison in early ages. While they are very young, they come to consider violence to be the means of problem solving. The perception of manly behaviour, to be proven, every now and then, depends on showing courage and the capacity to use violence.

iii. Organized Crime Groups Based on Prison-matings: This type of organized criminal groups are formed by the friendship relations established in the course of serving a prison sentence. The aftermath of sharing some time and a room in prison, subsequent to release, friendship is carried on through an association around the most charismatic one. For that purpose, all individual experiences and experimentations in criminal activities, all the facilities and possibilities individually owned and preexisting contacts are brought together. The most charismatic and the most experienced one in criminality undertake the leadership.

As a result, the friendships, established in the prison, of some those who have gone to jail for various reasons are transformed, subsequent to release, into criminal activities by association? This manner of organizational structure based on prison-mating, has recently left its mark on some of the most prominent organized crime groups in Turkey. Despite the some existing hometown based fellowships in organized crime syndicates, the characteristic created by prison-mating is much more noteworthy. Sedat Peker, for instance, who is under arrest for the accusation of ringleadership, and his group, may be given as the best fitting example of this type of organizational structure.

iv. Organized Crime Groups Based on Political Point of Views: In this type of criminal organizations, the basic unifying factor is sharing identical political or ideological thoughts and feelings and again political or ideological activities collectively carried out in past. The identity element of this kind of criminal organizations is the political and ideological unity. The members of these types of groups have a determined political accumulation, organizational experience, familiarity with prison life and a social environment. Hence, these distinguishing characteristics provide opportunities for political or bureaucratic liasons. When the political parties they have been in ideologically contact with come into power, they would take an advantegous position and their ideological and political rhetoric and attitudes are applied for the purpose of social acceptance and legitimization of their activities.

CHAPTER V

ORGANIZED CRIME IN TURKEY

V. 1. The Social History of Organized Criminality and Its Development in Turkey

There has been a debate and disagreement in the academic literature on whether ‘organized crime is a modern or a traditional phenomenon’. We can point out the two main different arguments on this matter:

For the first and the widespread point of view, the organized crime is a modern or even a postmodern actuality. According to the second argument, on the other hand, it is just a traditional fact. However, reaching at conclusive judgement on this issue which is valid and applicable for each country or nation is almost impossible.

When we look at the human history as a whole, we may see some criminal activities in the period of time that can be attributed to the organized criminality in various communities. For instance, Klauss von Lampe put forward the idea that in Germany there is no traditional or historical background of organized crime (2002:2)⁷ For Germany, organized crime is a highly modern phenomenon. On the other hand, it is argued that in China, Russia, and Japan and in some Middle East countries organized crime has not been a modern event but a phenomenon which has roots lying in the traditional and historical deepness (Morrison, 2002:4).

Furthermore, it is not an absolute necessity that the historical origin of organized crime groups must be generated from an organized crime too. The communities that emerged around very different aspirations and values may turn to a criminal enterprise in the course of time. Mafia, which gives the name to the similar criminal organizations, is the typical example to this transformation. Mafia was originally a patriotic association founded in the Sicily nearly 600 years ago.

⁷ Germany is one of the countries without traditional organized crime. But this is not to say that Germany does not have a tradition of organized crime. In fact, between the late 19th century and the early 1930s, officially registered convict associations, so called ‘*Ringvereine*’, served as under-world government and maintained close ties to police officials, judges and politicians.

However, in the period of time, it left the political ambitions behind and reshaped and changed into hired armed groups providing protection services (EGM-KOMDP 1999:72; Gambetta, 1993).

The approaches, aiming at defining the organized crimes in the framework of its historical background or in the perspective of a social history, regard the mafia type organized criminal groups, in particular, as a form of social history (Bovenkerk & Yeşilgöz, 2000:28).

Having regard to the social history of organized criminality in Turkey, it calls for a go back to the Ottoman time and then an examination of it. For that reason, we should recognize the facts about rebels or insurgents and particularly the ruffianism (hoodlumism) (*kabadayı*) culture.⁸ The cultural codes evolved from those historical facts can be seen in the application of present mafia (2000:99). This is the mythological dimension of the local organized criminality.

However, the existence of an historical background does not mean that organized crime can only be explained on a traditional basis. There are many other underlying factors which are determining the scope, strength and formation of organized crime, such as socio- psychological factors, legal system, socio-economic and political environment, globalization and technological development.

General history is essential but not adequate to know about the today's modern organized crime groups. Furthermore, this situation is also valid for the organized crime groups fed by different socio-cultural resources. For instance, the scope of activities or characteristics of the organized crime groups in Turkey are peculiar to Turkey and are not seen in the foreign organized crime groups. For instance, it is so difficult to meet with the so-called mafia of cheque and bill exaction and also mafia of car parking, which are quite common in Turkey, in other countries.

Therefore, it would be appropriate to examine the historical development of organized criminality in Turkey in a periodic or chronological line.

Murat Çulcu deals with the historical roots of the mafia type organizations in a series of events stretching from the results of the Jalali Riots (*Celali İsyamları*) to

the Center - local conflict occurred in the Seljuks State and he maintains that the effects made by these events determined the local constituents of the Mafios Community Structure with a domino effect (Çulcu, 2001:9). Moreover, according to the widespread belief and literature, in the roots of the mafia type organizations in Turkey, there is a 'ruffianism/hoodlumism culture' which comes from respectively near past.

According to Murat Çulcu, the Turks have been in a mafios community structure since the Seljuks State. This structure passed through Ottomans from Seljuks State, then went on existing up to now. This historical inheritance constitutes the roots of mafia type organized criminality in Turkey.

The lack of authority in the last period of Ottoman State resulted in creation of the 'ruffianism (*kabadayılık*)' culture which is regarded as the source of cultural and behavioral codes of the masters and members of the mafia type organized crime groups in today's Turkey, at least for a certain period of time and persons. A mafia-like criminal organization during the Ottoman Rule generally used to be understood that the groups consisting of individuals called 'ruffian' (or hoodlums, bullies, swaggerers etc.) groups, which are generally out of the state structure. Consequently, in existence of 'ruffianism' in the late Ottoman society, the authority gap came about between 1607 – 1609 as a consequence of the 'Jalali Riots' played a significant role.⁹

In the Turkish literature making efforts to explain the organized criminality on a social historical account, the ruffians are regarded as the predecessors of the dominant figures of today's underworld who are now called 'fathers'. As a matter of fact, the important figures of the underworld are very pleased with being called 'ruffian' or 'hoodlum' (2000:99).

⁸ For a study on banditry and riots in the Ottoman time, see BARKEY, Karen, *Bandits and Bureaucrats, The Ottoman Route to State Centralization*, Cornell University Press, Ithaca & London, 1997.

⁹ See. The first volumes of the series are: 'Her Sakaldan Bir Kıl' (Çulcu, 2001), the second volume 'Sikkesiz Sultanlar' (Çulcu, 2001) and the third volume 'Düşmüş Ocağa Yanıyor!' (Çulcu, 2003). Çulcu deals with the historical roots of the mafia type organizations in a series of events stretching from the results of the Celali riots to center-local conflict occurred in Selçuklu State and claims that the effects made by these events determined the local component of the Mafios Community Structure (Çulcu, 2001:9).

The ruffianism, in Turkish society, seems to be an episode loaded with a symbolic and some mystical significance and, from the point of view of the social historical approach, comprising behavioural codes from past to present and representing the traditions stemming from the local ethics and behavioral codes.

In the Ottoman time, the ruffians' traditional influence and might were local. However, especially in the last period of the Ottoman Empire, significant and functional relations between the ruffians and the state apparatus came on the scene. During the rule of Abdulhamit the Second, in particular, the main policy was to keep the ruffians and hoodlums, of those who have some influence and power, under control by way of putting them on a salary, or employing them in public works with some certain prerogatives. The ruffians, who could not be held down, used to be held in through the more potent ruffians and their associates as the balancing factors. This kind of applications demonstrates the actuality of traditional state practices for which the manipulation of some individuals or groups in covert operations.

For instance, in the period of Abdulhamit the Second ((1876 – 1909), Fehim Pasha and his associates used to be called 'The Twelves (*Onikiler*)', and were supposedly backed up by the Ottoman Palace, became a dreadful gang wandering all around the city. *Onikiler* and the rival ruffians frequently used to fight each other in Beyoğlu and the victors of the day would show off in the Palace on that day (Aydın, 2003:94).

There are some definitions or synonyms for the term of 'ruffian' in our literature. According to some definitions the term of 'ruffian (*kabadayı*)' means "fearless, good fighter, bound to the rules of honor"; "brave fellow"; "the best of doing something" (Okul Sözlüğü, 2000:511), "having enough courage to dare ever body" (Altın Sözlük, 2000:206; Türkçe Sözlük ve Yazım Kılavuzu:329). In connection with our issue, the term of 'ruffian' is generally used with a positive meaning which amounts to 'brave fellow, fearless and strong'.

For Marakoğlu, a crime in the ruffianism subculture was limited with the violations of law caused by extreme reactions. None of the ruffians, in past, did gather any men around to commit a crime. They did only have a few very reliable men around themselves, who were ready to sacrifice themselves for the sake of them,

to challenge any possible attack bravely (Marakoğlu, 2002:99). So, in the early stage of the ruffianism subculture, there was no any praxis to become famous for a period spent in prison. But in the process of turning into mafia-like organizations, the ruffians were disposed to settle in the prisons and the causes or the period of imprisonment became a certificate and/or a diploma of their criminal career.

The ruffians of the Ottoman time, keeping in step with the newly developing conditions, came to carry a gun, get bad habits and behave in bullying manner. These negative attitudes left them without credit and respect among the society. The ongoing rivalry, violent fights and inappropriate behaviors made the society feel uneasy and frightened about them. The number of ruffians, who were formerly regarded as the guardian of the neighborhood values and the residents of it and who never granted any concessions towards untruth and malicious or evil actions, has fallen at the end of the 19th century. Following the 2nd constitutional monarchy, they disappeared. (Aydın, 2004:37, 39).

In his book related to the ruffians in Istanbul titled ‘Sayılı Fırtınalar (Counted Storms)’, which is regarded an original document on this topic, Refi’ Cevad Ulunay narrates ruffianism and hoodlumism as below:

The old ruffianism subculture in Istanbul is like a city chivalry. This chivalry has its own rules and procedures. These men were obliged to obey their peculiar rules adapted in consistent with their customs, manners and familiarity. They used to protect the weak, especially the virtuous women and girls, and be very careful about not to deviate from their principles. They were afraid of losing their good reputations, reliabilities and so prerogatives, if they misuse their privileges granted by neighborhood. Most of them were craftsmen.. For the ruffians, to be defeated in a fist fighting, to be proved to be a liar or worthless and similar disgrading circumstances were all embarrassing events to feel ashamed (Ulunay, 1994: 3 - 4).

There are a number of facts lying behind the social historical dimension of organized crime. To know the ‘fathers’ of today and old times, we should be familiar with these historical past. Again, the traditional aspects of the certain codes of behaviour peculiar to underworld and traditionality of violence to be resorted for dispute settlement are all other components; we should also constantly bear in mind. The forms of attitude or codes of behaviour, in another saying, in the underworld

subculture can be seen concretely in the set of rules of '*racon*' which refers to the accepted or endemic ways of ruffianism subculture based on honor, self-esteem and respect.

V. 2. Organized Criminality in the First Period of Republic

The ruffians of the late Ottoman time finally degenerated and debased because they came to carry guns and behave in bullying manner and leaving aside the ruffianistic codes of behaviour. These negative developments consequently left them undisciplined and unattended and this situation went on, to some extent, over the early years of the Republic of Turkey.

However, there were still some well-known and esteemed ruffians in İstanbul in the first three-to-four decades of the Republic who followed and represented this tradition in an acceptable manner. In these years, the ruffians similar to those ones living in Istanbul came to appear in Ankara as well. Sarı Veli, Kabadayı Mehmet and Kürt Cemali in Ankara, and again Kürt Kamil, Altın Dişli Niyazi, Balıkçı Beşiktaşlı Murtaza, Yamalı Hamdi, Tulumbacı Kör Sami and Arnavut (Albanian) Büyük Cafer became well known in Istanbul.

Unfortunately, Most of them killed each other due to the conflicts of self-interest and various disagreements (Aydın, 2004:37).

V. 3. The Term of 1950 – 1980 and Organized Criminality

The ruffian subculture went on even after the 1950s. However, these people who were still called as 'ruffians' or 'hoodlums' were, at the same time, engaging in some illegal activities. The ruffians, going away from their semantic origin, began to indulge in some illegal activities such as racketeering and getting protection money in return for their illegal services instead of dealing with trade or legal activities. Ruffian tradition and sub-culture have been left behind and just in words and corruption reflected into their attitudes, behaviors and deeds.

In Turkey, association of ruffian subculture with the mafia-type organized criminality emanated especially from the involvement of the some popular hoodlums in certain organized crime activities after the 1950s. Political and economical conditions of this period brought about the social upheaval, and the ruffians

discovered some illegal benefit means for themselves. They began to exact protection money from bars and casinos; and run gambling houses. So, it can be asserted that the present mafia type organizations of nowadays have began to appear from the beginning of the 1950s, if we leave the some special structures which had occurred after the Jalali Riots such as the ‘Suhte’, the rebel students and the ‘Levendat’, the rebel soldiers out.

After the World War II, drug abuse has become prevalent. Conventional drugs such as opium and hashish were intensively being replaced with morphine and heroin. Some of the ruffians were occupied with drug trafficking; and some others were sailing into the new horizons thanks to the smuggling. They were getting acquainted with a large amount of money any longer (Bildirici, 2001:71).

The span of 1970s had been a term in which severe economical problems and deprivations were encountered. On that account, a profound domestic migration started; and the migrating people from rural to the urban areas or from small cities to the larger ones constituted new structures together with the urbanization problems. Then, those people who had come from the different parts of the Anatolia and familiar with the ruffian subculture and violence, built up some specific structures, firstly in Istanbul and then in Ankara, in the framework of the kinship and hometown fellowship relations. Finally, in the years of 1970s, some people who were depicted as ‘godfathers’, and the organizations consisted of their members, emerged from the economical recessions and social imbalances.

The ritual attachment, familiarity to, or even fondness for, guns and then heritage of violence that they had brought from their original lands were perceived to be the source of adaptation to the urban life and surviving in it. Some of these persons moved from the rural areas have gained special reputation and power. Not only did these persons reflect the cultural characteristics of their original lands but also did the name of it with their renowns or nick names. The most famous ones of these ruffians are Kürt İdris, Oflu İsmail and Oflu Hasan (Hasan Cevahir) who have gained nick names together with their ethnical backgrounds. One of the other characteristics of these ruffians was that they were skillful persons but without much

education. They moved into big cities while they had a quilt on their backs and a wooden luggage in their hands, and luckily had stood out in this new environment.

Moreover, economical restrictions arising from the application of interventional economy policies have led to both the deprivation of many consumption needs demanded by the public, on the one hand, and formation of the black market of these needs, on the other. The high temptation for the profits of these needs, when they were provided, which could hardly be found in the market, activated organized crime groups. These illegal activities started with the coffee, iron, spare equipment and electronic items smuggling; and then continued with the black market of some industrial productions, particularly of petroleum products; and finally converged on the arm smuggling from the beginning of the 1960s.

These smuggled items were quite expensive and so prompted to appear monetary problems, and subsequently collection of the money by use of force that not yet paid. Inevitably, they felt an absolute necessity to establish front companies for the purpose of laundering the illegally earned money.

In Faruk Bildirici's point of view, general amnesties of 1950s and 1960s that fully opened the prisons' doors and naturally resulted in releasing the perpetrators of the various crimes were the main factors which brought about or accelerated the alteration in ruffians' world. The criminals who had been departed from the prisons set about the underworld activities and 'ruffianism' began to degenerate (Bildirici, 2001:72). As a result, ruffians were replaced with the godfathers. This is the reason that why the widely known anti-mafia operations carried out in 1970s and 1980s has been called as 'Godfathers Operation'.

These persons whose common characteristics that were committing crimes in person created a scaring environment with this characteristic; and were perceived as a kind of symbol of courage and entrepreneurship. The suitable illegal sectors created by the negative economic conditions in this term were the major targets of these groups to be occupied. A while later, these sectors had been taken over by some groups based on hometown-fellowship and kinship relations or there were the ground of serious rivalry among these groups.

Since the benefits and privileges were shared and distributed in the framework of kinship and hometown fellowship, the situation which was virtually the reminder of ‘Robin Hood Redistribution Paradigm’ that we mentioned earlier had been occurred. Organized crime group leaders in this period have overtly avoided to conflict with government, even pretended to show themselves loyal and respectful to the government.

The Robin Hood style practices and avoiding from any conflict with government had provided an important social power and acceptance for them and then they built up an exclusive and peculiar tradition to this period.

Terror and anarchy atmosphere of 1970s, which were the main issues of these years, had an influence on organized criminal organizations and their structures as well. In this period of time, they, chiefly the ones who were busy with arms smuggling, had found an expedient atmosphere to participate in organized criminal activities; and as a result, became the well organized criminal organizations that carried out their activities in international level with a consequential economic capacity.

In this term, black marketeering and stockpiling were the lucrative, so appealing, areas for organized crime groups. While the conditions of the 1970s had provided some wide opportunities, on the one hand; these conditions, on the other hand, led to some changes in their characteristics. Some prominent ringleaders, in this period, such as Bekir Çelenk and Abuzer Uğurlu, made a large amount of money from arms and ammunition smuggling.

V. 4. The Term of 1980 – 1996 and Organized Criminality

The characteristics of organized criminality in the second half of the 1980s and in the first half of the 1990s had been influenced by terrorism and economic distress in Turkey as in 1970s. Meanwhile, another significant development occurred in this period of time that had an influence on the organized criminal groups was the release of the militants who had been put in prison aftermath of the military **Coup d’Etat** on 12 September 1980. Those released persons from the prisons used to have a reputation, a circle of friends and acquaintances, an experience of political activities and even participation in the pre-1980 events had been addressed persons of various

demands or expectations of the community as a result of labeling process. These people who were already encountering unemployment and economic problems had begun to involve in some illegal activities with the psychological impression, that the military coup of 12 September left in their minds, of falling victim to the state's wrath, despite the fact that they struggled for the continuation of State. As a result, numerous organized crime groups consisted of previously convicted political criminals and recently released past offenders came to existence in this period.

One of the distinctive characteristics of the members of the organized crime groups emerged in the aftermath of the September 1980 coup that acquired a different character than the ruffian-manner structures of the 1950 – 1980 period was that uneducated ruffians had been replaced with educated ones. Those men most of whom had been released from prisons and lost their unifying ideological values; and moreover were deprived of the money to subsist on. These young men, who were either graduated from the universities or still university students, were not only academically educated but also militarily well-trained.

Many of these men were very competent at arms and experienced with armed struggle, psychological warfare, assassinations, conspiracy, rural and urban guerrilla tactics, abduction, interrogation, resistance to interrogation and so on. They had lost a lot of friends during the armed clashes between ideological groups of pre-1980 and were accused of being involved in various ideological engagements. As a result, they were able to move together with those one-time friends that they all had shared the same fate before and after of the 12 September either by fighting for same cause or as the prison inmates and fugitives abroad.

For the some segments of the society, these persons were trustworthy, brave and manly young fellows who had dedicated themselves to the state and nation but, nevertheless, incurred unjust treatment. Therefore, a new mission or function was waiting for these men: Do justice where the formal justice system does not work!.

As we explained earlier in a theoretical context, especially the difficulties in exaction the equivalents of the cheques or promissory notes due to the legal gaps

have led to the exaction of bad debts through the mediation of these persons within a shorter time and in a more guaranteed way.

These people, who are already experienced and talented in organizing and leading armed groups, have seen some new doors to be opened. Owing to the past experiences, and the young manhood and honesty images, the society imputed the role and mission of ensuring justice to them. These persons who were already prepared to this, under the present circumstances, turned into the informal bodies filling the functional gap of the formal institutions, in one respect. This assumption is correct especially in respect of some certain activity areas of organized criminality.

A while later, these persons were requested for help with some demands. A couple of these persons, undertook the collection of some check and deeds in return for little benefits at the beginning, that they thought to be in the right. That was the starting point of everything. This easy way of making money and irresistible effect of power and fear brought along degeneration. New organizations and activitt areas came one after the other. The process launched by degeneration resulted in the process of acquiring the characteristics of a mafia society (*mafyalasma süreci*). This was, in fact, an outcome of this process in which the society had been exposed to the increase of mafia-like organizations in number and infleunce.

The terrorist events that were very weighted and efficient in organized criminal activities of 1970s had created a different effect on organized criminality in 1980s and 1990s. According to some explanations and comments, the need for conducting efficent and conclusive operations in abroad against ASALA, which was an Armenian terror organization that assassinated a number of Turkish diplomats abroad in these years, made the charging of these people with destroying it a current issue.

The environment created by the secessionist and subversive terrorist organization PKK, began with the 1984 Eruh massacre and lasted to the late 90s, had deeply influenced organized criminal activities and organizations in Turkey. As for the security forces and intelligence organizations, they fully occupied with combatting terrorism in this period of time, and then this situation had generated a

sporadic gap in prevention of organized criminal activities. The organized criminal organization which wished to take advantage of this circumstantial gap in this term found an opportunity to expand their activities, in particular, of arms smuggling and drug trafficking into some other areas.

Specifically two points were significantly argued for this period:

One of which was the growing of mostly Kurdish originated mafia-like groups dealing with arms and drug trafficking and expanding their potency in the Eastern and Southeastern part of Turkey by benefitting from the gap created by the terror environment wherein; and secondly, putting some Turkish originated groups in frontline to make these groups ineffective and for confrontation. In Saçan's point of view, this situation was a prerequisite of a conscious policy towards the problem: "Against the PKK propped up Kurdish drug smugglers, some former right-wing terrorist organizations had been employed with the support of some state officials, and again in same period, safeguarding the drug trafficking turned into the most profitable source of income..." (Saçan, 2004:68).

It is argued that this idea and practices had played an essential role on the basis of the network of ties between the representatives of Mafia, official state and politics, which has been symbolized with the Susurluk Accident on 03 November 1996 that the most significant event of the late 1990s in Turkey that caused some important developments and revelations and lifted the veil over the mafia. In the course of the time, this group of people asserted to be employed by the state. In the words of Güneri Cıvaoğlu, "they were the terminators dispatched to the Armenian terrorist organizations, extended parts of PKK moneybag and barons of drugs and gambling houses" (Cıvaoğlu, "Mafya", Milliyet, 16 Ekim 2004, Cumartesi).

The mafia-like groups which had grown in the network of relations expanded their activities to more profitable and much conclusive areas. They added some new activities to their criminal records in addition to check and deed exaction such as racketeering, seizing by violence, abduction and protection money.

The period between 1980 and 1996 was not only a time span in which organized criminality had grown up and expanded the activities in Turkey, but also it was the period of an important change and transformation it had experienced. It is

possible to call this term for organized crime is that ‘the process of modernization’. It was a complete transformation from organized ruffianism to fully organized criminality.

The Term of 1980 – 1996 was an interval that might be regarded as a distinct evolutionary or developmental phase for Turkish organized crime groups in which these groups had begun to operate by the logic of business enterprise rather than classical mind dominated by traditions; endeavoured to organize in a much more complex body structure based on professionalism and specialty besides simple family and hometown-fellowship; tended to employ front-scene professionals and make rational decisions and choices rather than the activism based upon emotional or ritual bonding and taking the rap for reputation or fame; relied on profit gaining; widened the distance between the ringleader and the other members of the organization; put the ringleader in possession of businessman identity; and regarded the individual and organizational security as the most important thing. For example, in the present-day organized crime syndicates, triggermen are front-scene professional assassins. By that way, the link between the action and organization is hidden.

In fact, this is a common process of structural change that the mafia-like criminal organizations all over the world have entered into. It is somewhat of a transition and transformation process from traditional mafia-type organized crime towards entrepreneurial mafia-type. The Italian and American mafia, in particular, have experienced this transformation since 1970s.

The concept of ‘entrepreneurial mafia (*Girişimci mafya*)’ implies to the mafia-like organizations of which the leader and members transfers the money and property that acquired through illicit activities into the legal sectors for the purpose of investment as a businessman. While these groups are investing the illegally obtained money in legal sectors, on the one hand; they use the company buildings and other properties, they possess, to be organized, to camouflage dirty deeds, to launder the black Money and to accommodate or shelter their men in.

In today’s Turkey, it is possible to see some ringleaders especially those who have settled in Istanbul saying that “we do no longer any illegal jobs, we are now

businessmen” via media, and introduce and present themselves as if they were famous businessman or well-known young businessmen. The transformation from traditional mafia structure to entrepreneurial mafia type has began since the second part of the 1990s.

The kingpins of those traditional mafia-like and of those entrepreneurial mafia type organizations acquire a different character in respect of their life-styles that the most of the former ones were generally humble and modest, cautious about private life, the persons of principle and discipline, the men of honour and self-respect (even if these values have their own peculiarities and meanings). Meanwhile, in the entrepreneurial mafia-like groups, a specific type of kingpin with an excessive fondness for showing off and luxurious high life standards has appeared. These new type of organized crime kingpins have had a great tendency towards the symbols of wealth and potency, with which they would be spoken about, such as very expensive cars and houses, luxury hotels and restaurants, yachts, going out with popular fashion models or actresses and expensive wedding and ritual circumssition gifts.

V. 5. Post-Susurluk Event (03rd of November 1996) Period

‘Susurluk Event’ or in other saying ‘Susurluk Accident’ requires some elaboration because it has been a turning point. On 03 November 1996, a Mercedes with a trunk full of automatic weapons crashed near the Turkish town of Susurluk, killing all but one of its passengers. Those who died included Abdullah Çatlı, a radical right wing militant who had been sought by Interpol; Hüseyin Kocadağ, a senior member of the Istanbul police and Gonca Us, allegedly Çatlı’s girlfriend or common law wife. Sedat Bucak, a Kurdish tribal leader and close associate to Tansu Çiller, the former Turkish Prime Minister, survived with a dubious case of amnesia (Bozarslan, 1999:1).

Susurluk has been an exclusive symbol of political corruption. In the eyes of press and the population, in the research and investigative papers, the similar analytical framework has been widely followed when addressing Susurluk. The repeatedly asked question is how such an extensive bureaucratic corruption could have occurred in the form of state ties to these criminals.

In this post-Susurluk period, for some clandestine and dark relations had come to light, disclosures of possibly the most well-known figure of Turkish underworld, who made himself the most spoken person about and reflecting both of the traditional and the modern, caused to the overthrow of 55th government and led to significant political developments.

It is known that Turkish organized crime syndicates get their share of worldwide organized crime economy amounting to approximately 1 – 2, 5 trillion US dollars. It is estimated that the size of underworld economy in Turkey has reached at the amount of 60 billion US dollars which is equal to the one in four of 238 billion dollars total national income. This amount exceeds the half of the annual budget of 2004.

According to the report conducted and presented by the Ankara Chamber of Commerce entitled ‘The Mafia in Our Life (Hayatımız Mafya Raporu)’, Turkey has been surrounded, on all sides of it, by organized crime groups with 100 activity areas all around it.

In between 1998 and 2002, approximately 17.000 who had been suspected of being gang members were apprehended by police and captured a large number of weapons which is very enough to equip a small army with. At the end of the operations conducted by the police overall Turkey, 3012 incidents in which organized crime groups had been involved have been established. 17.105 suspected persons, of which 9053 are being in Istanbul, have been caught and 4182 persons among these have been arrested. During these operations, in addition, 118 long-ranged AK47 Kalashnikov assault rifles had been captured (‘The Mafia in Our Life’, The Report of the Ankara Chamber of Commerce).

V. 6. The Activities and Fields of Interest of the Organized Criminal Groups in Turkey

Recently, two current changes which are of great importance to understand the organized crime and concerned with the general security policy in response to organized crimes are particularly important to bear in mind by all means.

First of two is the reality that the organized criminal groups has been enlarging their scope of activities.

The second one is the general tendency towards the cooperation and mutual understanding occurred among the criminal groups instead of rivalry and conflict. The new situation arising from this changing process of organized crime requires a closer investigation into the methods of committing crimes besides, and possibly more intensively, the type of offenders.

The organized criminal groups are engaged in a number of activities such as drug trafficking, smuggling of arms and vehicles and trafficking on human-beings. In terms of the criminal activities they are interested in, we can mention here some most remarkable ones. The smuggling of every kind of materials of which trading is prohibited by the legal norms (arms, illegal drugs, vehicles, nuclear substances, tissue, blood etc...); smuggling of immigrants, organizing prostitution; illegal gambling; racketeering; extortion, smuggling of cultural and natural materials; espionage on industrial and technological issues; manipulation of financial markets; exploiting financial aids and budgets of international organizations; interfering into public contract awarding; bribery and every kind of corruption; having an influence on the competent organizations, groups and individuals to make them act favorably; benefit oriented relations with the politics and bureaucracy; playing an active role in the elections of deputies and local figures; the land and forest impropriety, parking lots, mediation of the appointment of the officials and protection of some bureaucrats; using force and threat to gain a material benefit in the awarding; acting against the copyrights of the intellectual property; pursuing monopoly on the sport, music and entertainment sectors; pornography; counterfeiting; gaining benefit from shared taxi lines, school transport services and place of bazaar; mediation on the monopoly of commercial areas; infiltration into the legal economy; exaction of the cheque and deed debts forcefully; abduction and kidnapping for ransom or punishment; seizure the lands by violence, organizing building shanty (squatter's houses) and corruption in the public works and housing; corruption in the departments of title deed; protection of some individuals and groups in the activities pertaining to a labor union; mediation in the engaging official and laborers; worker brokerage at local and international level; to provoke the ideological conflicts to

maintain the illegal arms markets lucrative and creation of instability in the governing of the state to exploit this power gap.

Money laundering via banks and other financial transactions, financial organizations to hide or launder the large sum of illegal proceeds, business sectors across globe is the central points and transnational aspects of the organized criminality.

It would be a better idea to classify the criminal activities mentioned above into two categories: one is the ‘intermediary crimes’ and the other is ‘conclusive crimes’. Intermediary crimes can be defined as the criminal activities conducted in order to reach the conclusive crimes. These crimes are those like murder, kidnapping, threat and blackmail. But the conclusive crimes are those of which main purpose to be committed is itself constitutes illegality and these crimes are very critical for Turkey. White-color crimes and corruption, as a part of these crimes, are regarded as organized crime in the public opinion and law enforcement standpoint. Organized criminal groups are generally involved in these crimes via committing intermediary crimes.

The criminal gangs in our country are often categorized and labeled according to their specialized and intensified activities. For instance, the mafia of cheque and deed exaction, parking lot mafia, narcotics mafia, prostitution mafia, etc is among the widespread ones. Bovenkerk and Yeşilgöz characterize these types of crimes as ‘the classic markets of organized crime’ (Bovenkerk & Yeşilgöz, 2000:46-56). Three of them will be mentioned below just to give an idea about their *modus operandi* and logic:

V. 6. 1. Exaction of Cheque and Deed (Çek – Senet Tahsilatı)

Exaction of cheque and deed is one of the most widespread and distinctive organized crime areas in Turkey. The criminal groups which are specified in this field are called as ‘cheque and deed mafia’. Exaction of cheques and deeds are one of the fundamental functions of the traditional and modern type of organized criminality in Turkey. In fact, the roots of the exaction of cheque and deed lie in the of mediation culture which is one of the basic characteristics of the traditional mafia type

organizations. This mediation is based on finding peaceful solutions to the conflicts and disagreements by showing some sort of attitude which is typical to mafia culture.

Cheque and deed mafia are 'the illegal exaction offices which take back the owed money on behalf of the persons to whom payment is due by using force and threat (Bovenkerk & Yeşilgöz, 2000:46). Because of the legal gaps in the Turkish Loans and Trade laws, the individuals who have unpaid cheque and deed knock at the door of the organized criminal groups. Since, the foreclosure proceedings and exaction of the owed money through legal actions takes a very long time and entails large expenditure, the businessmen endorse their cheque and deeds or sell them to the criminals called 'money broker'. Afterwards, these cheque and deeds pass into the hands of the organized criminal groups which exact the owed money by victimizing the both sides of the cheque and deed disagreements.

The individuals who appeal to cheque and deed mafia for exaction can be categorized into two different groups. In the first group, applicants are those individuals who are the credit side have legally valid cheques and deeds or other legal documents guarantee the payments back. Although they have cheque and deeds showing the original liability, it has become impossible to take these debts back, namely, gone bankrupted. In this kind of exaction, the criminal groups demands debtor money which is much more above the actual owings written on the cheque or deed. After the exaction, the criminal group sequesters the amount agreed on at the beginning of the deal, or even sometimes total amount of it.

Those classified in the second group are the individuals who do not have any written proof or legal certificate validating the debt and credit relation. In this case, the situation is much more complicated, and even violent and merciless. This kind of incidents occur when the money is lent by cash that means the absence of any cheque or deed certifying the real situation or when the money is lent for an unlawful purposes. In such cases, if the debtor has a possibility to pay his loans, the criminal groups asks him to pay his debts or turnover the cheque or debt certificate, mortgage, real estate or movable property to the creditor. Thus, the individual secure a right to take the money owed to him back through legal ways. Those who are supposed to, or under the obligation, prove their income or property has come by the legal sources

prefer this way. The profit left to the organized criminal groups is a huge proportion of the money which can be reached at the 70 percent of the exacted amount. If the debtor does not have enough real estate that would suffice to pay his debts, the debts are taken back by cash.

The most merciless and clandestine type of cheque and deed mafias is the one who settle the financial conflicts among the individuals and groups who are engaged in the illegal activities. In resolving the conflicts among the individuals or the criminal groups which get profit from drug trafficking, smuggling, usury or other criminal activities, a more powerful organized criminal group may be involved in. In this case, various punishment methods are generally imposed on the targeted people.

So, these kind of organized criminal groups mostly play a role not only in solving the financial incompatibilities which can be proved through with a legally binding document like cheque, debt certificate or deed, but also those ones which can not be proved by any legal certificate that the most of the cases come on the scene under this circumstances. Therefore, 'cheque and deed' mafia can be defined as a criminal group that try to settle the debt and credit disagreements by informal ways based upon the use of force or violence and fear for a certain kind of retaliation.

The commission rate of today, which varies from 25% to 40% of the actual amount of the debt, depends on the creditor, the amount of money to be exacted, the feature of the debtor and the level of risk and difficulty. Moreover, at the beginning of the work, a deposit is taken as an advance payment. Sometimes, because of the influence of the creditor or if he/she is a competent bureaucrat, politician, businessman or artist who promise another compensation, the commission can not be demanded.

In the exaction of cheques and deeds, as the both sides have been faulty and so might be held legally responsible for whatever would happen as a consequence of this deal, there would be no complainant. So, the law enforcement bodies can not open an investigation (so, the crime remains as a 'dark figure' in criminological terms). Thus, the criminal groups become richer while they increase their impact on the society by creating fear in it. The exaction of cheque and deed is one of the basic activities of almost all scales of the criminal groups in Turkey. In fact, exaction

(*tahsilat* [çılık]) is the most widespread and fundamental activity area. Many mafia leaders step into the underworld by starting cheque and deed exaction. Organized criminal groups while dealing with all cheque and deed exaction demands, they can also buy real estates and vehicles or get credits by using their influence in the market through with the long-term cheques and deeds under his control.

The other activity of the cheque and deed mafia is to bring the conflicts caused by not keeping a promise to a conclusion. This activity is called ‘correcting the wrong’. It generally comes about when not performing the commitment of sale and transfer contracts and losing bets.

Since there have been numerous people insisting on their rights arising out of unpaid debts and so demanding the owed money to themselves through the intervention of local mafia, Bovenkerk and Yeşilgöz define the ‘cheque and deed exaction’ as the ‘big business’.

In practice, because of being slow and cumbersome, the public organizations can not respond to the needs of the individuals and entrepreneurs, thus these people prefer to apply to mafia for their intervention. If the companies and individuals do not pay their debts on time, the creditors would lose money due to the inflation. In theory, the creditor is supposed to go to the courts. But, for Bovenkerk and Yeşilgöz, it does not have any significance in practice. As the courts are operating in very poor conditions, hearing the case or get a court verdict may take in a very long time. This assumption is sometimes valid even for the very simple cases. The exaction of the money from debtors who are not willing to pay their debts on time may result in losing time and money as well (2000:46, 47).

One of the most striking developments recently to be underlined here is that the organized criminal groups turned to be very opportunist, ruthless and exploiter even from the point of view of traditional values and rules. Some criminal groups, especially those located in Istanbul, viciously exploit both debtor and creditor to the last point, if they find out that the creditor and the debtor are defenseless and unguarded. The simplest application of this is the situation in which the person who has borrowed the money is protected by the mafia against the man who has lent the money. The former one can make a deal with the mafia to get the cheque and deeds

or debt certificate back from the creditor without any payment. In this case, the cheque and deed collection process is run reversely.

Another and possibly the most merciless application of cheque and deed mafia are to receive some advance payment from the creditor and then compel the debtor person to pay him and finally keep the total amount just for itself. Thus, the mafia exploits the both sides severly and stands by the debtor; and it urges the creditor to relinquish from his demands. These kind of criminal groups generally take half of the money, subject to the exaction, for their accounts. Thus, the debtor gets rid of his/her debts by only paying half of his actual debt back. On the other hand, the creditor not only deprives of his receivables but also is forced to renounce his/her claim to get the money paid to the mafia in advance.

One of the significant facts that should be emphasized about the cheque and deed mafia is that the exactions of recievables and racketeering, which will be explained in the next article, are the beginning activities of mafia-like organized crime groups towards joining the underworld. The newly established groups or new recruitments of organized criminal groups begin with their criminal careers by exaction of cheques and deeds or racketeering.

V. 6. 2. Racketeering and Extortion

In Turkey, one of the most classical or common organized criminal activities along with cheque and deed exaction is the racketeering or extortion. In the organized crime jargon, it is called '*wangle - koparma*'. 'Racketeering' is a pattern of illegal activity of extortion which is itself an outcome of an unlawful demanding or receiving or by threat or force of any property or money or advantage not legally due to perpetrator that is carried out in furtherance of an enterprise, such as a criminal syndicate, or by an officer, in his official capacity, which is owned or controlled by those engaged in such activity.

The taking of money or property is generally an essential element of the crime. In most of the States, extortion is more widely defined to include the obtaining of money or property of another by inducing his consent through wrongful use of fear, force, or authority of office. Similarly, '**extortion**' is also a criminal

offense, which occurs when a person obtains money, behaviour, or other goods and/or services from another by wrongfully threatening or inflicting harm to his person, reputation, or property. The term 'extortion' means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

Extortion is distinguished from robbery. In robbery, the offender steals goods from the victim whilst threatening him with force. In extortion, the victim willingly turns the goods over to avoid a threatened violence or other harm. The term *extortion* is often used metaphorically to refer to usury or to price-gouging too.

The most potential victims of these sorts of offences are widely those people who are themselves too, dealing with illegal activities such as drug traffickers, organizing prostitution, usury, women trading, falsified exportation and tax evasion. Apart from this group of people, the entertainment sector, gazinos, bars and night clubs are the first and most susceptible targets of mafia-like organized criminal groups to extortion.

Racketeering or extortion operates in a similar logic to unlawful taxation. Especially businessmen or wealthy persons are coerced into paying a certain amount of money on a regular basis. At this point, they obtain information or gather intelligence all about the targeted persons, including about his/her private life, personal traits, weaknesses, inability to resist, sensitivities and so on. In particular, they call their attention to what would happen to them in case of resistance or disobedience. Another particular point that they are very cautious about when they decide on who will be the next victim of their extortion or racketeering activities is the social status or environment of possible targets, which depends on whether or not he/she has a close relation with high level politicians and bureaucrats, influential businessmen, high ranked police, intelligence or army officers, that may endanger the operation owing to their capacities to resist. The people who are disposed to extortion may strive to take refuge behind some potent politicians and bureaucrats or even a kingpin of another gang.

In Turkey, one of the most noticeable methods employed by the criminal organizations to bring money in is to force some people to pay so-called 'protection

money' regularly. This way of extortion is widespread especially where the entertainment places, prostitution, drug abuse, casinos, bars, night clubs, cafeterias, buffets, reastaurants, tea gardens and car parks are densely populated or existed. Benefitting from the entertainment centers, casinos and restaurants gratuitously has been a common practice of extortion.

Resistance to the racketeering or extortion pressures of mafia is very troublesome. In case of resistance, they may cause to damage greatly exceeding the demanded amount of protection money. Submission to mafia, under these circumstances, is almost unavoidable. Against those who are attempting to resist, they resort to harassment, intimidation and assault methods through either their own men or subcontractor organizations. They shoot resistant's residence and properties up to frighten and terrorize their customers, cause troubles by provoking quarrels and set fire their places.

An organized crime group dominated in a certain zone or the most potent one carries out the protection services for entertainment spots. The other groups are aware of which place is under the protection of whom. An assault or threat which may be directed to this places or persons is treated as if it was directed to them. They get a share of incomes from all kinds of illegal activities like prostitution and drug related crimes. In here, a regional dominance is probable and they also exact protection money from famous artists or popular singers.

V. 6. 3. Public Contract Awardings and Organized Crime

Mafia-type organized crime groups interferes public contract awardings, - put out to tender by the various state agencies, central and local administrations, state-own economic administrations, national and international level companies, - to uphold some businessmen or contractors or prevent the bidders from raising the bid. Contract awardings are the major profit sources.

In Turkey, one of the major kinds of the awardings that the organized crime groups want to interfere for influence, because very large amounts of money are on the contract, is the privatization process. They can be easily awarded the tender because no any other bidder may dare to raise the bid. They employ the methods of intimidation, use of force and violence to force the people outside themselves or

under their protection for a withdrawal from the participation in contract awarding. Thus, they may be easily awarded the tender.

In Turkey, the traditional organized crime groups did not tend to interfere into the contract awardings for themselves, instead they used to act on behalf of businessmen and commit the crime of corrupting the contract awarding. The organized crime groups specialized on this kind of activities is, in fact, instruments of unlawfulness and corruption.

Along with the existence of entrepreneur mafia type, organized criminal groups have started to run for public awardings directly for themselves. In recent years, one of the most significant public awardings that organized criminal groups had interfered is the Turkbank sales awarding bids for privatization. Sales awarding of Turkbank for privatization is an extremely important illustration in respect of the level of partito relations between some certain organized criminal groups and politicians, bureaucrats and media and consequences of it. Due to the scandalous events occurred during the police operations against the unlawfull practices related to the sales awarding, the ruling government fell from power.

CHAPTER VI

TYPICAL CHARACTERISTICS OF TURKISH ORGANIZED CRIME GROUPS

VI. 1. Introduction

As for the profiles, or in other word, the typical characteristics of the ringleaders or the members of organized criminal groups in Turkey, or organized criminality in general, despite the scarcity of relevant analytical literature and documents, some typical characteristics may be extracted in the light of the information I have obtained through my interviews and referred reports and other documentation:

VI. 2. The Regions and Cities with the Highest Rate of Organized Criminal Activities

The fundamental organized crime groups and activities are based in the vicinity of Istanbul and Izmit. Istanbul is the biggest city not only in population but also with the level of organized criminality in both qualitative and quantitative respect. The other prominent cities in which the organized criminal groups have densely based and operated are those in order: Adana, Bursa, Mersin, Ankara, Antalya, Gaziantep, Kocaeli, Kayseri, Izmir, Samsun, Aydın, Balıkesir, Konya, Uşak and Diyarbakır.

The table below indicates the number of organized crime related offences or incidents occurred between 1999 and 2003 in 19 provinces, which are the most remarkable ones (KOM Daire Başkanlığı 2003 Raporu, 2004:64):

| Province | 1999 | 2000 | 2001 | 2002 | 2003 | TOTAL | | Sequence* |
|------------|------|------|------|------|------|-------|----|------------|
| Adana | 34 | 33 | 38 | 32 | 18 | 155 | 1 | İstanbul |
| Ankara | 24 | 19 | 26 | 15 | 16 | 100 | 2 | Adana |
| Antalya | 24 | 25 | 21 | 6 | 5 | 81 | 3 | Bursa |
| Aydın | 10 | 11 | 10 | 6 | 8 | 45 | 4 | Mersin |
| Balıkesir | 4 | 9 | 15 | 7 | 9 | 44 | 5 | Ankara |
| Bursa | 43 | 28 | 25 | 20 | 18 | 134 | 6 | Antalya |
| Denizli | 5 | 7 | 10 | 5 | 0 | 27 | 7 | Gaziantep |
| Diyarbakır | 6 | 2 | 11 | 9 | 4 | 32 | 8 | Kocaeli |
| Gaziantep | 23 | 15 | 22 | 11 | 1 | 72 | 9 | Kayseri |
| Mersin | 31 | 43 | 33 | 13 | 10 | 130 | 10 | İzmir |
| İstanbul | 83 | 104 | 105 | 101 | 51 | 444 | 11 | Samsun |
| İzmir | 20 | 14 | 9 | 4 | 4 | 51 | 12 | Aydın |
| Kayseri | 15 | 16 | 11 | 2 | 10 | 54 | 13 | Balıkesir |
| Kocaeli | 10 | 15 | 14 | 6 | 10 | 55 | 14 | Konya |
| Konya | 4 | 7 | 8 | 8 | 8 | 35 | 15 | Uşak |
| Muğla | 2 | 3 | 10 | 1 | 3 | 19 | 16 | Diyarbakır |
| Ordu | 3 | 14 | 5 | 3 | 0 | 25 | 17 | Denizli |
| Samsun | 2 | 6 | 17 | 15 | 9 | 49 | 18 | Ordu |
| Uşak | 5 | 8 | 8 | 10 | 2 | 33 | 19 | Muğla |

Table 1: The Table of the Provinces with the Highest Rate of Organized Criminal Activities

* Done and added by the author

The regional distribution of organized crime related offences perpetrated between 1999 and 2003 (KOM Daire Başkanlığı 2003 Raporu, 2004:64):

| YEARS | The Mediterranean | The Eastern Anatolia | The Aegean | The South Eastern Anatolia | The Central Anatolia | The Black Sea | Marmara |
|-------|-------------------|----------------------|------------|----------------------------|----------------------|---------------|---------|
| 1999 | 93 | 6 | 51 | 31 | 58 | 11 | 143 |
| 2000 | 119 | 14 | 57 | 20 | 57 | 38 | 161 |
| 2001 | 114 | 20 | 62 | 38 | 62 | 45 | 166 |
| 2002 | 56 | 3 | 34 | 30 | 34 | 29 | 134 |
| 2003 | 35 | 10 | 30 | 6 | 46 | 18 | 85 |

Table 2: The Table of the Regions with the Highest Rate of Organized Criminal Activities

Organized criminal activities are more widely carried out in the metropolises or cities which have touristical places, industrial estates, economic and commercial high intensity and potential or a high unemployment rate and relatively inequitable income distribution.

6. 3. Some Severe Conflicts can be Exist among the Organized Crime Groups

In generally, organized crime groups do not like rivalry since it is a damaging incident, and sometimes even a destroying factor. Because of that reason, each group tries to get an authority in different region or fields of industrial branches as legal or illegal. So it requires a sharing among them that can be regional or sectorial.

Organized crime groups strive to maintain their monopolistic positions on their own region or sector, by using violence, intimidation or having good relationships with security forces, bureaucrats and politicians.

Unless they are left no choice but resorting to an armed struggle, organized crime groups, in our country, usually do not have any controversy and fight each other. But in many times, owing to some unavoidable conflicts of interest and rivalry pertaining to strength and power contention, it is possible that the groups would proclaim an enmity against each other.

Generally speaking, because they have been in a close cooperation for their own interests, the existing conflicts may be reconciled peacefully in a traditional way in which other groups play a mediatory role. At the end, the conflict matter is easily shared between the parties. Otherwise, serious conflicts of interest may turn to a gun fighting and result in bloody shoot-outs which may unexpectedly cause to an upset of their prestige and deciphering of the armed forces.

VI. 4. Respecting the State Authority Apparently and Not Targeting the Security Forces Directly

Organized crime groups tend to behave respectfully and prudently in their relationships especially with the people and institutions representing the state. They want to avoid from engaging in any shoot-out with the security forces as much as possible. Nevertheless, it does not mean that they never used fire-arms against the security forces before or will not use it in future. Furthermore, they frequently employ various methods of psychological warfare such as slandering, maligning and calumny against the units or members of the security forces who are charged with carrying out operations, intelligence gathering and surveillance against organized crime groups to make them ineffective.

VI. 5. Effective Public Relations Activities

They adopt a specific manner of attitude and comport themselves with the images that are very favorable or even fashionable to the public opinion and suited to the requirements of social conditions and agenda. They choose to behave in accordance with community cultures and social expectations which are also approvable or even preferable by the state in order to camouflage their illegal activities. They are very inclined to abuse of the religious, ethical, cultural and traditional values of the society that they live in. At least, they exert themselves look to be not in any confrontation with these values. In any incident pertaining to religion or national culture, they show off and try to convey a message to the targeted masses. It is known that many organized crime ringleaders have a tendency to participate in educational, sporting, cultural and all other social activities and initiatives as a businessman or entrepreneur. The days of national and religious festivals, sensitive

situations for the community, as in earthquakes and all other natural disasters, are all the golden opportunities to contact with the community by way of aiding to the needs to get a social acceptance.

The role of the mass media in shaping perceptions, attitudes, and understandings about mafia has been very influential. Their respectful attitudes towards the social values, the charities that they have contributed to their organization, their Robin Hood, Koroğlu or Dadaloğlu images as social justice doers and also their close relationship with famous actresses, models or singers create, altogether, an impression that softens and tones the concept of mafia down.

The interaction between the concept of mafia and those ringleaders portrayed by the media, for the tone and character of these relationships play an important part in social acceptance and attitudes towards these organizations.

The media coverage about mafia, particularly in news bulletins, includes latent praises and messages which may cause the people, especially young persons, want to imitate these ringleaders and a desire to their life style due to the wordings such as 'famous father', 'the renowned ruffian X', 'famed name of underworld' etc. Apart from that, these phrases can create fear on some spectators too.

Another important point should be emphasized under this heading that organized crime groups, except drug trafficker mafia groups, pretend to be opposing drug abuse to attract peoples' attention. But in reality, they exact protection money or a lot from drug dealers. It is publicly known that many of the organized crime leaders and members abuse various natural and synthetic drugs.

While organized crime kingpins pretend to be in the service of the state and community, on the one hand; carry on committing various serious crimes, on the other. Recently, public attention has been attracted by some mafia series (in particular 'Deliyürek' and 'Kurtlar Vadisi') on various TV channels that looking into the phenomenons of mafia and deep state and interaction between those two TV series. The violent scenes and the way of displaying mafia have triggered the heated discussions on whether these series are creating a sympathy or legality for the mafia-like organizations and their vicious practices or not.

VI. 6. Partito Relations and Corruption

Among the special characteristics of Turkish organized criminality, the most prominent one is its interconnectedness to corruption in public sector and white-collar or organizational criminality which gives a birth to the term of ‘partito relations’. Partito relations may consist of not only politicians, government officers, high ranked police chiefs, army officers and judicial officers but also all level and scale of bureaucrats, officers etc. The Susurluk Report includes various examples of partito relations between high level public officers and outstanding mafia groups within the period of time it investigates (for instance, see pages 52, 53 and 85, The Susurluk Report (Kutlu Savaş), 1998).

VI. 7. Infiltrating into the Legal Sectors, Legalization and Money Laundering

In recent years, another leading feature of Turkish organized crime organizations is their efforts to transform into legal appearance. They are inclined to take some business sectors and branches especially those of car parking, auto galleries, tourism agencies, transportation, contraction businesses, bakeries, snack shops, meat shops and other similar markets under their own control. By that way, they want to launder black money, get access to social and political acceptance and catch a high profile. The most attractive and so preferred legal sectors to infiltrate into are automotive, export and import, construction, tourism, entertainment, real-estate, insurance and management services.

VI. 8. Variation in Influence and Membership Size

The number of members that a criminal gang retains may differ in proportion with its size and capacity. If we take the probable partito relations and their white-collar or professional advisors (for instance, lawyers and financial advisors) into consideration, this number can go up to a couple of hundreds.

If a classification is required according to their qualifications, such as in number, severity and seriousness of the crimes and the capacity for partito relations and level of it, we may do it as below:

First of all, new street gangs, committing ordinary and simple offenses in their own environment and consisting of mostly former criminals who are striving to materialize their aspirations to become a great mafia boss.

Secondly, but ultimately, organized crime groups which have already passed the primary stages mentioned above, gathered around a charismatic leader, committing variety of grievous crimes from kidnapping to murder, arms and drug trafficking, soliciting prostitution, running gambling houses, racketeering and extortion large amount of money, laundering great amount of money and so on.

VI. 9. Professionalism in Activity, Action and Organization

Organized crime associations do their jobs planned. It is aimed that the leader and the association is not exposed to any harm or dangerous position at the end of the any action. So, as a typical characteristic of criminal associations, a certain level of distance is placed between leading staff and triggerman. For instance, the vehicles driven into the action are rented and their license plates are counterfieted.

There is specialization and division of labor especially in narcotic smuggling. Therefore, by lessening the risk they can do their job safer. Organizations mostly consist of acid sellers (assure acidic anhydrite), carriers (carry drug abroad or home), middlemen (look for markets and go-between people who need), assurors (assure raw materials), money acquitters. And they have a firm co-operation.

They closely scrutinize the working methods of police and intelligence services. Like some sensitive public institutions, they develop some techniques of counter-intelligence operatives. Therefore, police or intelligence services cannot easily infiltrate into them. Although criminal organizations are very aware of technical surveillance, the recent operations carried out by the police against major organized crime groups have been materialized thanks to those methods.

Crime organizations especially try not to be perceived by line monitoring. So they are very cautious about using phones and for that reason, frequently shift their numbers or sim cards. In using phones that are registered to their own names, they

are very careful and never speak about their illegal deeds and connections. For example according to Law Code 4422 phones can be tapped only three times for three months periods. Totally it makes 9 months. But if phone owner sells it to someone else, it can be tapped again for 9 months periods.

It is alleged that phones that have expired their monitoring periods are sold up to the 50.000.00\$ of price (Milliyet news, December 11, 2003). It is obvious that criminal organizations that buy these phones will be able to communicate freely among themselves without registering to their names.

Crime organizations can get many fake official documents or cards like passports, driving licenses, police or soldier identity cards, gun licences, marriage certificates etc. Aftermath of any action, they hide their members, assure forged official documents for them and undertake the responsibility to look after his or her family or relatives.

One of the most indispensable materials or possessions is their guns. Quality of guns is proportional to their power. They generally carry officially unauthorized guns with them and conceal heavy guns and explosives in hiding places. Recently some criminal organizations tend to make their members previously not convicted of a crime get gun ownership licence. Some crime leaders employ, retain or hire some people like advocates or retired policemen or soldiers who are authorized to carry fire arms as bodyguards to protect themselves.

With respect to their professionalism we can add that they profit present conditions very well. They follow the way things are doing and stock exchange. They have stock experts. When they feel to be in danger, they change their real properties in securities. They purchase securities to hide themselves in other countries when needed.

Those members of organized crime groups who have immigrated to bigger cities, not been able to adapt themselves into urban life, grown in crowded families, and have had to work in childhood, start their criminal careers with simple affairs

and later become triggers. Besides, people who follow law trials and financial works for crime organizations are expert in their areas.

Criminal organizations can deal with different activities. Turkish and Albanian crime networks do heroin shipping one day and human trading another day. Therefore crimes and activities have perpendicular and horizontal dependences.

While the perpendicular dependence refers to a chain consisting of crime hoops; the horizontal dependence refers to the connections between crime hoops. Crimes committed by a criminal organization may be connected to each other. On the other hand, the institutional structure of organization may be a chain that links the various sorts of crimes each other. If a criminal organization commits minor crimes to achieve its main original crime, we can say that there is a vertical dependence among these crimes. To clarify more concretely, in order to complete a specific crime, many other crimes necessarily or unavoidably are committed. The vertical dependence between the organization and crime indicates that the organization is specialized in this specific area of crime (Hasan: 2001, 36).

Nowadays, a horizontal dependence is also seen in activities of organized crimes that implies to opportunist character of the group. The meaning of 'opportunism', in this context, that this group has been specialized in many fields. When a crime group takes a new way to commit a specific crime, it depends on its expertise, ability, experience. Especially this horizontal dependence can be seen in European criminal groups. Turkish crime groups has been developing in a vast corruption network in East and Middle Asia by their deeds like forged documents, drug smuggling, taking protection money (2001:36,37).

Those vertical and horizontal dependences must be kept in mind to develop policies against crimes. In other words, to make the risk high for criminal organizations police and intelligence groups must take vertical and horizontal dependencies in mind instead of narrow mindedness. When it is necessary to commit minor crimes to achieve the final aim, all those minor crimes must be thought a single crime and it must be punished heavily.

Criminal organizations often use professional talents to ease their jobs. Criminal groups that have the most complex collective labor and structure focus on drug smuggling. For example chemistry experts are hired to make drugs. Engineers are employed to develop equipments to produce drug related equipments. Transportation companies transports the narcotics and financial consultants, advocates and accountants are hired to convert money into investment. These professionals of legitimate sectors people can work for many groups at the same time.

Advocates may vary according to bigness and level of criminal organizations. Especially advanced groups hire many and expensive advocates. Furthermore some advocates may as if he/she is a member of the group as well.

VI. 10. Global and Transnational Nature

High qualified organized criminal organisations have especially had some contacts in abroad, such as the European and Middle Asia countries and Iraq, and these groups have initiated to involve in some illegal activities apart from their trade relations they established in these countries.¹⁰

This globalization or transnationalization period, as it is stated in Susurluk Report by Kutlu Savaş, has started with Ömer Lütfi Topal's was becoming organized in international level. Kutlu Savaş preparing the Susurluk Report says in his report:

...Gang issue has existed in two different stages in our country: One of these is the process of Ömer Lütfi Topal's organisations becoming mafia in the international scale and value; and the second one is the constitution of some clusters, which could also defined as neck tied persons, comprising of educated and distinguished persons, not including armed actions and using force. Ömer Lütfi Topal, while promoting from the level of either infiltrating to the government or getting its job put into effect with corruption to the level of giving order to the public officers, reaching to the level of gaining hundreds of billions revenue, was killed. Thus, the first process of transforming to American type mafia, without not avoiding from police, jandarmarie

¹⁰ This information obtained through my personal contact with the superintendents serving in the Anti-organized Crime Branch of Istanbul Police.

and justice, has not been fallen through. There has been also no group who had been able to reach at this level (Susurluk Raporu, 1998:8).

As a result, nowadays, it is the time in which there has been ability to transfer billions of dollars in a second from one country to another thanks to technological development, and furthermore organized criminal organisations have become so large, influential and complicated that they have gained international crime cartel nature any longer. Such organisations could have a wing or branch in Turkey and the other one in Holland and another one in Belgium. As a matter of fact that the purposes specified by leaders have affected more than one country; and the crimes which are committed have started in one country and completed in another one; and thus the logistics of group have been met from abroad; and victims have been from various countries and international society, have been required by criminal groups so as to have transnational nature. And so unfortunately, the fighting of police against transnational crime groups has become difficult (Aydın, 2003:76).

Leading ones of the organized criminal organisations carrying out in transnational nature are undoubtedly drug, arm and human trafficking mafias. It is possible to count such as kingpins Nurettin Güven, Urfi Çetinkaya, Hüseyin Baybaşın, Nejat Daş and transnational drug trafficker Yaşar Avni Musullulu (Karadurmuş) whose nick name is 'Sarı Avni' among the organisations at this level.

While these organisations have trafficked drugs inside the borders of country at the beginning, then they captured the process of transportation and delivery dimensions of drug trafficking, processing heroin from the base morphine they provided from the abroad, first of all Iran, Iraq, Afghanistan and Syria and selling them in European markets for the purpose of increasing their profits. Together with this, it has been monitored that PKK terror organisation has oriented its activities to the organized drug trading on the route of Middle East, Turkey and Europe in order to meet the needs of its militant members', enhancing from 1984, logistics and weaponry. Investigations for the drug trafficking cases, which these organisations are involved in, have revealed that Baybaşın, Bayram, Kasar, Ay and Sitoci

organisations had a relation with PKK; and provided financial subsidies (Susurluk Raporu, 1998:85).

Sarı Avni, who was arrested at the end of an operation conducted mutually Anti-Smuggling and Organized Crime and Interpol Departments in Altınoluk town of Balıkesir in 1998, has formed an interesting example. It was understood that Yaşar Avni Musullulu known as Sarı Avni had lived for 10 years with the name of Rıza Ekşioğlu in Altınoluk.

Turkish organized crime organisations have recently achieved an effective power in Europe. Among the mafia organisations, which could reach the yearly business bulk of 70 - 80 billion dollars, there are, in the first three enumeration, Italian, Russian and Turkish mafias. There are activity areas spreading widely from drug trafficking to the corruption which are subsidised by (EU) European Union (Milliyet Gazetesi, 06 Mayıs 2001: 18).

Turkish mafia which seemingly enhances its power is especially intensifying on drug trafficking and smuggling, and as an addition to these two areas and Italian mafia which is specialized on its own area, racketeering and arm trade and corruption in EU subsidisation, human trade have been added.

Russians, however, joined to the markets with their own origins and intensified on woman trade, organ and nuclear substances trade. As a rule of job, they, these three big ones, are finding ways to live together in the other countries of Europe. However, they are not allowing any tolerance to the rival organisations in their own countries. The only exemption of this is Albanian mafia which is increasingly strengthening itself in Balkans. While Turkish and Italian mafias are carrying out their activities in this country, Italian mafia is giving permission to the Albanian mafia's activities (Milliyet Gazetesi, 06 Mayıs 2001: 18).

The countries where Turkish mafia is active are enumerated as Turkey, Cyprus, Albania, Macedonia, Bulgaria, Yugoslavia, Germany, Belgium, Holland, England, Spain and the countries they laundered money are Cyprus, Lubnan, Israel, Switzerland, France Cebelitarık.

As a result of organized crime activities in Europe, while Italian mafia has 100.000 members and 70 billion dollars job bulk, in the other side Turkish mafia have 40.000 members and 30 billion dollars and Russian mafia 100.000 mafia members with 15 billion dollars of earnings (Milliyet Gazetesi, 06 Mayıs 2001, 18).

VI. 11. Strong Feeling of Belonging and Trust

The feeling of belonging to the organization can be more than that with the personnel of legal organizations. On the other hand, a member of an organized crime organization relies upon his organization. Because, he thinks that the organization leader will care his/her family and himself when he is imprisoned. Furthermore, it is difficult for those members that are informed about the actions, activities and structuring of the organization to leave the organization on their own wills. This is only possible upon the dismissal or permission by the leader. In this case, the organization takes the assurances, commitments and measures necessary to ensure that such person does not damage to it in advance.

The existence of kinship or 'hometown-fellowship' ties among the members of the criminal organizations are quite noticeable characteristics of Turkish groups. In addition, the people that migrate from the villages to the cities under the influence of various problems including the economic problems, and that cannot adapt to the urban life owing to the failure of making a living, and that are brought up in families with many children due to poverty and lack of education, and that start working at early ages struggle against life due to similar reasons and may be involved in the organized crime organizations upon their own wills without considering the consequences with the purpose of having the 'interest, care, respect, money, career and the power, the natural consequence', which they have never had by imitating the hero characters in the so-called mafia *soap operas* broadcast in the press and television.

The organizations generally comprise of the people that migrate from the villages to the cities and that cannot adapt to the urban life and that are brought in the families with poverty and lack of education, but besides that, there are also the people that live in the metropolitan cities for a long time and that are dedicated to

themselves through the relations like kinship and hometown-fellowship being relatives or being the people from the same hometown. It is witnessed that majority of the people trying hard in such illegal fields are from the Eastern Anatolia and the Black Sea Regions.

VI. 12. Headquarters and Safe Houses

One characteristic of the organized crime organizations in our country is that there are the places where the leader and members of the organization meet and that is called as 'residence - *mekan*' where they come together. These places are generally cafes, tea gardens, luxury hotels, automobile galleries, hotels, bureaus and administrative buildings, offices etc. that are operated in compliance with the laws. The leader and members of the organization stay at such places during the times when they are not searched by the police. They meet the people that want to give work to them here and carry out their works at this place. These places are generally furnished very luxuriously and also secured extremely well using several methods such as the security cameras etc. All kinds of measures are taken here against the technical pursuance by the police at these places.

On the other hand, the leader and members of the organization have the safe houses where they hide during the times when they are fugitives, namely when they are searched by the police. These places are generally the ones that are not so well known or their hometowns. They try not to commit crime and take attention here. The organized crime groups with Eastern, Southeastern Anatolia and East Black Sea origins usually prefer hiding at their own hometowns in such cases. Since the crowded family and tribe structures and the local values provide the necessary environment easily to enable them to hide securely. Again the garden houses and farms, mountain villages, workshops etc. are the suitable residences for hiding. Where necessary, it is tried to enable the leader and members to go abroad.

VI. 13. Low Levels of Education

In a survey, where I have acted as the academic consultant informally (Cengiz, 2004:94,95), has been conducted on totally 148 suspects that have been charged with acting against the ‘Law on Prevention of Benefit-Oriented Criminal Organisations’,¹¹ in the provinces of Istanbul, Izmir, Ankara, Antalya, Adana and Bursa. According to the results revealed from this survey, 39,9% of the people accused is the graduate of primary school, 26,4% is the graduate of secondary school, 20,9% is the graduate of high school and equivalent schools and 10,1% is the graduate of university and 2,7% is only literate.

According to the data released by the Department of Anti-Smuggling and Organized Crime (KOM), majority of the members of the organized crime organizations are the graduates of primary schools. According to the data released by the Department of KOM in 2002, 68% of the members of the organized crime organizations is the graduate of primary school, 21% is the graduate of secondary school, 5% is the graduate of university, and 4% is only literate and 2% is illiterate (Department of KOM, 2003:95).

According to the data released by the Department of KOM in 2001, 49% of the members of the organized crime organizations is the graduate of primary school, 39% is the graduate of secondary school, 6% is the graduate of university, 4% is only literate and 2% is illiterate (Department of KOM, 2002:89).

According to the data released by the Department of KOM in 2000, 255 of 2201 suspects arrested during 1998 – 2000 are the graduates of colleges and universities, 497 suspects are the graduates of high schools, 427 suspects are the graduates of secondary schools, 995 suspects are the graduates of primary schools, and 31 suspects are illiterate (Department of KOM, 2000:120).

As described in 2003 Report of the Department of KOM, the educational status of the suspects arrested during 1999 – 2003 is as given in the following table in different years (2004: 67).

¹¹ See, supra note 2.

| LEVEL OF EDUCATION | 1999 | 2000 | 2001 | 2002 | 2003 |
|---------------------------|-------------|-------------|-------------|-------------|-------------|
| UNIVERSITY | 208 | 255 | 81 | 33 | 82 |
| HIGH SCHOOL | 431 | 924 | 558 | 374 | 252 |
| PRIMARY SCHOOL | 1137 | 991 | 725 | 433 | 694 |
| LITERATE | 79 | 49 | 75 | 45 | 44 |
| ILLITERATE | 28 | 31 | 33 | 58 | 17 |

Table 4: The Table of the Educational Status of the Suspects Arrested during 1999 – 2003

In conclusion, these data and surveys demonstrate that majority of the members of the organized criminal groups are the graduates of primary schools or secondary schools. The percentage of the graduates of universities is relatively low. And such people are generally at the top level of the organization and responsible for performing the financial, legal and bureaucratic affairs as well as the political relations of the organization. That the educational level of the organized crime perpetrators and the members of these sorts of organizations are mainly at primary school and secondary school level demonstrates that the people that have little opportunity to find a regular job are in an effort to earn in the easiest way.

VI. 14. Average Level of Age is in the range of 21 – 40 by 70- 75%.

The 7,4% of the organized crime suspects within the survey of Cengiz is included in the age group of 18- 20, 23% in 21- 25, 19,6% in 26- 30, 16,9% in 31- 35, 12,8% in 36- 40, 14,9% in 41-50 and 5,4% in 51- 60. In this case, the people in the age group of 21- 40 prevail in the world of organized crime by about 73% (Cengiz, 2004:88).

According to the data released in 2002 by the Department of Smuggling and Organized Crimes (KOM), 69% of the members of the organized crime organization is in the age group of 21-40, 20% in 41-60, %6 unknown, 4% in 0-20 and 1% in 61 and over (Department of KOM, 2003:95).

However, the average age of the leader staff and the members that undertake the heaviest organized crime activities like drug and weapon smuggling is over or below the age group of 21-40. For example, according to the findings by Saçan, the age group of the leader staff is over 40 and the members committing the crime in

respect of drug and weapon smuggling is over 60 or below 18. The triggermen (assassins) are generally in the age group of 15 - 30 (Saçan, 2004:188). That over 80 % of the members of the organized crime organizations in our country is at the age group of 40 and below demonstrates that the young population tends to be engaged with such type of crime.

As described in the 2003 Report of the Department of KOM, the age distribution of the suspects arrested during 1999 – 2003 in different years is as shown in the following table (2004: 67).

| AGE GROUP | 1999 | 2000 | 2001 | 2002 | 2003 |
|-------------|------|------|------|------|------|
| 0 – 20 | 96 | 326 | 448 | 103 | 102 |
| 21 – 40 | 1777 | 1887 | 1900 | 1615 | 1293 |
| 41 – 60 | 490 | 436 | 45 | 464 | 344 |
| 61 AND OVER | 25 | 27 | 17 | 26 | 16 |

Table 5: The Table of the Age Distribution of the Suspects Arrested during 1999 – 2003

These characteristics, which we have tried to describe above, reflect the overall ‘organic structure’ and ‘environmental structure’ of the organized crime groups and organizations acting in Turkey.

VI. 15. An Absolute Obedience and Faithfulness to the Leader and Punishment within Organization

The leader and his authority is a very critical factor in the Turkish organized criminal organizations. It is to such extent that the organized crime organizations are called with the name or renown of the leader. If there is not a family type organization, death or long-term imprisonment of the leader means the end of the organization. The members dissipate to the other organizations. The authority of leader is absolute and uncontroversial. The lack of obedience and the breach of the unwritten rules of the organization called as ‘*racon*’¹² (acts on contrary to the unanimously accepted codes of behaviour) are punished with penalties and sanctions in proportion to the extent and nature of the offense. Such penalties are very severe

¹² See page 113.

including the death penalty in the organizations where the cost of unfaithfulness and the failure is too much and that deal with the drug and weapon smuggling in particular.

The punishment methods within the organization are generally as follows depending upon the severity of offense and the attitude of leader: Leave at a closed place, leave hungry and thirsty, torture, injury with weapon and knife without killing, compelling to conduct a heavy action, scorn in the presence of other members of organization, exposure to the shaming words and attitudes, stopping the aid provided for him and his family, dismissal from the organization, damage to the relatives, and leaving disabled and killing (Saçan, 2004:182).

VI. 16. Pyramidal Structuring

The most influential organized crime groups in Turkey are in a hierarchical and organizational structuring similar to that of a company or holding structurally as in many other countries. The organization is in a pyramidal structuring and the leader of organization at the most authorized position is at the top of the pyramid, which is followed by the other assistants and members after him in order in the organization. It is identical to the Board of Directors of big companies and holdings with this appearance.

The members that are closer to the leader of the organization or the headquarters of the organization with the relations such as being relatives or being the people from the same hometown as well as the members that have criminal records from the same crimes are closer to the leader and in the center of the events, and the members with weak relations with the organization or that are inexperienced are hired with a certain distance to the center.

VI. 17. Generosity, Bounteousness and Looking After the Gang Members

Giving presents and providing constant salaries to the close relatives, self-sacrificing members of his/her organization and whose family members he had left

behind are regarded as being a thing which befits the leader and furthermore a requirement, or even a prerequisite of the leadership.

They do not pay the bills when they go to restaurants, clubs etc together with his associates invited guests as a group. They expect full respect and esteem. This is also a requirement of being a potent leader of an organized criminal group. However, they tip much more than the actual bill. Reportedly, one of the organized criminal groups leader, who is of high repute, is said to tip in the restaurants not less than 5000 \$ to each waiter.¹³

To maintain the discipline and integrity within the criminal group, there are punishments along side with rewards as well. In every condition, the core members of the group are always together with the leader and protected by this group. The well known lawyers are hired for them and the criminal group tries to make sure that the convicted members stay in confidence and comfort. When the members are injured or get ill, the group tries to provide them with necessary medical treatment in the best way.

When the members are arrested or convicted, shot or wounded, or when they are obliged to escape abroad, their families left behind are cared for and their salaries are paid regularly. This is the feature and responsibility of being a leader. The scope of influence of a leader depends on this condition. These kinds of applications increase the motivations of the members and promote the confidence in the leader and the group among the members.

VI. 18. A Luxurious Life Style and Showing Off

The small and developing criminal groups in Turkey are generally operating in the suburbs of the cities which come out by the migration from rural areas to urban cities. The big and well structured groups have an influence in the rich settlements and districts where the clubs and bars are plenty of.

¹³ This information obtained through my personal contact with the superintendents serving in the Anti-organized Crime Branch of Istanbul Police.

The big criminal groups try to attract to recruit new comers who are not familiar with the structure of the groups by showing them they live a luxurious life style. The criminal groups which reached at a certain level of power especially prefer to be seen as a large group in luxurious places, thus they intend to have an impact on the society and other groups. These groups, going to the most luxurious and the most expensive places with a number of expensive vehicles, try to give the message that they are the people to be feared. The purpose of this application is to create a pressure and intimidation in the public and in their neighborhood.

One of their most favoured occurrences is to be confronted with which is being arrested by the police frequently for minor offences or without convincing concrete evidence about the accusations and then be released. Because, each arrest and release transform into a good propaganda for the leaders with the help of media. Thus image of the leader gets a huge power by the belief of the public that he has connections with everywhere and nothing can be done about him although he had been arrested once in every three months.

The leader and the members of the criminal groups in Turkey have some certain stereotypes. They generally dress in the same type. These individuals who pay great attention to their dress and clothes, generally wear dark colour and striped suits. They prefer short hair and dirty beard. This situation can be regarded as a symbol for the integrity within the criminal group. They use the newest jeeps and cars of the most expensive otomobile sectors such as Mercedes, BMF, Cherokee, and Walkswagon. They try to possess the vehicles having armor and dark glasses. They generally live in luxurious detached houses and villas which are suitable for physical protection. They attribute great importance to the nationalist or patriotic symbols and remarks (2004:185).

Some of the leaders like to use power individually. Moreover, there are some news appear in the newspapers about how they use force without showing any mercy. They gradually apply force and attack until the victims agree with the demands of the criminal groups. They generally try to persuade the victims by threat

first, if there is no wanted solution, they shoot at the victim's vehicle, house and working place. If this method is insufficient, then, kidnapping and wounding the victim by firearms come in succession.

For instance, they firstly try to persuade the individual by threat, from which they want protection money, if this method seems inadequate; they shoot at the victim's vehicle, house and working place. If they still can not reach their aim, they kidnap the man and beat him which can extend to the injury with a firegun. Kidnaping, killing, wounding, beating, threat, blackmail, extortion, shooting, sabotage are some of the methods they use. Having a conviction as a result of beating or murdering someone is an advantage for the members to get a higher position in the criminal group.¹⁴

VI. 19. A System of Rewarding and Promotion

As in the structure of the public and private sectors, success and experience are of importance. Experiences in the criminal activities, obedience, getting results from the illegal activities are the main criterions for awarding and taking new responsibilities.

VI. 20. Hardened Criminality and Taking on the Crime

When necessary for the group, to undertake the responsibility of a crime which he had not committed, is a sign of obedience and courage and regarded as one of the fundamental components of staying and promoting in the group. Meanwhile, having conviction and having experience in the prison life, is an important tool for the position within the group. Another feature of the group is their handing over the criminals among them to the police. It is not always valid for these men to be the real criminals. While the real criminal for the certain offence is sheltered away from the eyes, the new members who have little knowledge on what is going on in the criminal groups

VI. 21. Mediation and Liason with Other Groups

They mediate between the individuals or groups, who have disputes with each other, in order to reach a compromise. Thus, they make profit by these mediations and they increasingly establish relations and contacts with other groups. Setting up relations among groups in either international or national levels, is important trend seen lately across globe. The Turkish organized criminal groups are keeping up with this trend.

Although, the members of a group underline the full legality of what they are doing, they claim outside that they produce answers to the questions which can not be solved within the criminal justice system. They also claim that their words and demands are valid, effective and cogent in every where, for everybody. The members of this kind of criminal groups are generally the individuals who were arrested or served a prison sentence before for committing same crimes.

¹⁴ This information obtained through my personal contact with the superintendents serving in the Anti-organized Crime Branch of Istanbul Police.

CHAPTER VII

SUMMARY CONCLUSION

In Turkey, organized criminality may be dealt with in two dimensions: First of all, the very large mafia-like organized criminal groups which have a capacity to engage in well-organized international arms and narcotic trafficking, enough power to exact a considerable amount of money from unpaid cheques and deeds and a capacity to interfere the contract awardings.

Secondly, the ‘livelihood (*geçimlik*)’ gangs which are simple structured but having a potential to grow. Some middle-scale gang groups would also may exist with some similarities to mafia-like organized crime groups especially appearing in slum areas of Istanbul. These later groups are consisted of uneducated, unemployed and experiencing identity crisis young or middle age people on the basis of hometown-fellowship, ethnicity or kinship, or even sometimes on political and ideological basis. These groups mostly engage in ordinary everyday criminal activities such as theft, purse-snatching and car parking jobs. However, these middle or small scale gangs may occasionally operate as subcontractors of large-scale mafia-like organized crime groups. Although they are satisfied with small earnings and ultimately struggle to make just a living, but stil they are called ‘mafia’ by the community.

Organized crime includes many crime types, it aims at getting unfair profits and it has an organizational hierarchy. Today organized crime movements have an international character. The basic criteria that distinguish organized crime groups from other crime organizations as having a hierchical structure to get unfair profits, a continuation of committing crime, a sanction system which is implemented in the existing organized structure, methods used such as violence and threats, influence on public or private sectors and launder of black money. Turkey faces with an organized crime movement in its full meaning today.

The organized crime groups aim at seizing the control of the state administration. Just before the Susurluk accident, the target of the organized crime organizations may be the state administration. Because of that, the gangs attempt to collect members who were working at important positions of the state and started to be institutionalized by increasing their power within the state. There is a direct connection between terrorism, unemployment, ethical corruption and organized crime movements. It must be pointed out that the organized crime groups have acquired great amounts of black Money that the balances of the economy may be upset by using this money.

Even though we may consider the organized criminality or mafia as a 'disease'; it is a better idea to view it as a 'symptom' of socio-economic and socio-political distress within a Durkheimian approach.¹⁵ Because, the existence and formation of these kind of criminal organizations is related to the economic, political and urban organizations. And again, the process in which the mafia has come to existence is, in fact, a manifestation of distorted liberalization, corrupted political order, defective and inadequate urban institutions, the lack of urbanity consciousness, no transition from congregational community and tribal culture to citizenship.

In my study, I have made a wide literature review and personal contacts with the members of police organization people in different ranking positions and in relevant departments in order to extract their knowledge, perceptions and attitudes towards the organized crime.

In addition, I have tried to establish the main characteristics of Turkish organized criminality on the basis of concrete incidents and experiences or written documentaries. The characteristics that I had established have also been analyzed in the light of the interviews I had conducted and documentary sources I had reviewed.

I have sought answers to a number of specific questions listed in the Appendix A (The List of Interview Questions) below that would help in meeting the broad objective and fulfilling the necessities of such an analytical study by interviewing with the relevant key persons who are dealing with this issue, in particular, with those high ranked anti-organized crime police superintendents.

In the light of the given answers to these questions above by the key person and my literature review, I have reached at the conclusions about the characteristics of organized criminality in Turkey as summed up below:

In analyzing and comprehension of especially those organized crime groups taking part in a wide spectrum and large scale, the ‘social network approach’ has been a fashionable and significant conception particularly in English literature of recent years.

Especially in comprehension and explanation of those organized criminal groups, which have a capacity to socially organize in close-knit structure with a lot of members and economic capabilities, and are homogenous, coherent and harmonious, ethnical, family-type and based on mutual trust, this approach has been extremely necessary and significant since they operate in dangerous and risky fields.

The ‘social network approach’ come along with the concept of ‘**social capital**’. Social capital simply refers to the required elements such as trust, networks and norms for a social organization to maintain its expected functions of especially those ones that require coordination and increase its efficiency.

‘Social capital’ incorporates social relations, social structures and a set of rules embedded in institutional regulations, norms, obligations, reciprocity and trust into its own structure. All these ingredients are the elements that enable the people to materialize their individual and social goals and objectives.

The feeling of belonging to various social institutions has a weight to influence the formation of loyalty or disloyalty well beyond the perceptions of some individuals. The most appropriate environment to discuss the sociological background of the search for trust is the ‘network approach’. Trust is a component of dyadic relations that form the basic elements of criminal networks. The dyadic relations normally involve both of trusting and trusted people.

A search for trust in organized crime groups is to be met practically by social networks such as kinship, ethnicity and mafia-like ritual bondings. The structural characteristics of organized criminal groups in Turkey, at the same time, indicate the

¹⁵ The analogy of seeing the community like an organism.

components and functions of their social capital. In this case, what kind of characteristics that brings the members of Turkish organized criminal groups together and binds them to the organization? In fact, these characteristics consist of various components and structures and each one differs from one typical organization to another. In this respect, the most typical criminal organizations are the family-type (familial) organizations; hometown-fellowship type organized criminal groups, prison-matings based organized crime groups and political or ideological based organized crime groups.

As for the modelling of the organized criminal groups in Turkey, especially Boronia Halstead's model of Micro & Macro Level Modelling is applicable to some extent, since these models bring the social factors which are presumably effective in formation of specific type of organized criminality (mafia-like groups, in particular) to a focus. These models lay stress on the the social and economic elements that are likely influential, as internal or external factors, in arising of organized crime.

For example, organized criminal gangs in Turkey are affected and shaped by implemented economy policies, the dynamics of social structure and conjenctural factors.

Furthermore, we may also employ the Williams and Godson's five organized crime models (Political models, Economic models, Social models, Strategic or Risk Management Model and Hybrid or Composite Models), which emphasize the cause and effect relations between organized criminality and environmental factors, in order to understand the specific aspects and outcomes of organized criminality.

Besides these models, there have been a number of theories which had been widely used to explain organized criminality for a long time past. These theories have arisen out of the offered reasons for the causes of organized criminal activities existed in particular time in past or in a particular country. In the course of the time, these theories have been developed and replaced by another.

The 'Ethnic Succession Theory' is, for instance, specifically substantial to comprehend the nature of Turkish crime syndicates in Europe and other foreign countries. The 'Economic Theory of Organized Criminality' is a relevant guide to comment on the cause and effect relations between social injustices, economic

problems, destitution and organized criminality. In my point of view, the ‘Institutional Analysis Approach to Organized Criminality’ is the most essential guide to truly understand the some specific types of organized crime in Turkey such as cheque and deed or car park mafias. This theory is extremely important to investigate the impacts of functional insufficiency of the criminal justice system (for instance) on organized criminality.

The ‘Political Theory of Organized Criminality’ dwells on the political system, state and community relations, political stability, deficiency in political authority, the consequences of a weaker or stronger state apparatus, legal vacuum, state ideology, structural lawlessness, political corruption and other relevant issues in the context of organized crime. Accordingly, it is a convenient theory to bring an explanation about the allegations of state – mafia relations.

In the Turkish organized crime groups, neither fraternal organizations nor deviant subcultures seem to play a significant role. In some areas, criminal networks are embedded in ethnic, family and kinship communities. Some groups are in essence patriarchal family enterprises. The members of such a family enterprises may reside in Turkey as well as in other European countries.

Another issue that should be underlined here is that the general history of organized or the mafia type organized crime is not sufficient to understand the different forms of organized crimes which are closely related to the local realities. The phenomenon of organized crime, in each country, survives and develops in its own socio-cultural, political and economic conditions.

Meanwhile, it is obvious that organized criminality or mafia-like organizations in a country is fed by the host country’s political, social, economic and socio-cultural conditions. Consequently, the periodic characteristics of organized crime in Turkey must be considered in the light of the conditions or events of the period of time. It is not independent from these conditions. Thus, I have tried to reflect the historical background of Turkish organized criminality in a periodic system by referring to the characteristics peculiar to these periods of time.

In Turkey, organized criminal activities are more widely carried out in the metropolises or cities which have touristical places, industrial estates, economic and

commercial high intensity and potential or a high unemployment rate and relatively inequitable income distribution. The most prominent organized crime groups are based in Istanbul and Izmit; but the first five cities with the highest rate of organized crime related incidents rate that are, in sequence, Istanbul, Adana, Bursa Mersin and Ankara.

In Turkey, some serious conflicts and even armed clashes resulting in death have taken place between rival organized criminal groups. Furthermore, internal problems or disagreements with their collaborators or neighbourhood, outside the organization or gang, may easily turn to bloody conflicts.

One of the most striking traits of the Turkish organized crime groups is that they have a tendency of not opposing the state or its agents openly, specifically security forces and members of judiciary etc, which is actually a distinctive character of organized criminality from terrorism of which the ultimate purpose is to overthrow the state or government by use of force.

Another point to be emphasized that the organized crime groups in our country follow an interactive public relations policy. They are inclined to attract the people's attention in a positive perception so that they are assumed patriotic citizens, estimable businessman, charitable richmen or gentlemen who are dedicated themselves to the benefit of public and doing justice. Meanwhile, all these attitudes are merely a part of their general strategy to camouflage their dark side.

Corruption and degeneration have been closely connected with organized criminal activities in last decades. At this point, one of the most evident specialities of Turkish organized crime is that it goes along with corruption. Cooperation and unanimity of purpose between upper and underworld materialized through corruption and unlawfulness to a large extent. Corruption facilitates criminal activities at both national and international level. As a characteristic of recent years', organized crime has inclined to restructure itself in a legal appearance as well.

The number of members that a criminal gang retains may differ in proportion with its size and capacity. If we take the probable partito relations and their white-collar or professional advisors (for instance, lawyers and financial advisors) into consideration, this number can go up to a couple of hundreds.

Actors of organized crime do not operate haphazardly, rather in a well-organized and professional way so that they would not encounter any serious problem endangering the entire organization. Especially in their serious and risky operations, they make an effort to keep a distance between the ringleaders and triggermen, which is a typical characteristic of modern organized crime groups.

Turkish organized crime groups, too, have been influenced by the globalization phenomenon and some of which are internationalized. Especially those groups which are rather large may have a competence to do illegal deeds in cooperation with the groups based abroad. Beyond any cooperation, they may broaden their territories wherein they carry out illegal activities farther on the boundaries of the country. There have been a number of Turkish citizens and their criminal organizations who have achieved an international nature.

The feeling of belonging and trust is a major component of organized criminality which is in fact produced by the specific elements of social capital. Due to its risky and unsafe nature, a stronger feeling of trust and belonging may be needed in organized criminality comparing to legal organizations. The sources of these sentiments are the basic elements of social capital like kinship and hometown fellowship.

The level of education completed by the organized crime members is actually a marker of their socioeconomic status, is known to be associated with poorer life standards or quality of life. Persons with low education have higher rates of engaging in organized crime activities.

As a conclusion, organized crime has a symbiotic relationship with many aspects of the legitimate business and social community that enables it to conduct criminal activities and launder criminal profits. In some instances, the legitimate business community is exploited, both knowingly and unknowingly, to facilitate the movement and distribution of organized crime's illicit products. Most established organized crime members do not flaunt their criminality or criminal associations. Many attempt to integrate themselves within their economic, social and cultural

communities to establish personas of legitimacy, normality and respectability and to insulate themselves from law enforcement attention.

Organized crime groups and their criminal activities have diverse and varying negative impacts, affecting individuals and communities nationally with various social, economic, political and moralistic outcomes. Some of these effects are visible, such as drug trafficking, the presence of extortion and racketeering, acts of violence, killing and causing bodily harm etc. As well, organized crime can undermine the economy, threaten social and political stability and be a corrupting influence on public institutions and the effectiveness of their operations.

Therefore, it seems appropriate to explore an issue like organized crime not exclusively as an empirical problem. Exploring the concept of organized crime, especially in its historical dimension, provides an insight into the breadth and the depth as well as into the inconsistencies and contradictions of the meanings attached to the term organized crime, and it alerts us to some of the social and political factors that may play a role in shaping the perceptions on organized crime.

BIBLIOGRAPHY

1. Abadinsky, Howard, *Organized Crime*, Fifth Ed., Nelson-Hall, 1998, Chicago.
2. Acemoğlu, Daron and James A. Robinson, "Political economy, governance, and development: Political losers as a barrier to economic development", *American Economic Review Papers and Proceedings* 90, 2000, pp. 126-130.
3. Acemoğlu, Daron, and James A. Robinson, 2002, "Economic backwardness in political perspective", NBER Working Paper 8831.
4. Adamoli, Sabrina, Nicola, Andrea Di, Savona, Ernesto U., and Zoffi, Paola, *Organized Crime Around the World*, HEUNI Publication, No. 31, 1998, Helsinki.
5. Adler, Freda, Mueller, Gerhard O. W., Laufer, William S., *Criminology*, McGraw-Hill Inc, 1991, London & New York.
6. Agence France-Presse, "Albanian Rebels Are Fighting to Protect Mafia Interests", *Balkan Peace*, 21 March 2001; <http://www.balkanpeace.org/hed/archive/mar01/hed2873.html>
7. Albanese, Jay, *Organized Crime in America*, 2nd Ed., OH: Anderson, 1989, Cincinnati.
8. Albanese, Jay, "Models of Organized Crime", in: Robert J. Kelly, Ko-lin Chin, & Rufus Schatzberg (eds.), *Handbook of Organized Crime in the United States*, Westport, CT: Greenwood, 1994, pp. 77 - 90.
9. Albin, Joseph L., "Donald Cressey's Contributions to the Study of Organized Crime: An Evaluation", *Crime and Delinquency*, 34(3), July 1998.
10. Albin, Joseph L., *The American Mafia: Genesis of a Legend*, Appleton-Century-Crofts, 1971, New York.
11. Alesina, A., Ozler S., Roubini N. and P. Swagel, "Political Instability and Economic Growth", *Journal of Economic Growth*, 1(2), 1996, pp. 189 – 211.
12. Alexander, Barbara, *The Rational Racketeer: Pasta Protection in Depression Era*, Chicago, 40 *J. L. & Econ.* 175, 1997.
13. Alexeev, Michael, Janeba, Eckhard, Osborne, Stefan "Taxation and Evasion in the Presence of Extortion by Organized Crime", *Journal of Economic Literature*

Classification Codes: H26, H21, and P51, Working Paper Number 256, November 1999.

14. Altın Sözlük, Altın Kitaplar Yayınevi, Haz. Hüseyin Kuşçu, 2000, İstanbul.
15. Anderson, Annelise, “Organized Crime, Mafia and Governments”, in *The Economics Of Organized Crime* 33, Gianluca Fiorentini & Sam Peltzman eds. 1995, pp. 42–7.
16. Anechiarico, Frank, “Beyond Bribery: The Political Influence of Organized Crime in New York City” in C. Fijnaut & J. Jacops (Eds.), *Organized Crime and Its Containment: A Transatlantic Initiative*, Kluwer Publications, 1991, Deventer.
17. Ankara Ticaret Odası, “Hayatımız Mafya Raporu”, (<http://fireball.atonet.org.tr/turkce/bulten/bulten.php3?sira=236>).
18. Annual Statement on Organized Crime, The Honorable Lawrence MacAulay Solicitor General of Canada House of Commons December 3, 1998, Public Works and Government Services Canada, 1998; Cat. No. JS43-3/1998, ISBN 0-662-63975- 8.
19. Aribog an, Deniz  lke, *GloballeŐme Senaryosunun Akt rleri, Uluslararası İliŐkilerde G  M cadelesi*, DER Yayınları, 1996, İstanbul, s. 234 – 241.
20. Arlacchi, Pino, *Mafya Ahlakı ve Kapitalizmin Ruhu*, İletişim Yayınları, 1991, İstanbul.
21. Arlacchi, Pino, *Kapitalizm Ruhu*, İletişim Yayınları, 1991, Ankara.
22. Armao, Fabio, “Analysing Organised Crime: Methodological Outlines for the Creation of a Data Base on Transnational Organised Crime”.
23. Arnold, Michael, “Intranets, Community and Social Capital: the case of Williams Bay”, *Bulletin of Science, Technology & Society*, Vol. 23, No. 2, 2003, pp. 78 – 87.
24. Arslan, Şaban, *Hortum ve Cinnet*, OM Yayınevi, 2001, İstanbul.
25. Aydın, Birol, *Kravatlı MAFYA*, Selis Kitaplar, 2003, İstanbul.
26. Barro, R. J., “Economic Growth in a Cross Section of Countries”, *Quarterly Journal of Economics*, 106, 1991, pp. 407 – 444.
27. Barro, Robert, 1996, *Democracy and growth*, *Journal of Economic Growth* 1, 1–27.

28. Bassiouni, M. Cherif & Vetere, Eduardo, "Towards Understanding Organized Crime and Its Transnational Manifestations, in *Organized Crime: A Compilation of UN Documents 1975-1998*, M. Cherif Bassiouni & Eduardo Vetere (eds.) 1999.
29. Bassiouni, M. Cherif & Vetere, Eduardo, *Organized Crime: A Compilation of UN Documents, 1975-1998* 1999.
30. Baumol, William J., *Entrepreneurship: Productive, Unproductive, and Destructive*, 98 *J. POL. ECON.* 893, 1990.
31. Beare, Dr Margaret, *Russian (East European) Organized Crime Around The Globe*, The Nathanson Centre for the study of Organized Crime and Corruption Paper presented at the Transnational Crime Conference convened by the Australian Institute of Criminology in association with the Australian Federal Police and Australian Customs Service and held in Canberra, 9–10 March 2000.
(<http://www.aic.gov.au/conferences/transnational/beareroc.pdf>) (29.12.2004)
32. Beare, Margaret A. and R.T. Naylor, *Major Issues Relating to Organized Crime: Within the Context of Economic Relationships*. Paper prepared for the Law Commission of Canada, April 1999, p.4; Petrus C. Van Duyne, "The phantom threat of organized crime", *Crime Law and Social Change*, 24 (1996):343; Rodney T. Stamler, "Organized Crime", in Rick Linden (ed.), *Criminology: A Canadian Perspective* (Toronto: Harcourt Canada, 2000).
33. Beare, Margaret, *Criminal Conspiracies: Organized Crime in Canada*, Nelson, Toronto, 1998.
34. Becker, Gary S., "Crime and Punishment: An Economic Approach", 3 *Journal of Political Economy* (1968), pp.167-217; quoted in Andreas Schloenhardt, "Organized Crime and the Business of Migrant Trafficking", 32 *Crime, Law and Social Change*, 1999.
35. Bedeian, Arthur G., & Zammuto, Raymond F., *Organizations: Theory and Design*, 1991, Chicago, Dryden.
36. Bellettini, Giorgio, Ceroni, Carlotta Berti "Financial Liberalization, Property Rights and Growth in an Overlapping Generations Models", June 24, 1999, Forthcoming in *Review of International Economics*,
(<http://www.dse.unibo.it/wp/305.pdf>) (15. 01. 2005).
37. Berger, Joseph, "Gotti Pleads Guilty to Rackets Charges on Eve of His Trial", *The New York Times*, Apr. 5, 1999, at A1.

38. Bewley-Taylor, D. (). The United States and International Drug Control, 1999, London, Pinter.
39. Bildirici, Faruk, Anıtkabir, Racon, Zambak, Doğan Kitapçılık, 2001, İstanbul.
40. Bilginer, Engin, Babalar Senfonisi, Cep Kitapları, İstanbul, 1990.
41. Block, Alan A., East Side, West Side: Organizing Crime in New York 1930-1950, New Brunswick: Transaction Publishers, 1983.
42. Block, A. and Chambliss, W. J. Organizing Crime, Elsevier, 1981, New York
43. Bouloukos, Adam, Farrell, Graham and Laycock, Gloria in “Transnational Organised Crime in Europe and North America: Towards a Framework for Prevention.
(<http://www-staff.lboro.ac.uk/~ssgf/PDFs%5CHEUNI%20Transnational%20Crime.pdf>) (03.02.2005).
44. Bourdieu, Pierre, “The Forms of Capital” in Handbook of Theory and Research for the Sociology of Education, edited by J. G. Richardson, Greenwood Press, New York, 1985, pp. 241–58, 248.
45. Bovenkerk, Frank & Yeşilgöz, Yücel, Türkiye’nin Mafyası [De Maffia van Turkije, J. M. Meulenhoff, 1998, Amsterdam], Flemenkçe’den Çev. Nurten Aykanat – Haluk Tuna, İletişim Yayıncılık, 2000, İstanbul.
46. Bovenkerk, Frank, “Organized Crime and Ethnic Minorities: Is there a Link?” Transnational Organized Crime, 4(3, 4), 1998, pp. 109 – 126.
47. Boycko, Maxim, Andrei Shleifer, and Robert Vishny, 1995, Privatizing Russia, MIT Press, Cambridge, MA.
48. Bozarlan, Hamit, “A Car Crash and Beyond: Network Building, Solidarity, and Violence in Turkey,” Occasional Paper, The Emirates Center for Strategic Studies and Research, 1999, Abu Dhabi.
49. Braguinsky, Serguey, “Enforcement of Property Rights During the Russian Transition: Problems and Some Approaches to a New Liberal Solution”, 28 J. Legal Stud., 515, 1999.
50. Bruinsma, G. J. N. and G. Meershoek, “Organized Crime and Trafficking in Women from Eastern Europe in the Netherlands,” in Phil Williams (Ed.), Illegal Immigration and Commercial Sex: The New Slave Trade, Frank Cass, 1999, London, pp. 105–118.

51. Bruinsma, Gerben & Bernasco, Wim, *Crime, Law & Social Change* 41, 2004; Kluwer Academic Publishers, pp. 79 – 94.
52. Cem, Hasan, *Türkiye’de Babalar ve Mafya, Geçit Kitabevi*, 2004, İstanbul.
53. Cengiz, Mahmud, “Türkiye’de Mafya Tipi Organize Suç Şüphelilerinin Sosyal Profili”, *Yayınlanmamış Yüksek Lisans Tezi*, 2004, Ankara, pp. 94, 95.
54. Chambliss, William J., *On the Take: From Petty Crooks to Presidents*, Indiana University Press, 1978, Bloomington.
55. Chamberlin, H. B., “Some observations concerning organized crime.” *Journal of Criminal law and Criminology*, XXII, 1931–2, pp. 652–670.
56. Chambliss, W. J., *On the Take: From Petty Crooks to Presidents*. Indiana University Pres, 1978, Bloomington.
57. Checchi, D. (1996), “Capital Controls and Conflict of Interests”, *Economics and Politics*, 8, pp. 33–50.
58. Cıvaoğlu, Güneri, “Mafya”, *Milliyet Gazetesi*, 16 Ekim 2004, Cumartesi.
59. Cloward, R. A. & Ohlin, L. E., (1960), *Delinquency and Opportunity: A Theory of Delinquent Gangs*, New York: Free Press.
60. Coleman, James, *Foundations of Social Theory*, Harvard University Pres, Cambridge, 1990.
61. Cohen, D. and P. Michel (1991), “Property Rights on Foreign Capital and Long-Run Growth”, *CEPREMAP Working Paper*, no. 9106.
62. Conklin, J. E., *The Fear of Crime*, Macmillan, 1975, New York.
63. Cordella, Peter & Siegel, Larry (Eds), *Readings in Contemporary Criminological Theory*, Northeastern University Pres, 1996, Boston.
64. Coyle, Diane, “The Dark Side of Globalization where the Black Economy Thrives: Diane Coyle on Why the G8 is worried about Crime”, *The Independent*, May 14, 1998.
65. Cowell, Alan “Italians voting today, with Mafia’s Role a Top Issue,” *New York Times*, 27 March 1993.
66. Cressey, Donald R., *Theft of the Nation: The Structure and Operations of Organized Crime in America*, Harper & Row, 1969, New York.

67. Crutchfield, Robert D., BRIDGES, George S., WEIS, Joseph G. (Eds), Readings on CRIME, Vol. 1 of Crime & Society, Pine Forge Press, 1996, California & London.
68. Cullen, Francis T., & Agnew, Robert, Criminological Theory: Past to present, Second Ed., Roxbury Publishing Company, 2003, Los Angeles & California.
69. Cumhuriyet Gazetesi, 12. 12. 2003, p. 5.
70. Çulcu, Murat, MAFİA Üzerine Notlar, KASTAŞ Yayınevi, Araştırmalar Dizisi, 1998, İstanbul.
71. Çulcu, Murat, Her Sakaldan Bir Kıl: Türkiye’de MAFİA’laşmanın Kökenleri-1, e Yayınları, Araştırmalar Dizisi, 2001, İstanbul.
72. Çulcu, Murat, Sikkesi Sultanlar: Türkiye’de MAFİA’laşmanın Kökenleri-2, e Yayınları, Araştırmalar Dizisi, 2001, İstanbul.
73. Çulcu, Murat, Düşmüş Ocağa Yanıyor: Türkiye’de MAFİA’laşmanın Kökenleri-3, e Yayınları, Araştırmalar Dizisi, 2003, İstanbul.
74. DeLong, J. Bradford, and Andrei Shleifer, 1993, Princes or merchants? City growth before the industrial revolution, Journal of Law and Economics 36, 671-702.
75. Dick, Andrew R., “When Does Organized Crime Pay? A Transaction Cost Analysis”, 15 Int’l Rev. l. & Econ., 1995.
76. Dickson-Gilmore, E.J., Dickson-Gilmore, Jane, Whitehead, Chris, “Aboriginal Organized Crime in Canada: Developing a Typology for Understanding and Strategizing Responses”, Royal Canadian Mounted Police, Research and Evaluation Branch, Community, Contract and Aboriginal Policing Services Directorate, Canada, 2003.
77. Drozdiak, William, “European Unity - for Organized Crime,” Washington Post, August 20, 1994, A20.
78. Dursun, Hasan, Organize Suça Genel Bir Bakış, DPT İktisadi Sektörler ve Koordinasyon Genel Müdürlüğü, Hukuki Tedbirler ve Kurumsal Düzenlemeler Dairesi Başkanlığı, 2001, Ankara.
79. Duyne, Petrus van, “The phantom and threat of organized crime”, Crime, Law and Social Change, 24(4), 1996, pp. 341 - 377.
80. “Economic Causes of Trafficking in Women in the Unece Region”, Economic Commission For Europe, ECE/AC.28/2004/10.

81. Elliott, Delbert, Huizinga, David, Ageton, Suzanne, Explaining Delinquency and Drug Use, Sage Publications, 1985, Beverly Hills, California.
82. Erdem, Mustafa Ruhan, Ceza Muhakemesinde Organize Suçlulukla Mücadelede Gizli Soruşturma Tedbirleri, Ankara, 2001.
83. European Union Organised Crime Report 2003, Europol, Luxembourg: Office for Official Publications of the European Communities, 2003.
84. Europap Regional Reports:
(<http://www.med.ic.ac.uk/divisions/60/europapnew/regional/index.htm>).
85. Europol Uyuşturucu Bülteni/2003-04, Bilgi Notu, Emniyet Genel Müdürlüğü, Kaçakçılık ve Organize Suçlarla Mücadele Daire Başkanlığı, Araştırma Şube Müdürlüğü.
86. Evans, Peter, Embedded Autonomy, States & Industrial Transformation, Princeton University Press, 1995, Princeton.
87. Evik, Vesile Sonay, Çıkar Amaçlı Örgütlenme Suçu, Beta, 2004, İstanbul.
88. Felson, Marcus, Crime and Everyday Life, Insight and Implications for Society, Pine Forge Press, 1994, California.
89. Fiorentini, Gianluca, “Organized Crime and Illegal Markets”, <http://encyclo.findlaw.com/8400book.pdf> (07.01.2005).
90. Fiorentini, Gianluca, The Economic of Corruption and Illegal Markets, Edwar Elgar, 1999b, Cheltenham.
91. Fijnaut, Cyrille, Bovenkerk, Frank, Bruinsma, Gerben, & Van de Bunt, Henk, Organized Crime in the Netherlands, Kluwer Law International, 1998, The Hague, Netherlands.
92. Fitzgerald, Mike, Mclennan, Pawson, Jennie, Crime and Society, Readings in History and Theory, Routledge, London, 1995.
93. Friedman, L. M., Crime and Punishment in American History, Basic Books, 1993, New York.
94. Fukuyama, Francis, Güven (Trust, 1995): Sosyal Erdemler ve Refahın Yaratılması, (Çev. Ahmet Buğdaycı), 2. Baskı, Türkiye İş Bankası Kültür Yayınları, 2000, İstanbul.

95. Galeotti, Mark, "Turkish Organized Crime: Where State, Crime and Rebellion Conspire", *Transnational Organized Crime* (4:1, Spring 1998).
96. Galeotti, Mark, *Transnational Organized Crime: A European Perspective* "Turkish Organized Crime: Where State, Crime, and Rebellion Conspire," *Transnational Organized Crime* 4(1) (Spring 1998), pp. 25–41. (<http://taylorandfrancis.metapress.com/index/JE1NRUE4PETPFVJ5.pdf>)
97. Gambetta, Diego, "Mafia: The Price of Distrust", in *Trust: Making And Breaking Cooperative Relations*, Diego Gambetta (Ed.), 1988.
98. Gambetta, Diego, *The Sicilian Mafia: The Business of Private Protection*, Harvard University Press, 1993, Cambridge.
99. Gambetta, Diego, "Fragments of an Economic Theory of the Mafia," *European Journal of Sociology* 29, 1988, pp. 127–145.
100. Ganguly, Meenakshi, "A Banking System Built for Terrorism", *Time*, 05 October 2001, www.time.com/time/world/printout/0,8816,178227,00.html.
101. Geleri, Aytekin, Çevik, Hasan Hüseyin, *Organize Suçlarla Mücadele ve Polis*, Seçkin Yayıncılık, 2003, Ankara.
102. Gerben Bruinsma & Wim Bernasco, "Criminal groups and transnational illegal markets: A more detailed examination on the basis of Social Network Theory"; *INSCR and Leiden University; Crime, Law & Social Change* 41: 2004; Kluwer Academic Publishers, pp. 79 – 94.
103. Giddens, Anthony, in P. Cassell (ed.), *The Giddens Reader*, Houndmill et al.: Macmillan Press, 1993.
104. Giddens, Anthony, *Modernity and Self-Identity: Self and Society in the Modern Age*, CA: Stanford University Press, 1991, Stanford.
105. Glaeser, Edward L., "An Overview of Crime and Punishment", Harvard University and NBER, March 10, 1999.
106. Glaeser, Edward, Scheinkman, Jose and Shleifer, Andrei, "The Injustice of Inequality", October 20, 2001, Revised, July 29, 2002; (<http://www.princeton.edu/~joses/wp/InequalityJME.pdf>)
107. Glaeser, Edward, and Andrei Shleifer, 2002a, "Legal Origins", *Quarterly Journal of Economics* 117, xxxx-yyyy.
108. Glaeser, Edward, and Andrei Shleifer, 2002b, *The rise of the regulatory state*, NBER Working Paper 8650.

- 109.** Glaeser, Edward, and Andrei Shleifer, 2002c, The Curley effect, NBER Working Paper 8942.
- 110.** Global studies on organized crime, UNITED NATIONS OFFICE AT VIENNA OFFICE FOR DRUG CONTROL AND CRIME PREVENTION, Centre for International Crime Prevention Office for Drug Control and Crime Prevention, United Nations Interregional Crime and Justice Research Institute, February 1999.
- 111.** Halstead, Boronia, “The Use of Models in the Analysis of Organized Crime and Development of Policy, *Transnational Organized Crime*, 4(1), 1998, pp. 1 - 24.
- 112.** Goldman, Marshall, “Why is the Mafia So Dominant in Russia?” *Challenge*, 39, 1:39 - 47, January – February 1996.
- 113.** Grossman, Gene and Elhanan Helpman, *Special Interest Politics*, MIT Press, Cambridge, 2001.
- 114.** Grossman, Herschel, 1995, “Rival Kleptocrats: The Mafia vs. the State,” in Fiorentini, Gianluca and Sam Pelzman, eds., *The Economics of Organised Crime*, Cambridge, MA: Cambridge University Press, pp. 143–60.
- 115.** Güvel, Enver Alper, *Organize Suç Ekonomisi ve Hukuk Uygulaması*, Roma Yayınları, 2004, Ankara.
- 116.** Güvel, Enver Alper, *Suç ve Ceza Ekonomisi*, Roma Yayınları, 2004, Ankara.
- 117.** Haller, Mark H., “Bureaucracy and the Mafia: An Alternative View”, in: *Journal of Contemporary Criminal Justice*, 8(1), 1992, 1- 10.
- 118.** Haller, Mark H., “Illegal Enterprises: A Theoretical and Historical Interpretation” 28 (2) *Criminology*, 1990.
- 119.** Hellman, Daryl A., *The Economics of Crime*, St. Martin’s Press, 1980, New York.
- 120.** Hellman, Joel, 1998, *Winners take all: The politics of partial reform*, *World Politics* 50, 203–234.
- 121.** Hellman, Joel, Geraint Jones, and Daniel Kaufmann, 2000, *Seize the state, seize the day: State capture, corruption, and influence in transition*, World Bank Working Paper No. 2444.
- 122.** Hendelman, Stephen, *Comrade Criminal: Russia’s New Mafia*, 1995.

123. Hess, Henner, *Mafia and Mafiosi: The Structure of Power*, Lexington, M. A.D. C., Heath, 1973.
124. Hester, Stephen & Eglin, Peter, *A Sociology of Crime*, Routledge, London & New York, 1992.
125. Hislope, Robert, "The Calm before the Storm? The Influence of Cross-border Networks, Corruption, and Contraband on Macedonian Stability and Regional Security" paper delivered at the 2001 annual meeting of the American Political Science Association, San Francisco, California; International Crisis Group, "Macedonia's Public Secret: How Corruption Drags The Country Down" International Crisis Group, 14 August 2002.
126. Holland: Tempting the Tourist with Hookers and Hookahs, (<http://www.europeforvisitors.com>).
127. Ianni, Francis & Reuss-Ianni, Elizabeth, *Family Business: Kinship and Social Control in Organized Crime*, Russell Sage, 1972, New York.
128. İçel, Kayıhan, Avrupa Birliği'ne Uyum Süreci Bağlamında Organize Suçlulukla Mücadele Paneli, 05 Ekim 2001, Bildiriler ve Tartışmalar, 2002, İstanbul.
129. İçli, Tülin Günşen, *Kriminoloji*, Martı Kitap ve Yayınevi, 2004, Ankara.
130. İçli, Tülin Günşen & Karaosmanoğlu, Fatih (Eds), *Uluslararası Polislik ve İç Güvenlik*, Nobel Yayıncılık, 2003, Ankara.
131. Jacobs, James B., *Busting the Mob: United States v. Cosa Nostra*, New York: New York University Press, 1994.
132. Jamieson, Ruth, South, Nigel and Taylor, Ian, "Economic Liberalization and Cross-Border Crime: The North American Free Trade Area and Canada's Border with the U.S.A. Part I", 26 *International Journal of the Sociology of Law*, 1998, pp. 245 – 272.
133. Johansen, Ole Per, Lampe, Klaus von, "Is There Honor among Crooks? On the Importance of Trust in Criminal Relations", Paper prepared for the annual meeting of the American Society of Criminology, Chicago, November 2002.
134. Johnson, Simon, Daniel Kaufmann, and Pablo Zoido-Lobaton, 1998, "Regulatory Discretion and the Unofficial Economy, *AER Papers and Proceedings*, 88, pp. 387-92.

135. Kaçakçılık ve Organize Suç Terimleri, Kaçakçılık ve Organize Suçlarla Mücadele Daire Başkanlığı (Emniyet Genel Müdürlüğü) Yayınları, 2002, Ankara.
136. Kaçakçılık ve Organize Suçlarla Mücadele Daire Başkanlığı (Emniyet Genel Müdürlüğü), Kaçakçılık ve Organize Suçlarla Mücadele 99, 2000, Ankara, pp. 74–75.
137. Kaçakçılık ve Organize Suçlarla Mücadele Daire Başkanlığı (Emniyet Genel Müdürlüğü), 2001 Raporu, 2002, Ankara, pp. 86–87.
138. Kaçakçılık ve Organize Suçlarla Mücadele Daire Başkanlığı (Emniyet Genel Müdürlüğü), 2002 Raporu, 2003, Ankara, pp. 91–96.
139. Kaçakçılık ve Organize Suçlarla Mücadele Daire Başkanlığı (Emniyet Genel Müdürlüğü), 2003 Raporu, 2004, Ankara, pp. 63–67.
140. Kamar, Ehad, A Regulatory Competition Theory of Indeterminacy in Corporate Law, 98 COLUM. L. REV. 1908, 1998, pp. 1923–24.
141. Karizma Dergisi, Mafya Dosyası, Yıl: 6, Sayı: 21, Ocak – Şubat – Mart 2005.
142. Keh, Douglas and Graham, “Farrell Trafficking Drugs In The Global Village”, Transnational Organized Crime, 3, 2, 1997, pp. 91-110.
143. Kenney, Dennis J. and James O. Finckenauer, Organized Crime in America, Belmont, Wadsworth Publishing Co., 1995, California.
144. Kılıç, Ecevit, Kirli Kramponlar: Futbol, Mafya, Para, Siyaset, Toplumsal Dönüşüm Yayınları, 2003, İstanbul.
145. Kılıç, Ecevit, Konuşan Mafya: Mafya Sözlüğü, Bilge Karınca, 2004, İstanbul.
146. Klausner, Michael, Corporations, Corporate Law, and Networks of Contracts, 80 VA. L. Rev. 757, 1995.
147. Kleemans, Edward, R. and Henk G. van de Bunt, “The social Embeddedness of Organized Crime”, Transnational Organized Crime, 5(1), 1999, pp. 19 - 36.
148. Kleemans, Edward, R., van den Berg H.G., van de Bunt, Organized Crime in the Netherlands, 1998, The Hague.
149. Kobrin, Solomon, (1959) “The Chicago Area Project: A 25-year Assessment,” Annals of the American Academy of Political and Social Sciences, 322, pp. 19 – 29.

150. Kocasakal, Ümit, “Karapara Aklama Suçu”, İ. Ü. Sosyal Bilimler Enstitüsü Kamu Hukuku Bölümü, Yayınlanmamış Doktora Tezi, 2000, İstanbul.
151. Kormendi, R. C. and P. G. Meguire (1985), “Macroeconomic Determinants of Growth: Cross-Country Evidence”, *Journal of Monetary Economics*, 16, pp. 141–163.
152. Kornai, Janos, *The Road to a Free Economy: Shifting from a Socialist System: the Example of Hungary*, 1990, Norton, New York.
153. Knack, Stephen and Philip Keefer, 1995, “Institutions and Economic Performance: Cross-Country Tests Using Alternative Institutional Measures”, *Economics & Politics* 7, pp. 207–27.
154. Kwoka, John E. Jr. & White, Lawrence J., *The Antitrust Revolution: Economics, Competition, and Policy*, 3d Ed. 1999.
155. Ladyzhensky, Andrej 1994. “Krysha”, *Kriminalnaya Khronika*, No.7, July. Taken from F. Varese “What is the Russian Mafia”, *Low Intensity Conflict and Law Enforcement*, Vol.5, No.2 Autumn 1996, pp. 129–138.
156. La Porta, Rafael et al., *Trust in Large Organizations*, 87 *AM. Econ. Assoc. Papers & Proceedings* 333, 337, 1997.
157. Lampe, Klaus von, “The Use of Models in the Study of Organized Crime”, Paper Presented at the 2003 Conference of the European Consortium for Political Research (ECPR) Marburg, Germany, 19 September 2003.
158. Lampe, Klaus von, “Afterword: Organized Crime Research in Perspective”, in: Petrus, C. van Duyne, Klaus von Lampe, & Nikos Passas (Eds.), *Upperworld and Underworld in Cross-Border Crime*, Wolf Legal Publishers, 2002, Nijmegen, pp. 189 - 198.
159. Lampe, Klaus von, “Not a Process of Enlightenment: The Conceptual History of Organized Crime in Germany and the United States of America”, *Forum on Crime and Society*, 1(2), 2001, pp. 99 - 116.
160. Lampe, Klaus von, “Assessing Organized crime: The Case of Germany”, Published online in ECPR Standing Group eNewsletter Organised Crime No: 3, September 2002.
161. Lampe, Klaus von, “Organising the nicotine racket: Patterns of criminal cooperation in the cigarette black market in Germany”, in: P. C. van Duyne, K. von Lampe, & J. Newell (eds.), *Criminal Finances and Organising Crime in Europe*, Nijmegen, Netherlands: Wolf Legal Publishers, 2003, pp. 41 - 65.

162. Landesco, John, Organized Crime in Chicago, in: The Illinois Crime Survey, The Illinois Association for Criminal Justice, 1929, Chicago, pp. 823-1087.
163. Lin, Nan, Social Capital: A Theory of Social Structure and Action, Cambridge University Press, 2001, Cambridge.
164. Lupsha, Peter A., "Individual Choice, Material Culture and Organized Crime", 19 (1) Criminology, 1981. 46. McIlwain, Jeffrey Scott, "Organized crime: A social network approach", 32 Crime, Law and Social Change, 1999.
165. Maltz, Michael, On Defining Organized Crime, Crime and Delinquency, Volume 22, 1976, pp. 338-46.
166. Marakoğlu, Ekrem, Kırmızı Kadife, Karakutu Yayınları, 2002, İstanbul.
167. Marshall, Gordon, Sosyoloji Sözlüğü, Çev. Osman Akinhay & Derya Kömürcü, Bilim ve Sanat Yayınları, 1999, Ankara.
168. McCoy, A. W., The Politics of Heroin: CIA Complicity in the Global Drug Trade, Lawrence Hill, 1991, Brooklyn.
169. McFarlane, J., "Transnational Crime, Corruption And Crony Capitalism in The Twenty-First Century: An Asia-Pacific Perspective", Transnational Organized Crime, Vol: 4, No: 2, 1998, pp. 1- 30.
170. Merton, R. K., (1938), "Social Structure and Anomie", Amerikan Sociological Review, 3 (October): 672 – 82.
171. Merton, Robert K., Social Theory and Social Structure, Free Press, 1959, New York.
172. Merton, R. K., (1964), "Anomi, Anomia and Social Interaction: Contexts of Deviant Behavior", in M. B. Clinard (ed.), Anomie and Deviant Behavior, Free Press, New York: pp. 213 – 42.
173. Merton, R. K., Social Theory and Social Structure, (rev. ed.), Macmillan Publishing Co., 1968, New York.
174. Milhaupt, Curtis J. & West, Mark D., The Dark Side of Private Ordering: An Institutional and Empirical Analysis of Organized Crime, (2000) Workshop Paper Presented at Columbia, Michigan, Washington University St. Louis, and at the annual meeting of the American Law and Economics Association on 26.08.1999.
175. Miller, Ruth A., Corruption, Authority, and Evil: The Invention of Political Crime in the Otoman Empire and Turkey.

176. Milliyet Gazetesi, “Polislere komplo”, 22 Kasım 2004, Pazartesi.
177. Minc, Alain Le Nouveau Moyen Age, 1993, Paris, Mehmet Ali Ağaoğulları (Çev.), Yeni Ortaçağ, İmge Yayınları, 1995, Ankara.
178. Mo, Pak Hung, “The Level of Political Rights and Economic Growth: Effects and Transmission Channels, BRC Working Papers”, Nov. 2000.
179. Moley, R. ‘Politics and crime.’ The Annals of the American Academy of Political and Social Science, XXV, no. 214, May 1926, pp. 78–84.
180. Montesquieu, Charles, The Spirit of the Laws, 1748, Paris.
181. Morrison, Shona, “Approaching Organised Crime: Where are We Now and Where are We Going”, Australian Institute of Criminology, Trends & Issues in crime and criminal justice No: 231, July 2000.
(<http://www.hss.bond.edu.au/crim11-00/trends%20&%20issues%20papers/T&I%20231.pdf>)
182. Mueller, Gerhard O.W., Transnational Crime: Definitions and Concepts, pp. 13–21 in Williams, Phil and Dimitri Vlassis (eds.), Combatting Transnational Crime: Concepts, Activities and Responses, Frank Cass Publishers, 2001, London.
183. Murphy, K. M., Shleifer A. and R. W. Vishny (1993), “Why Is Rent-Seeking So Costly to Growth?” American Economic Review, Papers and Proceedings, 83, pp. 409–414.
184. Mutlu, Kayhan, “Örgütlü Suçların Sosyolojik Analizi”, in Uluslararası Polislik ve İç Güvenlik, İçli, Tülin Günşen & Karaosmanoğlu, Fatih (Eds), Nobel Yayıncılık, 2003, Ankara, pp. 403 – 432.
185. Naylor, R. T. (1995). ‘From Cold War to Crime War.’ Transnational Organized Crime, Vol. 1, No. 4.
186. NPQ, V: 1, Number:1, Spring 1998.
187. Nijboer, J.A. and Vocks, J., “The Promised Land, a Study of Trafficking in Women from Central and Eastern Europe to the Netherlands,” Criminal Law and Criminal Justice 2000, (8), pp. 379–388.
188. Okul Sözlüğü, Türk Dil Kurumu, 2000, Ankara.
189. Organised Crime and International Terrorism: From Cooperation Towards Symbiosis-Geneva Centre For The Democratic Control of Armed Forces (Dcaf), Conference Paper, “Organised Crime And International Terrorism: From Cooperation Towards Symbiosis”, Rein Tammsaar, Director, Policy Planning Division, Tallinn, Estonia, Paper presented at the 6th Workshop the PfP

Consortium Security Sector WG, held in Stockholm, pp. 25 – 26 March 2004 at the Stockholm International Peace Research Institute (SIPRI).

190. Özek, Çetin, ‘Organize Suç’, içinde Prof. Dr. Nurullah KUNTER’e Armağan, 1998, İstanbul.
191. Özdemir, Veli, Susurluk Belgeleri: SCALA Yayıncılık ve Tanıtım A.Ş, 1997, İstanbul.
192. Pace, Denny F. & Styles, Jimmie C., Organized Crime: Concepts And Control 21, 2. Ed. 1983.
193. Paoli, Letizia, “The paradoxes of organized crime”, Crime, Law and Social Change, 37(1), 2002, pp. 51 – 97.
194. Paoli, L. ‘The Pentiti’s contribution to the conceptualization of the mafia phenomenon’ in: V. Ruggiero and N. South (Eds.), The New European Criminology: Crime and social order in Europe, Routledge, 1998, London.
195. Passas, Nikos, “Structural Analysis of Corruption: The Role of Criminogenic Asymmetries.” Transnational Organized Crime, Vol: 4, Number:1, Spring, 1998, pp. 42 – 55.
196. Paternoster, Raymond & Bachman, Ronet, Explaining Criminals and Crime: Essays in Contemporary Criminological Theory, Roxbury Publishing Company, 2001, Los Angeles & California.
197. Pearce, F. Crimes of the Powerful: Marxism, Crime and Deviance, Pluto Pres, 1976, London.
198. Portes, Alejandro. “Social Capital: Its Origins and Applications in Modern Sociology”, Annual Review of Sociology, 1998, pp. 1–24.
199. Posner, Richard, Economic Analysis of Law 242 (4th ed. 1992).
200. Potter, Gary W., Criminal Organizations: Vice, Racketeering, and Politics in an American City, Prospect Heights, 1994, IL: Waveland.
201. Potter, G. W. Criminal Organizations: Vice, Racketeering, and Politics in an American City, Prospect Heights, III, Waveland Pres, 1994, Illinois.
202. President’s Commission on Law Enforcement and the Administration of Justice, The Challenge of Crime in a Free Society, Government Printing Office, 1967, Washington DC.

203. Proposed Convention Against Transactional Organized Crime, Appendix I to United Nations, Economic and Social Council Commission on Organized Crime Prevention and Criminal Justice, Report of Seventh Session, 21 - 30 April 1998, U.N. Doc. E/CN.15/1998/11, 1998.
204. Putnam, Robert D., Making Democracy Work, Civic Traditions in Modern Italy, Princeton University Press, 1992, West Sussex.
205. Radikal, "Dört yanımız mafya!" 7 Haziran 2004 .
206. Raine, L. P. and Cilluffo, F. J., Global Organised Crime: The New Empire of Evil, Center for Strategic and International Studies, 1994, Washington DC.
207. Rawlinson, P., "Russian Organized Crime: Moving Beyond Ideology", in: V. Ruggiero and N. South (Eds.), The New European Criminology: Crime and Social Order in Europe, Routledge, 1998, London.
208. Reuter, Peter, Disorganized Crime: The Economics of the Visible Hand, MA: The MIT Press, 1983, Cambridge.
209. Roberti, Franco, "Effective Methods To Combat Transnational Organized Crime in Criminal Justice Processes", 116th International Training Course Visiting Experts' Papers, Resource Material Series, No. 58.
210. Ruggiero, Vincenzo, Organized and Corporate Crime in Europe: Offers that Can't Be Refused, Aldershot, 1996, Dartmouth.
211. Ruggiero, Vincenzo and South, Nigel, Eurodrugs: Drug Use, Markets and Trafficking in Europe, UCL Pres, 1995, London.
212. Ruggiero, Vincenzo and South, Nigel, Eurodrugs: Drug Use, Markets and Trafficking in Europe, UCL Pres, 1995, London.
213. RYAN, Patrick j. & RUSH, George E., Understanding Organized Crime in Global Perspective, Sage Publications, 1997, London.
214. Tannenbaum, F., Crime and the Community, Ginn and Company, 1936, New York.
215. Thrasher, F. M., The Gang: A Study of 1,313 Gangs in Chicago, University of Chicago Pres, 1960, Chicago.
216. Sağlar, Fikri & Özgönül, Emin, Kod Adı Susurluk: Derin İlişkiler, 6. Baskı, Boyut Kitapları, 1998, İstanbul.

217. Sanderson, John, Criminology Textbook, 5th Ed., HLT Publications, 1994, London.
218. Shaw, C. R., McKAY, H. D., (1972), Juvenile Delinquency and Urban Areas, University of Chicago Pres, Chicago.
219. Siegel, Larry J., Criminology, West Pub. Comp., 1989, St. Paul.
220. Sözüer, Adem, “Organize Suçluluk Kavramı ve Batı Ülkelerinde Bu Suçlulukla Mücadele ile İlgili Gelişmeler”, Hukuk Araştırmaları Dergisi, Marmara Üniversitesi Hukuk Fakültesi, 1996, İstanbul.
221. Sutherland, Edwin H., Principles of Criminology, (Third Ed.), 1938, Philadelphia: Lippincott.
222. Sutherland, E., The Professional Thief, The University of Chicago Press, 1937, Chicago.
223. Sutherland, E., White Collar Crime, Dryden Pres, 1949, New York.
224. Suttles, Gerald, The Social Construction of Communities, University of Chicago Press, 1972, Chicago.
225. Şener, Nedim, Kod Adı: Atilla, Güncel Yayıncılık, 2004, İstanbul.
226. Ryan, Patrick J., & RUSH, George E., Understanding Organized Crime in Global Perspective, SAGE Publications, 1997, London.
227. Tannenbaum, F. (1936). Crime and the Community. New York: Ginn and Company.
228. “Tarihi yarımada yangın yeri”, 08.01.2004, <http://www.e-kolay.net/haber/haber.asp?PID=99&HID=16&haberID=164852>, (19.01.2005).
229. Taylor, I., Walton, p. And Young, J., The New Criminology: For a Social Theory of Deviance, Routledge & Kegan Paul, 1973, London
230. Testimony of Fritz w. Ermarth on Russian Organized Crime and Money Laundering before the House Committee on Banking and Finance, 21 September 1999, (<http://financialservices.house.gov/banking/92199erm.htm>) (29.12.2004)
231. Thrasher, Frederick, M., The Gang: A Study of 1,313 Gangs in Chicago. University of Chicago Press., 1960, Chicago.

232. Tornell, A. and A. Velasco, "The Tragedy of the Commons and Economic Growth: Why Does Capital Flow from Poor to Rich Countries?", *Journal of Political Economy*, 100, 1992, pp. 1208–1231.
233. Transnational Threats Update, Volume 1, Number 5, January 2003.
234. Turkey: Earthquake, appeal no. 19/99, situation report no. 24, period covered: 29 October – 04 November International Federation, Geneva: Charles Eldred-Evans, 05 November 1999, (<http://www.ifrc.org/docs/appeals/99/199924.pdf>). (13.01.2005)
235. Türk, Hakan, *Kabadaylıların Dünyası*, 5. Baskı, Araştırma Yazı Dizisi, 2001, İstanbul.
236. *Türkçe Sözlük*, Türk Dil Kurumu, 19984 Ankara.
237. *Türkçe Sözlük ve Yazım Kılavuzu*, Hazırlayan: Kemal Demiray, Milliyet Yayınları.
238. Saçan, Adil Serdar, *Akbabalar Örgütü: Türkiye’de Mafia*, Toplumsal Dönüşüm Yayınları, 2004, İstanbul.
239. Schelling, Thomas C., *Choice and Consequence* 162, 1984.
240. Schelling, Thomas C., *Economic Analysis and Organized Crime*, in *Task Force Report: Organized Crime (President’s Commission on Law Enforcement and Criminal Justice ed. 1971)*, 1971a.
241. Schelling, Thomas C., *What is the Business of Organized Crime?* *Journal of Public Law*, 20(1), 1971b, pp. 71-84.
242. Sender, Henry, "Mafia Capitalism: Just the Tip of the Iceberg?", *Japan Journal*, 1991.
243. Shaw, Mark, "Regional Traffick: Towards an understanding of West African criminal networks in Southern Africa", Published in *African Security Review* Vol: 10, No: 4, 2001 (http://www.iss.co.za/AF/RegOrg/unity_to_union/sadcresearch.htm).
244. Shelley, Louise, "Paying the Price", *The Russian*, April 1997.
245. Shelley, Louise I., "Post-Soviet Organized Crime: A New Form of Authoritarianism", *2 Transnational Organized Crime* 122 (1996).
246. Shelley, Louise I., "Transnational Organized Crime: An Imminent Threat to the Nation-State?" *Journal of International Affairs*, Winter 1995, 48, no: 2.

247. Schelling, T., *Choice and Consequence, Perspectives of an Economist*, Harvard University Pres, 1984, Cambridge.
248. Schelling, Thomas, 1984a, "What is the Business of Organized Crime?" in Schelling, Thomas, *Choice and Consequence*, Cambridge, MA: Harvard University Press, pp. 179 –94.
249. Schelling, Thomas, 1984b, "Economics and Criminal Enterprise," in Schelling, Thomas, *Choice and Consequence*, Cambridge, MA: Harvard University Press, pp. 158–78.
250. Shleifer, Andrei & Vishny, Robert W., "Corruption", 108 Q. J. Econ. 599, 1993.
251. Skaperdas, Stergios, & Syropoulos, Constantinos, "Gangs as primitive states", in Gianluca Fiorentini & Sam Peltzman (Eds.), *The Economics of Organized Crime*, Cambridge University Press, 1995, Cambridge, pp. 61 - 82.
252. Smith, Adam, 1776, *An Inquiry into the Nature and Causes of the Wealth of Nations*, London.
253. Smith, Dwight C., *Paragons, Pariahs, and Pirates: A Spectrum-Based Theory of Enterprise, Crime & Delinquency*, 26(3), 1980, pp. 358 - 386.
254. Sonin, Konstantin, 2002, *Inequality, property rights protection, and economic growth in transition economies*, Mimeo, Moscow: EERC.
255. Sutherland, E.. *The Professional Thief*, The University of Chicago Pres, 1937, Chicago.
256. Sutherland, E., *White Collar Crime*, Dryden Press, 1949, New York.
257. Sözüer, Âdem "Organize Suçluluk Kavramı ve Batı Ülkelerinde Bu Suçluluk ile İlgili Gelişmeler", *Hukuk Araştırmaları*, Cilt: 9, Sayı: 1 – 3, 1995, İstanbul.
258. *Susurluk Raporu (Kutlu Savaş)*, Medya Holding Baskısı, 1998, İstanbul.
259. Svensson, J., "Investment, Property Rights and Political Instability: Theory and Evidence", *European Economic Review*, 1998, 42, pp. 1317–1341.
260. Turner, Jonathan H., *The Structure of Sociological Theory*, 5th Ed., Wadsworth, 1991, Belmont.
261. Ulunay, Refi' Cevad, *Sayılı Fırtınalar: Eski İstanbul Kabadayıları*, 5. Baskı, Arba Yayınları, 1994, İstanbul.

- 262.** United Nations (17 November 1994). World Ministerial Conference on Organized Transnational Crime to be held in Naples, Italy, From 21 to 23 November. Background Release.
- 263.** United Nations (22 November 1994). Proposed Formulation of Global Convention Against Organized Crime Discussed at World Ministerial Conference. Background Release.
- 264.** United Nations Economic and Social Council (19 September 1994). Appropriate Modalities and Guidelines for the Prevention and Control of Organised Transnational Crime at the Regional and International Levels. Background Document, E/CONF.88/5.
- 265.** United Nations (1995), Results of the supplemental to the Fourth United Nations Survey of Crime Trends and operations of Criminal Justice Systems, on Transnational Crime: Interim report by the Secretariat. A/CONF/169/15/Add.1.
- 266.** United Nations (2000), Convention against Transnational Organized Crime, General Assembly resolution A/RES/55/25.
- 267.** United Nations Office for Drug Control and Crime Prevention (2000a), Assessing Transnational Organized Crime Groups. Unpublished paper.
- 268.** United Nations Office for Drug Control and Crime Prevention (2000b), Organized Crime and the Illicit Drug Trade. Unpublished paper.
- 269.** United States Government (2000), International Crime Threat Assessment, Available at www.whitehouse.gov/WH/EOP/NSC/html/documents.
- 270.** UNITED NATIONS OFFICE AT VIENNA OFFICE FOR DRUG CONTROL AND CRIME PREVENTION, Global Studies on Organized Crime, Centre for International Crime Prevention Office for Drug Control and Crime Prevention, United Nations Interregional Crime and Justice Research Institute, February 1999.
- 271.** Velasco, A. and A. Tornell (1991), "Wages, Profits and Capital Flight", Economics and Politics, 3, pp. 219–237.
- 272.** Williams, Frank P. & McSHANE, Marilyn D., Criminological Theory, Prentice Hall, 1999, New Jersey.
- 273.** Williams, Phil, The International Drug Trade: An Industry Analysis, Ridgway Viewpoints, 93, 6, University of Pittsburgh, Matthew B., Ridgway Center for International Security Studies, 1992, Pittsburgh.

274. Williams, Phil, Drug trafficking, risk management and strategic alliances, Report of the Economics of the Narcotics Industry Conference. Washington D.C.: US Department of State, November 1994.
275. Williams, Phil and C. Florenz, Transnational criminal organizations and drug trafficking. Bulletin on Narcotics, XLVI, 2, 1994, pp. 9–25.
276. Williams, Phil, & Godson, Roy, “Anticipating organized and transnational crime”, Crime, Law and Social Change, 37(4), 2002, pp. 311 - 355.
277. Woodiwiss, Michael, “Organized Crime - The Dumbing of Discourse”, British Criminology Conference: Selected Proceedings. Volume 3, 2000; (<http://www.britsoccrim.org/bccsp/vol03/woodiwiss.html>) (06.01. 2005).
278. Woodiwiss, M. (1988). Crime, Crusades and Corruption: Prohibitions in the United States, 1900-1987. London: Pinter.
279. Woodiwiss, Michael, “Crime’s Global Reach”, Frank Pearce ve Michael Woodiwiss (eds.), Global Crime Connections, Dynamics and Control The Macmillan Press, 1993, London.
280. Yalçın, Soner, Teşkilat’ın İki Silahşoru, 9. Baskı, Doğan Kitapçılık, 2001, İstanbul.
281. Yalçın, Soner, Behçet Cantürk’ün Anıları, 10. Baskı, Doğan Kitapçılık, 2003, İstanbul.
282. Yalçın, Soner & Yurdakul, Doğan, Reis: Gladio’nun Türk Tetikçisi, 26. Baskı, Doğan Kitapçılık, 2004, İstanbul.
283. Yenisey, Feridun, “Çıkar Amaçlı Suç Örgütleriyle Mücadele”, Adalet Bakanlığı (Seminer), Aralık 1999, Ankara.
284. Zalisko, Walter, Russian Organized Crime, Trafficking in Women, and Government’s Response, Clarksburg, New Jersey, July 2003, <http://www.monmouth.com/~wplz/Index1.htm>;
285. <http://www.policeconsultant.com/index6.htm>
286. <http://www.alternatives.com/crime/menu.html>

APPENDICES

APPENDIX A THE LIST OF INTERVIEW QUESTIONS

1. If you categorize the organized criminal groups in your jurisdiction taking into account their scope and features, what type of organizations that you have encountered by now?
2. In line with this classification, what is the number of the organized crime groups you have unveiled?
3. Do you consider that the organized criminality (especially the mafia type one) as a serious threat in Turkey?
4. How many members do those criminal groups have on average?
5. What are the criminal activities in which organized criminal groups are involved?
6. How do they recruit new members to the criminal groups?
7. What are the employment methods?
8. Do organized criminal groups in your jurisdiction infiltrate the legitimate economy?
9. Is the structure of the criminal groups hierarchical?
10. How do they perceive themselves?
11. Were the members of the criminal groups arrested before or were they convicted of some criminal acts? In another saying, do they have a criminal record? Please clarify generally?
12. To what regions do they generally belong?
13. How their average age and what is their average of educational level?
14. What is their attitude towards narcotics? Are they involved in drug trafficking?
15. What is the socio-economic background to which the members of the organized criminal groups belong?

16. How is the mafia of check and deed operating?
17. Does the mafia of parking garage exist?
18. Are the organized criminal groups involved in public awarding contracts?
19. Do the groups operate on transnational scale and do they have international relationships?
20. What are the average fees of their lawyers? Expensive or cheap?
21. How do they mask their illegal activities?
22. What are the legitimate sectors they are mostly involved in?
23. How do they shelter their members with guns?
24. In your opinion, what are the causes in creation of the underworld?
25. Do you think that the term of 'organized crime' is defined clearly from the legal point in particular from the point of responsibility and competence?
26. What are the similarities and differences between organized criminal groups and youth gangs? (Especially in Istanbul)
27. Do you think that the TV serial films relevant to mafia affairs have an impact on the criminal groups?
28. There are some rumors and allegations that the mafia serial films are financially supported by these groups. How do you comment on these rumors and allegations?
29. Do you comment on the effects of prisons on members of the organized criminal groups or the organized criminality?
30. 'The underworld – Yeraltı Dünyası', 'ruffians or rough fellows - kabadayı' or 'world - alem' are commonly used in organized crime and mafia context. Is it required for these terms to associate with the organized criminality?
31. Do the 'racon', the accepted way of working and attitude, really exist in the underworld? Or was it in the past? Today, what are the principles and rules which can be regarded as a 'racon'?
32. Do you think that there is a tradition of mafia type organizations carried on which is originally coming from the past practices of 1950s and 60's to the

present day? Are there any representatives of these traditional practices?

What are the features and content of these traditional practices?

- 33.** What are the attitudes and behaviors of these criminal groups towards police?
What is the meaning of state for them?
- 34.** What is the source of their power? (Corruption, weapon-power-fear, obsolete obedience to the leader, emotional ties and so on?)
- 35.** What is the attitude of the society towards these kinds of criminal structures?
These structures are needed by the citizens?
- 36.** Do you have the opinion that organized criminality resulted from or at least affected by the system (social, legal and economic)?
- 37.** Can we say that the organized criminality has an ethnic dimension in Turkey?
- 38.** How can these groups preserve their internal discipline?
- 39.** What are the methods of action for these groups?
- 40.** Is there a rivalry and aggression or cooperation between these groups?
- 41.** What are their financial sources? Any money laundering events occurred? If yes, by which methods? Do they take protection rackets?
- 42.** Do you experience any challenges in gathering intelligence and doing surveillance?
- 43.** Do they look after the members and their families while they are in prison or in custody?
- 44.** Is there a strict privacy?
- 45.** Do the groups have connections with organized criminal groups based abroad? If so, what is the scale of the international connection?

APPENDIX B

TURKISH SUMMARY (TÜRKÇE ÖZET)

TÜRKİYE’DE ORGANİZE SUÇLARIN SOSYOLOJİK ANALİZİ

Organize suç olgusu, son yıllarda ülkemizde neden olduğu siyasal, ekonomik, sosyal ve güvenlik sorunlarıyla en önemli gündem maddelerinden ve hatta fenomenlerden birisi olmuştur. Çalışmamızda, geniş bir literatür taraması yapılmış, ayrıca kişisel ilişki ve görüşmelere dayalı bir şekilde, özellikle İstanbul Organize Suçlar Şube Müdürlüğü, İstanbul İstihbarat Şube Müdürlüğü, İzmit Kaçakçılık ve Organize Suçlarla Mücadele ve İstihbarat Şube Müdürlükleri gibi birimlerle yakın çalışmalar yapılmış, buralardan elde edilen fezleke örnekleri, sorgulama kayıtları ve kişisel mülakatlarla elde edilen bilgi ve verilerle konu sunulmaya çalışılmıştır.

Bu çalışmada konunun kriminolojik ve sosyolojik boyutuyla sunulması açısından özellikle teorik çerçevede ortaya çıkan temel hususlar, ana başlıklar halinde ve özet olarak şunlardır:

Özellikle nitelikli ve geniş spektrumlu organize suç yapılanmasının algılanmasında ve analiz edilmesinde, ‘**Social Network Approach**’ – ‘**Sosyal Şebeke Yaklaşımı**’, son yıllarda (İngilizce) literatürde önemli ve hatta moda haline gelmiş bir başvuru aracı olmaktadır.

Özellikle; sıkı bir ağ yapısıyla sosyal örgütlenme yeteneğine sahip, çok sayıda eleman ve ekonomik güce sahip, homojen, uyumlu, etnik özelliğe sahip, aile tipi ve riskli alanlarda faaliyet gösterdiği için karşılıklı güvenin esas olduğu organize suç yapılanmalarının anlaşılmasında ve açıklanmasında bu yaklaşım son derece gerekli ve anlamlı olmaktadır.

‘Sosyal Şebeke Yaklaşımı, beraberinde ‘**social capital – sosyal sermaye**’ kavramını getirmektedir. Sosyal sermaye, bir sosyal organizasyonun ya da kurumun, özellikle koordinasyon gerektiren eylem ya da faaliyetlerini yürütmek ve etkinliğini artırabilmek için gerekli olan ‘güven’, ‘normlar’ ve ‘ağyapılar’dır.

‘Sosyal sermaye’, bünyesinde sosyal ilişkileri, sosyal yapıları ve toplumun kurumsal düzenlemeleri içerisinde yerleşik olan kurallar setini, normları,

yükümlülükleri, karşılıklılık esasını ve güveni barındırmaktadır. Bütün bu unsurlar, bireylerin kişisel ve toplumsal hedeflerini gerçekleştirmelerini ve özellikle de kolektif faaliyetlerini mümkün kılan hususlardır.

‘Organize Suçun Sosyal Sermayesi’ olarak, özellikle üç husus ön plana çıkmaktadır: (1) Risk, (2) Belirsizlik ve (bunların ilacı olan) (3) Güven

Bireylerin birbirlerine güven duymaları, çeşitli psikolojik ve sosyolojik faktörlerin etkisine bağlıdır. Bu faktörleri ayırt edebilmek için, ‘**kişisel özelliklere dayanan güven duygusu**’ ile ‘**soyut sosyal varlıklara dayanan güven duygusu**’ arasında bir ayırım yapılmaktadır.

Bunlardan **Soyut Sosyal Varlıklara Dayanan Güven Duygusu** dediğimizde, güven duygusunu sağlayan akrabalık bağları ve etnik ilişkiler gibi sosyolojik faktörler;aklımıza gelmektedir. Bu yapılara aidiyet duygusu, sadakatin ya da sadakatsizliğin sonuçlarının bireyler tarafından algılamasını etkileme ve şekillendirme gücüne sahiptir.

Bu çerçevede, güven arayışıyla ilişkili olarak, ‘organize suç’la ilgili üç sosyolojik ağyapı önem arz etmektedir. Bunlar **kan bağı akrabalığı, etnisite ve ritüel kardeşliktir**. Sonuçta ‘organize suç’, güveni garantilemek amacıyla akrabalık, etnisite ve ritüel bağlılıklar içine yerleşme eğilimindedir.

Ülkemizdeki organize suç örgütlerinin yapısal özellikleri, aynı zamanda ve büyük ölçüde, onun sosyal sermayesini de yansıtmaktadır. Diğer bir tabirle, ülkemizdeki organize suç örgütlerinin sosyal sermaye unsurları, onların topolojilerini ve yapısal özelliklerini de belirlemektedir. Öyle ki, örgütlerin bilindikleri ya da anıldıkları isimler dahi bu sosyal sermaye unsurlarından etkilenmektedir.

O halde Türk organize suç örgütlerinin elemanlarını bir araya getiren ve onları bir arada tutan yapısal özelliklerine baktığımızda, özellikle farklı tip ve yapıların söz konusu olabildiğini görürüz. Bunlar ise, şunlardır:

i. Aile Tipi Organize Suç Örgütlenmeleri: Ülkemizde özellikle uyuşturucu kaçakçılığıyla uğraşan büyük çaplı mafya tipi örgütlenmeler, ‘ailevi’ niteliktedir. Fakat burada özellikle vurgulanması ve ‘aile yapılanması’ ile karıştırılmaması gereken bir husus vardır ki, o da Türk organize suç örgütü liderlerinin kendi eş ve çocuklarını yaptıkları illegal işlere mümkün olduğunca karıştırmak istememeleridir.

Tayin ettikleri yakın korumaları dışında, örgütle çok fazla bağlantı ve ilişki içerisinde olmamalarına azami özen gösterilir. Bunların göz önünde olmamaları sağlanmaya çalışılır. Örneğin, Nuri Ergin'in kendi bu olaylardan uzun bir süre uzak tutmaya çalıştığı rivayet edilmektedir.

ii. Hemşeri Tipi Organize Suç Örgütlenmeleri: Hemşerilik, 'güven' ihtiyacını karşılamanın yanı sıra, diğer bir takım fonksiyonlar daha görmektedir. Özellikle de hemşerilik ve bölgecilik unsuru kullanılarak, bölgenin siyasetçileri, aynı bölgeden gelen bürokratlar ve işadamlarıyla daha kolay irtibat ve çıkar ilişkisi kurulabilmektedir. Hemşerilik ilişkisi böylece, irtibat ve ilişkinin gerekçelendirilmesi ve meşrulaştırılmasında, karşılıklı güvenin sağlanmasında ve karşılıklı çıkarlar da uzlaşılmasında bir araç olarak kullanılmaktadır. Hemşerilik ilişkisine dayalı bu gruplaşmaların illa ki il ya da ilçe bazında olması şart değildir. Çoğu zaman bu gruplar, ülkemizde ortak olarak 'Karadeniz Mafyası', 'Kürt Mafyası' ve 'Çerkezler' gibi bölge ya da etnik temelli olarak da ifade edilebilmektedirler.¹⁶

iii. Cezaevi Arkadaşlığı Üzerinde Şekillenmiş Organize Suç Örgütlenmeleri: Bu tip organize suç örgütlenmelerinin sosyal sermayesi, cezaevlerinde yaşanan arkadaşlık ilişkilerine dayanır. Cezaevlerinde paylaşılan zaman ve mekân, tahliye olmanın ardından arkadaşlığın en karizmatik olanın etrafında toplanılarak sürdürülmesiyle devam eder.

iv. Siyasi Görüş ve Örgütlenme Üzerinde Şekillenmiş Organize Suç Örgütlenmeleri: Bu tip organize suç örgütlerinin de, ortak ideolojik ve siyasi değerleri paylaşma ve geçmişte birlikte yaşanmış eylem ve örgütlenmeler söz konusudur. Ülkemizde bazı organize suç örgütü ya da liderleri için kullanılan 'Ülkücü mafya' kavramı, bu insanların geçmişlerinde belirli bir ideoloji ya da siyasi gruba bağlı olmalarından dolayıdır. Bu tip yapılanmalarda, örgütsel yapının temelini oluşturan unsur 'siyasi görüş' ya da 'ideolojik' birlikteliktir.

Konumuzla ilgili olarak teorik çerçevede ortaya çıkan temel hususlardan birisi de, '**organize suçun modellenmesi**'ne ilişkin olmaktadır. Bu konuda değişik

¹⁶ Bu tip örgütlenmelere örnek olarak, Bafralıları Grubu, Oflulara ait çeşitli gruplar, Liceliler, Siirtliler, Bitlisliler, Karşılılar, Sakaryalılar vs gibi birçok örnek verilebilir.

modeller söz konudur. Bu modeller, **Jay Albanese**'nin ifadesiyle organize suçun tek bir fotoğraf içerisinde, farklı açılardan görülebilmesinin yollarını ve paradigmasını sunmaktadır. Bu modellerin oluşturulmasında veri olarak ele alınan her türlü sosyo-ekonomik ve sosyo-politik şartlarla, etki ve sonuçlar özellikle anlam ifade etmektedir.

Bu noktada, Türkiye'deki organize suçun modellenmesi açısından özellikle **Boronia Halstead** (1998)'in **Micro & Macro Düzey Modellemesi** bir ölçüde işimize yarayabilir. Çünkü bu modeller, belirli tipten organize suç örgütlenmesinin oluşumunda etkili olan sosyal faktörlere vurgu yapmaktadır.

Bunlar organize suç örgütlerini yapı ve faaliyet bakımından etkileyen dahili ve harici faktörler (sosyal ve ekonomik unsurların bu hususlar üzerindeki etkisi) üzerinde odaklaşmaktadır. Örneğin, Türkiye'deki organize suç örgütleri, uygulanan iktisat politikalarından, sosyal yapı unsurlarından ve diğer konjonktürel faktörlerden etkilenmektedir.

Williams ve Godson'ın belirli çevresel faktörler arasındaki nedensellik ilişkisini, organize suçun belirli görünümünü ve belirli sonuçlarını vurgulayan Beş Organize Suç Modeli [(1) Siyasal Modeller; (2) Ekonomik Modeller; (3) Sosyal Modeller; (4) Stratejik veya Risk Yönetimi Modeli; ve (5) Melez ya da Karma Modeller] yine, kullanılabilir modeller olmaktadır.

Bu modellemelerin yanı sıra, organize suçun açıklanmasında çok eski zamanlardan beri yaygın olarak kullanılan teoriler de söz konusudur. Bu teoriler, belirli dönem, mekan ve şartlarda ortaya çıkmış olan organize suç yapı ve faaliyetlerinin ve bunları doğuran şartların yorumlanması sonucunda ortaya çıkmışlardır. Bu teoriler, açıklamaya çalıştıkları zaman ve mekanların değişmesine bağlı olarak değişmiş ve gelişmişlerdir.

Etnik Veraset Teorisi: Özellikle Avrupa'da ve diğer ülkelerdeki Türk organize suç örgütleri bakımından anlamlı bir teoridir.

Ekonomik Theori: Ülkemizdeki organize suç sorununun toplumdaki sosyal adaletsizliklerle, özellikle kesimler ve bölgelerarası gelir dağılımında aşırı bozukluk ve işsizlik sorunu, çağcıl bir kamu yönetiminin eksikliği, ihale sistemindeki problemler, bütçe disiplininin sağlanamaması ve bu nedenle bütçenin önemli bir

kısının faiz ödemelerine gitmesi, ekonomik büyümenin toplumun büyük bir kesimi sağlanamaması, eğitimde fırsat eşitsizliği, sağlık hizmetlerinden büyük çoğunluğun yeterince yararlanamaması gibi sorunlarla ilişkilendirilmesi bakımından anlamlıdır.

Kurumsal Yaklaşım ve Analizler: Özellikle resmi yapının, adalet sisteminin fonksiyonel problemlerinin ülkemizdeki organize yapılanmasındaki etkilerinin irdelenmesi açısından son derece önemlidir.

Siyasal Yaklaşım ve Analizler: Siyasal sistem, devlet - toplum ilişkileri, siyasi otorite ve boşluğu, devletin güçlü ya da zayıf olması, siyasi istikrar, devlet ideolojisi, yapısal hukuksuzluk, yasal boşluk, siyasi etik, siyasi yozlaşma, siyasi yolsuzluk, iktidar ve özel sektör – kamu sektörü (özelleştirme) tartışmaları gibi siyaset biliminin temel kavram ve konseptleri çerçevesinde organize suç olgusunu ele almakta olup, Türkiye’deki özellikle Mafya – Devlet ilişkilerinin anlaşılmasında son derece önemlidir.

Merkez – Yerel Çatışması: Özellikle Türkiye’de organize suçun Osmanlı ve daha önceki dönemleri itibariyle sosyal tarihinin ve buna bağlı tarihsel kökeninin anlaşılması ve açıklanmasında anlamlı bir yaklaşımdır.

Türkiye’de organize suçluluğun sosyal tarihi ve tarihsel gelişimi konusunda özellikle vurgulanması gereken husus; organize suçluluk ya da mafya tipi örgütlenmenin genel tarihçesinin ya da her ülkenin organize suç olgusunun, kendi siyasal, ekonomik ve sosyo-kültürel koşullarında ortaya çıktığı ve geliştiğidir.

Nitekim ülkemizdeki organize suç örgütlerinin belirli faaliyet alanları ya da karakteristiği, Türkiye’ye özgü olmakta diğer ülkelerdeki örgütlerde bunlara rastlanmamaktadır. Örneğin ülkemizde son derece yaygın olan çek-senet mafyası ve otopark mafyasına diğer ülkelerde rastlamak son derece zordur.

Kısacası; Türkiye’deki Organize suç olgusunun dönemsel özelliklerini, o günlerin ekonomik, sosyal, siyasal, kültürel ve konjonktürel şartlarıyla birlikte ve aynı paralellikte düşünmek gerekir. En azından bu şartlardan bağımsız değildir. Bu nedenle, ülkemizdeki organize suçluluğun tarihsel gelişimini, dönemler halinde ve her dönemin kendi karakteristiğini ortaya koymaya çalışarak ele almaya çalıştım.

Ülkemizdeki organize suç örgütlerinin tipik ya da klasik özelliklerinden bahsetmek gerekirse; bu konuda literatürde çok fazla analiz ve değerlendirme mevcut

olmamakla birlikte, yapmış olduğum kişisel görüşme ve araştırmalar sonucunda elde etmiş olduğum bilgi ve örnekler çerçevesinde tespit etmiş olduğum belirli hususlara işaret etmek mümkündür.

Belli başlı büyük organize suç örgüt ve grupları, özellikle İstanbul ve İzmit bölgesinde üslenmiş durumdadırlar. Organize suç ve örgütlerinin yoğun olarak faaliyet gösterdiği diğer illerimiz ise; genel olarak Adana, Bursa, Mersin, Ankara, Antalya, Gaziantep, Kocaeli, Kayseri, İzmir, Samsun, Aydın, Balıkesir, Konya, Uşak ve Diyarbakır şeklinde sıralanmaktadır.

Ülkemizde organize suç örgütleri arasında; (a) örgütler arası çatışmalar; (b) örgüt içi çatışmalar; (c) örgütün çevresi ile çatışması şeklinde ciddi nitelikte çatışmalar yaşanabilmektedir.

Devlete karşı görünüşte saygılı olma ve güvenlik kuvvetlerini doğrudan hedef yapmama politikaları vardır. Etkili halkla ilişkiler faaliyeti yürüterek topluma hitap eden yöntemler kullanırlar. Kamuoyunda mevcut psikolojik ve sosyal yapının gereklerine uygun mesajlar, tavırlar sergilemektedirler. İlegal faaliyetlerini kamufle edebilmek için, toplumun ve devletin sağduyusuna hitap eden davranışlarda bulunurlar. İçinde buldukları sosyal çevrenin dini, ahlaki, kültürel, geleneksel ve töresel anlayış ve değerlerini istismar etmek isterler.

Kendilerini en azından toplumun değer yargıları ve hassasiyetleriyle çatışma halinde olmaktan uzak göstermeye çalışırlar. Dini ve milli günler ve olayları her fırsatta değerlendirmeye çalışırlar. Bununla hedef kitleye mesaj vermek isterler. Birçok örgüt liderinin; çeşitli sınıflarla eğitim, kültür, spor faaliyetleri, milli ve dini bayramlar, milli günler ve özellikle toplumun duyarlı olduğu deprem vb tabii afetlerde yardım dağıtarak toplumsal kabul görmeye çalışırlar.

Yolsuzluk ve yozlaşma, son yıllarda organize suçluluk olgusuyla çok yakından ilişkili bir kavram haline gelmiş; hatta ülkemizde iç içe geçmiştir. Bu noktada, Türkiye'deki organize suç faaliyetlerinin en belirgin özelliklerinden birisinin yolsuzlukla birlikte yürümesidir. Yeraltı dünyasıyla yerüstü dünyası arasında işbirliği ve ittifaklar, büyük ölçüde yolsuzluk aracılığıyla sağlanmaktadır. Yolsuzluk, organize nitelikteki ulusal ve uluslararası suç faaliyetlerini kolaylaştırmaktadır.

Son yıllarda Türk organize suç örgütlerinin dikkat çeken bir özelliği legal görünümde bir yapılanmaya yöneldikleridir. Örgütün büyüklüğüne göre eleman sayılarında değişiklik gözlemlenmektedir. Aralarında hukuksal ve mali faaliyetlerini yöneten kişiler, bazı kurum ve kuruluşlardaki bağlantıları da dikkate alınırsa sayı oldukça yüksek olabilmektedir.

Eylemlerinde, faaliyetlerde ve örgütlenmelerinde profesyonellik söz konusudur. Organize suç örgütleri, eylemlerini genellikle planlı programlı yaparlar. Eylem sonucunda liderin ve bir bütün olarak çetenin zarar görmemesi amaçlanır. Bu nedenle, modern organize suç örgütlerinin tipik bir özelliği olarak, lider kadroyla tetikçiler arasında mesafe konulmaya çalışır.

Türk organize suç örgütleri de globalleşmeden etkilenmekte, bazıları uluslararası nitelik kazanabilmektedirler. Özellikle ileri düzeydeki organize suç gruplarının, ülkemiz dışında Avrupa, Orta Asya Ülkeleri ve Irak gibi ülkelerle bağlantıları bulunmakta ve bu gruplar bu ülkelerle kurdukları ticari ilişkilerin dışında yine bu ülkelerde de gayri meşru işler yapabilmektedirler.

Güçlü aidiyet ve güven duygusu mevcuttur. Örgüte aidiyet duygusu, yasal organizasyonlardaki çalışanlardan daha fazla olabilmektedir. Bunu sağlayan ise, akrabalık ve hemşerilik ilişkisi gibi sosyal sermaye unsurlarıdır.

Eğitim düzeyleri düşüktür. Ortalama yaş düzeyleri %70 – %75 oranında 21 – 40 arasındadır. Lidere mutlak itaat, sadakat ve örgüt içi cezalandırma vardır. Türkiye’deki organize suç örgütleri de, diğer birçok ülkedeki gibi yapısal olarak bir şirket ya da holding yapısına benzer bir hiyerarşik ve örgütsel yapılanma içerisindedirler. Örgüt, piramit şeklinde yapılanmakta, en yetkili konumda bulunan örgüt lideri, piramidin en tepesinde bulunmakta, onu sırasıyla örgütte kendinden sonra gelen diğer yardımcı ve elemanları izlemektedir. Bu görünümüyle büyük şirket ve holdinglerdeki yönetim kurullarını andırmaktadır.

Cömertlik, hediye verme alışkanlığı ve örgüt mensuplarına sahip çıkma, lüks yaşam ve güç gösterisinde bulunma, ödüllendirme ve terfi sistemi, suç üstlenme ve sabıkalı olma, arabuluculuk ve diğer örgütlerle irtibat içerisinde olma gibi hususlar

da türk organize suç örgütlerinin diđer karakteristik özellikleri arasında yer almaktadır.

VITA

Ertan BEŞE was born on June 3, 1967 in Araç, Kastamonu where he had his elementary, secondary and high school education. He studied public administration at the University of Istanbul, Faculty of Political Sciences where he has got his BA degree (1989).

In 1991 he became a research assistant at the Police Academy. In 1994 he graduated of a master's degree (LL-M) in public law at the University of Wales, Aberystwyth Law Department (The UK). His dissertation was called: “General Aspects of Contemporary Political Terrorism and State Responses.”

He obtained his first Ph.D. from Istanbul University on a thesis on “Fighting Against Terrorism and Human Rights in the European Union Perspective” in 2002, and then he has occupied a position as an assistant professor of Criminology at the Faculty of Security Sciences, the Police Academy.

His main interests are focused on the political violence and terrorism, organized crime, crime and criminal profiling, deviance, and the European Union. He has published numerous articles and contributions to books. He is a member of the editorial boards of a number of periodicals as well.

He is married with three children (boys).