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## Michael Woodiwiss, *Organized Crime, USA: Changing Perceptions from Prohibition to the Present Day*

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#### 1: Anti-liquor and Antecedents

**There were plenty** of places to buy alcohol during Prohibition. New York's revellers could go to the famous Cotton Club where the best black entertainers played before strictly white audiences. Otherwise there were less expensive clubs, or failing that clip-joints or one of the cities 32,000 speakeasies. Clip-joints were dives where the promise was a good time but the reality was often a bad one and always an exorbitant bill. Night clubs, clip-joints and speakeasies replaced the legal saloon during Prohibition. Selling alcohol was illegal, so was betting on horses and dice, so were taking drugs and selling sex. All illegal, but all available for a price. There were profits to be made.

**One businessman stood** above all others in the illegal economy of 1920s New York - Arnold Rothstein. Rothstein had a piece of much of the above action: newspapermen called him "The Big Bankroll." He was shot dead in 1928, but had already made his mark by pioneering many of the ways that have made organized crime pay on a long term basis in twentieth century America.

**Rothstein's parents were** rich and respected; his father owned a dressmaking business. They were pillars of the Upper West Side's Orthodox Jewish community but Arnold went his own way; a distinctly American way.

**As a young** man at the turn of the century he worked as a collector for a bookmaker. By 1909 he was taking bets himself and owned a gambling house which paid protection to Tim Sullivan, a prominent Tammany Hall politician. In 1912 there was a police crackdown. For a while Rothstein had to make his money by running "floating crap games" as a substitute for stationary gambling houses.

(Readers of Damon Runyon will be familiar with these games and Runyon by character called "The Brain" on Rothstein. Rothstein was also the model for Wolfsheim the gambler in F. Scott Fitzgerald's *The Great Gatsby*.) Police crackdowns always come to an end and Rothstein was soon back to the covert operation of plush casinos catering to a wealthy clientele. Rothstein also profited by first providing a service that was essential to bookmakers. Those who felt themselves dangerously overextended could, through Rothstein, lay off bets on other bookmakers in different parts of the country

**Rothstein was also** one of the first to spot the potential of the Eighteenth Amendment and have the capital and connections to exploit it. He arranged associates in Britain to buy up quantities of Scotch whisky. This was then shipped to points beyond US territorial waters and transferred to small, fast boats to elude customs and coastguard patrols. The liquor was then distributed to restaurants, nightclubs, speakeasies and dives in which Rothstein had an interest. Rothstein ended his direct involvement as the business got more bloody and competitive but he did continue to "bankroll" or finance the operations of others. The most notorious of these was Jack "Legs" Diamond, who preferred hijacking the contraband of others to troubling with the more complex operations of bootlegging.

**Rothstein also began** to traffic in drugs in the early 1920s. The business was not as crowded as liquor and yielded a better and quicker return on capital invested. Two Rothstein associates, Yasha Katzenberg and Dan Collins, bought drugs in Europe and Asia; these were smuggled into the United States and sold to retailers in New York, Chicago, St Louis and Kansas City by more Rothstein associates.

**Connections with gangs** of thugs enabled Rothstein to provide strong-arm services in industrial disputes, particularly in New York's garment industry. At that time employers had the services of Legs Diamond and his men as strikebreakers while the unions countered with the services of Jacob "Little Augie" Orgen to protect pickets and beat up "scabs." Both sets of gangsters received their payment from Rothstein. By 1926 both employers and unions had been severely weakened by years of conflict in the needle trades. In this situation racketeers moved in to become much more than mere hirelings, most notably Louis "Lepke" Buchalter. By using violence and intimidation Buchalter's gang had established a virtual stranglehold over the Manhattan garment industry by the end of the 1920s, extorting protection money from both unions and management.

**Rothstein had legitimate** and profitable covers for all his illegal activities. From restaurants and nightclubs, he owned real estate, an export-import firm and a bailbond firm that provided bail of \$14 million in liquor prosecutions alone before 1924. And he had several of the best lawyers to handle the legal aspects of his transactions. By the twenties he had built up unrivalled political connections and this gave him leverage in the city's criminal justice system. He could therefore provide not only capital but protection for numerous illegal enterprises. Cases could be "fixed", prison sentences could be shortened. This is the reason why on the police records of the big names of the future, Frank Costello, Charles "Lucky" Luciano, Benjamin "Bugsy" Siegel, there are so many cases marked "dismissed." When they stepped in front of the magistrate, prosecutors found they had "insufficient evidence" or witnesses failed to show up, or police officers admitted they had overstepped themselves.

**Rothstein was the** business organizer of New York crime. He realised that criminal success depended on the complicity of the "upperworld", police, law judges, and outwardly "respectable" business people. The essential ingredient of Rothstein's success was, according to his biographer Leo Katcher, knowing the price of every man, whether politician or killer, and having the money to pay it. Rothstein financed bootlegging, gambling, drug trafficking and industrial racketeering. These activities were to be the chief sources of profit for organized crime in the twentieth century.[1]

**Organized crime has** thrived by providing Americans with illegal goods and services, notably alcohol during prohibition, gambling and drugs, and has played a significant role in the nation's business and industrial life. It has consisted of countless deals and arrangements between Americans who stand to gain by breaking or failing to enforce the law. Gangsters have never operated in a vacuum: criminal networks can consist of representatives of every level of the political, economic, criminal justice and law enforcement systems. Politicians, judges, prosecutors, lawyers, businessmen, union officials and police have at one time or another, shared in the proceeds of organized crime with career criminals. The one thing that all these groups have in common is the fact that they are American. Yet most people still start thinking in Italian when organized crime in America is mentioned. The mass media and popular culture have had a profound effect on people's perceptions of organized crime; in a word, the first word to come into many minds if confronted with "organized crime in USA," would most likely be 'Mafia.' The object of this essay is to trace the way people's understanding of organized crime changed during the twentieth century and to what effect. An alternative perspective will also be offered.

**Organized and profitable** crime existed in the Americas long before the British colonies became the United States at the end of the eighteenth century. Piracy and smuggling were notable features of the colonial experience. In the new nation, city government nurtured organized crime from before the civil war. New York and Chicago, for example, political machines used gangs to organize election frauds for a large part of the nineteenth century and well into the twentieth. Techniques ranged from altering ballots and records, through manipulating voting, to kidnapping opposition party workers and even election officials. In return gangsters were allowed to develop various gambling, prostitution and extortion rackets. As the system became established, the boundary between politician and mobster became obscured. Political bosses were in a good position to engage in racketeering and racketeers and their nominees could move into political positions.

**Organized crime, however,** has never been restricted to the cities. This is illustrated by the Johnson County 'war' for a large slice of Wyoming between 1889 and 1892. On one side were small settlers and homesteaders, on the other the big cattlemen, many of whom had made their fortunes and grabbed the land during the Civil War. The small ranchers were subject to constant harassment and several were hanged as rustlers. In 1891, the cattle barons organized themselves into the Wyoming Stock Growers' Association and decided that any cattle found in possession of any non-member would be considered stolen unless the rancher could produce a bill of sale from the association itself. The small ranchers responded by organizing a self-defence association to fight back. In 1892, the stock growers finished off this resistance with a large mercenary army of mainly Texan gunmen who disposed of the homesteaders.

leaders. Legal immunity for the cattle barons was ensured by the state government. [2]

**The term 'organized crime'** implies a willingness to use bribery and violence further entrepreneurial interests, and the founders of America's industrial and commercial dynasties showed little hesitation in using both. Private armies were employed by the likes of Andrew Carnegie, Cornelius Vanderbilt and Edward Harriman to wreck unions; bribery was employed by the same as well as John Rockefeller, J. Pierpont Morgan and the Du Ponts to wreck competition and establish monopolies. By the twentieth century the centre of the economy was dominated by representatives of the group of nineteenth century capitalists, collectively known as the 'Robber Barons'. [3] 'The spirit of graft and lawlessness as the muckraker, Lincoln Steffens, put it in 1902, 'is the American spirit.' [4] This kind of analysis was unacceptable in a country which liked to think of itself as the model for the rest of mankind to follow. Attention was diverted from the crimes of big business and native-born Americans to the personal behaviour of ordinary people and the criminal activities of members of ethnic groups.

**The United States** experienced its most significant moral crusade in the first decades of the twentieth century. As millions of migrants and immigrants struggled to make new lives for themselves in the cities, many native-born Americans had seen a threat to Protestant values. Many reacted by forming and joining anti-vice or temperance societies, and lobbying intensely in state capitals and city halls for laws to eradicate gambling, prostitution, drug-taking and drink throughout the entire country.

**The crusaders found** evidence of moral decline everywhere. New styles of clothing, "suggestive" dances, "titillating" movies and "salacious" stage productions were all examples of the "deadly moral poison" sapping America's strength or contaminating national morality. Gambling, prostitution, and the use of alcohol and other drugs were said to have reached "epidemic" proportions. Numerous books and articles predicted degradation and disgrace for the country's youth if exposed to liquor, in particular. Boys were doomed to be profligate degenerates and girls would inevitably meet with seduction and the "white slavery" of forced prostitution. The crusade's propagandists were not interested in appalling working and living conditions; their only concern was the threat to Protestant values of thrift and self-denial. They also provided scapegoats for America's alleged slide into degeneracy. [5]

**Ethnic conspiracy theories** began to proliferate and ethnic stereotypes established in people's minds. "The Jew," according to Henry Adams, was the central actor in the "irremedial, radical rottenness of our whole system." In McClure's magazine informed its readers that "the acute and often unscrupulous Jewish type of mind" was behind the liquor business and that the "Jewish degeneracy in women" had done most to erode "the moral life of the great cities of America." Italians were described by The Outlook in 1913 as an "aggregation of assassins, blackmailers, kidnapers, and thieves that have piled up a record of crime in the United States unparalleled in a civilized country in time of peace." Other publications talked of Italians as "vermin" and "desperadoes" and circulated stories about how they had transplanted secret criminal societies such as the Camorra and the Mafia into their adopted country. [6] Undoubtedly some immigrants had been criminals in the old country and collaborated in joint ventures in their new home, but the conspiracy theories conveniently ignore

fact that Jewish and Italian criminals were very subordinate to native-born and Irish networks before the 1920s.

**But the imagery** aided the cause of the moral crusaders. Tens of thousand federal, state and local laws were added to the statute books in an attempt to enforce morality by prohibitions on alcohol, gambling, prostitution and drug: strict censorship and a host of more trivial restrictions. Control and regulation of such behaviour was considered to be as unthinkable as licensing murder, robbery and other crimes. The intention was to end all behaviour that a Protestant culture defined as sinful and non-productive. Americans had to be coerced by law into a virtuous and healthy way of life. America's moral crusade reached a new peak in 1919 when the Eighteenth Amendment was added to the Constitution. The Volstead Act was passed to provide for enforcement of this attempt to prohibit manufacture, transportation, sale or importation of intoxicating liquor within the United States, and a vast new market for illegal goods and services was created.

**Bootlegging, the illegal** trafficking in alcohol, had been restricted to dry areas mainly in the South. Now, it became a national industry. Thousands of new jobs and executive positions were available in the cities. Men graduated straight into the juvenile gangs. Prohibition gave second generation Jews, Italians, Sicilians, Poles, Slavs, and others the opportunity to climb up the criminal hierarchy and to challenge the pre-Prohibition dominance of native-born or Irish networks.

**It was during** the 1920s that the term 'organized crime' first came into common usage and when attempts were first made to analyse it as a distinct social, economic and political problem, most thoroughly by John Landesco of the University of Chicago.

**Landesco produced a** report on organized crime in Chicago for the Illinois Survey which appeared in 1929. The criminal, according to Landesco, is "the natural product of his environment that is of the slums of our large American cities." Throughout his survey, Landesco emphasized the importance of political corruption: "Organized crime and organized political corruption have formed a partnership to exploit for profit the enormous revenues to be derived from law-breaking." He concluded that an understanding of organized crime "should result in a possible a constructive program that will not content itself with punishing individual gangsters and their allies, but will reach out into a frontal attack upon the basic causes of crime in Chicago."<sup>[7]</sup>

**Landesco's analysis of** local organized crime's partnership with organized political corruption was confirmed by a national commission, named after its chairman George Wickersham, which issued a report on the workings of Prohibition in 1931. The commission found, for example, that: "When conspiracies are discovered from time to time, they disclose combinations of illicit distributors, illicit producers, local politicians, corrupt police and other enforcement agencies making lavish payments for protection and conducting an elaborate system of individual producers and distributors." Corruption, added the report, sometimes involved "the police, prosecuting and administrative organizations of whole communities," and it pointed to evidence "of connection between corrupt local politics and gangs and the organized unlawful liquor traffic, and of systematic collection of tribute from that traffic for corrupt political purposes."<sup>[8]</sup> After years of evidence of the disastrous effects of Prohibition, the commission decided against recommending repeal. This apparent contradiction was memorably

pointed out by a poem published in the New York World:

Prohibition is an awful flop,  
 We like it  
 It can't stop what it's meant to stop,  
 We like it.  
 It's left a trail of graft and slime,  
 It don't prohibit worth a dime,  
 It's filled our land with vice and crime,  
 Nevertheless, we're for it.[9]

**The "Wet" newspaper** publishers who opposed Prohibition had only to report the news about "graft and slime," and "vice and crime," to win the propagandist battle. Organized crime, which had previously been discreet and localised, now held people's interest across the nation. The lurid details of bootleggers' gang wars made for exciting reading. There seemed to be so many ways to kill people. Gangsters were "taken for rides" in cars, then riddled with bullets, then dumped in lonely spots. Others were lined up and shot by firing squads, or packed in cement then dropped in lakes or rivers. Some gangsters achieved national fame: Legs Diamond, Arnold Rothstein and Dutch Schultz from New York and Dion O'Banion, John Torrio and Al Capone from Chicago.

**Capone's notoriety exceeded** all others'. He encouraged the press, often feeding reporters with a quotable remark and justification for his operations. It began with, Jake Lingle of the Chicago Tribune was most favoured, but Lingle became too closely involved with the rackets himself and was assassinated in 1930. Capone would talk about anything including his weight and the need for women to stay at home but only his remarks about crime are worth repeating. Bootleg liquor was obviously in such great demand during the 1920s that few could argue when he said, "Somebody had to throw some liquor on that third floor. Why not me?"[10] And people's disillusion with the system was probably only confirmed when they read Capone's remark to Genevieve Forbes, again in the Chicago Tribune: "Lady," he said, "Nobody's on the legit." [11]

**It was Capone's** cultivation of crime reporters rather than his criminal success that made him into the world's most famous gangster. He ranked with Henry Ford, Will Rogers, Babe Ruth and Charles Lindbergh as an American institution during the 1920s, and, as his biographer F. D. Pasley put it, "The hoodlum character of 1920 had become page one news, copy for the magazines, material for talkie plots and vaudeville gags." [12]

**But "Scarface" Al** Capone has been much overrated; his reign at the top of Chicago rackets was hard-fought, short-lived and wholly dependent on the complicity of the local authorities. And he was foolish to encourage publicity that made himself too notorious for the authorities in Washington to tolerate and a target for federal law enforcers such as Eliot Ness of the Prohibition Bureau and Elmer Irey of the Internal Revenue Service. In 1931 Capone was convicted of tax evasion and sentenced to eleven years in a federal penitentiary. He was finished as a criminal power. The trial was one of the news events of the year and it looked like a triumph for law enforcement. But Chicago syndicate operations were left intact, and most of his partners and rivals had learnt not to draw attention to themselves.

**Even the incarceration** of the world's most famous bootlegging gangster could not help the cause of the 'Dry' supporters of Prohibition in their despairing effort to slow the momentum towards repeal as the 1930s decade began: a moment achieved by the growing antipathy of most businessmen to the Eighteenth Amendment. The vast resources of publisher William Randolph Hearst, plus those of several dozen millionaires, ensured that the "Wets" won the propaganda battle. The "Drys" were reduced to arguing that the "noble experiment" was working because foreign rumrunners and conspirators were attacking the global prohibition revolution by trying to wreck it in the country of its birth."<sup>[13]</sup> Few people took them very seriously.

**During Prohibition, ethnic** stereotyping and alien conspiracy theories temporarily went out of fashion as explanations for crime. In part this was because bootlegging was the main criminal enterprise and not many thirsty Americans could be persuaded that bootleggers were un-American. Al Capone and the rest were simply gangsters, who exploited a corrupt system, never alien intruders or members of ethnically exclusive conspiracies.

**Hollywood films are** probably the best guide to the perceptions most people had of contemporary organized crime and in the early gangster talkies the main characters were American individuals first; ethnicity was not emphasized nearly as much as was organisation. *Little Caesar* (1930), *Public Enemy* (1931) and *Scarface* (1932) starred dynamic actors playing criminals. Edward G. Robinson, James Cagney and Paul Muni represented American outlaws in ways which reinforced some of the country's most deeply held myths about individual, entrepreneurial success. The way to make it in the land of free, competitive capitalism was the way Edward G. Robinson made it in *Little Caesar*, with ruthless dedication, determination, and a daring. The gangsters may have finished up dead in these films but not before they had made their mark on the world. They had achieved a lifestyle that contradicted the official dictum, "Crime Does Not Pay."

**The extent and** success of organized crime during Prohibition was seen by commentators as an American problem that involved society and government as much as the individual criminal or criminal syndicate. In 1931 Walter Lippmann argued this most lucidly in an article entitled "The Underworld as Servant." The underworld for him was significant because it serviced the outlawed desires of American people; drink, sex, gambling and drugs, "The high level of lawlessness is maintained by the fact that Americans desire to do so many things that they also desire to prohibit." He concluded with a dilemma:

Sooner or later the American people will have to make up their minds either to bring their legislative ideals down to the point where they square with human nature or they will have to establish an administrative despotism strong enough to start enforcing their moral ideals. They cannot much longer defy the devil with a wooden sword.

**The repeal of** Prohibition in 1933 squared one law with human nature, but the effective enforcement of the remaining morality laws still required, in Lippmann's

words, "the establishment of the most despotic and efficient government ever seen on earth," "thousands and thousands of resolute and incorruptible inspectors, policemen, prosecutors, and judges," "the expenditure of enormous sums of money," and finally "the suspension of most civil rights."<sup>[14]</sup> In the after repeal the tendency has been towards the undermining of such civil rights. The right to privacy and enormous sums of money have been spent convicting and incarcerating criminals. American government did become more despotic, but more efficient in enforcing morality. Part of the problem was, of course, finding many resolute and incorruptible public servants.

**America's moral crusade** did not end with the repeal of the Eighteenth Amendment. The institutions which molded public opinion, such as newspapers, churches, chambers of commerce and civic associations, were set against any more tampering with the morality legislation. Gambling, in particular, stayed illegal in every state except Nevada. Repeal had cut off an immense source of illegal income, but corrupt networks, consisting of gangsters, businessmen and public officials, continued to supply the demand for illegal goods and services. At the same time there were efforts to professionalize federal and local police and prosecutors to make law enforcement more effective. Attention began to be focused on the good guys who promised to make law enforcement work while the bad guys, many of them police and politicians, found new ways to make sure they did not.

## 2. Enforcement Exploits

**Bootleggers were not** the only criminals to attract significant media attention during the early 1930s. In fact, after Capone's incarceration, the nation was more interested in the deeds of kidnappers and bank robbers. On 1 March 1932 the baby son of Charles Lindberg was abducted from his New Jersey home. This was only one of nearly 300 kidnap victims that year but his father's place in American mythology made this crime touch a particularly sensitive nerve. In 1927, Charles Lindberg had been the first to fly the Atlantic non-stop and single-handed. News of this feat was greeted with unprecedented mass excitement and the adulation lasted long after the 1,800 tons of ticker tape had been swept from the streets of New York. His picture still hung in countless schoolrooms and homes when his baby was snatched. This was seen as more than a crime against an individual: according to the New York Herald Tribune, the kidnapping was "a challenge to the whole order of the nation ... The truth must be faced that this army of desperate criminals which has been recruited in the last decade is winning its battle against society."<sup>[15]</sup>

**The crime took** place during a time of economic disaster. The Great Depression had caused a national crisis of confidence. Richard Gid Powers has argued that kidnapping was the most highly publicized crime of the time because "it was a direct attack on the home, the country's grassroots symbol of security and traditional values at a time when both were threatened."<sup>[16]</sup>

**Film makers soon** exploited a national desire for vengeance. A cycle of vigilante movies began in 1933, the most notable of which was *Gabriel over the White House*. This film was produced by William Randolph Hearst's Cosmopolitan Pictures and it probably reflected the publisher's ideal solution to the crime

problem. In it, martial law is declared in response to a crime wave. Gangster Lip, court-martialled then stood before a firing squad. In this world constitutional rights are not allowed to interfere with the processes of law and order.

**The Lindberg baby** was later found dead. Bruno Richard Hauptmann was electrocuted for the crime in 1936. Doubts remain as to his guilt, but the authorities had given Americans what they wanted; retribution.

**Kidnapping is a** crime where the victim takes centre stage, not so bank robbery. In these early depression years, few Americans were talked or written about other than Bonnie Parker and Clyde Barrow, "Baby Face" Nelson, "Pretty Boy" Floyd and John Dillinger; outlaws from the American south and west who robbed land and, for a short while, got away with it. Their methods were similar. They tended to be well-armed, often with sub-machine guns, and were willing to take part in shoot-outs with the authorities. They made their escape at speed in cars, and, if necessary, crossed state lines where the jurisdiction of their pursuers usually ended.

**Federal law enforcement** had done little to impress during the administration of President Herbert Hoover. Even the conviction of Capone seemed inadequate. A sentence of eleven years for tax evasion would in normal circumstances be harsh but the man was widely believed to have been a mass murderer. Mearns racketeering remained rife, kidnap victims died and the series of spectacular robberies continued. The Saturday Evening Post was not the only publication to demand a decision on "who is the Big Shot in the United States - the criminal or the Government."<sup>[17]</sup> The President responded by lecturing about states' rights and the constitutional limits on federal jurisdiction and in one more area failed to catch the disenchanting mood of the nation. The Democrats and Franklin Delano Roosevelt took office in 1933 and promised government action on the nation's

**A war on** crime was declared and orchestrated by Attorney General Homer Cummings. The country was, he said, "confronted with real warfare which an armed underground is waging upon organized society. It is a real war which confronts us all - a war that must be successfully fought if life and property are to be secure in our country ... Organized crime is an open challenge to our civilization, and the manner in which we meet it will be a test of our capacity for self-government."<sup>[18]</sup>

**Much of this** war was rhetoric accompanied by symbolic action. For example, on 12 October 1933 Cummings announced on the radio that the federal government now had a new type of prison for "our most dangerous, intractable criminals." This, he continued, was "Alcatraz Prison, located on a precipitous island in San Francisco Bay, more than a mile from shore. The current is swift and escape practically impossible... Here may be isolated the criminals of the vicious and irredeemable type so that their influence may not be extended to other prisoners who are disposed to rehabilitate themselves."<sup>[19]</sup> One magazine felt it was close to shore and called for it to be located on a remote Pacific atoll. "America," according to Real Detective, "needs an isolated penal colony if it is ever to shake off the tentacles of the crime octopus."<sup>[20]</sup> But Alcatraz held unlimited potential for the writers of popular fact and fiction. Al Capone was an early inmate. It almost immediately became part of American folklore.

**The agency chosen** to represent the New Deal's commitment to enforcement was the Federal Bureau of Investigation (FBI). In 1934 the FBI was given additional jurisdiction over a variety of inter-state felonies, such as kidnapping and auto-theft. Its director, J. Edgar Hoover, immediately exploited the public value of his new powers by directing his agents against the bank robbers, who had been avoiding capture by crossing state lines. In rapid succession "Baby Face Nelson," "Pretty Boy" Floyd, and John Dillinger were shot down by Mr Hoover agents.

**Also in 1934** a new censorship code put an abrupt end to the 'Little Caesar, Public Enemy', Scarface type of gangster film. These had outraged moral crusaders by "glorifying" criminals. Instead, in 1935 there was a new Hollywood campaign to glorify G-Men - the Press name for FBI agents. That year there were seven G-Man movies sold by Hollywood as its contribution to the war on crime. "SEE UNCLE SAM DRAW HIS GUNS TO HALT THE MARCH OF CRIME," ran the title for one of these films. In the original G Man (1935) James Cagney played an agent as forcefully as he had played gangster Tommy Powers in Public Enemy. Andrew Bergman put it, exciting and benevolent law was in the hands of the Government and in fact up to the US Government." [21]

**Hoover not only** helped to create the new pro-police mythology but also became a prominent part of it. Before long his publicists had created an image for the G-Man agent that lasted for decades. G-Men were dedicated, clean-cut, familiar with the most up-to-date, scientific techniques of crime detection and totally incorruptible. Books, magazines even bubble-gum cards echoed the same theme as the G-Man films: "Crime Does Not Pay" so long as the elite federal policemen were around.

**It has been** argued that Hoover's news management skill could even turn a tragic mistake into a triumph for law enforcement. The journalist, Hank Messick has analysed the FBI shooting of Kate Barker, mother of the kidnapper and bank robber, Fred Barker, and suggested that the killing of an innocent, unattractive old woman was justified by an extraordinary story circulated by J. Edgar Hoover and his publicists.

**Mother and son** were shot on 16 January 1935. News stories at the time described this as another G-Man success and suggested that "Ma" Barker was the brains behind a gang of desperadoes. In 1938 Hoover made this claim himself stating that she was "the most vicious, dangerous and resourceful criminal of the last decade," and that the criminal careers of her four sons were directly traceable to their mother. "This woman," he concluded, was "a monument to the evils of parental indulgence."

**Messick argued that** the idea of Kate Barker as a crime supremo is farfetched. In fact she had never been convicted of any crime and it is very unlikely that a female hillbilly from the Blue Ridge mountain area would be allowed to interfere with what was considered to be men's business in a male-dominated society.

**But Hoover had** given the producers of popular culture an idea that could be endlessly recycled. An Englishman, James Hadley Chase, was first with a novel called No Orchids for Miss Blandish in 1939. In this "Ma Grisson" was "physically powerful and a hideous old woman; she was also the brains who determined the future of the gang.... Ma died in her office with a Thompson submachine gun in her hands, taking four cops with her." Scriptwriters began adding "Ma" Barker

characters to the plots of films, most notably in *White Heat* (1949) and *Blood Mama* (1970). Hoover's interpretation was not, of course, questioned at the time. Few people had any doubts about the integrity of his agents; the idea that they may have killed an innocent old woman was unthinkable.

**For more than** three decades Hoover managed to ensure that the FBI was viewed as infallible, constantly vigilant for crooks and communists who might threaten the security of American citizens. The FBI's failures and, in particular, its avoidance of significant organized crime until the mid-1960s did not reach the public's attention. Most people believed that the FBI was unrelenting in its war on crime but the real fight against organized crime was left to the local authorities with their limited resources, overlapping jurisdictions and general lack of commitment to interfere with any crime business that had established a legitimate "front." Thanks largely to Prohibition, there were many more professional criminals with their own bankrolls, organizations and local political protection in the tradition of Arnold Rothstein. Few, however, survived long enough that they could distance themselves from actual criminal activity and establish businesses for themselves in the mainstream of American economic life. Gangsters had two instruments for this: the infiltration of the labour movement and the ownership of legitimate businesses. The first led to and often complemented the second and both were profitable in their own right.

**Local police forces** followed the FBI's lead and began to improve their image, not their behaviour, during these years. Corruption was still endemic but public relations units were set up to cultivate the goodwill of newspaper and magazine publishers as well as radio and movie producers. These gave out handouts to reporters and editors, supplied brochures and pamphlets to citizens' groups, invited speakers to public meetings, and otherwise put the police point of view.

**It is not** surprising, then, that the G-Man hero was joined by the city police hero. In *Bullets and Ballots* (1936) it was Edward G. Robinson's turn to join the side of law and order. He played Detective Johnny Blake who goes undercover in order to join and then destroy the "crime combine," which ran a city's numbers and public market rackets. Blake's answer to the problem was to restore respect for law: "to kick the rats into line." In the final scene the last gasp of the dying public official is, "I'd like to think that when those mugs pass a policeman they'll keep on tipping their hats." The message of this film and dozens of others that followed was that an aroused citizenry could smash the rackets by using the votes to install honest and effective public officials.

**From the late** 1930s Metro-Goldwyn-Mayer joined the war on crime by advertising shorts from the Crime Does Not Pay series to many programmes. In these, "M-G-M Crime Reporter," Reed Hadley, introduced films on most types of crime from drug trafficking to faulty repairs on second-hand cars with one thing in common: police methods and intuition always inexorably tracked down the perpetrators. A well-ordered community was essential and this usually got precedence over basic human rights. Popular radio shows, such as *Gangbusters* and *Mr D. A.*, showed a similar sense of priorities. [23]

**The 1930s also** saw the beginnings of the glorification of the prosecutor. The career of New York special prosecutor Thomas E. Dewey provided a rich source for opinion-makers wanting to show the law triumphant. For a brief period Dewey had choreographed the downfall of a succession of gangsters and some of the

political protectors, making headlines across the nation. His greatest coup was the conviction of Charles "Lucky" Luciano who received a thirty- to fifty-year sentence for one of the few crimes he was probably innocent of, compelling women into prostitution. The New York Daily Mirror congratulated the jury "The 100% verdict was the most smashing blow ever dealt the organized underworld in New York was, moreover, hailed throughout the country as the definite beginning of the end of gangsterism, terrorism, and commercialized criminality throughout the United States." [24] (Dewey later became Governor of New York State and commuted Luciano's sentence conditional upon his deportation to Italy in 1946. Luciano's wartime collaboration with US Navy Intelligence was later given as the reason for this leniency.) [25]

**Dewey's tactics were** pioneering: close and prolonged surveillance and wiretapping of suspects, inducements for criminals to become prosecution witnesses and convict their associates, and the use of special laws to make conspiracy convictions easier. These were presented to the nation as the answer to the problem of organized crime. Books, newspapers and films such as *Marked Men* (1937), *Racket Busters* (1938) and *Smashing the Rackets* (1938) sang the praises of thinly disguised personifications of Dewey and put over the message that the answer to organized crime lay exclusively in the prompt indictment and vigorous prosecution of law-breakers at whatever cost to individual liberties. Dewey had put dozens of illegal gambling operators, loan sharks and industrial racketeers behind bars but the popular accounts of his courtroom triumphs left out some uncomfortable details. He manipulated public hysteria, he coerced reluctant witnesses, he illegally used wiretaps against political opponents and he failed to make more than a marginal impact on wholesale illegal profit-making in New York. [26]

**From the 1930s** onwards crime, vice and corruption were major issues at election time in numerous cities. Voters were told time and again to express indignation at government corruption and rampant racketeering by voting the ruling party out of office. The victorious politicians would then, they claimed, get on with the job of cleansing the government and, in particular, improving the efficiency of law enforcement. Criminals would then be imprisoned and, theoretically, that would be the end of the problem. People were presented with issues in terms of good guys and bad guys. There was no suggestion that the problem was in the laws and the system.- It need hardly be said that the forces of organized crime were not significantly affected by changing administration.

**The G-Men and** Racket-busting films had established plot patterns for thousands of crime films and television cop shows in the following decades. The bad guys were very rarely at the centre of the action and they always finished up dead in prison thanks to the bravery, expertise or superior intelligence of government agents or prosecutors. Certain subjects were not encouraged. On one occasion in 1963, a TV writer called David Rintels was asked to write an episode of *The Untouchables* on a subject of his choosing. Rintels suggested police brutality. The network said no, certainly, as long as the charge was trumped up, the policeman vindicated, the man who brought the specious charge prosecuted. [27]

**Popular culture generally** helped towards an uncritical public acceptance of whatever the experts in the law enforcement community said was the answer to crime. These experts wanted more federal involvement in the fight against gambling, drugs and industrial racketeering and federal prosecutors to be able

with Dewey-type powers. This required loosening the limits on federal jurisdiction and significant alterations to the Bill of Rights. To accept this, people had to organize crime not just as a threat to individual cities but to the nation as a whole. The process began in the late 1940s.

### 3. Enter the Mafia

**After the lean** years of the 1930s the Second World War boosted illegal as well as legal businesses: more people were employed and earning good wages; rationing and war production cut back on available consumer goods; an increasing amount of money became available to spend on prohibited goods and services; and the profitability of vice increased.

**It soon became** apparent that the good guys were only winning on the screen as the newspapers were making it clear that they were losing in reality. Illegal gambling, in particular, enjoyed a wartime and post-war boom. Casino operators, slot machine distributors and off-track bookmakers were nullifying the anti-gambling laws with the help of local policemen, sheriffs and prosecuting attorneys. These, as Life put it in 1950, "have built mansions, bought yachts, loaded their safety deposit boxes to bursting," on the proceeds of graft.<sup>[28]</sup> Journalists had a field day exposing an endless string of gambling corruption scandals. And, as the country got richer, individual entrepreneurs, crime syndicates and corrupt public officials maintained the supply of other illegal goods and services such as drugs, prostitution and loan sharking.

**In many ways** gambling in post-war America resembled the liquor situation during prohibition. Gambling was a popular and socially approved pastime, and the fact that it was illegal played into the hands of corrupt officials and criminal entrepreneurs. Gambling laws, like the dry laws, were plainly not being enforced and some people began to call for liberalization and regulation, so that tax revenue would replace illegal enrichment. But the proponents of legalized gambling lacked the immense financial support that had pushed through the repeal of the Prohibition amendment. Business interests were either uninterested or accepted the anti-gambling arguments of the Citizens' Crime Commission movement which had gained strength in the post-war years. The essence of the argument was that the laws prohibiting gambling were right and necessary not only because gambling was immoral but also for sound business reasons. "Gambling," it was said, "withdraws money from the regular channels of trade vital to the well-being of a nation or a community."<sup>[29]</sup> Gambling, in other words, was bad for business; ways had to be found to enforce the gambling laws. The only solution was increased federal commitment, involving the enactment of more laws and the establishment of a federal law enforcement capacity that was capable of succeeding where local authorities had failed. By some means people had to be prevented from indulging in the activities that filled the coffers of the "underworld."

**A new phase** of America's moral crusade began. This was to persuade people of the correctness of the above approach and a Senate investigating committee chaired by Senator Estes Kefauver of Tennessee set out to do this in 1950. A committee was formed to investigate organized crime in interstate commerce. It concentrated on gambling with the aim of promoting federal laws to control

interstate gambling. Its main work, therefore, revolved around national race news wire services and gambling operators, notably Frank Costello of New York with widespread national investments.

**The impact of** the Kefauver Committee was increased by the fact that its hearings in several cities were televised. The hour-by-hour television coverage of the proceedings in New York, relayed to other large cities, reached an estimated audience of between twenty and thirty million. The newspapers were full of stories of neglected housework, deserted cinemas and department stores, a Consolidated Edison had to add an extra generator to supply power for all the television sets being used. The New York Times described the mass audience of the committee as "a major phenomenon of our time."<sup>[30]</sup>

**Television viewers were** presented with an impressive array of top crime figures, especially in New York. "They gawked," as one pundit put it, "like a country boy looking at a painted woman for the first time."<sup>[31]</sup> Joe Adonis, Anastasia, Meyer Lansky, Frank Erickson and Willie Moretti testified but gave away: most pleaded the Fifth Amendment and refused to answer questions on grounds that it would tend to incriminate them. Frank Costello, described by the committee's report as "the most influential underworld leader in America," could not answer the questions. He did, however, object to having his face filmed. The committee told the television people to avoid Costello's face and instead the viewers saw the gambler's nervous, sometimes twitching hands, which, combined with the hoarse whispering voice of a man who had had a throat operation, had suggested guilt and immense conspiratorial power.

**Investigating committees do** little real investigating. Rather they dramatize a particular perspective on a problem and place the prestige of a Senate body behind a chosen point of view.<sup>[32]</sup> In effect, the committee's goal was to reduce the complexities of organized crime to a simple 'Good versus Evil' equation. The committee's conclusions had been decided on before the hearings began. The committee had accepted the arguments against gambling and no serious consideration was given to the possibility of regulation and control of the gambling business. People had to be convinced that prohibition was the only option and prohibition had to be made effective. Enforcement had to be seen as the only answer. The committee chose to put the weight of its opinion behind a bizarre alien conspiracy interpretation of America's organized crime problem. If people believed that organized crime was run by an alien conspiracy, they would accept the need for a greater federal response to gambling, the main source of income for the mysterious Mafia.

**The committee's conclusions** traced the history of the Sicilian Mafia and "implantation" into America and made a number of often repeated assertions: "There is a nationwide crime syndicate known as the Mafia.... Its leaders are found in control of the most lucrative rackets in the cities. There are indications of a centralized direction and control of these rackets.... The Mafia is the cement that helps bind the Costello-Adonis-Lansky syndicate of New York and the Accardo-Guzik-Fischetti syndicate of Chicago."<sup>[33]</sup>

Contrary to these conclusions, the committee had found men of several ethnic groups at the head of criminal syndicates around the nation, and frequent cooperation and co-operation between different ethnic groups. Even in the committee's choice of the two most powerful syndicates in the country, the Costello-Adonis-

Lansky syndicate of New York, and the Accardo-Guzik-Fischetti syndicate of Chicago, which were supposedly bound together by the Mafia "cement," Meyer Lansky and Jacob Guzik were Jewish-Americans, and the parents of Frank Costello, Joe Adonis and Charles Fischetti had all originated from mainland Italy. Presumably Tony Accardo represented the Sicilian "cement." The evidence the committee uncovered showed that gambling operators in different parts of the country had sometimes combined in joint ventures, in the same way as businessmen everywhere, and had made a lot of money for themselves and the public officials they had to pay off. Despite a great deal of hopeful effort, evidence was produced at the hearings to support the view of a centralized Sicilian or Italian organization dominating organized crime in the United States.

**Although the committee** was mainly concerned with gambling, the federal enforcement agency which influenced it most was the Federal Bureau of Narcotics (FBN). The FBN's chief, Harry J. Anslinger, dominated his agency in much the same way as J. Edgar Hoover dominated the FBI. Anslinger often stated that the approach to drug control was simple: "Get rid of drugs, pushers and users. Period."<sup>[34]</sup> But his belief that effective enforcement and draconian penalties were the only answers to drug addiction was being seriously challenged. Doctors and academics were arguing for medical, rather than police-based drug control policies and they were getting some support from within the law enforcement community. One crime commission asked whether the country really should pursue a drug control policy that was ineffective and fabulously profitable to traffickers.<sup>[35]</sup>

**Anslinger responded to** this challenge by developing self-serving distractions, one of which was to blame aliens for America's drug problems. Through statements and disclosures to the Press and by appearances before Senate committees, beginning with Kefauver's, Anslinger and his agents propagated the idea that the Mafia supercriminal organization controlled both the world-wide drug traffic and the core of organized crime activity in the United States. As Dwight Smith has argued, the Bureau could therefore justify the importance of its task and explain its lack of success without having to inquire more deeply into the problem of addiction itself. Just as antigambling campaigners were asserting that the legalising of gambling, its regulation and control, would be a capitulation to criminal interests, Anslinger used similar arguments to justify calls for yet more penalties against drug users and traffickers and for increased yearly budget appropriations. (It is also worth noting that in 1968 Anslinger's Treasury agency was found to be so corrupt that it had to be abolished and replaced by a new agency in the Department of Justice.)<sup>[36]</sup>

**The work of** two Hearst journalists, Jack Lait and Lee Mortimer, columnists of the New York tabloid, the Daily Mirror, constituted another of the main influences on the Kefauver committee's Mafia conclusions. These produced a series of bestselling books beginning with *New York Confidential* in 1948, and *Chicago Confidential* in 1950, *Washington Confidential* in 1951, and *USA Confidential* in 1952. *Chicago Confidential* was the first book to string together anecdotes about Italian-American gangsters and claim that this proved that the Mafia controlled organized crime in America. Kefauver had read *Chicago Confidential* and his committee's interpretation of organized crime was little more than a more temperate version of the conspiracy theory of the two journalists. It was no longer sufficient for organized crime to be portrayed as evil, it had to be portrayed as foreign as well.

**The Mafia, according** to Lait and Mortimer, is "the super-government which has tentacles reaching into the Cabinet and the White House itself, almost the state capital, huge Wall Street interests, and connections in Canada, Greece, China and Outer Mongolia, and even through the Iron Curtain into Soviet Russia. The organization is "run from above, with reigning headquarters in Italy and American headquarters in New York." [37] It "controls all sin" and "practically all crime in the United States," [38] and is "an international conspiracy, as potent as any other international conspiracy, Communism, and as dirty and dangerous as any with its great wealth and the same policy - to conquer everything and take over everything, with no scruples as to how." [39]

**Among the other** claims Lait and Mortimer made were that the great growth of the "plague" of narcotics addiction had been "parallel to the spread of Communism in our country" [40] and that "organized gangsters, combined with Communists and pinks, were working to turn Americans into addicts." [41] The authors showed racist and sexual fears and hatreds throughout the four books. Communist women always used their sexual favours to convert "darkies" and children to the party line, and black Americans were regarded as "soft converts" who had to be "imbued by practical demonstration with the complete equality of all comrades." [42] Most women mentioned in the books were either "nymphomaniacs" or prostitutes, all homosexuals were "faggots," "fairies," "perverts." It is a symptom of the time that these books were taken seriously by members of the US Senate.

**As an easy** explanation for the country's organized crime problems the Mafia could not be beaten. A Jewish conspiracy theory could have been concocted and not sold to the public, given American revulsion at German war-time atrocities against the Jews. Instead the Mafia interpretation continued to be fostered by tabloid journalists in the tradition of Lait and Mortimer. The first book-length development of their alien conspiracy thesis was by Ed Reid in 1952. In *The Mafia Conspiracy* was "history's greatest threat to morality," and "the principal focus of all crime in the world, controlling vice, gambling, the smuggling and sale of drugs and other sources of evil." [43] Frederick Sondern wrote another account of "the always writhing octopus" in 1959. [44]

**Lait and Mortimer** had produced a formula that journalists the world over since turned to when writing about US organized crime. The trick was to describe briefly how a secret criminal brotherhood developed in feudal Sicily, was transported to urban America at the end of the nineteenth century, and then spread over organized crime operations in the entire country. As "proof" all editors required were unrelated anecdotes about Italian-American gangsters, mainly in New York, with the narrative enlivened by words like "godfather," "tentacles," "omerta." "Omerta" was, according to Lait and Mortimer, "the secret and unwritten code of silence of the Mafia. Every member lived in mortal fear of violating this code." [45] Other writers followed this lead and inserted paragraphs about "omerta" in their work, thus justifying the wildest assertions without needing to provide evidence. Who could contradict them if the Mafia code of silence could not be violated?

**Producers of fiction** were not slow to enliven their narratives with references to the omnipotent Mafia. In *Kiss Me Deadly* (1952) Mickey Spillane described the Mafia as a "slimy, foreign secret army," that "stretched out its tentacles all over the world with the tips reaching into the highest places possible." Dwight Snider

survey of popular crime literature came to the conclusion that by the mid-sixties "a standard Mafia plot required one key figure, with girls; formal 'board meetings'; mysterious 'hit men'; cross-country travel; dissension within the organization; and uncertainty as to the ultimate winner until that dissension been resolved in an eruption of violence."<sup>[46]</sup>

**The first film** to feature a nation-wide criminal organization was *The Enforcer* (1951). This was based on a real-life criminal investigation that resulted in the exposure of a national network of contract killers known in the Press as "Mu Inc" (the title of the film in Britain). The film created the impression of an immense criminal empire which specialised in wholesale killing.

**After *The Enforcer***, gangster films repeatedly portrayed the underworld as consisting of groups of racketeers working together in business-like organizations behind respectable "fronts." "The Syndicate" or "The Organization" of crime was still usually confined to city-wide operations such as those in *Hoodlum Empire* (1952) and *The Big Heat* (1953), but the idea of a national organization resurfaced in *The Brothers Rico* (1957). In this a retired mobster played by Richard Conte set out to expose the Syndicate after it had killed his brother, only to find a criminal dragnet out to kill him that is more efficient and, geographically more wide-ranging than anything the police can offer.

**The first film** to put a strong Italian ethnic identity to organized crime on a national scale was *Inside the Mafia* (1959), which was about, "The World's Number One Secret Society of Crime," according to the posters. However, this film was poorly made and failed both commercially and critically. More important was *Underworld USA* (1960). In this a vast syndicate, masquerading under the corporate name of "National Projects", controls organized crime throughout the country. The leaders of the syndicate head separate departments: Drug Trafficking, Labour Racketeering, Gambling and Prostitution. The syndicate keeps power through murder, intimidation and bribery and "by maintaining a legitimate business from basement to penthouse." But, according to the film's publicity handout, the syndicate's strongest weapon is "public indifference." *Underworld USA* provides a scathing portrait of the American public who have allowed the 'punks' to take office. The totalitarian threat to the democratic way of life comes not from communism but from organized crime."<sup>[47]</sup> The implied solution is public support for a stronger federal law enforcement response.

**Crime films of the period** continued to justify intrusive and coercive police tactics. The informant is glorified in Elia Kazan's classic film about union racketeering, *On The Waterfront* (1954), perhaps because Kazan and Budd Schulberg, the scriptwriter, had recently named people they knew as former communists before the House Committee on Un-American Activities. Wiretapping and bugging devices provide the crucial evidence to destroy the Hoodlum Empire. Undercover and entrapment operations enable one *Damn Citizen* (1957) to shatter vice and crime in Louisiana. And of course violent police activity, such as kicking doors down, roughing-up and shooting suspects, would always be the correct response in any crime film.

**Academics were generally** muted during these years but the most significant dissenter from the Mafia conspiracy theory of organized crime during these years was the sociologist, Daniel Bell. His article, "Crime as an American Way of Life" first appeared in *The Antioch Review* in 1953 and has since been frequently

reprinted. Bell had little time for conspiracy theories. The high proportion of Italian-Americans known to be associated with organized crime could be explained without invoking the idea of the omnipotent Mafia. He pointed out like other immigrant groups, they were initially marginal to the socio-economic and political structure. The employment and business opportunities available to them were initially limited. In such a situation, involvement in crime was understandable. This explained why the ethnic succession among gangsters tended to follow the immigrant waves: American, German, Irish, Jewish and Italian. With the expansion of the American economy the majority of immigrants were integrated as wage earners and some were able to gain footholds in legitimate business: Irishmen obtained lucrative civil contracts through their control of some big city political machines, German Jews entered banking and merchandising and some of the later Jewish immigrants, the garment trade. These legitimate roads to wealth were spoken for by the time the Italians arrived so the entrepreneurially-minded people made good use of the new opportunities created by Prohibition for organized crime. After prohibition, attempts were continuously being made to move into legitimate businesses but opportunities were still limited. It was therefore logical for them to use their wealth and knowledge in other criminal activities such as gambling.[48] Bell was thus able to explain Italian involvement in crime without invoking notions of a national or international conspiracy.

**This "ethnic succession"** thesis was a reminder that organized crime was a multi-ethnic phenomenon at a time when professional and public opinion was moving towards a perception that organized crime was ethnically-exclusive to Italian-Americans. However, Bell reflected the reluctance of American liberals to be very critical about the system; corruption is considered but not emphasized or treated as a problem. The impression is given that Italian Americans got involved in significant criminal activity mainly because they were denied legitimate opportunities and, like the Irish and Jews before them, they would eventually become respectable members of society. In Bell's words organized crime was "one of the queer ladders of social mobility." [49] Bell was locating the source of organized crime problems among the relatively powerless in society on their way up to middle class respectability. In effect the only insight he was adding to the Mafia conspiracy thesis was that Italians were preceded by and would be succeeded by different ethnic and racial groups. Bell's thesis proved inadequate to replace the Mafia conspiracy thesis but during the 1970s government officials amalgamated the two to produce the current federal perspective. Now, according to the FBI, the problem is not just Italian but also "emerging crime groups", mainly blacks, hispanics and Chinese.[50] Corruption within the system is not considered part of this problem. Otherwise people might question the wisdom of the solution that is always offered: give the police more men, more intrusive coercive powers so that they can make more arrests and fill more prisons.

**The existence of** the American Mafia as a centralized organization dominating organized crime was never proved but incidents and revelations involving Italian American gangsters continued and still continue to give some substance to the concept.

**In 1957** a convention of about sixty suspected Italian-American racketeers was disrupted by state police at Apalachin, New York. Most of these had legitimate "fronts" in a variety of businesses ranging from taxicabs, trucks and coin-operated machines to olive oil and cheese. No useful information came from

police action, but it gave a much-needed boost to the alien conspiracy theor interest had been dwindling. [51]

**The publicity surrounding** Apalachin prompted the formation of another S committee, this time chaired by Senator John McClellan of Arkansas. The McClellan Committee was appointed to investigate racketeering in the labour and is best known for the clashes between the Teamsters' union leader, Jim Hoffa, and the chief counsel to the committee, Robert F. Kennedy. The Teamsters was the country's biggest and most powerful union, and was undoubtedly very corrupt. The evidence leaves little doubt that Hoffa misappropriated union funds and was connected with many wellknown labour racketeers such as Johnny Dioguardi and Tony "Ducks" Corallo.

**But 1963 was** the conspiracy theorists' most significant year. Another committee chaired by McClellan held televised hearings before which a small-time New York criminal, Joseph Valachi, revealed he was part of something he called "Cosa Nostra" or "Our Thing." For years J. Edgar Hoover had consistently refused to credit Mafia conspiracy theories, this new name gave him a chance of a breakthrough without too many people noticing. Before, Hoover had successfully kept the Mafia out of the futile and corrupting task of gambling law enforcement. But from 1963 on he chose to go along with the consensus of law enforcement opinion: organized crime was an alien conspiracy and gambling was this conspiracy's source of income; therefore the FBI had to go into action against gambling. Valachi's show was put on to mobilize support for increased federal involvement in the war against organized crime.

**Some of Valachi's** testimony does ring true in the light of later events and revelations, but it was full of inconsistencies and contradictions and it was certainly not enough to justify the assertions about the structure of US organized crime that were based on it. But by the end of the 1960s, as a result of these assertions, most Americans saw the Mafia as a monolithic, ethnically-exclusive, strictly disciplined secret society, based on weird rituals, commanding the absolute obedience of its members and controlling the core of the country's organized crime. Mafia and organized crime had become virtually synonymous. Government officials were more than happy to supply journalists with the facts to support this explanation for the country's organized crime problems. The Mafia provided bureaucrats and politicians with an easy-to-communicate threat to the nation.

**A single work** of fiction, published in 1969, put the law enforcement perspective into its most digestible form and gave organized crime its strongest ethnic identity yet. Mario Puzo's *The Godfather* was on the New York Times best-seller list for sixty-seven weeks and sold just as impressively on the overseas market. The film of the book was even more successful, breaking numerous box-office records, winning many awards, but in the process fixing misleading images of American organized crime for many years to come. A kind of Godfather industry has since developed with innumerable cheaper versions of the same themes turned out in every form of media communication - even Superman and Batman waged war on the Mafia in the August 1970 issue of *World's Finest Comics* - by-products ranging from Godfather sweatshirts and car stickers to pizza franchises, and a constant supply of Mafia books and articles.

**For the law** enforcement community the conception of organized crime as a

alien and united entity was vital. It was presented as many-faced, calculating and relentlessly probing for weak spots in the armour of American morality. More had to be protected from this alien threat. Aliens were corrupting the police, therefore the police had to be given more power. Compromise, such as a reconsideration of the laws governing gambling and drug taking, was out of question; the only answer was increased law enforcement capacity and more to ensure the swift capture of gambling operators and drug traffickers behind whom the Mafia was always lurking. (The "Cosa Nostra" label did not catch on with most journalists and fiction writers, but federal officials still use it.)

**The message got** across to the people that mattered, the legislators. Members of Congress were convinced enough by the Mafia's "threat to the nation" to pass a series of measures long sought after by the federal law enforcement and intelligence community. Organized crime control provisions in the 1968 and omnibus crime control acts included: special grand juries; wider witness immunity provisions for compelling reluctant testimony; extended sentences for persons convicted in organized crime cases; and the use of wire-tapping and eavesdropping evidence in federal cases. Such considerable alteration in constitutional guarantees was justified by the belief that the problem was a massive, well-integrated, international conspiracy. The measures gave the state head-hunting powers to federal police and prosecutors that Thomas E. Dewey used in the 1930s on a local level. They inevitably tipped the balance away from such civil liberties as the right to privacy and protection from unreasonable searches and seizure, and towards stronger policing powers. Handing the signed 1970 laws to Attorney General John Mitchell and FBI Director J. Edgar Hoover, President Richard Nixon said, "Gentlemen, I give you the tools. You do the job." [52]

**These laws and** concurrent anti-drug legislation had a great potential for a future which was soon fulfilled and this abuse was not restricted to financial corruption and police brutality, much of it was politically motivated. Federal policemen were given more scope to do what Hoover's FBI had been doing illegally for years on and suppress political dissent. The administration of President Richard Nixon used its new powers more actively against anti-Vietnam war protestors than Italian-American gangsters. Between 1970 and 1974, in particular, grand juries along with increased wiretapping and eavesdropping powers, became quite a part of the government's armoury against dissent. A list of abuses during these years would include: harassing political activists, discrediting "non-mainstream" groups, assisting management during strikes, punishing witnesses for exercising their Fifth Amendment rights, covering up official crimes, enticing perjury and gathering domestic intelligence. By the time of Nixon's resignation in 1974 it was clear that Congress had bestowed an armoury of repressive crime-control laws on people who were themselves criminally inclined. [53]

**More recently, in** 1984, Reagan administration officials used organized crime control powers to infiltrate church meetings and wiretap church phones in Arizona and Texas. The intention was to monitor the efforts of some churches to provide "sanctuary" to Central American refugees. These refugees were primarily from El Salvador and Guatemala, countries whose regimes had the active support of the US government despite much documented evidence of violent suppression of dissent. For a single set of indictments, 40,000 pages of secretly taped conversations involving priests and nuns were compiled. No prison sentence resulted but the harassment had successfully intimidated the "sanctuary" movement. [54] In the meantime the extent of organized crime in America was

not significantly affected. The 1968 and 1970 organized crime control measures, as constitutional scholar Leonard Levy put it, "a salvo of fragmentation grenades that missed their targets and exploded against the Bill of Rights." [

**Italian-American organized** crime is not the coherent, hierarchical corporation portrayed in most crime books and articles. But, more than twenty Italian-American crime syndicates do exist and participate in an environment that is peculiarly conducive to crime. They will continue either to operate separately or compete or cooperate on occasion. They will also continue to be collectively the Mafia and be much overrated in films and newspaper articles. In 1986, for example, "Fat Tony" Salerno and Tony "Ducks" Corallo were the most notable gangsters convicted of racketeering in a series of dramatic court cases that bore the name of US Attorney, Rudolph Giuliani. An editorial in the New York Times reflected the government's view with the claim that, "Society, at last, is organized. With convictions like these, it's the mob that is coming apart." [5] Similar claims had been made fifty years earlier during the prosecutions of Thomas E. Dewey. The organized crime situation in the meantime has worsened.

**The history of** Italian-American organized crime has been more notable for its savage struggle against each other and other groups than for the mutual enrichment, discipline and codes of absolute obedience described in most accounts. Criminal syndicates are powerful in the United States and they are often based on such unifying factors as religion, kinship, ethnicity and prison experience, just as racially-exclusive, old-school or masonic networks exist in other businesses. They are necessarily secretive, all have "omerta-like" codes and criminal activity is not something that it is intelligent to talk about. Organized crime in the United States mirrors the country itself in that it is composed of many major ethnic groups. The endless speculation about the Mafia merely distracts attention from defects in the political, economic and legal systems, defects which were often exploited in an organized, systematic and profitable way.

**Thanks to wiretaps,** bugs and informants, American "Mafiosi" have been taken to the federal authorities for the past three decades. Out of a mass of contradictory evidence came an organized crime control strategy that has not controlled organized crime. The situation is now too much a tidal wave of crime and systematic violence to be explained by a neat and tidy hierarchy of capomangia and consiglieres and soldiers swearing blood oaths of allegiance and dividing up spoils.

**The FBI did** not distinguish itself in its fight against gambling, "the principal roll" of the Mafia. Hoover found that his agency was as ill-equipped to stop gambling as local police forces. The US anti-gambling laws had only succeeded in creating an immense market with no legal suppliers. Opportunities to profit from the protection of or extortion from gambling suppliers were eagerly accepted by innumerable local officials. Often the authorities controlled illegal gambling to a great extent, exploiting bookies and numbers operators, and keeping the bulk of the profits for themselves. But with ineffectual and corrupted enforcement there were also opportunities for the more ruthless and violent criminal individuals and organizations to reach power and influence. Either way the demand for gambling was met, just as the demand for liquor had been met during Prohibition. There are still many laws against gambling in America, but gambling law enforcement continues only as a niggling inconvenience in most states. Resources have been shifted to the effort to control drug taking. Organized crime control is now

primarily focused on drug traffickers.

#### 4. Static Response -Dynamic Industry

**On 14 October** 1982 President Reagan announced a plan intended to "end drug menace and cripple organized crime."<sup>[57]</sup> Part of the plan was the establishment of a task force, nominally headed by Vice-President George Bush which deployed everything from destroyers and helicopter gunships to a balloon shaped radar device nicknamed "Fat Albert" to intercept smugglers in South Florida waters. A year later an enlarged task force was expanded into a national narcotics interception system. The tens of millions of dollars spent achieved little. Smugglers were perhaps inconvenienced and required to use more ingenuity; the new elaborate and expensive surveillance techniques failed to stop them bringing drugs into the country. The rest of the plan, similarly, was mainly for public relations purposes and failed to make an impact on the extent and success of organized crime.<sup>[58]</sup>

**Reagan's advisers were** probably well aware that organized crime would not be crippled by the plan and therefore a crime commission was also thought necessary to maintain public support for prevailing organized crime control policies. On 28 July 1983, Reagan formally established the President's Commission on Organized Crime to be chaired by Judge Irving R. Kaufman and composed of eighteen other men and women, mainly from the law enforcement community.

**The commission's stated** intention was to investigate the power and activities of "traditional organized crime" and "emerging organized crime groups." At the first hearing in November 1983 the nation's top law enforcement officers were invited to explain the federal's perspective on the problem. Each identified "traditional organized crime" exclusively with Italian-Americans or "the La Cosa Nostra." However, they also showed that the federal perspective had developed since the 1960s. They made it clear that organized crime was not synonymous with any one group and stressed the importance of "emerging groups," mentioning motor-cycle gangs, prison gangs and "foreign-based" organizations. No doubts were expressed about the essential correctness of the law enforcement approach to organized crime control based on long-term investigation, undercover operations, informants, wiretaps and asset forfeiture. Successes against "traditional organized crime" and the need "to stay in front" of the emerging "cartels" were emphasized throughout. Drug trafficking was identified as the most profitable organized crime activity.<sup>[59]</sup>

**After three years'** selective investigation the commission's conclusions were in line with those of the Reagan administration. The basic approach of the national drug enforcement programmes was sound but needed a harder line on all fronts: more wiretaps, informants, under-cover agents in order to get more convictions which would require more prisons. Witnesses who might have pointed out the deficiencies of this approach were not consulted. The only recommendation that attracted much attention was a call for a widespread national programme to test the most working Americans for drug use, in effect to force most working Americans to submit to regular, observed urine tests. The tests require supervision because people might be tempted to bring in someone else's clean urine. At a news

conference Judge Kaufman explained the recommendation. The investigation convinced him that "law enforcement has been tested to its utmost .... But in face it, it hasn't succeeded. So let's try something else. Let's try testing." [60] The immense problem of drug-related gangsterism and corruption was to be tackled by examining the urine of innocent people.

**A small number** of liberals objected to this invasion of privacy but a poll taken after the commission's report was issued showed that nearly eighty percent of Americans did not oppose drug testing. In fact, many already worked for corporations that regularly tested their personnel. The law enforcement community had announced that testing people's urine would reduce the demand for drugs and therefore hit organized crime in the pocketbook, so millions of Americans were prepared to line up and give their samples. Although the results of these tests have often been shown to be wrong, the business of urine-test laboratories and equipment manufacturers is booming. Like most wars, the American war on drugs has its profiteers. [61]

**The American approach** to organized crime has basically relied on undermining civil liberties and increasing law enforcement and prison capacity in order to reduce the appearance of effective activity. The organized crime control strategy that has evolved is guaranteed to produce short-term and publicity-laden successes in the war against crime. It promises success in public relations terms for policing agencies and continues to enhance the career prospects of ambitious prosecutors. However, in the long-term it will fail. To help explain why, the final part of this essay will present a picture of organized crime that departs from the law enforcement perspective.

**Organized crime has** involved all ethnic and social complexions; Americans from the lowest to the highest levels of society and government have been involved; and still are involved.

**Police estimate that** there are around 70,000 members of the Crips and Bloods youth gangs in Los Angeles County alone, operating in about 600 to 700 different sub-gangs. Law enforcement officers have identified such gangs in at least nineteen states and fifty cities nationally. To protect their drug distribution networks the gangs favour AK-47s and other heavy weapons. Organization is strict, methods are flexible, and profits so high that teenage gang members make thousands of dollars a week selling or transporting drugs. [62] The work is often dangerous and shoot-outs are frequent, but many inner-city young men consider the risks worth taking. The alternatives are unemployment or dead-end jobs. The local police are overwhelmed; wiretapping and eavesdropping to gain intelligence are hardly options with the numbers involved.

**There is a** never-ending source of recruits for the lower-levels of organized crime and this source is not restricted to the ghettos and housing projects of the inner city. Outlaw motorcycle gangs, for example, are mainly groups of white Protestants from rural and suburban areas. Police estimate that there are now hundreds of individual gangs heavily involved in organized crime activities. Their record ranges from drug distribution and extortion to the use of violent tactics to maintain control over legitimate businesses. [63] The police tactic of undercover infiltration of gangs, which has sometimes worked against Italians, is made more difficult by the membership requirements of some biker gangs. A police officer would have to commit a rape or a contract murder to be accepted.

**Many members of** youth gangs and outlaw motorcycle gangs eventually get caught, convicted and sentenced to time in prison. But imprisonment has proved to be part of the problem of organized crime rather than its solution. In many prisons gangs fight over prostitution, protection and drug trafficking rackets through systems based on brutality, informants and staff corruption. Prison gangs tend to be organized along racial and ethnic lines and some like the Aryan Brotherhood, the Black Guerrillas and La Nuestra Familia have statewide and even inter-state influence. They run rackets and assassinate competition on the outside as well as on the inside.<sup>[64]</sup> The Kaufman Commission chose not to highlight prison gangs, presumably because they are hardly an advertisement for a drug control strategy that is based on mass imprisonment for drug possession, as well as trafficking offenses. Overcrowding the prisons and locking up tens of thousands of young men has already created many more and much more ruthless drug trafficking networks than it has disrupted. The first anti-crime proposals of President George W. Bush also took no account of the prison gang phenomenon. In May 1989 he announced a \$1.8 billion package intended to double prison capacity.<sup>[65]</sup>

**Organized crime is** evolving, spreading and expanding, fuelled principally by demand for drugs. No ethnically-based monopoly in the drugs business has existed. There are many thousands of distribution and smuggling networks; decentralization characterizes the industry with a high turnover of personnel. Smuggling organizations tend to restrict their operations to importation, local distribution within the United States to indigenous groups.

**Sources of raw** material exist throughout the world, including the United States. Organizations, large and small, buy and process the raw materials, and distribute the product at retail through a host of outlets. Although some operations have lasted for decades, organization in the drug business is largely spontaneous and anyone free to enter it at any level if he or she has the money, the supplier and the ability to escape arrest or robbery.

**If increased drug** law enforcement has done anything over the past two decades it has been to create a competitive advantage for criminal groups with skills, connections and capital to nullify enforcement with corruption and the firepower to resist theft and takeover bids. Violence in the drug trade today exceeds anything experienced during the bootleg wars of the 1920s, but the motives are generally the same; protecting territory or goods from rivals, discouraging informants, or stealing money or drugs from other traffickers. Trafficking mass-murders are not uncommon and they sometimes involve the innocent. On 14 April, 1984 a team of professional hit-men walked into a flat in Brooklyn and shot dead two women and eight children, either holding them in their chairs while shooting them in the head or propping them up afterwards. This was the home of Enrique Bermudez who operated on the fringes of the drug trade. In 1976 he pleaded guilty to selling half an ounce of cocaine to an undercover policeman. Under New York's stringent drug laws, he could have received a life sentence. Instead he chose to cooperate with the authorities in return for a five-year term. He was paroled in 1981 and worked for the kind of cowboy taxi service sometimes used by drug traffickers. The deaths of his girlfriend and children, and the others, were probably either a warning or a rebuke for informing.<sup>[66]</sup>

**So far only** the lower level of organized crime activity has been discussed. The second level involves the whole system of law enforcement and criminal jus-

The problem of corruption was largely avoided by the Kaufman Commission decades of making organized crime synonymous, first, with the Mafia alone, more recently with the Mafia plus marginal "emerging" groups, enabled the commission to exclude corruption from its definition of the problem without attracting criticism. In 1967 President Johnson's Crime Commission had de-emphasized corruption in its analysis of organized crime but at least made t unequivocal statement that "All available data indicate that organized crime flourishes only where it has corrupted local officials." [67] Corruption has continued to characterize drug law enforcement well into the 1980s. The citi Detroit, Chicago, Miami and Portland have all experienced major scandals in recent years. The offenses uncovered include: "skimming" cash and drugs fi seizures, pocketing money earmarked for informants, lying to obtain search warrants, committing perjury in court to obtain convictions, selling drugs an guns, accepting bribes and protecting drug syndicates. In 1982, for example Chicago policemen were convicted on various drug-related charges including aiding and abetting a continuing criminal enterprise and extortion. The viola related to the defendants' three-year symbiotic relationship with two large c distributorships in which the police officers were paid off in exchange for wa the distributors of impending police raids, delivering drugs seized from othe dealers to the favoured syndicates, and threatening competitors. [68]

**Higher-level officials** have often been found to be corrupt. In 1982 the sh chief of police, a judge and others from Henry County, Georgia, were convic aiding and abetting smugglers when landing at an airstrip and "providing an escort service" into Atlanta. Southern sheriffs, in particular, have been reve to be as involved in drug trafficking as their predecessors were in bootleggir Most notable is sheriff Leroy Hobbs of Harrison County, Mississippi, who was sentenced to twenty years in prison in May 1984 for drug trafficking offence Hobbs had been elected on a promise to crack down on drugs and corruptio

**Defence lawyers take** their share of the proceeds of organized crime. Defi fees are so high that career criminals often have to step up their illegal activ while on bail to keep up with the payments. The lawyers make sure that the clients know that there is a firm connection between fee payment and the zi exercise of professional expertise, secret knowledge, and organizational "connections" on their behalf. [70]

**A third level** of organized crime activity involved both sides of American industry, unions and management, financial institutions and other legitimate businesses. Generalizations are difficult in the complex world of American la management relations and organized crime. There are cases when the empl hand was strengthened by union corruption. It worked out cheaper to pay o criminal networks than engage in honest collective bargaining; employers p gangsters gladly in return for low wage settlements. Against this, the notori corrupt Teamsters' union has generally succeeded in providing its members good wages and conditions. Gangster-dominated unions have often helped t keep the workforce docile for management; many workers had to settle for money and poor conditions and there was not much future for those who complained about it or tried to organize resistance. On the other hand, employers, especially the owners of small businesses, have also suffered: n being forced out of business by extortion or harassment and replaced by organized crime "associates." The garbage and toxic waste disposal industry the New York/New Jersey area, for example, has been dominated by Italian

American gangsters for decades.[71]

**Banks, most noticeably** in Florida, have boomed in recent years by laundering vast amounts of drug money. In Miami so many drug-trade dollars have flowed through the city's branch of the Federal Reserve System that it did not need to issue any new currency for some years and even exported used dollars to other Federal Reserve districts. Since 1970 the city has become an international banking centre, rivalling London and New York, and no one seriously disputes that dollars generated by the trade in marijuana and cocaine account for this rapid rise in prominence. The problem, as Senator William Proxmire has put it, is that "Many banks are addicted to drug money, just as millions of Americans are addicted to drugs." [72]

**In order to** be useful, organized crime money has to be made legitimate and untraceable. Banks can do this, but money in banks is idle money and few entrepreneurs can resist opportunities to make money active. Investment in legitimate business gives a successful criminal a base in the mainstream of American economic life. The amounts involved undoubtedly make organized crime an important source of investment capital.

**This capital, according** to Kirkpatrick Sale, has played a particularly significant role in the post-war development of the booming Sunbelt economy of the Southern United States. Millions of dollars, illegally obtained, were invested chiefly in high-risk operations where venture capital is hard to come by; oil exploration in Louisiana or gambling casinos in the Nevada desert, for example. But organized crime money has also found its way into corporate farming, computer manufacturing and above all, real estate. [73]

**The fourth level** of organized crime activity involves politicians. Politicians have often been the chief organizers of and profit-takers from crime and the 1971 Abscam investigation illustrated some of the ways political power can be used for illegal financial gain. In Abscam short for Abdul Scam - FBI agents disguised themselves as the financial representatives of oil rich Arabs and offered politicians money for their help in criminal activity. The politicians were then videotaped stuffing wads of cash into their suit pockets; one of them was shown asking "Does it show?" Mayor Angelo J. Errichetti of Camden, New Jersey was one of the first to become enthusiastically involved in the deals. He offered or gave Abscam agents hot diamonds, guns and munitions, forged certificates of deposit, counterfeit money, stolen paintings, leasing contracts, municipal garbage contracts, unregistered boats for drug-running, the use of Port Camden as a depot for drugs, Atlantic City zoning changes, a list of thirteen bribable state and city officials and entrees to five United States congressmen and a senator. [74]

**Finally, as a** superpower, the United States has often collaborated with domestic and foreign organized crime operations. This involvement began during the Second World War when Naval Intelligence worked with the New York gangsters who controlled waterfront labour to prevent sabotage; it seemed necessary in those circumstances but it set a malign precedent. In postwar Italy, US army agents helped indigenous gangsters, mafiosi in Sicily and camorrista in Naples, to take positions of power in local government as bulwarks against communism. The same cause justified an early 1960s conspiracy between the Central Intelligence Agency (CIA) and such gangsters as Sam Giancana, John Rosselli and Santo Trafficante which planned to assassinate Fidel Castro. Although this plan was

aborted, the agency continued to promote anti-Castro Cuban groups whose business was divided between terrorism and drug trafficking.[75]

**Collaboration can work** both ways and it has recently been revealed that Cuban general, Arnaldo Ochoa, allowed Colombian drug traffickers use of military airfields as transshipment points for cocaine en route to the United States.[76] However, it is doubtful that communist citizens and officials have been as involved in international drug trafficking on the same scale as the friends and allies of the United States, simply because drug trafficking routes tend to follow established trading routes.

**In recent decades** there has been a strong correlation between US involvement in the world's most volatile areas and the main sources of supply for American drug users. Evidence has implicated the war-lords of South East Asia, right-wing regimes in Central and South America, the Mujaheddin rebels in Afghanistan and the Contra rebels in Nicaragua in large scale drug trafficking. There is no disputing CIA knowledge of this, and some writers have charged that tacit consent sometimes became active assistance.[77] In the final analysis, despite the rhetoric, the war on crime has always occupied a lowly position on the list of the nation's priorities.

**Organized crime involves** American politicians, police, lawyers, bankers, businessmen and the US intelligence community, not just career criminals. It involves collaboration between these groups, and it also involves collaboration with the citizens who demand illegal goods and services.

**The term "underworld"** could hardly be more misleading since the "upperworld" has gained more from organized crime activity. There are few significant areas of American life that have not been affected by organized crime. Organized crime is an essential feature of the American economic and political systems, but experts and commentators have managed to disguise this fact by representing it as something alien and distinct from American life. Because of this the American government persists with an organized crime control policy that undermines civil liberties without making more than a marginal impact on the extent of organized crime activity. Ageing Italian-American gangsters are incarcerated from time to time in a blaze of publicity and exaggerated claims about their significance, but any vacuums created are swiftly filled. There are stronger forces around than the force of law; social, economic and political forces which often combine to make the law at best inadequate and at worst counterproductive.

**The increasing use** of heroin and cocaine supplied by corrupt and violent networks is undoubtedly a major problem. These drugs are dangerous but it is important to remember that legal substances such as tobacco and alcohol are as addictive and responsible for far more health problems and deaths. Milton Friedman, an economist who helped shape the supply-side strategy of the first Reagan administration, has pointed this out and recommended the abolition of drug prohibition. From the perspective of the libertarian right the Republic should be consistently deregulatory; drugs, including heroin and cocaine, should be legally obtainable. Otherwise, they argue, armies of bureaucrats will continue to drain money from the Treasury, while only gangsters, corrupt politicians and politicians will benefit.[78]

**Proposals to legalise** drugs, however, are not likely to be taken seriously. Governments wishing to avoid the devastating social consequences of American drug control policies should consider more realistic alternatives such as the Dutch drug control model. The Dutch government gives a lower priority to drug law enforcement than to maintaining social stability; policies are based on pragmatism rather than moralism. Users and small-time distribution networks are not often troubled by the police; marijuana, the least dangerous drug, is easily obtainable. The intention is to keep users within society rather than ostracize and alienate them.[79] There are problems with this approach, of course, often highlighted by those who favour a law enforcement approach based on the American model, but these problems do not compare in extent and severity to American drug problems.

**Governments should also** pay more attention to the public health argument against drug prohibition. Prohibition inflates prices and this not only enriches traffickers but also results in many addicts stealing or prostituting themselves to support expensive habits. It leads to addicts risking overdose deaths from drugs of uncertain strength and purity, and risking infections with the use of dirty needles. In the United States even drug paraphernalia is prohibited, therefore syringes are scarce and frequently shared. This is the reason why AIDS is so spread among American intravenous drug users at an alarming rate. People affected in this way must constitute a significant proportion of the half a million more AIDS carriers in New York City alone.[80] In the Netherlands, prices for heroin are less inflated, there are less lucrative opportunities for large drug trafficking operations, and drug users can buy or exchange needles and syringes. There is less opportunity for the development of significant organized crime and only a small incidence of AIDS among Dutch drug users.

**The Dutch, however,** carry less weight in the international community than the Americans. The Americans have successfully encouraged numerous other countries to base their response to drugs on their model. Entrepreneurs and criminal syndicates are already taking advantage in these countries. There are profits to be made and opportunities to be exploited by modern day equivalents of Arnold Rothstein, especially in the relatively rich countries of Western Europe. The damage to the health and social stability of countries which fail to learn from the American experience is likely to become progressively more apparent. Current strategies should concentrate on minimizing the damage that drugs can do to society. No strategy should take resources from the only approach that can reduce the demand for dangerous drugs; treatment and education, of course, but, more important, making policy which attacks the causes of social problems and not the symptoms.

**Not much about** organized crime fits into a neat and simple pattern. Not much conforms to the formulas most popular writers and journalists follow. American organized crime is an increasingly complex phenomenon with an ever more damaging social impact. One thing is certain: the time has come to tear up labels that say, "Made in Sicily, Made in China, Made in Colombia. Such a label has only succeeded in restricting analysis and forestalling other approaches to serious social problems.

##### 5. Guide to Further Reading

For full bibliographical details, see the appropriate reference in the Notes, as indicated.

**Historians have tended** to leave the study of organized crime to sociologists and journalists. The two most notable American exceptions are William Moore and Alan Block. Moore's *The Kefauver Committee and the Politics of Crime 1950-1974* [31] is an excellent introduction to the subject. Block has published numerous journals and edited collections; his first book was *East Side-West Side: Organizing Crime in New York 1930-1950* (Cardiff University College Cardiff 1980). Also worth consulting is Frank Browning and John Gerassi, *The American Way of Crime* (1980)[2] which gives a narrative history of organized crime as far back as the Elizabethan pirates and privateers. A comprehensive sociological introduction to American organized crime is Howard Abadinsky's, *Organized Crime in America* (1981) [3] Readers include: Gus Tyler's *Organized Crime in America* (1967) Francis A. J. Ianni and Elizabeth ReussIanni, *The Crime Society: Organized Crime and Corruption in America* (New York: New American Library, 1976) and Robert Kelly, *Organized Crime: A Global Perspective*, (1986)[25]. The recently published *Crime and Justice in American History*, edited by Eric Monkkone (Westport, Meckler, 1990) has many relevant articles.

**An historical account** of Italian-American organized crime is provided by Humbert Nelli's *The Business of Crime* (New York: Oxford University Press, 1980) which does not support the all-powerful, centralised Mafia interpretation. The story of Jewish-American gangsters is told by Albert Fried in *The Rise and Fall of the Jewish Gangster in America* (New York: Holt, Rinehart, 1980). *Black Mafia: Ethnic Succession in Organized Crime* (London: New English Library, 1974) by Francis Ianni is an anthropological study of black American organized crime which is less sensationalist than its title suggests.

**Most criminologists have** tended to rely on the Justice Department for information about organized crime, usually accepting the government's all-powerful Mafia interpretation. Typical of these efforts is Donald Cressey's *The National: The Structure and Operations of Organized Crime in America* (New York: Harper & Row, 1969) which translates Valachi's testimony into an organizational chart and the sociological jargon of the day to show that the "Italian organization ... controls all but an insignificant proportion of the organized crime of the United States." More recent is August Bequai's, *Organized Crime: The Fifth Estate* (Lexington: Lexington Books, 1979) which begins by making the point that organized crime's untaxed profits average as much as \$600,000 per hour. The literature is full of mythical statistics.

**The first sociologist** to dissent from the Mafia interpretation was Daniel Bell. His "Crime as an American Way of Life" reprinted in *The End of Ideology* (1962) Bell's ethnic succession thesis is certainly an improvement, but, as Bell admits, its validity is limited to what happened in New York and some other cities at a time when certain characteristics of the American economy, American ethnic groups, and American politics applied. Organized crime has moved into a new era since Bell completed his article.

**Bell was followed** by Joseph Albin whose *The American Mafia: Genesis of a Legend* (New York: Appleton-Century-Crofts, 1971) is particularly scathing about Cressey's organizational chart: "Even the Boy Scouts of America have a far more complex structure than this." Dwight Smith's *The Mafia Mystique* (1976) [6]

excellent comprehensive analysis of Mafia imagery. Frank Pearce in *Crimes and Power* (London: Pluto Press, 1976) argues that the myth of the Mafia was a distraction from corruption in the system and emphasizes the benefits of organized crime to the powerful in society. He makes clear the subordinate role of gangsters. William Chambliss in *On the Take: From Petty Crooks to Presidents* (Bloomington: Indiana University Press, 1978) studied organized crime in Sicily and found that it really consisted of coalitions of politicians, law enforcers, businessmen, union leaders and, at the lowest level, racketeers. For Chambliss crime "is not a by-product of an otherwise effectively working political economy; it is a main product of that political economy." Chambliss has also combined with Alan Block to produce *Organizing Crime* (New York: Elsevier, 1981) which is a useful collection of their work, analysing the history and structure of organized crime.

**There are several** major areas of organized crime activity. The most thorough account of industrial racketeering is in John Hutchinson's *The Imperfect Union: A History of Corruption in American Trade Unions* (New York: E. P. Dutton, 1971). Much earlier but still useful is: Harold Seidman, *Labor Czar: A History of Labor Racketeering* (New York: Liveright, 1938). Senator John McClellan writes about his committee's investigations into labour racketeering in *Crime Without Punishment* (New York: Popular Library, 1962) and the committee's counsel, Robert Kennerly, contributed *The Enemy Within* (New York: Harper & Row, 1960). Numerous books about the corrupt Teamsters Union exist including: Steven Brill, *The Teamsters* (New York: Simon and Schuster, 1978) and Dan Moldea, *The Hoffa Wars: Teamsters, Rebels, Politicians and the Mob* (London: Paddington Press, 1978). Labour racketeering and its relationship to business interests are discussed by Mary McIntosh, "The Growth of Racketeering," *Economy and Society*, Volume Number 1(1973)35-69

**Organized crime and** gambling concerns Estes Kefauver in *Crime in America* (London: Victor Gollancz, 1952); an account of the senate investigations that led to the conclusion that, "There is a nationwide crime syndicate known as the Mafia." The role of gangsters in the development of the legal casino industry is traced by Jerome H. Skolnick in *House of Cards: Legalization and Control of Casino Gambling* (Boston: Little, Brown, and Company, 1980). Journalistic versions of the same theme can be found in *The Green Felt Jungle: The Truth About Las Vegas* (London: Heinemann, 1965) by Ed Reid and Ovid Demaris and *The Company that Bought the Boardwalk* (New York: Random House, 1980) by Gigi Mahon, on Atlantic City. Illegal bookmaking, numbers and loan sharking are the businesses analysed by Peter Reuter in *Disorganized Crime: The Economics of the Visible Hand* (Cambridge: The MIT press, 1983). After detailed primary research and an application of economic theory, Reuter comes to the conclusion that no organization or cartel is capable of exercising effective control over illegal markets.

**Books about drug** trafficking are currently proliferating but only a few are worthy of recommendation. These include: Steven Wisotsky's *Breaking the Impasse on the War on Drugs* (London: Greenwood Press, 1986), Hank Mesrobian's *Of Grass and Snow* (1979) [77] and Anthony Henman et al., *Big Deal: The History of the Illicit Drugs Business* (London: Pluto, 1985). *The Journal of Drug Issues* contains many relevant articles, including: Robert B. McBride, "Business as Usual: Heroin Distribution in the United States," (Winter, 1983), 147-66. Donald Goddard's *Money* (New York: Farrer, Straus and Giroux, 1978) is a biography of Frank

Matthews, the leading black drug trafficker of the early 1970s. But most drug-related journalism is prone to distortion and at least one reporter, Adam Paul Weisrnan, has confessed to this: "I Was a Drug-Hype Junkie," *New Republic* Oct. 1986, pp. 14-17.

**To be useful** organized crime money has to be laundered. An indication of processes and results of money laundering can be found in: Thurston Clarke John J. Tigue's *Dirty Money: Swiss Banks, the Mafia, Money Laundering, and White Collar Crime* (New York: Simon and Schuster, 1975) and R. T. Naylor *Money and the Politics of Debt* (London: Unwin Hyman, 1987).

**Corruption is essential** to the success and extent of organized crime and has been so pervasive in the United States that a two volume bibliography has been written by Anthony Simpson, *The Literature of Police Corruption* (New York: John Jay Press, 1977). Thomas Repetto's *The Blue Parade* (New York: The Free Press, 1978) is a useful and entertaining history. Peter Maas in *Serpico* (New York: Bantam, 1974), Robert Daley in *Prince of the City* (London: Granada, 1974), and David Durk and Ira Silverman in *The Pleasant Avenue Connection* (New York: Harper & Row, 1976) describe situations where the police were actually organized crime in New York. Michael Dorman's *Pay Off: The Role of Organized Crime in American Politics* (New York: David McKay Co., 1972) finds corruption further entrenched in the system. Gary T. Marx in *Undercover: Police Surveillance in America* (Los Angeles: University of California Press, 1988) assesses the benefits and dangers of various crime control methods.

**Numerous popular gangster** books, both fiction and non-fiction, have been published since the 1920s. The Valachi Papers by Peter Maas initiated a new genre: that of the Mafia member turned government informer. This genre now includes: Vincent Teresa's *My Lift in the Mafia* (London: Panther, 1974), Ovi Demaris' *The Last Mafiosi* (London: Corgi, 1981), about Jimmy "The Weasel" Fratiano, and Nicholas Pileggi's *Wiseguy - Life in a Mafia Family* (London: Corgi, 1987), about Henry Hill. All give portraits of unsuccessful career criminals in the treacherous and not always well-organized Italian American underworld. There are two biographies of a far more significant gangster: *Lansky* (London: Robert Hale, 1971) by Hank Messick, and *Meyer Lansky: Mogul of the Mob* (London: Paddington Press, 1979) by Dennis Eisenburg et al.

**The best-selling** novel on the subject is Mario Puzo's *The Godfather* (London: Panther, 1969) which was turned into two commercially successful films directed by Francis Ford Coppola. The Mafia has become such an established part of American folklore that it is now often parodied in films including; Woody Allen's *Broadway Danny Rose* (1982), John Huston's *Prizzi Honour* (1985), David Mamet's *Thirteen* (1988) and Jonathan Demme's *Married to the Mob* (1989). After all the Runyonesque characterization it will be interesting to see whether the projected *Godfather III* will be taken as seriously as the others. Sergio Leone's *Once Upon a Time in America* (1984) is recommended for those who wish to see a film that shows immigrants adapting to a corrupt and violent New World. The immigrant gangsters in this film are co-opted into the American system rather than bribe their way out by secretive and violent ways with them from the old country. It shows organized crime as part of the process of American development rather than as an alien intrusion.

## 6. Notes

1. For a contemporary biography of Rothstein, see Donald Henderson Clarke, *Reign of Rothstein* (New York): The Vanguard Press, 1929). More recent is Katcher, *The Big Bankroll* (New York: Harper, 1958). For a survey of Jewish American organized crime during and after Rothstein's life see Jenna Weiss Joseph, *Our Gang: Jewish Crime and the New York Jewish Community, 1900-1940* (Bloomington: Indiana University Press, 1983). [Back](#)
2. Frank Browning and John Gerassi, *The American Way of Crime* (New York: Putnam's Sons, 1980), pp. 258-59. [Back](#)
3. Howard Abadinsky, *Organized Crime* (Boston: Allyn and Bacon, 1981), pp. 1-2; Matthew Josephson, *The Robber Barons: The Great American Capitalists, 1862-1901* (New York: Harcourt, Brace and Company, 1934). [Back](#)
4. Lincoln Steffens, *The Shame of the Cities* (1902; rept., New York: Hill and Norton, 1957) p. 8. [Back](#)
5. For an example of crusading literature, see Clifford Roe, *Horrors of the White Slave Trade: The Mighty Crusade to Protect the Purity of Our Homes*, (London: privately published, 1911). [Back](#)
6. Adams quoted in David Henry Bennett, *Party of Fear: from Nativist Movement to the New Right in American History* (London: University of North Carolina Press, 1988) p. 168; *McClure's Magazine* (34), 1909; *The Outlook*, 16 Aug. 1913, quoted in Salvatore J. LaGumina, *Wop!: A Documentary History of Anti-Italian Discrimination in the United States* (San Francisco: Straight Arrow Books, 1971) p. 98; see also Dwight Smith, *The Mafia Mystique* (New York: Basic Books, 1971) pp. 27-61. [Back](#)
7. John Landesco, *Organized Crime in Chicago* (1929; rept., Chicago: University of Chicago Press, 1968) pp. 189-221. [Back](#)
8. *National Commission on Law Observance and Enforcement, Report on the Enforcement of the Prohibition Laws of the United States*, 71st Congress, 3rd Session, H. D. 722, pp. 37-44. [Back](#)
9. Quoted in Frederick Lewis Allen, *Only Yesterday* (1931); rept., New York: Basic Books, 1959) p. 182. [Back](#)
10. Quoted in Mary McIntosh, "The Growth of Racketeering," *Economy and Society* Vol. 2, November 1973, p. 61. [Back](#)
11. Quoted in Paul Sann, *The Lawless Decade* (New York: Bonanza Books, 1957) p. 214. [Back](#)
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