1. The role of the anti-corruption legislation and of ethical values in (re)defining corruption: the case of Monza, Italy

Maria Giulia Pezzi

INTRODUCTION

An ethnography of corruption in Italy poses the problem of dealing with a phenomenon that is perceived to be extensive and which is commonly believed to have been well rooted in the cultural field. Since the huge corruption related scandal of Tangentopoli (1992), 24 years have passed, and yet during this time, although corruption has always been one of the main topics of public discourse, we have seen neither a reduction in corruption scandals, nor a real effort in fighting corruption from a legislative and normative point of view. Even though corruption is strongly perceived as one of the most relevant issues to be addressed, it seems that a feeling of powerlessness is pervading Italian society at all levels.

This said, in the following pages I will analyse how corruption practices and the consequent anti-corruption discourse are perceived by public officials employed in the city council of Monza, a town located in Lombardy and capital of the homonymous province, which between 2013 and 2014 was beset by a corruption scandal that involved both the private and the public sector.

Indeed, the private-public sector intersection has proven over the years to be the field in which corruption is mostly found in practice. Over the last 20 years, from Tangentopoli on (details below), many scandals have shown that corrupt systems have their rules, codes and rituals, which help shape a network of solidarity between the public and private sector by creating a self-legitimising and self-indulging environment, in order to put down the moral costs of corruption.

The Law in the Matter of Anti-corruption (n. 190, approved in 2012) set within new frames the understanding of how corruption works and

proposed prevention – achieved through more transparency, accountability and responsabilisation – as a more viable way to defeat corruption than repression. In May 2015 a new Law in the Matter of Anti-corruption was approved, introducing further upgrades of the principles already contained in the 2012 version and also addressing some issues that had been ‘left behind’, such as the definition of certain corruption related crimes and their relative punishments. The 2015 law, therefore, is characterised by a more operational purpose that relates to the ‘repressive’ role of the state towards corruption. One could say that the two law texts are integrative of each other, and future comparative research on the effects of their application would surely be interesting. As the fieldwork research from which this chapter originates was carried out between 2013 and 2014, any mention of the anti-corruption law is intended to refer to that approved in 2012, unless otherwise stated.

The first measures contained in the 2012 law text were to be adopted by January 2014. Approximately one month earlier, however, the city of Monza was hit by the scandal also known as ‘Clean City’, which involved the company leader in the waste disposal service in the area, Sangalli & C., and a fair number of employees of Monza City Council, including a councillor and a sector manager.

On the basis of these two events I have decided to focus my research on how (and if) employees of Monza City Council perceived and re-signified corruption as a consequence of the introduction of the 2012 law and of the breakthrough of a scandal which had involved some former colleagues. In doing so, I have also considered some of the most relevant aspects of how corruption is dealt with in the public discourse as a whole, and how this can influence the way in which corruption is understood, and how this might be the cause of a certain feeling of powerlessness that seems to pervade the way in which citizens relate to the issue.

In particular, it will be suggested that employees of the city council seem to relate in a more pragmatic way to discourses relative to morality and values, rather than to the prescriptive principles contained in the law text, and although generally in accordance with its principles they do think that a stress on positive values and cultural elements could have an important role in fighting corruption in the long run. On the other hand, the existence of a *situational morality* and of informal relations with the institutions seem to be a more direct way through which actors deal with the corruption phenomenon as a whole.

This chapter focuses on the practices of corruption, well aware that this is only one side of the coin, the other side being the cultural symbolism of corruption and its influence on the creation and legitimation of shared beliefs within society.

METHODOLOGY

The city of Monza has been selected as a field for ethnographic research as part of the EU-financed ANTICORRP FP7 project, Working Package 4 ‘The Ethnographic Study of Corruption Ideas and Practices’ – carried out between November 2013 and January 2015. The reasons for choosing the city were multiple, and strengthened both by the accessibility of the field and by a pre-existing network of acquaintances which facilitated the starting up of the research, particularly concerning the collection of quantitative data through the distribution of a survey to a sample of Monza citizens. The results of the survey have been extensively analysed in the first deliverable submitted by WP4 in June 2014.¹

The research has been influenced by two events: the coincidence of the first actuation phase of the new Law in the Matter of Transparency and Anti-corruption (approved in 2012) concluded at the beginning of 2014, and the breakthrough of a corruption-related scandal in the city of Monza in December 2013, to be later known as ‘Clean City’. These events made it clear that Monza presented a chance to directly observe two phenomena: the public discourse related to the new legislation becoming effective and its consequent impact on the public office in the city council; and the developments of a trial for corruption which clearly manifested a tight relationship between the private and public sectors.

The ethnographic research underwent two main phases: first, it included making contact with Monza’s City Council and having a chance to participate in meetings organised by the institution with the formative purpose of discussing with town councillors and managers in the public sector the implications of the new Anti-Corruption Law and the new tasks and procedures that it put into effect. In this phase I also interviewed 20 civil servants (nine women and 11 men) working for Monza’s City Council at various levels and in different sectors, as well as lawyers, entrepreneurs, journalists, trainers and other professionals engaged in the fight against corruption. As a follow-up to the interviews, a focus group was organised with the intent to discuss the main topics that had arisen. Participants in the focus group were randomly selected from city council employees, and included three of the people interviewed previously. The second phase mainly comprised an in-depth project of research into corruption-related media coverage, focusing particularly on newspapers, but also on television programmes and social media, with the intention of finding peculiarities in the role of information in understanding and identifying instances of corruption, as well as with the purpose of analysing how corruption is addressed in the public discourse and in everyday life.

IS MONZA A 'CLEAN CITY'?

Monza is the district capital of the province of Monza e della Brianza, situated in Lombardy, approximately 15 km away from Milan, with a population of about 123,500 inhabitants in 2014. It is the most important economic, industrial and administrative centre of the Brianza area, supporting a textile and furniture industry featuring small to medium enterprises with few relevant exceptions, typically family-run businesses where co-owners (and often workers as well) are linked by family ties, either by blood or marriage (Ghezzi, in Smart and Smart, 2005: 101). Its province is also commonly considered to be one of the wealthiest in Italy as it has the highest yearly income pro-capita.² Its social composition features a large number of immigrants, both from other Italian regions (mainly from the south) and from abroad. Foreign immigrants, mainly from Romania, Egypt, Peru and Ecuador, comprise approximately one-tenth of the entire population.³

The peculiar characteristics of the regional economy and the consequent entrepreneurial structure that originated in Brianza at least from the end of the Second World War, was defined by Ghezzi as *entrepreneurial familism* (Ghezzi, 2007: 182–183), where the significance of family ties and their relevance to economic business are both the cause and effect of the current socio-economical context. The kind of familism postulated by Ghezzi in fact does not refer to the existence of harmonious relationships within family members aimed at cooperation and the organisation of production, but rather to the creation of cohesive groups of kin with the 'father/entrepreneur' in an apical position, from which he can exercise a strict control over his employees/family members due to his undisputed authority.

Among the many family-run businesses existing in Monza and in the Brianza region is Sangalli & C., leader of the waste collection sector not only locally but also across other Italian regions, employing more than 1,000 people. The company, in line with the typical entrepreneurial structure of the Brianza area, is currently managed by the three children of 'patriarch' Giancarlo Sangalli (de facto still very active in the company management, although now in his eighties), a self-made man who as a young man left his job as an oil refinery worker and invested all his savings to import from Great Britain a machine which looked like a barrel and was pulled by a horse, with which he entered the drainage industry, building a real business empire over the decades.⁴

Sangalli & C. later specialised in many fields linked to waste collection and disposal, obtaining contracts mainly in Lombardy, but then expanding to other Italian regions as well as abroad. Among all the tenders won, particularly interesting for our case are those relative to waste collection in

Monza between the years 2009 and 2014, and to the routine maintenance of the municipal cemetery of Monza. Both cases show certain peculiarities if we consider the way the whole process – from the creation of the call for tender to its conclusion – was carried out, and how the various entrepreneurs, politicians and civil servants involved interacted within a corrupt system.

In December 2013, local and national newspapers reported that as a consequence of the ‘Clean City’ investigations, the owners of the private company Sangalli & C. were accused of having paid a maxi bribe quantified to the tune of more than €1 million, divided among politicians and public officials of the City Council of Monza, to steer the work of the Environment Committee and the nominees of the members of the jury for the call for tender for waste collection in the same city. Moreover, Sangalli & C. were accused of having bribed the two heads of their competitor on that occasion to ensure that they would withdraw their participation to the call, leaving Sangalli & C. as the only contender. Of further interest was the contract for the maintenance of the municipal cemetery of Monza (awarded in 2010, to the value of €3.5 million) that Sangalli & C. has been granted through a joint enterprise. In this same case, also under investigation was a surveyor in charge of controlling the regularity of the contract, who in exchange for money was said instead to have omitted the control and not reported breaches. Sangalli & C., as a consequence of this investigation, has also been accused of corruption-related crimes in other municipalities, in order to win tenders and to see off competitors with the help of local politicians and other entrepreneurs, with the aim of creating a sort of oligopolistic agreement among similar business companies.

A total of 26 people were arrested and 41 were put under investigation for crimes linked to what was later called the ‘Sistema Sangalli’ (Sangalli System), where the 80-year-old owner of the company was considered to be the epicentre of a well-run corrupt system which involved both the public and the private sectors.

Investigations have produced much evidence, mostly through phone and environmental tapping, as to how corruption was put into practice within the public/private sector intersection, and which was avidly reported by local and national newspapers in the first few days following the breaking news.

With the help of the order of the investigating judge (Tribunale di Monza, rg nr 4392/12, rg gip 10102/13), it is possible to reconstruct the events that led to the arrests and to expose how the corrupt system was supposedly run.

In February 2009, the manager of the environment sector of Monza City Council (later charged with corruption) preliminarily approved a call for

tender, for a total estimated value of €128,700,000, relative to waste disposal in the city of Monza between the years 2009 and 2018. This was definitely approved about a month later by the General Secretary of Monza, in the form of a restricted procedure.

By the deadline only three companies had applied: Sangalli & C., AMSA spa. and a third company later excluded due to a lack of the necessary requisites. The first two companies were then invited to apply for the second selection phase and to present their offer. By July 2009, Sangalli & C. had presented their quotation (1.10% lower than the estimated value), while AMSA spa. had given up on the tender and pulled back from the call. Merely days after the deadline, the commission charged with evaluating the offers agreed to accept the proposal presented by the only company to participate – Sangalli & C. – and the contract was finally signed in September 2009. This procedure was actually contrary to protocol as, according to the legislation, tenders for such financially significant contracts cannot be assigned when only one company is participating, to avoid potentially illegal procedures (*ibidem*: 53). This problem would have been solved by a special declaration of intent written by a bribed city council employee prior to the deadline, in which it was announced that the administration would have proceeded in the event that only one company participated, as an extraordinary measure to avoid the municipality from having to repeat the whole procedure and leave the waste disposal service exposed.

Investigations have proven that six people had been bribed with kickbacks and other benefits in order for Sangalli & C. to be able to win the tender by being left with no competitors. Two of the six were employees of the City Council of Monza who had been asked to be part of the evaluating commission; two were external consultants in the same commission; and the remaining two were the manager and the councillor of the environment sector, who would have influenced the nominations to create a group of conniving functionaries. Moreover, evidence also showed that two managers of AMSA spa. – the sole other competitor – had been bribed with a kickback of approximately €1.5 million to make them withdraw from the call and avoid presenting a proposal. Through wire-taps the investigators have even been able to record the exact moment when the kickbacks were exchanged, as it was possible to record the moments when members of the Sangalli family recounted the value of the bribes and their ‘beneficiaries’.

At the time of my research, about six months after the scandal broke, most of the trials were still running. Despite all the collected evidence, almost all the defendants had applied for a plea bargain and were expected to receive a suspended sentence, in accordance with the Italian judgment law,⁵ even though they had confessed to being involved in the corrupt system reported above. This expectation, shared by most of my

interlocutors at the time, contributed to creating the sense of powerlessness and resignation that clearly comes through in the following sections.

On the other hand, surprisingly the trials, which concluded in January 2015, produced a rather different scenario to what was expected. A total of 28 people investigated for the above-mentioned crimes have been condemned by Monza Tribunal and will have to pay compensation to the tune of approximately €22 million in total. The person who received the highest punishment was patriarch Giancarlo Sangalli (four years and three months of house arrest, given his age), while the entire family were subject to the confiscation of money and real-estate properties to a value of €10,470,000.⁶ Monza City Council was awarded compensation of approximately €7 million, to be divided over the remaining four years of the contract stipulated with Sangalli & C., in order to protect both the employees and the waste disposal service until 2018.

WHAT LIES IN THE SHADOW OF THE LAW?

In 2012 a new Law in the Matter of Transparency and Anti-Corruption was approved (and later upgraded by a new law in 2015) by the Italian Parliament. Up to that time, as Substitute Public Prosecutor of Monza Walter Mapelli maintains (Mapelli, 2012: 27–28), the main structure of the Italian penal code on corruption dated back to 1930, and had been only slightly revised in 1990, before Tangentopoli. From the mid-1990s onwards, one could observe an increase of measures that actually seemed to facilitate illegal practices, rather than regulate the licit ones, like the decriminalisation of misconduct such as abuse of office and accounting fraud, the approval of opaque legislation in terms of conflict of interest, and the shortening of the statute of limitations period. This situation caused a lot of uncertainty for two main reasons: first, any confusion over the roles of public officers and the private sector makes it difficult to recognise who is bribing who (i.e. members of the city council who are also partners in construction companies involved in calls for tenders in the same municipality); second, inadequacy of norms about what is to be considered a means of corruption makes it hard to determine whether a ‘utility’ is to be considered as a gift, as a kickback or as a means of potentially corrupt exchanges. Moreover, the problem of the statute of limitation period, which in Italy doesn’t end with the beginning of the trial, unlike in other European countries, has already had a significant impact on the way corruption crimes are handled, as we will see in the sections below. The ever-evolving corruption practices are even harder to individuate and consequently prosecute when the penal code still considers corruption as the

‘direct exchange of money or other utility’ between the corrupter and corruptee. As we will see below, kickbacks can be hidden within many other forms of interaction between the public and private sectors, and are not always recognised by the law as potentially risky (*ibidem*), a situation that has led often to an indulgent and self-absolutory attitude towards scandals by the people involved (Vannucci, 2012: 183).

The so-called Law in the Matter of Transparency and Anti-Corruption represents a first attempt at changing such a perspective, by trying to introduce a new vision of how corruption works and how it should be contrasted, starting from the assumption that the phenomenon has become something of a ‘pathology’ of public office (Conz and Levita, 2012: 4).

First of all, the law stresses the importance of transparency, accountability and responsibility as the three main tools with which to defeat corruption, based on the assumption that prevention, rather than repression, is more easily achieved. Therefore, the law aims at contrasting corruption through preventive actions in terms of ethics and performance and at fostering a culture of ‘integrity’ and ‘legality’. In doing so, it individuates the individual citizen as potentially active in the anti-corruption discourse, once again through transparency, since the accessibility to formerly sensitive information could have a positive influx on the agency possibilities of a multiplicity of actors.

What is most peculiar is that the law sets the goal of reaching prevention through the intervention on the moral integrity of public officials on the drawing up of ethical conduct codes, which according to Mapelli should have a *practical* and *performative role*, in the sense that ethics should be performed every day through actions and repetitions, like a mantra or a prayer,⁷ and on responsabilisation in public administration towards an integrated strategy: penal/administrative/preventive/repressive (Mapelli, 2012: 6). According to the legal commentators, the text stresses the need to spread a culture of legality and of ethics, which would make corruption seen to be a reprehensible phenomenon, and corrupters to be seen as subjects who have betrayed the trust given to civil servants, and therefore deserving of social stigma (*ibidem*: 23).

It could be maintained that the law makes an interesting turn in the way that public office is perceived: if citizens’ distrust in the state originates in the fact that corruption practices seem to be widespread and are not adequately prosecuted (as it appears from the Transparency International Corruption Perception Index which ranked Italy as 69th out of 177 countries in both 2012 and 2013⁸), then the state needs to adapt its practices to its citizens’ expectations of legality through transparency, responsibility and accountability.

In the analysis that Substitute Public Prosecutor Mapelli made during

a conference held at Monza City Council,⁹ it was emphasised how for the first time the law text focuses its attention on the importance of prevention. Focusing on the transparency of all the processes, charges and powers would function as a preventative factor, on the basis of the assumption that the public officer is somehow by definition corruptible given the office held. And, as Mapelli emphasised, a concern of the focus on the importance of the performative role of ethics and moral values is that it is important to note that the public officer is not considered to be corruptible because he or she lacks these values, but because he or she became unaccustomed to putting them into practice due to *environmental* factors postulated by ex-judge Antonio Di Pietro, an issue that I will address next.

Since corruption is the result of a secret pact between public and private (see Nuijten and Anders, 2007), aimed at achieving personal advantage to the detriment of the community, transparency seems to be the only solution. Transparency should make documents and acts accessible to everyone, while its opposite, secrecy, constitutes a breaking line between inclusion and exclusion to access to certain sensitive information. The idea that secrecy in public office could enable corruption is not new to the political debate, if we consider that, for example, ex-California governor Earl Warren addressed the issue in 1974 in a commentary to the Watergate corruption scandal, where he stated that

when secrecy surrounds government and the activities of public servants, corruption has a breeding place. Secrecy prevents the citizenry from inspecting its government through the news media. The minimum amount of secrecy needed for the proper operation of government should be fixed by law, and no secrecy beyond that point should be countenanced. (Warren, 1974: 550)

Moreover, according to Warren, 'it would be difficult to find a more efficient ally of corruption than secrecy. Corruption is never flaunted to the world' and therefore 'we have the right to compel our public officers to keep the avenues of information open so the public can know and evaluate the character of their work from day to day' (ibidem). In the same year, political scientist Carl J. Friedrich compared secrecy to corruption and treason, for secrecy is a way to manipulate not only reality but also general politics as well as administrative processes. Therefore secrecy is considered by the author to be a paradox of democracy, for it is to some extent necessary to achieve certain results, but is also a potential threat for society as a whole (Friedrich, 1972: 176ff.).

In a very similar perspective the Anti-Corruption Law set itself four important goals: first, the adoption by every administration of 'transparency plans', that is, periodic reports on their activity, risk factors and measures to be adopted; second, the introduction of a system of protection and

rewards for whistleblowers: people who denounce illegal activities; third, the implementation of conduct and integrity codes and of transparency; finally, the promotion of a culture of legality in public office and in public administration (Conz and Levita, 2012: 19).¹⁰

As a consequence of the introduction of these new measures and of recent scandals it was vital to understand how employees of Monza City Council perceived corruption practices and the consequent anti-corruption discourse, with all its above-mentioned implications.

First of all, out of the 20 employees of Monza City Council that I interviewed, only two claimed to know the content of the new law, and they were the two sector managers, the people involved mainly with the effects of the law's application and responsible for the production of documents regarding transparency for their own sector. Most of the other employees reported that they had heard there was a new law – they even remembered having seen some internal dispatches about it – but they did not feel involved enough to take the time to acquire a deeper knowledge of it, which was striking given that the law itself emphasises the responsibility and the active participation of public officials and civil servants.

The law did not seem to have affected working routine in terms of procedures as at the time of the interviews (June 2014), but nevertheless employees felt that 'transparency' would soon translate into more paper-work: 'when the law changes by force the work increases and there are many more acts . . . the problem is that salaries are always the same and the staff is always less . . . people are made of flesh and blood, you know?'¹¹ One of the concerns linked to this aspect was that once employees have to invest energy in producing more documents for the sake of transparency, the level of attention towards certain elements could decrease due to less time being available for every procedure; that is to say that too much information could actually lead to an increase of *opacity*, as the following two responses highlight:

Transparency is important, and it may in part work, but I think it has increased bureaucracy too much. They often talk about payment delays in the PA. I remember, and that's absurd, that in one week I could settle a bill, already when the PA dismissed in minimum 90 days, but if there was money I had no reason to lengthen the process, our suppliers sometimes in less than a month could see their bill paid. Today, apart from the stability pact that is very conditioning, there are such long procedures and these are subject to so many steps that our work has increased a lot, but the final product is exactly the same. Controls on controls, everything now takes very long for its own sake.¹²

Further:

Yes, there are many more steps and in my opinion . . . you can apply that to any scandal, it's not that increasing the steps avoids corruption. I think this law is totally ineffective for Italy. Here it has led to many more steps, everything must be public, but that has not led to a decrease of corruption. Yes, you have to do the controls, but you have to do them with intelligence and not . . . controls will allow me to discover corruption more easily in the future, but basically it is not a deterrent. I think in fact we risk more . . . I saw tenders where for that project one must have requisites a, b, c and many companies whether from a consortium or do not have them . . . then what happens, maybe the serious company says 'It's just a huge waste of time to get all that paperwork done, never mind, I do not participate', and then we are left with only ghost firms that were created for that project, and the next time if something goes wrong it turns out that the company no longer exists or has gone bankrupt before finishing the works . . . a thousand Chinese boxes.¹³

Some informants also maintained that transparency might not be as effective as desired, simply because most citizens would not have the technical competences to really understand the content of all the documentation that a public office produces.

Consequently, it was important to understand how the interviewed civil servants perceived another of the significant elements contained in the text of the law: the emphasis on ethics and moral values and their relationship to the legislation. According to Italo Pardo in regard to the Italian case study:

. . . attention needs to be drawn on a growing ambiguity to the official definition of what constitutes (morally and legally) illegitimate behaviour in public life. This ambiguity about the role of public institutions and the people who staff them, has fed on a blurring of the dividing line between legitimate and illegitimate behaviour, and that between the legal and the moral. (Pardo, 2004: 35)

Most of the interviewees agreed that ethics/morals (and/or the lack of them) are some of the most salient elements that can determine the choice of whether to be involved in corruption practices or not:

You hear so much that maybe you do not even understand anymore the difference between what you can morally do, or rather is it not appropriate to do, as they all do it, really . . . you can't save anyone, but those who are employees or politicians . . . because there is always an employee who knew in the end, these things would not be possible without their connivance.¹⁴

Further, 'the person must have principles and one must know whether what one does is right or wrong'.¹⁵

Most corrupt actions are violations of rules and procedures. Ideas of what is (not) legitimate are socially constructed. The inadequate or

complicated nature of rules forms the basis for moral legitimating and practical justification of corrupt actions (ibidem: 6), a fact implied by another civil servant, who commented that ‘many citizens who are also employees of the public sector, either due to ignorance or indifference, do not know what they are doing . . . sometimes you do things wrong because you do not know what’s the right and legit way’.¹⁶

THE HETEROGENEITY OF MORALITY AND THE ETHICAL RELATIONSHIP WITH THE PUBLIC GOOD

What is legal is not always regarded as moral and legitimate, nor what is illegal as immoral and illegitimate, therefore we need to take into account the gradations of individual positions between ideal extremes in everyday life (ibidem: 5–6). In this regard, Alberto Vannucci and Donatella della Porta speak of *situational morality*, a kind of morality that serves as self-legitimation for corruption and is a consequence of a process of socialisation to corruption practices, which I will address next. According to the authors, the tendency to engage in corruption or not is influenced by the environment in which one operates, therefore the expectation of others behaving in a corrupt way works as a self-fulfilling prophecy that generates more corruption (Della Porta and Vannucci, 2007: 49). In such a situation – that is, if corruption is thought of as a pervasive phenomenon – the moral costs of conforming to a set of shared values, either positive or not, are reduced (ibidem: 56). Such an attitude not only affects the attitudes of power groups and causes widespread corruption, but it also has a significant influence on petty corruption and the way in which citizens relate to the state, and on behaviours which do not necessarily take place outside of the law. Figure 1.1 below shows (with the help of the semiotic square as a representing tool) the practices individuated by my interviewees and how they perceived them in relation to the categories of ‘legal vs illegal’ and ‘crime/corruption vs not crime/corruption’.

For instance, when questioned about potentially illegal practices in everyday life, my interviewees generally agreed that they were immoral and unacceptable, although they individuated some of them as being ‘not too detrimental’, i.e. using informal contacts to access health services:

I once needed an urgent CT scan, thank goodness I knew that person and I managed to go after a week, because I was sick. Those are just minimal things, but they’re now bread and butter in the end. Sometimes people do it just because they cannot access basic services, and you know that going to private

Figure 1.1 Practices individuated by the informants in relation to the categories of 'legal vs illegal' and 'crime/corruption vs not crime/corruption'

doctors is not so simple with the costs and everything, and so I do not even see it as something . . . I say I need it, and luckily I was able to go.¹⁷

Moreover, informants generally agreed with informality and corruption being 'wrong', but they were keen to accept certain behaviours within limits: 'Sometimes at Christmas we used to receive a *panettone*,¹⁸ but after Sangalli [the scandal] not anymore. It can happen that you receive a gift or an invitation to dinner. Anyway the code of conduct for employees of the municipality rightly puts a limit because it can create complicity'.¹⁹

These are just two examples, and yet it can be seen how situational morality is a contingent and movable concept that positions itself within an ideal continuum between what is totally immoral and unacceptable, and what is morally legitimate and acceptable. Where the actor sets him-/herself and his/her actions in this continuum depends on the situation, which can constantly be renegotiated upon need to overcome the ambiguity of the interaction with the state. In this sense Pardo speaks of the *heterogeneity of morality*: 'the culture of corruption and abuses of power,

and the representation of their practice, may be subjected to nuanced, and changing, moral evaluation' (Pardo, 2004: 7).

On the other hand, the fact that the importance of morality needs to find legitimization in the text of a law was to some extent surprising to many: 'I think it's a defeat. If a law needs to stress such things [moral issues] it means we reached the bottom'.²⁰ The intrinsic ambivalence of such a discourse has been noted by most of my interlocutors as well: 'I believe more in morals and ethics, than in laws. If the law is complex, there are many shadow areas which people with bad intentions can use to hide their illegal business',²¹ but also 'since we have no conscience, we need to have rules that scare us, that make it clear that we are going to be punished'.²²

These two sets of attitudes also arose also during a focus group held at Monza City Council, where civil servants had been asked what they thought of the relationship between laws and morals:

Woman 1: There are even too many laws, even regarding anti-corruption, in fact we have an endless legislation, that is maybe it's even too much legislation, because sometimes you risk to block procedures for quibbles which are only formal and not substantial, here . . . this happens. Secondly, more than the law, as they have legislated so much, it would take just an attempt to give more . . . shall we say, to instil a bit more civic sense in people, but already when they are young, in my opinion . . .

Woman 2: The respect of public things, which we don't have any more . . .

Woman 1: Exactly, respect for public things.

Woman 2: There is no more respect for public things, since they belong to everyone, then well . . . let's destroy them . . . I think, however, it's because they believe they are smart. How to say, if the others can do it, why can't I do it too? I give it a try. They do not think about the consequences, they're not interested in the image, ethics, morals, they're not interested in anything, so they try. They say ok, they all steal, so why can't I do that too?²³

Is the lack of values and moral issues, together with the belief that corruption is widespread and therefore to some extent acceptable, enough to explain why people would engage in corrupt practices at all? What sets the border between right and wrong attitudes in the public office and how do we overcome discretion? Does the above-mentioned 'environmental factor' justify the choice of being a corrupter/corruptee instead of obeying the law?

I do believe that these three questions address three topics which are vital to the understanding of how corruption works, and that have been widely analysed by many authors, i.e. Pardo, Haller and Shore, as reported by Torsello (Torsello, 2011: 7ff.).

If the new law approved in 2012 stresses the importance of transparency, accountability and responsibility, it is also true that, as Vannucci maintains, we can observe a general feeling of impunity, self-indulgence

and self-absolution at all levels, but especially among politicians and public officers (Vannucci, 2012: 121), that originates mainly in the fact that from the 1990s to 2012 not much has been done, from a legal point of view, to ensure that people found guilty of corruption are rightly prosecuted. The common idea is that in Italy one needs to cohabit with corruption, since it has become endemic (ibidem: 123), a feeling that has been confirmed by many of my informants, who have often told me that 'corruption always existed, and will always exist'.²⁴

Another issue which emerged from the focus group is the role played by the conception of what is 'public good'. Rothstein and Torsello, in a paper published recently, analysed bribery in pre-industrial societies in an attempt to individuate whether different approaches to the dichotomy of public vs private do actually influence the ways in which corruption is conceived and enacted (Rothstein and Torsello, 2014). According to the authors, 'differences in what is understood as corruption lie in the variation of what counts as (and is the extension of) public good in cultures, and variation in whether it is morally wrong to turn a public good into a private good' (ibidem: 265).

The common understanding of what is a public good varies from society to society, yet as we can see from the focus group it is often referred to as something that 'belongs to everyone'. Starting from this assumption, we could maintain that if something belongs to everyone, every actor in a society could feel entitled to dispose of its usage on the basis of the fact that they feel like they own a part of it, even if of only infinitesimal size.

Andrea Ferrarini, philosopher and member of ANCI Lombardia (an association that unites the Municipalities of the Lombardy region), in an interview,²⁵ when confronted on the matter of the relationship between the public office and the public good, maintained an interesting point, stating that since the public administration manages collective interests, its action range includes goods that belong to everyone and to no one at the same time. Considering public goods as no one's goods would help to overcome the problem of corruption in the sense that no one would feel entitled to one's share of what belongs to the collective.

On the other hand Rothstein and Torsello claim that

The very nature of a good being 'public' is that it is to be managed and distributed according to a principle that is very different from that of private goods. The public goods principle implies that the good in question should not be distributed according to the private wishes of those who are given the responsibility of managing them. When this principle for the management and distribution of public goods is broken by those entrusted with the responsibility for handling public goods, the ones who are victimized consider this malpractice or corruption. (Ibidem: 279)

The importance of an ethical relationship with the public good emerged also from my interviews: 'I have through the years maintained the perception that my job and the administration I work for are not only mine, but a common good, so the idea of damaging it would hurt me, in the sense that I'd feel like I am hurting myself'.²⁶

Inscribing public good within the categories of no one's vs everyone's good creates once again a metaphorical continuum between these two opposites that shapes people's attitudes according to their needs. The common feeling is that people describe public good in relation to their value system, either positive or negative, that is there is a high degree of discretion in how people relate to it. People who want to profit from or dispose of public good would define it as everyone's good if they feel entitled to a share of it, or as no one's good if they wish to operate within a space that the state has somehow left empty.

THE PUBLIC-PRIVATE SECTOR INTERSECTION: INSTITUTIONAL INFORMALITY AND ITS RITUALS

The public-private sector intersection has often been the domain in which most corruption practices have been put into play, and the Italian history of corruption-related scandals from the 1990s onwards clearly highlights how the relationships between the public and private sectors provide a fertile field for corruption to develop.

The most famous example is surely that of the Mani Pulite ('Clean Hands') investigations and the consequent Tangentopoli ('Bribesville') scandal, which refers to the period 1992–1996 during which as a consequence of the investigations led by the so called 'Mani Pulite judges pool', the political establishment suffered multiple, reiterated 'attacks' by the Magistrature. Corruption appeared to be so widespread that in the four-year period most of the deputies of the Italian Parliament were more or less involved – both as suspects and/or as witnesses – as well as ministers, senators, former prime ministers and managers of the public and private sectors.

According to a study published by the newspaper *Corriere della Sera* in 2012,²⁷ a total of 2,565 people have been accused of being involved in Tangentopoli, whether because of corruption, extortion, fiscal fraud, illicit political parties' financing and abuse of public office. As at 2000, only 1,408 prosecuted judgments have resulted in a sentence, while over 500 cases have fallen into the statute of the limitations' time period. The Italian jurisdiction, unlike that of other countries, starts the statute of limitations when the crime has supposedly been committed, and not when it has been discovered.

As a consequence, crimes such as corruption – which supposedly require a reiteration of contacts over an extended time period – are for that reason difficult to date, and difficult to be investigated and therefore prosecuted.²⁸ Moreover, the long procedural periods of the Italian judicial system have made it hard to bring all those procedures running at the same time to a positive end. Consequently, a certain number of suspects has not been judged at all and has often been reintegrated to their original working positions.

Tangentopoli is considered to have been a widespread corrupt system – with its brokers, its rules and its rituals – which involved every area of the economy where the public and private sectors met. As an example, political parties used to control boards of directors in public enterprises, so that their emissaries could influence calls for tender, and by doing so create advantages for certain private enterprises, which would later illegally finance those same political parties as a ‘thank you’ (Barbacetto, Gomez and Travaglio, 2012: 19). This system was so pervasive that for anyone working in the particular business it was a matter of common understanding knowing how much should be paid to whom to obtain a certain benefit.

The goals of initiating such a system were twofold: economic gain and power. While the first is easy to understand, the second goal is more complex, more subtle and somehow a consequence of the first: access to power through the ability to obtain kickbacks and the possibility to redistribute that money to other people in other places of power. To use two examples dear to the anthropological perspective, the ideal corruptor during Tangentopoli was similar to a cross between a broker and a ‘Big Man’: someone able to build relationships with people in key positions and to have access to a significant flow of money, which would help him maintain those relationships on the basis of reciprocity and redistribution (Torsello, 2015).

This particular configuration made the ex-magistrate Antonio di Pietro coin the definition of kickback as *dazione ambientale* (somehow translatable as dation²⁹ made necessary by the very same environmental situation), meaning that actually Tangentopoli went far beyond the bare exchange of kickbacks, and rather created an automatic, self-perpetrating system of regulation between the public and the private sectors, which shaped an environment in its own right. In such an organisation, it becomes hard to say whether it is the politician corrupting the manager or the other way around, but once the process has started, neither of the two has interest in interrupting it, both for economic and judicial reasons. Italian law, in fact, recognises both the corruptor and the corruptee as guilty, with the result that – as in the Prisoner’s Dilemma – neither of the two would find it convenient to report the other, instead they would rather cooperate against the legal system.

The shameless corruption events made public by the Mani Pulite pool were probably influenced by an excess of confidence derived from widespread practices. Everybody seemed to conform to a type of interaction between the public and private sectors which had become the norm. Corruption had become a customary practice, commonly accepted and reiterated.

Although many years have passed since Tangentopoli, it is still possible to observe similar events occurring. Between 2011 and 2014, many scandals appeared in the media involving business people, politicians and employees of the public sector at all levels at a total estimated damage of billions of euros. Every 'system' of interaction between public and private actors, as well as other elements such as intermediaries, seemed to work according to its own rules and roles, which were known and accepted by all actors and supported by what de Sardan called the *corruption complex*: 'a number of illicit practices, technically distinct from corruption, that share with corruption their association with the state and contradict the official ethics of "public property" or "public service" and offer the possibility of illegal enrichment' (de Sardan, 1999: 26).

According to Mapelli, corruption in public office is fostered by two elements: first, a large number of mid- to low-profile civil servants who, due to the office held, are in the position of asking for, or accepting, kickbacks. Second, rules and procedures are, at one and the same time, strict and flexible, since they are norms provided by law, but through the 'goodwill' of public officials, they can turn from insuperable obstacles to high-speed lanes (Mapelli, 2012: 88).

The Sangalli scandal shows some similarities with Tangentopoli, especially with regard to the rituality of corruption practices, which is one of the core aspects of how corruption is actually made possible, but also with regard to the relationship between business people and politicians (Gupta, 2005; Blundo, 2006). The reiteration of illicit exchanges (money and other benefits) works to bring down the risks and create a routine which is both the result of previous interactions, and the starting point of any future transaction. Vannucci, in this sense, maintains that the bigger corruption 'networks' become the more they need regulation, and therefore informal governance structures are necessary for discipline and to make actions and intentions predictable. Moreover, when such illicit activities start following strict criteria and clear conduct codes, the risk perception and the importance of *ethic discomfort* tend to become weaker (Vannucci, 2012: 135–136).

To take as an example the involvement of the Sangalli company, of the surveyor of the municipal cemetery of Monza (public employee) and of the subcontractor for its maintenance in an exchange of kickbacks aimed at avoiding controls over breaches of contract, investigators have been able

to record through the use of video cameras and microphones the way in which the bribes were handed.

Sangalli snr had visited the cemetery with his subcontractor for an inspection. The surveyor waited for them at the entrance with his car and took them for a tour of the structure, during which time the envelope containing the agreed amount of money would be exchanged, out of sight. During the short journey around the cemetery, Sangalli hands over something – it is reasonable to think that it is the money he had prepared the day before in his office – then he eloquently intimated to E. to hide the banknotes: ‘put them in your bag before the three of us get arrested . . .’. Then comments about the costs of the kickback followed:

S.G.: With all the budget cuts made by Monti [former Prime Minister], it’s better cutting a bit here as well . . .

M.R.: Cutting a bit here too . . . eliminating . . .

S.G.: Yes, but not . . . you. . . but I *loaded* you so please give me a hand.

E.: Where could you find another one like me . . . one that cares for you as much as I do care for you. (Tribunale di Monza, rg nr 4392/12, rg gip 10102/13, p. 106) [author’s emphasis]

The excerpt above demonstrates that corruption requires the capacity to establish informal relations between actors, which can be extended to high levels of affability between their positions held, and furthermore between the institutions and the companies they belong to, constituting what I would call *institutional informality*, that is the result of reiterated contacts between public and private, which end up creating a multiplicity of possible levels of interactions, from the most governmental and bureaucratic to the totally unofficial and relaxed, that somehow overlap and are indistinguishable. Understanding the level at which each contact is played requires specific social skills and competences in order for the people involved to act accordingly and reduce the potential risks of the illegal practice. These social skills can only be acquired with time and experience, two elements which combine to create a climate of spontaneity.

Moreover, the example above shows another component of corruption practices, that is how the existences of rules and routines helps to develop a specific linguistic code, which allows the actors to understand each other without any need to address the issue directly. ‘I loaded you [with money]’ wouldn’t make much sense if not connected to what had happened right before this sentence was pronounced – the bribe exchange. It is also interesting to note how the civil servant brings the conversation about the costs of corruption to a totally different level by implying that it is not a matter of money, but of taking good care of someone else’s business as a consequence of ‘affection’. In this way the bribe exchange loses its illegal

connotation, and at the same time Sangalli is implicitly restrained from bargaining, because cutting on the budget could negatively influence the civil servant's 'friendliness'.

On another occasion the involved members of the Sangalli family discuss the manager of the environmental sector implying that she had developed considerable experience in such corrupt procedures over the years and that she had developed her own 'routine':

S.G.: She told me you need to give the 100 thousands directly to me.

S.D.: Well, she's been burnt many times.

S.G.: Yes, she's been burnt many times, you see she is experienced. (Tribunale di Monza, rg nr 4392/12, rg gip 10102/13, p. 62)

And, moreover:

S.D.: I was just telling him, . . . although I'm tailed, and although they're tailed . . . ehm, she asked me . . .

S.G.: That's incredible.

S.D.: But how will I manage to give it to her?

S.G.: Damn these people, eh, when they get used to it they can't seem to stop.

S.D.: They don't . . . but where am I going to give it to her? (Ibidem: 63)

According to the evidence they then agreed to exchange the kickback in the restroom of a cinema while the film was playing. These exchanges show how corruption implies the development of a very specific know-how, a series of precise social competences and skills which are vital to surviving in a corrupt system. Such acquired competences help the people involved to minimise the potentially dangerous effects of illicit practices, or of 'being burnt', as they call it.

In another recorded conversation Sangalli snr, in reference to the involved councillor, stated: 'He's a criminal . . . these people here . . . they're "Jesse James"' (Tribunale di Monza, rg nr 4392/12, rg gip 10102/13: 66). Interestingly his interlocutor (one of the potential members of the prospect commission) took a chance and answered, 'G. if in the future you will want to give something to me as well . . . I will be happy' (ibidem).

This short excerpt shows two very interesting elements, as individuated by de Sardan (1999). According to that author 'only the practices to which one falls victim or from which one is excluded are denounced as being corrupt' and therefore 'those in which one plays a role oneself never give rise to condemnation' (ibidem: 34). Sangalli snr, although he himself was the corrupter, considered the councillor to be a criminal because he was continuously asking for money. Interestingly the member of the commission used the chance to openly ask for his own share, despite the fact that this would place him in the 'criminals' category as well. As de Sardan

maintains, *corruption is someone else*: ‘the real borderline between what is corruption and what is not fluctuates, and depends on the context and on the position of the actors involved’ (ibidem).

The member of the commission does not seem to consider his request to be illegitimate; on the contrary, he seems to be involved in that ‘delinquent sub-culture [which] produces specific forms of self-justification’ (ibidem: 35), in part probably because the definition of corruption is more easily ‘applied’ to others than to oneself, and in part because once the illegal transaction is reiterated, it becomes banal through its routinisation and ritualisation, and for this reason is perceived to be less detrimental (ibidem: 37ff.).

Ironically ‘corruption is as frequently denounced in words as it is practiced in fact’ (ibidem: 29) and the same people involved often do not seem to have a clear perception of their own role. The stigmatisation of corruption seems to have become to some extent a *topos*, or a self-explanatory way of dealing with the phenomenon at all levels of discourse and by a multiplicity of actors. Sangalli snr, in another recorded dialogue, when referring to some employees of the city council, stated, ‘they’re all criminals, sooner or later we will have to pay every one of them to get to do works’. On a later occasion, though, once his company was awarded the tender for waste disposal, thanks to the bribes paid, he seemed to appreciate the ‘work’ of those same people that he considered to be criminals, i.e. the councillor and the public officers involved. In commenting on the successful operation he stated: ‘I must admit that the city council, despite its amateurism, did very good’ (Tribunale di Monza, rg nr 4392/12, rg gip 10102/13, p. 69), which shows that the corruption had become a source of the existing network of solidarity within the business and political worlds (de Sardan, 1999: 40ff.), which is based on a shared series of linguistic codes, rituals and social competences that lead to, and at the same time are a consequence of, informal relationships between the public and private sectors, what I have defined as institutional informality.

SOCIAL HUMILITY AND SOCIAL STIGMA

We have already discussed how the public debate over corruption in Italy has highlighted a general climate of impunity, self-indulgence and self-absolution at all levels as the reason why corruption is such a widespread phenomenon in Italy. This explanation, though, seems not only to point to the penal and judiciary system, but also to the fact that some cultural elements might be at play.

My informants have often emphasised the link between corruption and a lack of positive values, and have highlighted as an important issue the

fact that negative, or 'false' values seem to have become a point of reference in society as a way to assert one's success. For example, an employee in the education sector stated:

I do not know whether it is linked to a national discourse on Italian culture, I think it is rather inherent to the human nature rather than to the Italian culture . . . We often find ourselves debating in the world of education and training, something that is becoming increasingly important . . . in the sense of how the educational aspect then affects the present or future behaviour, this is definitely a subject of discussion. I do not know whether this has to do with the anti-corruption rather than with the mode of civil life within the rules . . . There's an aspect of competition which is increasingly exasperated: those who get there first and have a lot of money are good and worth so much, those who have a big car . . . I believe that this has had its share, as well as those who bully, who are able to raise their hands . . . these are things that touch the world of children every day. There is always a higher tendency to support the competitiveness of the children in the classes . . . and I believe that in the long term this can make a difference culturally, the more we push the competitive level the more we get to say 'then, yes, I'm worth so much, since I have a lot of money', and lots of money is not always easy to achieve . . . eh, and so the risk is always that you fall in an attempt to get money with the least effort possible and using all the available shortcuts.³⁰

Another employee working with children in a municipal library made a similar point:

We have to recover a bit of social humility, which is non-existent in Italy. They are sending clear messages, they train children with television . . . there is an average of fame and success that they establish, while every person should have its own personality and you have to send the message that every individual is important. Instead children now learn that unless you have some advertised products you are not important. Unfortunately, corruption cannot disappear because it depends on the whole system and how one is educated at home.³¹

The importance of the education of future generations has been stressed by a relative majority of women, who are probably more involved than men in children's education and tend to develop a long-term perspective. In suggesting a way to defeat corruption in Italy, another interviewee said:

First, compliance with the rules, that is, if there are rules you have to respect them . . . and then also at the level of enhancement of positive behaviour and critical, negative value, negative judgment against . . . because the message can't be that success . . . that the best achievement is being smart, that if you can make it to be successful in life with the least effort you are cool, that shouldn't be.³²

Many employees of Monza City Council supported the idea that a critical attitude towards a phenomenon such as corruption would work as a good preventative factor. For example, one interviewee maintained that:

Moral contempt is positive, it is useful for me . . . yes because anyway one sees that the honest citizen who is committed to make society moving forward has a great merit, this is a worthwhile person, society now moves ahead thanks to the people who want to build, not to those who want to destroy . . . this should be an example for younger people, otherwise what examples do we give?³³

Despite the fact that all my interviewees seemed to be very positive about their role as civil servants and about the importance of loyalty to one's office, the events that occurred in Monza demonstrate that corruption can indeed happen and that falling into certain practices is not as uncommon as it is perceived to be.

When questioned about the events, those interviewed were mostly still shocked about the news and reported having been surprised to hear that some of their ex-colleagues had engaged in such extensive corruption. Some of them had worked regularly with the employees involved and had known them for years; still, they had never suspected anything. Although aware of the fact that this would be sensitive information, I have asked them to try to suggest possible reasons for what happened, but none of them seemed to have been able to form a precise explanation for it. The most often mentioned reason as to why someone would become a corrupt public officer was a 'crave for money and/or power', although the interviewees themselves recognised this to be somehow reductive. One employee addressed the issue saying:

There are people that get exposed quite stupidly . . . the corrupt is primarily a criminal, but is also a moron . . . The manager that ended up in jail for the equivalent of one year's salary . . . it seems to me something profoundly stupid. I wouldn't go to jail for a year's salary.³⁴

However, this point of view was contradicted by another employee, who commented:

When I heard of these arrests that happened, most people I've heard saying 'Oh gosh, but he did it for so little money, if one does it, he should do it to make a bang!' Either you do it to be totally blown away, but if you don't manage, what happens? And instead I believe there is someone that with his little monthly routine has made a lot of money.³⁵

A component of 'environmental pressure' has also been highlighted: 'because when it is rooted in a system it is maybe also true that when you are in that situation you cannot do otherwise, even if your conscience probably tells you differently'.³⁶ As Torsello notes in his overview about corruption as social exchange (Torsello, 2014: 7ff.), according to the normative perspective corruption is seen as the violation of a social norm, and

it doesn't make a big difference, from an anthropological point of view, whether this norm breeds from or despite of the legislative system.

The pressure created by the fear of social stigma has also other implications. For example, one employee admitted that she was so scared that people could think that she, as a civil servant, could have made her career thanks to the help of acquaintances or through paying bribes, that she refrained from applying for jobs where fellow employees would have been in the judging commission:

It occurred to me not to apply for a job because I knew that in that municipality in the commission there was someone I knew. I did not even want to let it happen that anyone could say that I got the job because I knew that person or because he was my friend, so I decided not to apply and then I got it somewhere else, so to speak. But for my pride, one day I will tell to my children 'Look I haven't gotten that far, I have not done much career, however, where I made it it's all mine.'³⁷

On the basis of what has been reported above, one could assume that the decision to engage in corrupt practices always requires overcoming a moral dilemma. This choice can be facilitated or hindered by multiple factors, and their importance is influenced by the characteristics of the environment in which one operates.

My interviewees individuated in what could be defined as 'social humility' one of the elements that could foster the tendency to act in a legally and morally legit way. School and family education, if based on positive values, should focus on the importance of individuality, on the positive implications of cooperation, rather than of competition, and on the value of being humble. I often had the feeling, though, that the interviewees believed that humility is becoming more and more frequently confused with humiliation, consequently leading to a demanding attitude towards more money and/or power.

One might also think that 'social stigma', and shame as its counterpart, would be one of the aspects that contributes to hindering corruption. This idea probably originated mainly in the fact that, as already mentioned, the interviewed civil servants were all rather sceptical of witnessing effective punishments for people found guilty of corruption and were therefore hoping for more appropriate sanctions. My interviewees often addressed the issue, saying that it was not uncommon to hear people experiencing discomfort in being those who obey the rules, while everyone else seems to take care only of their own interest, and in doing so having easier access to resources and positions of power. If corruption is stigmatized at the level of official public discourse, but in practice is not effectively prosecuted, then the role of moral contempt and social stigma is not able to be

correctly problematized by the citizens and ends up being ineffective. This fact once again demonstrates that it is only possible to fight corruption through an integrated strategy which goes far beyond relying on prevention or repression strategies, due to its multifaceted characteristics.

CONCLUSION

As a consequence of the most recent corruption scandals, both in Monza and at a national level, the city council employees I interviewed were mostly very sensitive to the problem of corruption, which they all recognised as one of the most serious issues in Italy.

The 'Clean City' scandal in particular seemed to have affected their perceptions on the matter, which were divided in two main attitudes. On one side there was a large majority of employees who thought that corruption was immoral and essentially wrong, and who condemned the corrupt acts of their ex-colleagues. They considered corruption to be a betrayal of their mission as civil servants and were shocked that such practices were perpetrated by people they knew, people who had built a network of solidarity and informal relationships with the private sector. On the other side, there was a minority of interviewees who also agreed that corruption is detrimental to society, but who admitted that they had never found themselves in the position of being directly confronted with the moral dilemma of whether to engage in such practices or not. This group of employees thus claimed that they were not *incorruptible*, but, rather, they were *not corruptible* because their position gave them nothing to 'offer', so their take on the issue was ambivalent.

All the employees interviewed stated that they had never experienced corruption in their office, though they were well aware of its possible existence within the city council walls, as the recent investigations and arrests had demonstrated. They also appeared to be well aware of the mechanisms and rituals of bribe-exchanging.

In terms of the anti-corruption discourse, although the interviewees recognised the theoretical validity of the principles contained in the law approved in 2012, they individuated some critical aspects. In particular, they seemed to have mixed feelings towards the 'medicine of transparency',³⁸ and they found especially that relying on transparency only, without intervening on those cultural elements that foster corruption practices, could be the prelude to a new failure. Moreover, transparency in public office was perceived to be potentially ineffective in the face of over-extended and complicated legislation, which offers many opportunities to hide in its shadows to those who might want to engage in illegal activities.

Interviewees seemed to be rather discouraged about the possibility of finding a solution to corruption both in the short and long term. I could observe a general feeling of powerlessness stemming from the fact that corruption is commonly believed to have become part of the Italian mentality, and that it is something in which the media and the public discourse have played an important role, since the high number of news reporting on cases of corruption gives the impression that procedures and investigations into new cases seem to be potentially never-ending. If corruption exists and always has existed, as some have maintained, fighting the phenomenon reminds one very much of Cervantes' Don Quixote tilting at windmills. On the other hand, I could also observe a totally different attitude towards the identification of possible solutions, which were rather varied: the education of children with regard to legal right and wrong; positive values and morality; the recovery of a shared sense of social humility at the expense of extreme competitiveness; and the certainty of legal punishment for corrupt crimes, as well as moral contempt towards those who have been found guilty.

This last issue was particularly felt, and most of the people I interviewed pointed out that proper punishments would serve as a much better retention factor than prevention through transparency and accountability. In fact, some discontent surrounded the anticipated end of the 'Clean City' trials, which were widely expected to result in little to no punishments, although we have seen that the final judgments proved them wrong since all those who had been investigated were found guilty and saw their illegal profits confiscated. This result was probably related to the 2015 law already existing as a decree law in January 2015, which proves that repressive actions have a much quicker impact and work well in the short term.

If analysed in a synchronic perspective, the approaches provided by the 2012 and 2015 laws could possibly provide an effective integrated strategy. When I asked interviewees whether the fight against corruption should be carried out by society as a whole or by the state, they were almost equally divided between the two options, which is to say that according to people's perceptions society mirrors the state that mirrors society.

A public discourse which fosters legality, moral practices and which clearly highlights what is culturally desirable for the well-being of a society, and by extension for the whole state, should be a first step towards fighting corruption. Actions should be undertaken to individuate its causes, before fighting its consequences, a process that necessarily needs to be carried out in two ways – from the top-down and the bottom-up, in an integrated system. To consider corruption as a phenomenon existing regardless of the Italian society is representative of political forces that overlook the real issue and rather adapt to the positivist conception of 'fixing the

problem', without considering that the dysfunctions of a society cannot be considered as independent from the environment in which they do exist. By extension, preventive actions like those contained in recent laws, such as the 190/2012 in the matter of anti-corruption, will most probably prove to be ineffective if proposed as measures applied to an issue that has yet to be accepted and understood as something that grows *within* society, and not *from* it.

Corruption in Italy is currently being treated as a 'cancer', as a tumour that needs to be eliminated. What should be eliminated, if anything, is the conditions that enable such practices to proliferate – an awareness that, even in the official discourse, is finding it hard to be accepted.

From the data obtained through this research, we could maintain that these conditions are constituted by the result of interactions between the public and private spheres. First of all, the 'grey zones' which exist within current legislation and within the bureaucratic system of public administration leave much room for actors to be used to their own advantage. The choice of whether to obey the law or rather work within its interstices depends mostly on one's ethical values, as well as on the environment in which one operates. As we have seen, a degree of environmental pressure, together with the impression that corruption practices are something of an externalisation of the public/private intersection, transforms corruption into a self-fulfilling prophecy. If the environment is expected to be corrupt, then the moral costs of corruption are easier to minimise. Secondly, as has been discussed, an appreciation of what represents a public good, and the use that should be made of it, proved to be multifaceted. My interviewees did not seem to have an unequivocal understanding of what constitutes the public good, although its management was somehow their task, being as they were public officials and employees of the public sector. The differing views on the matter (i.e. the public good belongs to everyone and/or to no one) represent a dilemma that probably exists in Italian society as a whole, and are probably the source of the ambiguity of views on corruption scandals: on the one hand they need to be condemned because corruption is 'wrong', on the other hand, self-absolution seems to a viable way, especially for the people involved at any level. The role of morals and values in determining to what degree some potentially corrupt practices are detrimental for society is indubitable.

The third condition that fosters corruption is the unclear relationship between the public and the private sector that derives from an emphasis on informality, created by reiterated contacts aimed at establishing oligopolies (and sometimes even monopolies) that would bring concurrence down to everyone's – i.e. the business people and the public officials involved – benefit. Every corruption scandal in Italy leads to the discovery of the

existence of a so called ‘cricca’ (translatable as clique, circle or even gang), which clearly refers to the existence of a group of conniving people that shares rituals, narratives, values (either positive or negative) and conduct codes that include a degree of familiarity that transforms institutional relationships on one side and informality on the other into what I have called institutional informality, where the two levels of interaction are hard to distinguish and provide one field from which corruption can easily breed.

NOTES

1. See http://anticorr.eu/publication_type/deliverable/, accessed on 27 June 2015.
2. *Il Cittadino*, 7 September 2012.
3. See http://www.comune.monza.it/export/sites/default/portale/DOCUMENTI/viveremonza/dati_statistici/STRANIERI_2013.pdf 19/11/2014.
4. See <http://www.ilgiorno.it/monza/cronaca/2013/12/13/995999-Tangenti-Concas-Sangalli.shtml>, accessed 17 November 2014.
5. *Il Cittadino* MB, 9 July 2014.
6. *Il Cittadino* MB, 20 January 2015.
7. W. Mapelli, conference held at Monza City Council on 25 January 2014.
8. See <http://www.transparency.org/cpi2014/results>, accessed 15 December 2014.
9. Monza City Council, 25 January 2014.
10. As previously mentioned at the beginning of the chapter, the 2012 law was updated with a new anti-corruption law in May 2015, which introduced four important upgrades: first, it redefined and clarified the powers of the National Anticorruption Authority (ANAC), instituted in 2014; second, it increased the punishments for crimes against the public administration, including corruption, extortion, false accounting and abuse of office; third, the option to apply for plea bargain would be granted only under the condition that the entire value of the profit from the crime profit had to be compensated; fourth, the statute of limitation time period was increased for all those crimes that are ascribable to corruption practices and mafia-like association.
11. Woman, interviewed on 16 June 2014.
12. Man, interviewed on 20 June 2014.
13. Man, interviewed on 20 June 2014.
14. Woman, interviewed on 16 June 2014.
15. Man, interviewed on 20 June 2014.
16. Man, interviewed on 20 June 2014.
17. Woman, interviewed on 16 June 2014.
18. A type of sweetbread loaf originally from Milan, usually prepared and enjoyed for Christmas and New Year, making it a typical gift among acquaintances.
19. Man, interviewed on 16 June 2014.
20. Woman, interviewed on 16 June 2014.
21. Man, interviewed on 20 June 2014.
22. Man, interviewed on 16 June 2014.
23. Focus group, 25 September 2014.
24. For example, man interviewed on 16 June 2014.
25. Interview, 17 April 2014.
26. Man interviewed on 16 June 2014.
27. See <http://www.corriere.it/cronache/speciali/2012/mani-pulite/>, accessed 29 September 2013.

28. As we have briefly seen, the 2015 Anticorruption Law has now undertaken some first steps towards the solution of this problem, sensibly extending the statute of the limitations' time period for most corruption related crimes.
29. Intended as 'giving something without any liberality'.
30. Woman, interviewed on 25 June 2014.
31. Woman, interviewed on 16 June 2014.
32. Woman, interviewed on 20 June 2014.
33. Man, interviewed on 20 June 2014.
34. Man, interviewed on 20 June 2014.
35. Woman, focus group, 25 September 2014.
36. Man, focus group, 25 September 2014.
37. Woman, interviewed on 25 June 2014.
38. Man, focus group, 25 September 2014.

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