1. Introduction to *Rethinking Organised Crime*

Organised crime (OC) – or syndicated crime, as it is sometimes called in the USA – is a problem. Among its many negative effects are that it can undermine both legal economies and the rule of law, increase drug addiction and the level of violence in society – not only through gangs’ own direct use or threats of violence, but also indirectly, by selling illicit drugs that lead their users to commit violent crimes – and impact negatively on the environment. All this can result in a growing sense of insecurity among ordinary citizens, which may in turn lead to reduced trust in the state and hence to system delegitimation. One symbol of the growing awareness of the potential significance of OC is that combating it is one of the targets (No.16.4) of the UN’s ‘Sustainable Development Goals’ (UNODC 2020a: esp. 21–6). Thus, it clearly warrants attention. Given many recent changes in its nature and impact, it is also time to reconceptualise – *rethink* – organised crime. That is this book’s primary objective.

Unfortunately, the term ‘organised crime’ has been contested ever since it first came into use in Chicago in the early 20th century (Lampe 2001). Bersten (1990: 39) neatly summarised this point more than three decades ago:

> Although of great importance and widespread usage, the phrase ‘organised crime’ has no settled meaning. It is often defined imprecisely and inadequately …

– and the situation has not improved since, as den Boer (2010: xv) notes: ‘the notion [of OC – LH] is still ambiguous’, while even more recently, Allum et al. (2019: 1) note that:

> Organised crime is not a phenomenon that has been easy to define and it remains an open-ended question and an ongoing debate among academics, practitioners and policymakers as to what organised crime actually is … it remains a controversial, contentious and contested term.

Meanwhile, Lavorgna and Sergi (2016) complain that the term has become overstretched and essentially almost meaningless, especially now that many include cybercrime under OC. Some go even further, denying its very existence. For example, long-time head of the FBI J. Edgar Hoover denied that the
Mafia and OC more generally existed at the federal level in the USA from the time he took office (1924) until 1957. Furthermore, the term was hardly used in Europe until the early 1980s (Fijnaut and Paoli 2004b: 21), with some scholars even doubting the very existence of some of what are by now among the best-known OCGs (organised crime gangs or groups), such as the Sicilian Mafia and the 'Ndrangheta, until the mid 1980s (Paoli 1999: 15). Communist China has long had a very confused approach to and definition of OC (Keith and Lin 2006: 90–116): while its 2021 ‘Anti-Organized Crime Law’ has tidied up some ambiguities, others remain (Wei and Hu 2022). And a 2019 source notes that it is only recently that the term OC has been used in the African context (ISS 2019: 8).

Yet OC is and has long been a major phenomenon in today’s world. While their argument refers to terrorism as well as to what most people initially think of as OC, and perhaps overstates the case, Shelley et al. (2005: 5) make this point forcefully when they write that ‘criminal groups have eclipsed state actors as the most malignant opponents of the nation state’.

Nevertheless, while scholars and law enforcement agencies have long debated the precise meaning of the term OC, there was fairly widespread agreement on certain core features until the 1990s. Thus, OC typically referred to both the actors involved and the activities of enduring and structured groups perpetrating serious crimes (the latter usually defined in terms of maximum possible sentences), and either using or threatening to use violence. There was also widespread agreement that OCGs existed primarily to make profit (material gain). Furthermore, most members of the general public have until recently had a fairly clear impression of what OC meant, with images of hierarchical, code-based, all-male and usually very secretive criminal organisations – again with a proclivity to use or threaten to use violence to achieve their ends – as the stereotype.

But there have in recent years been significant changes to what we call OC, and it is time to reconceptualise this complex phenomenon. One obvious change is the almost exponential rise in cybercrime, much of which is perpetrated by groups. Another somewhat less well-known change – to the general public at least – is the decline in strictly hierarchical long-term and code-based OCGs and the rise of loose and often transient networks. While our awareness of such loose arrangements is not new (e.g. Chambliss 1988a: passim and esp. 61–80), our methods for analysing them have become far more sophisticated since the 1990s (Campana and Varese 2022). Another change of which most people are unaware is the trend for members of OCGs to seek greater respectability. Other changes are even less commonly recognised, such as the apparent rise in corporations, corrupt officials and even states sometimes acting like OCGs. Therefore, despite the fact that doing so will render an already muddled concept even fuzzier, the concept of OC needs updating and
broadening if we are to grasp the full scope of the phenomenon in the 21st century.

This opening chapter explores some of the most popular definitions of OC, highlighting the different emphases in these and what is argued here to be the partly outdated – overly circumscribed – nature of some of the most frequently cited ones. It then identifies 19 factors that in combination require us to rethink OC, and provides a brief overview of the methods used to measure OC, in particular the new (2021) *Global Organised Crime Index*. At the end of the chapter, the structure of the book is outlined before conclusions are drawn.

DEFINITIONAL ISSUES

Most dictionaries define OC primarily in terms of both the actors involved and their activities. Typical are Collins Dictionary, which defines OC as ‘criminal activities which involve large numbers of people and are organized and controlled by a small group’ and the Oxford Learners’ Dictionary, which defines it as ‘criminal activities that are planned and controlled by powerful groups on a large scale’. Some dictionaries include further caveats, such as the Macmillan Dictionary, which adds secrecy to what is otherwise virtually the same definition as the Oxford one just cited. The observant reader will realise that such definitions are all basically referring to what is below called the ‘traditional’ image of OC: it is argued here that this approach is too narrow and by now largely outdated.

Paoli and Vander Beken (2014) rightly maintain that OC is even more contested now than it was in the 20th century. Thus, Lampe (2022) provides more than 200 definitions of OC, and his list continues to grow: even allowing for overlap across several of these, there are still substantial differences between many of them. Another clear indication of how much disagreement there currently is on the precise meaning of OC is the fact that what is widely considered to be the most important international document on it – the UN’s Convention Against Transnational Organized Crime and the Protocols Thereto (UNCTOC, adopted November 2000, entered into force September 2003), described by the UN itself as ‘the main international instrument in the fight against transnational organized crime’ – does not contain a definition of OC as such, only closely related terms such as ‘organized criminal group’ and ‘serious crime’ (UNODC 2004: 5–6). This is because its framers could not agree on a definition (Finckenauer 2007: 9), not only because of cultural differences in interpretation, but also because some framers emphasised the dynamic nature of OC and preferred to avoid a definition that might soon be outdated (Puttonen and Romiti 2022: 331).

One of the principal reasons for this lack of consensus is precisely why this book has been written – namely, that the boundaries of OC have both shifted
and expanded in recent years and are still in flux. Given this, the first distinc-
tion to be drawn is between what can be called ‘traditional’ (or ‘classic’) and
‘contemporary’ – though our preference is to call them ‘narrow’ and ‘broad’ –
definitions. When referring to actors that are primarily and professionally OC
(i.e. as distinct from primarily terrorists, state agencies, public officials, etc.),
the term ‘conventional OC’ is used: this term covers both traditional OC and
more recent varieties, such as many networked cybercriminal groups.

Traditional, classic or narrow definitions are based on features of OC that
were more or less typical until the late 20th century. While it might be tempting
to label the traditional approaches outdated, this is unfair (note that the phrase
partly outdated was used above), since there still exist many OCGs that adhere
closely to such definitions, even if many of them have been changing their
modi operandi in the 21st century (Siegel and Bunt 2012). Some of these (e.g.
many OCGs from post-communist states) are either relatively new, or else
have become far more prominent and better known since the 1990s, especially
in transnational OC (TOC), such as Albanian and Russian OC, and domestic
OCGs that collaborate with foreign OCGs, such as outlaw motorcycle gangs
(OMCGs) or ‘bikers’ (in the US and UK)/‘bikies’ (in Australia) – although
Lampe and Blokland (2020) warn against labelling all OMCGs as OC, since
some of their members commit crimes as individuals rather than as part of
a hierarchical organisation based on the club.

A typical example of the traditional or narrow approach is that proposed
in one of the best-selling introductions to OC in the English language, that
by Abadinsky. Abadinsky’s volume has been through many editions, and the
fairest approach is to cite his most recent, which lists eight defining features
of OC. Thus, OC:

- Is devoid of political goals
- Is hierarchical
- Has a limited or exclusive membership
- Constitutes a unique sub-culture
- Perpetuates itself
- Exhibits a willingness to use illegal violence
- Is monopolistic
- Is governed by explicit rules and regulations (Abadinsky 2017: 2–4).

Another traditional but recent approach is that of Nicaso and Danesi (2021:
7–8), who cite Abadinsky’s approach approvingly and identify nine essential
features of OC:

1. Membership – Three or more
2. Gender – Usually male
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3. **Goal** – To commit serious crimes in concert with the overall objective of attaining prestige and power
4. **Perpetuity** – OCs pass on their traditions and operational structure to subsequent generations of members
5. **Corrupt (and Strategic) Alliances** – OCs form corrupt associations with government authorities, police, and other officials for mutual benefit
6. **Culture** – OCs develop and pass on their own cultural systems, including specialized communications, symbolic practices, and codes of conduct
7. **Allegiance** – Members take oaths of allegiance to the leader and the other group members, binding them indefinitely to the group
8. **Strategic Violence** – OCG violence is never random: it is carried out physically when absolutely necessary – strategic (psychological) violence is used instead because it is effective in keeping victims in a state of fear
9. **Territorial Control** – Ensuring control over territories is crucial to sustaining organized criminal groups.

Nicaso and Danesi further argue (2021: 11) that while OCGs need funds to operate, financial gain is not their ultimate goal: power is. In response to possible charges that their approach would make it difficult to distinguish OCGs from terrorist groups (TGs), Nicaso and Danesi argue that the main difference between them is that the latter are ideological.

There are problems with the approaches of both Abadinsky and Nicaso and Danesi, even if we consider only the narrow definition of OC. For example, Abadinsky’s suggestion that OC is devoid of political goals is empirically questionable: there is considerable evidence that Italian OC, La Cosa Nostra in the US, the Japanese Yakuza, and the ’Ndrangheta in Australia, for example, have all in the past supported right-wing – often anti-Communist, and sometimes extremist – political parties or else parties that are expected to pursue policies conducive to them (on the Italian Mafia see De Feo and De Luca 2017 – though see Paoli 1999: 38 for evidence that the Sicilian Mafia has sometimes supported left of centre parties when it suits them; on the US see Finckenauer 1999: 3–4, Liddick 2000: esp. 124–33 for allegations that the Chinese Triads and Communist Party have contributed funds to the Democratic Party, and Waring 2021; on the Yakuza see Adelstein 2010, 2012 and Kaplan and Dubro 2012; on the ’Ndrangheta in Australia see McKenzie et al. 2014, 2015 and Sergi 2022: 20–103). Moreover, OCGs are not always monopolistic: even the Camorra and the ’Ndrangheta appear to have perceived common interests and cooperated at times (Anesi et al. 2021), while collaboration and an agreed division of labour between OCGs in different countries and even continents are increasingly common.1

As for the list produced by Nicaso and Danesi, the goal they identify can be challenged, since even the most narrow definitions of OC focus on profit (material gain), with power and prestige being either equal or secondary goals. Walter Laqueur (1999: 224) represents this latter perspective, arguing that
OC is interested not only in material gain, but also power. The problem with Nicaso and Danesi’s argument is compounded when the authors maintain later in their book that OCGs have two principal objectives, power and money (Nicaso and Danesi 2021: 18), thus conflicting with the earlier reference only to the goal of power and prestige.

Despite these limitations, the two approaches just elaborated are still reasonably appropriate for some of the best-known traditional OCGs – such as the Sicilian Mafia or the Japanese Yakuza – as well as some of the newer kids on the transnational bloc (e.g. Albanian and Serbian OCGs). However, many newer OCGs do not exhibit several of these variables. This leads us to the broad definition.

An increasing number of specialists and agencies now recognise that the narrow definition is deficient and misleading. For example, Ming Xia (2008) argues that the Chinese authorities’ focus on hierarchy as a defining feature of OC is flawed and helps to explain why law enforcement’s attempts to curb OC had had very limited success (see too Broadhurst 2013: 104–5): while Chinese law enforcement agencies have had greater success since the introduction of a major anti-OC campaign launched in 2018 (see e.g. Rui 2019), there is still too much emphasis on hierarchy.

Our exploration of definitional issues is still incomplete. One topic to address is whether the terms ‘mafia’ and OC are synonyms. While many journalists (e.g. Bottom 1988: esp. 13–14) use the terms interchangeably, specialists often draw distinctions between them. Thus Gambetta (1993), analysing the Sicilian Mafia (with an upper case ‘M’ to show that this is the mafia), argues that mafias focus on one specific activity, namely private protection (see too Varese 2001; Wang 2017), while Finckenauer (2007: 16–19) sees mafias as a sub-set of OC, specifically a ‘cultural artifact’, and argues strongly against conflating the terms ‘mafia’ and ‘organized crime’. In this book, the term ‘mafia’ will only be used to refer to traditional, hierarchically organised OC: even then, the term will be used sparingly. However, its use will not be limited to criminal groups that engage in private protection, since the notion that mafias (including the Sicilian Mafia) essentially engage in only one kind of OC activity is no longer accurate.

Finally, what of the term ‘organized’? Scott (1998, though first edition 1981) identifies three types of theoretical approach to the concept of organised: organisations as rational systems (formal structures, hierarchical, highly regulated, and having clear goals); organisations as natural systems (informal structures, less hierarchical, more responsive to feedback from stakeholders and having complex goals); and organisations as open systems (very flexible structures, responsive to context, and having flexible goals). This more comprehensive and sophisticated approach to the notion of ‘organized’ provides further support for the argument in favour of a broader definition of OC than
many social scientists are willing to accept, since we shall see that all three types of organisation can be found in OC.

THE CHANGES

Recognition of the increasing diversity of organisational structures is one of 19 reasons why we need to update and revamp our understanding of OC. These are:

- the changing structures and *modi operandi* of OCGs
- the decline of traditional OCGs
- the rise of cybercrime
- the need to recognise that OC can be highly predatory
- the use by OC of AI (artificial intelligence)
- OCG outsourcing
- Nikos Passas’s notion of a ‘new’ type of crime
- the rise of polycrime
- the rise of synthetic drugs
- the growth of transnationalism
- the recent perception by states and IOs that TOC has become a security threat
- the increasing monetisation of ties between OCGs and politicians
- the changing gender balance of OC
- the growing role of children
- the increasingly blurred line between the legal and illegal activity of OCGs
- the increasing use of OC methods by private companies, states, corrupt officials and terrorists
- new methods of laundering illicit gains
- new methods of analysing OC
- the increasing overlaps between ‘underworld’ and ‘upperworld’ crime (see below on all 19).

These numerous changes make it clear why it is imperative to adopt a broad definition if the full gamut of contemporary OC is to be appreciated: they can now be elaborated.

A significant development in recent decades in both defining and researching OC is the rise of network analysis. For instance, Morselli (2005) analyses two cases of OC – one involving cocaine smuggling, the other La Cosa Nostra (LCN) racketeering – to show that much OC activity is structured around flexible networks rather than rigid hierarchies. In a later book-length study, Morselli (2009) provides many more case studies, using the same basic methodology, to endorse his argument.
It is not only academics who have noted the changing structures (and activities) of OC: many state authorities have too. For example, the USA’s National Security Council (NSC) defines TOC as follows:

self-perpetuating associations of individuals who operate transnationally for the purpose of obtaining power, influence, monetary and/or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption and/or violence, or while protecting their illegal activities through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms. There is no single structure under which transnational organized criminals operate; they vary from hierarchies to clans, networks, and cells, and may evolve to other structures [emphasis added – LH]. The crimes they commit also vary. Transnational organized criminals act conspiratorially in their criminal activities and … have economic gain as their primary goal, not only from patently illegal activities but also from investment in legitimate businesses. (NSC 2011; see too FBI 2021)

This definition is more nuanced than Abadinsky’s, notably in its use of terms such as ‘may’ and ‘in part’. Nevertheless, despite representing a major step forward, the NSC still implicitly refers to what is sometimes called the ‘underworld’. In this book, we shall expand the concept of OC further by demonstrating that, for example, state actors – usually conceptualised as part of the ‘upperworld’ – sometimes also engage in OC.

Another approach to changing structures is to distinguish between traditional OCGs and newer ones that are less consolidated but not necessarily as loosely or flexibly structured as most networks. Along these lines, Reuter and Paoli (2020) argue persuasively that many newer OCGs should be classified as ‘candidate criminal organizations’.

The observant reader will realise that most of the approaches cited so far focus on OCGs – that is the actors – rather than the activities. But the Global Initiative against Transnational Organized Crime (GI-TOC) adopts a different approach:

‘organized crime’ is defined as illegal activities, conducted by groups or networks acting in concert, by engaging in violence, corruption or related activities in order to obtain, directly or indirectly, a financial or material benefit. Such activities may be carried out both within a country and transnationally. (GI-TOC 2021b: 23 and 143)

The reference to ‘groups or networks’ endorses our argument in favour of reconceptualising OC to allow for changing structures. We shall return to the distinction between actors and activities later in this chapter: for now, we can consider the 18 further reasons for arguing in favour of broadening our conception of OC.
A notable change in OC in recent decades is the weakening and shrinkage of several of the best-known traditional OCGs: this is our second identified change. Thus, analysts have noted the decline or in some cases even the disappearance of major OCGs such as the LCN in the US (Jacobs 2020), the Sicilian Mafia (Paoli 2008; Tondo 2019), the Russian mafia (Volkov 2014; see also Galeotti 2018: 208) and ‘thieves-in-law’ (Schwirtz 2008), the Triads (Zhang and Chin 2003), and the Japanese Yakuza (Hill 2014: 235; Nippon 2022).

Regarding cybercrime, as our third reason – there is a heated debate on whether cybercrime can ever be considered OC. After all, much cybercrime is conducted either by individuals working alone or by loose and transient networks. On one side of the debate are those who maintain that cybercrime should not be seen as OC. Thus, Lusthaus (2013: 58) argues that:

Despite suggestions of organised crime on the web, there are a number of challenges to classifying the examples discussed … as fully fledged organised crime groups...
1960s) and third (expansion of global drug markets – 1970s and 1980s) eras. A key feature of this new era is the emergence of what he calls ‘hybrid’ OCGs that combine both online and offline activity. Further, he maintains that OCGs of various kinds could be behind more than 80% of digital crime (McGuire 2012: 44 and 60; for an overview of McGuire’s research project see BAE 2012 and Eshel 2012). Both this concept of stages and the notion of hybrid OCGs fit well with the underlying argument for a reconceptualisation of OC, as well as with the position adopted here on some cybercrime being a form of OC.

The dramatic rise in cybercrime, much of it perpetrated by OCGs, leads to a fourth reason for rethinking OC. Numerous analysts, particularly many of those arguing for the enterprise theory of OC (see Chapter 9), maintain that a distinguishing feature of OC is that it is market-based and works to the same underlying logic as legitimate business (Schelling 1971: esp. 73–5; Naylor 2004: 15–16). It is also often described as ‘consensual crime’, in that both sides – OCGs and their customers for drugs or weapons, for example – have willingly engaged in the exchange. Thus, it is said to provide goods or services that are in demand but are either illegal and/or in short supply and/or too costly for those wanting them (i.e. so that OCGs sell them at lower prices). This image of OC is contrasted with other forms of group criminality, notably that of street gangs, which are seen to be primarily predatory, and frequently spontaneous. While this view of OC is often appropriate, it was always potentially misleading, in that it did not cover all forms of OC: the protection rackets that are often associated with mafias, for example, do not fit this image if they are in essence forced onto ‘clients’. But it must now be explicitly challenged. Much group-based cybercrime or ATM skimming does not satisfy a market demand, but rather is predatory: ransomware attacks by gangs such as Revil (see Chapter 2) constitute a prime example of this. Lampe (2016: 74–7) is one analyst who does see OCGs as being primarily either market-based or predatory, though he wisely argues that many are ‘hybrids’.

Also related to cybercrime, and constituting our fifth variable, is the rise of AI (artificial intelligence) – i.e. intelligence demonstrated by machines or systems, rather than humans, such as their ability to learn, solve problems, or recognise complex phenomena. Although AI is not as new as many people believe, dating from the 1950s, its development has accelerated dramatically in recent years. While it can be used to humanity’s benefit, AI can also be used by OCGs for nefarious purposes (Klein 2020). Ultimately, machines such as computers are in most contexts still only as intelligent as their human programmers make them; but as both machines and their programmers, including criminals, become ever more sophisticated, so the former’s range of ‘skills’ increases, to such an extent that computers are beginning to outsmart humans. One disturbing aspect of AI is that criminals do not need to be particularly techno-savvy themselves; they can acquire AI technology software or hire expertise via the
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Sixth, and developing this point about hiring others, there has been growth in OC outsourcing. Passas (2002: 22) has noted that OCGs sometimes outsource tasks to legal professionals (lawyers, accountants, etc.), while the latter also sometimes outsource ‘dirty’ tasks to OCGs so as to be able to claim, *inter alia*, ‘plausible deniability’ (i.e. denying awareness of and responsibility for some crime or error). But there is also growing proof of outsourcing between OCGs, or between an OCG and individual criminals. In the past, traditional OCGs would generally deploy violence themselves. However, there has been increasing evidence in recent years of OCGs outsourcing violence and other OC tasks, resulting in what Peter Reuter has called a ‘gig economy’ in the criminal world (cited in *Economist* 2022a: 37). A Europol report notes that some OCGs will typically pay outsider ‘hitmen’ between €10,000 and €100,000, though the fees are reducing in many cases as more and more inexperienced and young criminals offer their services (Europol 2020: 5; for evidence of such outsourcing to hitmen in Latin America see Blair 2022; Loaiza and Robbins 2022). Some TOCGs (transnational OCGs, sometimes called TCOs or transnational criminal organisations) have also been outsourcing other activities to local groups, sometimes as a function of the TOCG diversifying (i.e. moving into new areas, both geographic and of activity), though this outsourcing can in some cases be interpreted as one OCG purchasing an illegal product or service from another OCG because the latter has better access to or expertise in that product or service. An example of this is of Chinese OCGs moving into the illegal wildlife trade and outsourcing the poaching to local criminals, both individuals and gangs, in Laos and Myanmar (Uhm and Wong 2021).

The seventh reason for reconceptualising OC is support for another of Passas’s arguments (1998), namely that we need to recognise the emergence and growth of what he calls a ‘new’ type of crime, namely ‘crime without law violation’ (Passas 1998: 25) or ‘crime without lawbreaking’ (Passas 1999: 412). This is based on his definition of crime (1998: 23), which relates to the distinction that needs to be drawn – but too rarely is – between illegal and illicit. An action is illegal if it is breaking a law, whereas it is illicit if it is at odds with dominant social mores.² Passas comes close to drawing a similar distinction when he provides as an example of his new type of crime environmental ‘crime’ (disposal of toxic waste – Passas 1998: 24–6) and essentially equates his ‘crime without law violation’ with *unethical* conduct (Passas 1998: 32: my emphasis). It can be noted that much of this distinction is captured in a popular North American expression: something can be ‘lawful but awful’. Passas’s approach also relates to the fact that some jurisdictions will identify a given phenomenon as a crime while others do not: in the era of globalisation,
both OCGs and corporations can take advantage of these different laws in different jurisdictions.

Eighth, there has been a significant increase in the number of OCGs engaging in polycriminality (i.e. several types of crime). In its 2017 EU Serious and Organised Crime Threat Assessment (SOCTA), Europol noted that the number of OCGs involved in more than one criminal activity had sharply increased since 2013 (Europol 2017a: 15; 2017b). While Europol’s definition of polycriminality can be questioned – for instance, they treat trafficking in cocaine and marijuana as two types of crime, which others might see simply as one, namely drug trafficking – there is no question that more and more OCGs are expanding their range of activities (see Europol and EUIPO 2020).

Leading on from this point about polycriminality – while many crimes (e.g. human trafficking, wildlife trafficking) have become far more prevalent in recent times, they are not actually new. But one development that has played into the hands of OCGs is the growth in demand for synthetic drugs, of which methamphetamines are the best known and probably the most traded. Methamphetamines are not new either, having been first produced in Japan in the 1890s. But as law enforcement agencies clamped down on the raw materials needed for naturally produced drugs – destroying coca plants (for cocaine) in Colombia, Bolivia and Peru in Latin America, and opium poppies (for heroin) in Afghanistan and Myanmar – so OCGs began to look to alternatives. Synthetics enjoy various advantages over organic products: in addition to being less visible from the air – and hence less susceptible to aerial poison spraying by law enforcement agencies – than outdoor crops, they are not typically subject to climatic conditions or plant diseases, and can be produced almost anywhere, thus rendering it possible to avoid some of the problems involved in smuggling drugs across borders (though the so-called ‘designer-precursor’ chemical ingredients might need to be smuggled internationally). In short, they are often a more reliable and less problematic source of income for OCGs than organic drugs. While hard natural drugs such as cocaine and heroin are still big business for OCGs, they have since the late 1980s been increasingly in competition with synthetic drugs. This alternative source of drug manufacturing is our ninth factor.

The tenth development is the growth in TOC. While some OCGs have been operating across frontiers for decades, there has been a marked expansion of this since the 1990s. Furthermore, whereas TOC was perceived until the 1990s as primarily engaging in drug trafficking, the unambiguous diversification of many OCGs into other types of OC – such as transnational human trafficking, cultural artefact smuggling, and smuggling of endangered species – represents a significant change that must be acknowledged. Even though its growth may have been exaggerated, with local OC still being a significant phenomenon (Hobbs 1998), there is no question that TOC has increased and become more
of a problem since the 1990s. According to a 2021 Europol report (2021a: 19), almost 70% of OCGs in the EU were operating in more than three countries. While we agree with Longo (2010: 21) that TOC is typically more about networks that connect groups across countries than about transnational structures, it should not be overlooked that some OCGs have become highly mobile, such that Europol now expressly identifies one kind of OCG as ‘mobile’ OCGs. Furthermore, whereas many of these mobile OCGs operate purely within one jurisdiction, some travel to other countries and even other continents, thus being a variant of TOC (Europol 2022a). One final point about its growth is that many new OCGs are involved in TOC, for instance from Central and Eastern Europe and from Africa (especially Nigeria: UNODC 2013).

An increasing number of states and IOs now perceive and officially classify TOC as a security threat: this is our eleventh factor. Thus, Senator John Kerry was warning already in the early 1990s that ‘Organized crime is the new communism, the new monolithic threat’ (cited in Elliott and Waller 1993: 22), while President Bill Clinton was the first US president explicitly to recognise TOC as a threat to US security, in his October 1995 Presidential Decision Directive 42. It was also in the 1990s that the US began to redeploy military aircraft: now that the USSR no longer existed, many aircraft that had previously been charged with deterring Soviet military aircraft now began to track drug smugglers (Andreas and Nadelmann 2006: 158–9). The UK officially identified OC as a security threat somewhat later than the US, doing so in 2010 (Lavorgna and Sergi 2016: 171), while it was recognised as an international security threat in West Africa in ‘the mid 2000s’ (UNODC 2013: 7 and 39). The UN has now classified TOC as a global security threat (UNODC 2010a; 2010b: 223 and 272).

While it is not clear how widespread this phenomenon is worldwide, a change noted by Paoli (1999: 39) in the Italian context is what can be called the increasing monetisation of relations between politicians and OCGs. She argues that the sub-cultural ties that used to exist between these two groups have been waning, while monetary relations – which can be beneficial to both sides – have been strengthening. This is the twelfth development.

Traditionally, OCGs were overwhelmingly male-dominated: if there was any consideration of the role of women in OC, it was mostly of them as supporters of men and as trophy wives and girlfriends. Women were far more often portrayed as victims of OC than as its perpetrators. But the gender balance has been changing in recent decades, with an increasing number of women playing major roles in some groups (Arsovska and Allum 2014; COOC 2020; Selmini 2020): a focus on the changing gender dimension of OC is our thirteenth reason for updating our conception of OC.

But gender is not the only demographic change. Another group that has become far more prominent in OC in recent years – albeit in a different way
from many women – is children. According to an official report on human trafficking published in 2021:

Over the last 15 years, the number of detected victims has increased, while their profile has changed. The share of adult women among the detected victims fell from more than 70 per cent to less than 50 per cent in 2018, while the share of children detected has increased, from around 10 per cent to over 30 per cent. (UNODC 2021a; for the report’s full analysis of children as trafficking victims see UNODC 2021b, while Dottridge and Jordan 2012 examine the numerous problems involved in defining and identifying trafficking in young persons)

Examples of children playing leadership or perpetrator roles in OC are rare. However, a report on Peru notes that young people whose childhood was spent mainly in coca-growing areas were not only more likely to be arrested as adults for violent crime, including murder, but also to be ‘hit-persons’ as teenagers (Sviatschi 2022: esp. 11 and 28–9; see too Economist 2022b). More commonly, children and adolescents can play significant roles as (coerced) sex workers, mendicants, labourers, and so forth on behalf of OCGs. Like so many other aspects of OC, child trafficking really took off in the 1990s (Howard 2019), thus constituting our fourteenth variable.

The fifteenth factor justifying the need for a reconceptualisation of OC is that an important development in recent years is the substantially enhanced role of OCGs in the legal economy (Zabyelina and Thachuk 2023): this issue is explored at length in Chapter 8.

It is of major concern that private companies, states, corrupt officials, and terrorists all too often use OC methods, as will be elaborated in Chapters 4–7. Inasmuch as the concept of OC focuses on activities as well as actors, it should be clear why some illegal activities by these agencies constitute the sixteenth factor encouraging a rethink of OC (see Newburn 2013: 441): this blurring and broadening of the concept of OC is illustrated in Figure 1.1.

One reason why law enforcement agencies find it so difficult to keep abreast of the increasingly sophisticated use of technology by OCGs is that developments such as the emergence of cryptocurrencies have rendered it much more difficult to trace improperly acquired gains. The many new ways in which money laundering is implemented nowadays constitute our seventeenth variable and are considered in detail in Chapter 8, where concepts such as ‘smurfing’ and ‘straw ownership’ are explained.

The eighteenth factor is the emergence of new ways of analysing and measuring OC. Network analysis has already been mentioned, although it should be noted that specific versions of this, such as spatial network analysis, have only recently been applied to OC (Musotto 2023). Another is elaborated in the next but one section, so need not detain us here. But other methods include crime scripting (see Chapter 10), which was first introduced into criminology
in 1994 but was initially slow to be adopted, and harm measurement. Although the latter has been around since the 1960s for various kinds of criminality (Sellin and Wolfgang 1964), attempts in the field of OC studies are much more recent (Dorn and Bunt 2010; Tusikov 2012; Greenfield and Paoli 2013; Gómez-Quintero et al. 2022).

Our final reason for advocating a broader definition of OC is that even though some criminologists have been arguing for this since at least the 1930s (e.g. Sutherland 1940), it is high time for there to be general acceptance that we should stop drawing a sharp distinction between underworld and upper-world crime: to state the obvious, crime is crime. So-called white-collar or upperworld criminals should be treated no better than underworld criminals if they have committed similar crimes or crimes with a similar impact. Of course, if their activities differ – for instance, if the ‘upperworld’ criminals are not using or threatening violence whereas the ‘underworld’ criminals are – then different penalties should be applied. But this distinction does not always pertain anyway. Furthermore, since OC is increasingly involved in the legal economy, the traditional distinction between ‘respectable’ upperworld and ‘shady’ underworld crime is too stark and is questionable, as it always was (Cressey 1969).
It might be objected that some of the 19 points, such as the last, are not particularly new. We have three responses to this charge. First, evidence has been provided here that some analysts continue to adhere to a narrow and in many ways outdated conception of OC. Second, it has been demonstrated that the scale and nature of some of our variables has changed considerably since the 1990s. Finally, while some of the 19 individual points are not new, their combination is.

It could further be objected that the argument in favour of broadening the concept of OC in this book, in line with both changing phenomena and changing awareness, represents what Sartori (1970: 1034) called ‘conceptual stretching’ or ‘conceptual straining’: this is basically the point made by Lavorgna and Sergi cited earlier. However, we agree with Collier and Mahon (1993) that there are situations in which the negative term conceptual stretching should be replaced by the more positive notion of adapting categories. Here, then, we shall use the term OC as an umbrella term, under which are many different types of activity and actor. That many others agree with this approach can be gleaned from the following quotation:

Today the consensus among the convention’s member states is increasingly to refrain from definitional debates surrounding the term ‘organised crime’ and accept that it is flexible, that it refers to a broad spectrum of ever-changing activities and circumstances, and that there are many ways in which the label ‘organised crime’ can be understood and conceptualised. (ISS 2019: 27)

Another way of interpreting OC (i.e. as distinct from an umbrella) that allows for different types is as points on a continuum (Albini 1971: 37–8) or, as argued in the ISS quotation just cited, a spectrum (Smith 1980) between legitimate and illegitimate activity.

MEASURING OC

If we are unable to agree on the precise meaning of OC, measuring it will obviously be highly problematic. Naylor (2004: 7–8) has highlighted the significant problems involved in measuring cocaine revenues, and his points can be applied to most (all?) forms of criminally generated income. Unfortunately, many data are soft and essentially (informed) guesstimates. Nevertheless, we need to attempt some form of imperfect measurement if policies on OC are to be adopted and decisions made about priorities (‘triaging’) in the allocation of resources for combating it. Since I have considered measurement techniques in some detail in an earlier book (Holmes 2016: 29–43), coverage of these here will be very brief, with closer examination of just one new (since 2019) method.
Basically, there have been three main approaches to measuring OC. What can be called the traditional approach is to focus on the actors involved. This method seeks to discover as much as possible about the size, structure, modus operandi and principal forms of criminal activity of OCGs, and for many years was the preferred method of states and Ios. But in the 21st century, an approach that has been rapidly growing in popularity is to focus on the activities of OCGs, rather than on details about the OCGs themselves. The third method is to focus on the impact of OC (e.g. the impact on the economy; the number of victims; the scale of OC violence: for an overview of crime harm indices generally see Ruitenburg and Ruiter 2023).

The different foci of these approaches largely explain why the measurement techniques used vary across the three, though some techniques either already are or could be common to all three. Such techniques include official legal statistics (e.g. the number of prosecutions and convictions of OCG members, which is actor-oriented and provides some hard data; or the distribution of different types of OC, which is activity-oriented; or the number of victims, which is impact- or harm-oriented), perception-based surveys (e.g. businesspeople or the general public could be asked whether they see OC as a serious or a relatively insignificant problem); experience-based surveys (e.g. businesspeople could be asked whether or not they have been pressured to pay ‘protection’ money in the previous 12 months); and risk or threat assessments, which can focus on actors, activities, potential impact, or a combination of two or three of these.

Since all of these methods produce either incomplete or soft data on the scale and nature of OC, the most satisfactory approach is to multi-angulate (i.e. use as many methods as possible). One new approach that does use several different methods is the EU-funded 3-year (2017–2019) project that resulted in the ENACT Organised Crime Index (ISS 2019). This assessed only Africa, but the coverage was then expanded, and the methodology marginally modified by the Geneva-based GI-TOC to produce the Global Organized Crime Index (GOCI), launched in September 2021; the focus here is on the latter.

GOCI scores countries on the basis of two primary variables: criminality and resilience. The former comprises an assessment of the OC’s profile in a given country in terms of the criminal market (ten criminal activities – human trafficking; human [aka people or alien – LH] smuggling; arms trafficking; flora crimes; fauna crimes; non-renewable resource crime; heroin trade; cocaine trade; cannabis trade; and synthetic drug trade) and the criminal actors involved (mafia-style groups; criminal networks; state-embodied actors; and foreign actors – GI-TOC 2021b: 22). The latter variable (resilience) assesses the measures being used to combat OC and comprises 12 indicators (political leadership and governance; government transparency and accountability; international cooperation; national policies and laws; judicial system
and detention; law enforcement; territorial integrity; anti-money laundering; economic regulatory capacity; victim and witness support; prevention; and non-state actors (GI-TOC 2021b: 24: for the slightly different earlier version that focused on Africa see ISS 2019: 9 and 25).

By aggregating the various indicators, the GOCI provides a score for the criminality and for the resilience of all regions of the world and the 193 individual member-states of the UN (the earlier version assessed 54 African states, plus 11 non-African states as comparators – ‘global benchmark states’ – ISS 2019: 34). Each state is then assigned to one of four quadrants – low criminality, high resistance (the best category – 50 countries or c.26% – including Australia, Canada, Chile, Finland, Germany, Rwanda, Singapore and the UK); high criminality, high resistance (just nine states or less than 5%, including Colombia, France, Italy, South Africa and the USA); low criminality, low resistance (the largest group, comprising 77 states or c.40%, including Belarus, Cuba, Egypt, Hungary, North Korea, Papua New Guinea and Uzbekistan); and high criminality, low resistance (the worst category – 57 states or almost 30%, including China, India, Indonesia, Russia, Syria, Türkiye and Vietnam: all from GI-TOC 2021b: 95–107).

As noted, the GOCI gathers data on both actors and activities. For example, the features it includes for examining mafia-style groups are a known name, a defined leadership, territorial control and identifiable membership, while criminal networks are looser ‘networks of criminal associates engaging in criminal activities’, and can be small groupings that do not control territory, do not have a widely known name, and do not have a known leader (GI-TOC 2021b: 23: for the more precise and detailed definitions used in the analysis of Africa, but which are not used in the global analysis, see ISS 2019: 66).

But how do the researchers reach their scores for these? Basically, a six-stage approach is used to produce each individual score – literature review; data collection; round one scoring (country scoring); round two scoring (parallel country and thematic scoring); regional expert group verification; internal calibration (GI-TOC 2021b: 28). Given the problems involved in data collection in several countries, such as the availability, reliability and compatibility of data, the researchers sought to minimise these by cross-checking data sources if available or using proxy measures in other cases (GI-TOC 2021b: 29). Scaling for both criminality and resilience was 1–10: however, whereas higher scores for criminality represented a worse problem with OC, higher scores for resilience denoted a better situation (GI-TOC 2021b: 29; for a detailed elaboration of the methodology that includes an overview of the differences between the 2019 and 2021 methodologies see ENACT 2021).

GI-TOC itself concluded that the most significant finding was that ‘the majority of people worldwide live in countries with high levels of organized
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More than three-quarters of the world’s population live in countries with high levels of criminality, and in countries with low resilience to organized crime. Of all the continents, Asia has the highest levels of criminality. Human trafficking is the most pervasive of all criminal markets globally. Democracies have higher levels of resilience to criminality than authoritarian states. State actors are the most dominant agents in facilitating illicit economies and inhibiting resilience to organized crime. Many countries in conflict and fragile states experience acute vulnerability to organized crime.

In terms of criminality, the ten countries with the highest level of OC were, in order (the first named country is worst), the Democratic Republic of Congo, Colombia, Myanmar, Mexico, Nigeria, Iran, Afghanistan, Iraq, Central African Republic and Honduras, while the lowest levels of criminality were found to be in Monaco, Luxembourg, Kiribati, Marshall Islands, Vanuatu, Samoa, Liechtenstein, Sao Tome and Principe, Nauru and – least of all – Tuvalu. One striking feature of these findings is that tiny states are far more likely to have very low levels of criminality.

Turning to the scores on resilience, those with the highest scores were Finland and Liechtenstein (joint best), New Zealand, Denmark, Iceland, Australia, Norway, the UK, Estonia and Andorra, while the ten at the other end of the rankings were Libya (worst of all), Somalia, South Sudan, Syria, Venezuela, Central African Republic, North Korea, Yemen, Burundi and Equatorial Guinea. The compilers of the GOCI noted several of its limitations, such as its inability to measure TOC and cybercrime, given the focus on data from individual states. Nevertheless, while the GOCI methodology is not without problems, involving as it does both patchy data and a level of subjectivity (e.g. expert assessments), it represents a step forward in comparison with the Composite Organised Crime Index (COCI) first published in 2007 (Dijk 2007) – although there might be a more sophisticated version of COCI in the pipeline.

Until 2019, one useful source on the impact of OC was the World Economic Forum’s Global Competitiveness Report (GCR), which included in its annual analysis of businesses the question, ‘In your country, to what extent does organized crime (mafia-oriented racketeering, extortion) impose costs on businesses? [1 = to a great extent – imposes huge costs; 7 = not at all – imposes no costs]’ (e.g. Schwab 2019: 614). In the most recent (2019) GCR that includes this question, Finland’s businesspeople emerged as the least likely to
have been affected by OC of the 141 countries assessed, whereas those in El Salvador and Mexico were the most likely.4

It was noted above that one of the issues faced by the compilers of the GOCI is the incompatibility of crime statistics. This has long been recognised as a problem, and in an effort to address it, a draft International Classification of Crime for Statistical Purposes (ICCS) was published by the UNODC (United Nations Office on Drugs and Crime) in 2015. This detailed classification constitutes another step forward in the pursuit of the standardisation of criminal categories and measurement techniques. However, one problem that keeps arising in this chapter – whether to conceptualise OC primarily in terms of actors, activities or both – appears once again here. Thus, the section in the ICCS explicitly on OC is Level 0905 (UNODC 2015: 87) and focuses on participation (i.e. it is actor-oriented), whereas many of the activities in which OCGs engage are elsewhere (e.g. trafficking in persons is in Level 0204, people smuggling is in level 0805, while arms trafficking and illegal use is in level 0901). Furthermore, it has been taking time for discussion and acceptance of the ICCS to occur – and may have stalled since the late 2010s, judging by the ICCS website (UNODC 2022a; see too Bisogno 2021). Even if widespread agreement is eventually reached on the ICCS, it will then take years for nation-states to integrate it fully into their datasets. All this is not to criticise the framers of this classification; rather, it is to highlight once again the complexity of defining, categorising and agreeing upon OC.

A concluding remark on measurement is that there have been various attempts in recent years to measure the scale of specific forms of OC, in addition to the more general measurements already considered. For example, Fisman and Wei (2009) have proposed a method for measuring the scale of international artefact trafficking that involves comparing the gap between reported imports into country A from country B and reported exports from country B into country A of cultural property and antiques: interestingly, if unsurprisingly, they find a strong correlation between corruption levels and the amount of artefact smuggling, with the former being higher in artefact-rich countries such as Egypt and Mexico (Fisman and Wei 2009: 90). Other examples include the ‘preparation of the investigation environment’ (or PIE) methodology proposed by Shelley et al. (2005: esp. 23ff.) for identifying and assessing interactions between TOCGs and TGs, and the relatively new methodology devised by ECPAT International and Interpol for better identifying child victims in sexual exploitation material (Brennan 2018).

**STRUCTURE OF THIS BOOK**

This book has been designed to cover both traditional and newer aspects of OC: after all, rethinking a phenomenon should not necessarily entail jettisoning
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everything that preceded it. Chapter 2 focuses on what might in recent years have become the most significant (in terms of the number of victims) form of OC, cybercrime: the term ‘might have’ is used here because it is currently impossible to know how much cybercrime is committed by individuals (who are not our concern) and how much by OCGs. In the following chapter, we consider more conventional types of OC, while highlighting recent changes, including the use of the internet for perpetrating such crimes – how such usage differs from the cybercrime analysed in Chapter 2 is explained. Chapters 4–7 are arguably the most contentious parts of this book, since we broaden the interpretation of OC to cover aspects of white-collar crime (Chapter 4), state crime (Chapter 5), police criminality (Chapter 6), and terrorism (Chapter 7): while each of these phenomena can and should much of the time be conceptually distinguished from OC, it will be argued that in practice they sometimes overlap with or mimic OC to such an extent that it is now time to label such criminality OC. This is a major aspect of the underlying argument about the need to rethink OC – even though it is not an entirely new argument. For example, Chambliss (1988a: 9) argued long ago that ‘organized crime really consists of a coalition of politicians, law-enforcement people, businessmen, union leaders, and (in some ways least important of all) racketeers’ (see too Block and Chambliss 1981). But such an argument has still not been aired often enough or sufficiently internalised. Chapter 8 explores the ways in which OC interacts with the legal economy, focusing on money laundering and the ways in which OCGs often use ‘respectable’ professionals – notably lawyers and accountants – to channel their ill-gotten gains into the legal economy.

Chapter 9 is primarily a theoretical one. After briefly considering most of the theories of OC that emerged in the 20th century, the chapter moves on to consider modifications and challenges to these as well as more recent theories, including some that existed before the 1990s but were rarely if ever applied to OC – notably Bourdieu’s approach and some feminist theories – and others that are new (e.g. partial organisation theory).

Rethinking organised crime involves primarily focusing on recent – especially 21st-century – changes in the nature of OC. But a comprehensive analysis also requires consideration of changes and innovations in the fight against OC. Chapter 10 critically analyses many of the methods states and other agencies can and do use to combat OC: once again, while this involves some consideration of ‘tried and tested’ methods, it explores in greater detail more recent ones, most of these involving the use of technology. The brief final chapter (11) summarises the main findings and arguments of the preceding chapters before considering the possibility that OC ever plays a positive role, and then the way forward.
CONCLUSIONS

This book is on one level an attempt to find an acceptable – workable and contemporary – definition of OC. It has been demonstrated that some definitions include variables that are not universally applicable, which renders such interpretations problematic. Before revealing our own definition, some further observations are appropriate.

One reflection of the changing and broadening conception of OC is that a subject that was once considered the domain of criminologists is nowadays analysed by many other scientists, including anthropologists, computer scientists, economists, legal specialists, political scientists, psychologists, security specialists – and even neurobiologists (see Lampe 2006). But some of these disciplines are still not devoting the attention to OC that they should. This book is written by a political scientist who has increasingly engaged in criminology in recent years and is keen to plug some of the gaps.

Regarding its changing nature, Hirschfeld (2015: xii) refers to ‘artificially static’ definitions of key concepts often cited in studies of OC, such as ‘the state’, ‘crime’ and ‘corruption’, and argues for more dynamic definitions: this is precisely what is advocated here for OC. While our approach is not as neat – as circumscribed – as some would prefer, its breadth and flexibility render it more appropriate and accurate for contemporary and constantly changing conditions. Critics might object that we are engaging in a ‘jingle fallacy’ (i.e. giving the same label to things that are in fact different), but not to include under the term OC many of the phenomena covered in this book would constitute an example of the ‘jangle fallacy’ (i.e. using different labels for phenomena that are in essence the same). Language is a living phenomenon, and definitions mutate.

Ultimately, our socially constructed perceptions of OC depend largely on how it is framed in the sources we access, notably the mass and social media. While framing theory has not been as widely deployed in the study of OC as it could be (though see Di Ronco and Lavorgna 2018; Ramirez and Muñiz 2018), such an approach helps us better to understand dominant perceptions, and again allows for change over time.

Naylor argues that OC is largely a myth that suits law enforcement agencies, for whom it is beneficial if we cannot agree on a definition of OC:

by never agreeing on a definition, police and prosecutors secure a big advantage – no one can prove they are wrong in their assessment of the threat or accuse them of being delinquent in their actions against it. (Naylor 2004: 14; on the notion of the threat from OC being exaggerated or even largely a myth, ‘pure fantasy’ or a fallacy see pp. 13–43, esp. 22)
It is not necessary to go so far down the road of cynicism or conspiracy as Naylor: broadening the concept will suffice. But such expansion cannot be limitless: while Lampe’s (2001: 113) argument – adapted from Becker’s (1963: 9 and 1973: 17) definition of deviance that ‘organized crime is what people so label’ – is attractive, such a completely subjective approach is too amorphous to allow research and analysis. Similarly, Haller’s call to abandon the term OC altogether (cited in Yeager 2012: 9), on the grounds that the phenomenon we call OC is so diverse, has much to commend it, but is unrealistic. There are many occasions when we require a blanket term to cover a variety of phenomena that have much in common and that need to be addressed.

As mentioned at various points in this chapter, its most fundamental message is that much of the confusion and disagreement about the meaning of OC relates to the fact that it can refer to both actors and activities. In the following chapters, the emphasis will be more on the latter than on the former, although readers’ perceptions of the former may well shift as the book’s argument unfolds. Thus, while it is rare for officers of the state or corporate executives to constitute an OCG in its traditional sense, such actors can certainly engage in OC.

Another conclusion to be drawn from the current debates is that the word ‘crime’ in the term ‘organised crime’ should be reconceptualised to include many illicit – socially unacceptable – activities as well as formally illegal ones. One significant reason for this is that authoritarian systems, in particular, often avoid criminalising actions that might create problems for the rulers. This point will be borne in mind in the following chapters.

Finally, while a number of reasons have been cited here for arguing the need to rethink OC, it is – as already noted – not the first time such a plea has been made. But while some scholars have long acknowledged the fuzziness of OC, many – as well as most journalists, states and IOs – continue to perceive and portray OC primarily in relatively narrow terms, increasing awareness of the rise of flexible networks notwithstanding. Another attempt to recast our collective image of OC is therefore justified.

So, after all this, how is OC defined in this book? One of the wisest pieces of advice I received as an undergraduate was ‘when in doubt, leave it out’: the following definition consciously avoids any reference to structure, political or ideological aims (or lack of these), hierarchy, secret codes, monopolisation, or other variables that apply to some OCGs but are not universal. Thus, OC is defined here as follows:

The term organised crime refers to any ongoing and coordinated illegal – and some illicit – activities perpetrated by a group of three or more persons (an organised crime group or gang) in either physical space or cyberspace, and designed primarily to generate income. If members of the group are professional criminals, in the sense
that their principal activity and source of income is OC, then they are members of a conventional OCG. However, even a conventional OCG can include temporary, part-time or associate members. The activities may, but do not have to, involve violence or the threat of violence, as well as the corruption of public officials, transnational activity, and online criminality. The activities must also be serious enough to be potentially subject to a maximum incarceration period of at least four years.

It might be objected that this definition could apply to group-based (i.e. as distinct from engaged in by individuals) corruption as well as to OC. My response to such a charge is that it is time to recognise that some cases of corruption do constitute OC, as will be elaborated principally in Chapters 5 and 6. However, the definition’s reference to and interpretation of ‘professional criminals’ distinguishes conventional OC members from others whose primary activity is not OC but who sometimes engage in it. This all said, the definition is not entirely watertight: no definition of such a complex and to some extent culturally and socially constructed concept could be. Notably, the term ‘some illicit’ is vague, while what constitutes ‘illegal’ can vary from jurisdiction to jurisdiction, and ‘ongoing’ can be interpreted in different ways. A contentious aspect of the definition is the reference to temporary (proposed by Kirby and Snow 2016: 116), part-time or associate members: while there is a common myth that once one is a member of a traditional OCG such membership is for life, this has not been true either of all traditional OCGs or of other types of conventional OCG, let alone networks. This fact suits our argument about, for example, white-collar criminals sometimes engaging in OC.

Readers should by now have a clearer impression of how wide-ranging a phenomenon contemporary OC is, of both how and why the concept of OC needs to be rethought, and of how it is conceptualised in this study. Before moving to the next chapter, a word about sources is in order. While I have cited academic sources where appropriate and possible, the fact that many people form their image and understanding of OC from what they read or see in the media is one reason why serious investigative journalism – media such as the BBC, Deutsche Welle, the Economist, the Guardian, the New York Times and the Washington Post – is also used in this analysis. Another reason is that the analysis aims to be as up to date as possible: despite the fact that online publishing of both books and journals has significantly accelerated the processing of academic work, the latter still typically takes considerably longer to get written and appear than, for example, newspaper articles. A third reason is that journalists are not as constrained by ethics committees as are many university researchers and can thus provide information that the latter cannot. In addition to the mass media, I have often cited the research of NGOs that focus on OC, notably the Organized Crime and Corruption Reporting Project (OCCRP), as
well as both national and international law enforcement and research bodies, such as national police forces, Europol, Interpol and the UNODC.

NOTES

1. This trend can also be reversed by international political developments, such as a war: on how collaboration between Russian and Ukrainian OCGs almost ceased following the Russian invasion of Ukraine in 2022 see Economist 2023.

2. Note that the term ‘illicit’ is often used as a synonym for illegal, as well as being defined as ‘disapproved of by society’ (Cambridge Dictionary). In social science, it is preferable to separate these terms to identify two distinct phenomena. This said, an item may be described as illicit if it is produced legally in one jurisdiction but sold illegally in another; this is another example of the ‘greyness’ of many terms used in social science. For the argument that a distinction should be drawn between illegal and illicit see Abraham and van Schendel 2005: 17–25.

3. Observant readers may notice an apparent mismatch between this datum and the earlier data cited from the GOCI. But there is no contradiction here: the earlier percentages are of countries, whereas the later one is based on population size.

4. Readers wondering about a possible mismatch between the GOCI and GCR results need to bear two points in mind. First, several of the states included in the GOCI were not analysed for the GCR; these include six of the ten most criminal states in the GOCI. Second, the two indices focus on different aspects of OC. This said, there is a reasonably high level of correlation between the two.

5. The suggestion that gangs would never permit members to ‘resign’ because they could report a group’s illegal activities to the police has two flaws. First, temporary or resigned members will usually have participated in illegal activities themselves, so that exposing others is risky. Second, the fact that permanent members sometimes become informers — often as part of a plea bargain — reveals that ultimately neither permanent nor temporary members are entirely trustworthy.