

Organised crime as a challenge for society and the Church

An orientation paper of the Board
of the German Commission for Justice and Peace

Series of Publications on Justice and Peace
Published by the German Commission for Justice and Peace
Editor: Dr Jörg Lüer

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Berlin, April 2024

Available at:

Deutsche Kommission Justitia et Pax, Hannoversche Str. 5, D – 10115 Berlin

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Preface by the Chairman of the German Commission for Justice and Peace Bishop Dr Heiner Wilmer SCJ

Thinking about the phenomenon of organised crime initially calls to many people's minds the Mafia in Italy or the drug cartels in Mexico. It is however becoming increasingly clear that organised crime is also a major challenge for Germany.

It is of course an undeniable fact that other countries and regions are disproportionately affected by this form of crime in comparison to Germany, be it because it expresses itself with much greater violence there, or since it affects everyday life much more profoundly and by different means. It is nonetheless important that we too approach organised crime with complete earnestness. For one thing, it naturally also exists in our country, and secondly it is a transnational phenomenon which can only be countered by making efforts at international level.

This too is only half the truth, however. The struggle against organised crime demands not only an international commitment in the political arena and in law enforcement, but also calls for an engagement on the part of civil society.

This is the specific area which this orientation paper by the Board of the German Commission for Justice and Peace aims to tackle. The paper aims to shed light on, create an awareness of, and draw attention to the multiplicity of challenges ensuing from organised crime for society and the Church. At the same time, it constitutes an endeavour to stimulate a comprehensive understanding of the prevention of and struggle against organised crime. If we wish to counter the toxic effect of organised crime, nurtured as it is by violence, greed and indifference, then there is a need to form a broad alliance of various forces within society. This is why, as a first step taken by the Federal and *Länder* Governments, we propose to set up "roundtables" to debate on the action and initiatives that need to be taken to counter organised crime, against the background of the different perspectives.

We hope that this orientation paper will help spark a constructive policy debate within society.



Bishop Dr Heiner Wilmer SCJ

Bishop of Hildesheim and Chairman of the German Commission for Justice and Peace

The road from silence to active resistance: the Church and the Mafia in Italy

1. The expression of the Pope's teaching has repeatedly rekindled the fire in recent times for Catholic social doctrine in such a way as to shape the Church's awareness of specific topics and problems. Secular society has also had its attention drawn for instance to the degree to which the current Pope is committed to helping displaced persons, or to respect for Creation. His commitment against organised crime, and above all against the Mafia, with which he follows in his immediate predecessors' footsteps, has however attracted much less attention. This story will be outlined below because it provides an impression of the manner in which the Catholic Church reacts to the challenge posed to society by organised crime.

Anyone who thinks in Germany today about the phenomenon of 'organised crime' initially has the Mafia in mind in most cases. As will be made clear later, this is closely related with the image of organised crime which is frequently circulated in the media. In geographical terms, this association generally leads to Italy and the USA, and only rarely to Germany. And when we think of Italy, our thoughts also rapidly turn to the connection between the Mafia and the Church, likely in connection with dubious monetary transactions. Such connections in society and the Church were not spoken of in the country itself for prolonged periods, this being symptomatic of a secret complicity about which almost everyone knows, but about which no one speaks publicly. The Mafia was created in the mid-19th Century in an environment which was thoroughly Catholic, and was able to move in it like a proverbial fish in water, supported and shielded by the clergy and the mass of the faithful, there being no disputing the fact that mafiosi were among them. The Second World War gave the Mafia a major boost after allied troops had landed in Sicily and sought local cooperation partners as they victoriously advanced in order to guarantee a minimum of social order despite the fact that the state structures had collapsed. This they found partly in the Church, but also in the Mafia, and this in turn enabled the Mafia to gain an entrance to the Church and to the State.

2. It was presumably Cardinal Salvatore Pappalardo, Archbishop of Palermo, who was the first spiritual dignitary of the Catholic Church to break with the unholy tradition of collective silence. It was he who, in 1982 at the funeral of Police General dalla Chiesa, who had been murdered by the Mafia along with his wife, accused politicians of leaving Sicily alone with the problem of the Mafia. He called the Mafia "*an octopus*" which had the entire region in its clutches, blackmailing and choking it. And he spoke the words which were to echo down over the decades: "*Enough. It is enough.*" – While attending the funeral of Mafia hunter Falcone ten years later, he called the Mafia "*satanic*", and at the funeral of Guiseppe

“Pino” Puglisi in 1993, he encouraged the entire Sicilian people to stand up against the Mafia.

The increasingly unscrupulous murders committed by the Mafia finally also drew the attention of the Pope. In the mid-sixties, Pope Paul VI asked the then Archbishop of Palermo whether there was a link between religion and the Mafia. Cardinal Ernesto Ruffini said that there was not. Nothing else happened after this at the highest level of the Church. It was not until Pope John Paul II called in his sermon on 9 May 1993 in Agrigento (Sicily) for a courageous witness of faith *“which finds its expression in a convinced condemnation of evil. Here, in your country, there is a need to unequivocally reject the culture of the Mafia, which is a culture of death, profoundly inhuman, contrary to the Gospel, the enemy of the dignity of persons and civil life together”*. He summed up his message with the words: *“Convert yourselves! The judgment of God is coming!”*. He thus pulled the carpet up from under the pious self-perception of the mafiosi with a single blow.

It can be presumed that it was no coincidence that the Pope held this *“prophetic invective”*, as Cardinal Secretary of State Pietro Parolin called it a quarter of a century later, one year after the spectacular murder of the famous judge Giovanni Falconi in May 1992, as well as of his colleague Paolo Borsellini only a short time later. Catholic magistrate Rosario Livatino was shot dead by a Mafia hitman as early as in 1990 because of his courageous work against the organisation. In 1991, Pope John Paul II called him *“a martyr of justice”*, and he was beatified in Agrigento in 2021 following Pope Francis’ support for his case, the date coinciding with 9 May. Pope Benedict XVI travelled to Sicily in 2010, where he warned a very large crowd of young people against the Mafia as a *“road of death”*, and placed flowers in Capaci in honour of Falcone and other victims of the Mafia.

The Mafia immediately reacted to the declaration of war on the part of the Polish Pope: In September 1993, it had Don Pino Puglisi executed on his own doorstep in Palermo on his birthday, and Don Peppino Diana met the same fate in Salerno in 1994. Both had been resolute adversaries of organised crime. The Church reacted by proclaiming Father Puglisi a Servant of God in Palermo in 2013.

3. The Church’s unequivocal criticism of the murders committed by the Mafia, and of the *“perverse, perverted religiosity”* of its members, as Bishop Antonino Raspanti described it, resounded widely in Italian society, and a growing number of bishops and priests took up and continue to adopt an active, public stance and commitment against the Mafia, including Don Antoni Coluccia in Rome. They still receive constant threats to the present day, and in fact they face real dangers, as was proven by the bomb attack on Don Mauricio Patriciello in Naples in March 2022. He established an anti-Comorra association, amongst other things. Another priest, Don Luigi Ciotti, has been living under personal protection since 2014, having established the non-governmental organisation Libera in 1995. The latter

is a political association which continues to operate today as a kind of umbrella organisation for roughly 1,500 organisations which are engaged in anti-Mafia activities, and which support victims of the Mafia. Libera's work focusses on the goal of developing legal initiatives, heightening the awareness of the law within society, and expanding the set of legal tools available in the struggle against the Mafia. For instance, a law has been in force since 1996 permitting property seized from mafiosi to be used for social purposes. 1,700 Mafia companies had been expropriated up to 2012, and 450 of the commercial operations and pieces of land are now being operated on a cooperative basis. Not least as a result of the tenacious, civil society-based lobbying work carried out by Libera, Italy now has anti-Mafia legislation which sets standards at international level. These initiatives have proven that it is possible to limit the power of the Mafia if forces within society put up an active resistance, in cooperation with the judiciary and law enforcement.

Papal condemnation of the Mafia climaxed, and for the time-being ended, when Pope Francis made a pastoral visit to Calabria on 21 June 2014. With regard to the Calabrian Mafia, he exclaimed during a sermon: *“This is ‘Ndrangheta: Adoration of evil and contempt for the common good. This evil must be fought, it must be cast out! One must say ‘no’ to it! The Church, which I know is so committed to raising awareness, must be ever more concerned that goodness prevail. Our kids demand it, our youth, in need of hope, demand it. Faith can help empower us to respond to these needs. Those who follow this evil path in life, such as members of the mafia, are not in communion with God: they are excommunicated!”* The extraordinary outspokenness of these statements caused people to sit up and take notice, both in Italy and worldwide, especially since no Pope, Cardinal or bishop had previously spoken of excommunicating the mafiosi, which involves imposing the harshest punishment on them that is available to the Church, and the most serious that canon law contains for a crime. There is no doubt that the wording of the Pope's sermon encourages this understanding, although this is admittedly a misunderstanding. Not even the Pope can and may impose such a punishment on an ad hoc basis. In fact a proper procedure must be gone through which leads to a formal judgment. What is more, as a matter of principle, canon law has only called for excommunication in relation to specific crimes in the past. Merely being a member of a group or organisation is not enough. National criminal law takes a different approach to this in some countries, and such a possibility has been part of Italian law since 1982.

4. It therefore came as no surprise that the legal situation remained virtually unchanged for the time being, despite the Papal verdict. The Pope nonetheless continued to push for excommunication. In 2021, that is seven years later, and on the very day on which Rosario Livatino was beatified, the newly-founded Dicastery for Promoting Integral Human Development established a new body to act as a “working group” dedicated to “excommunications of Mafia members”, the mandate of which was however much broader-based

than the name might suggest. Vittorio Alberti, the head of the group, which numbers roughly 50 members along with Don Ciotti, stated that the key was to support bishops the world over in the struggle against the various groups of the Mafia. There is not ONE Mafia, and it was not ONE Mafia which took out the murder contracts against the civil servants and priests who were killed, but in fact the permission and the order to carry out the murders came and continue to come in each case from the heads of individual crime syndicates, who in fact not unfrequently continue to issue orders from their prison cells. This is why the name of the working group deliberately includes the term ‘Mafia members’ in the plural.

Alberti immediately also underlined the need to put a permanent end to the ongoing toleration of the Mafia by parts of the Church: *“The Church must go along with humanity, but ultimately must unambiguously express Her total opposition to the Mafia.”*. That said, a lot remained to be done in order to achieve this, and this was why the new body had been created: *“The Commission was established on the basis of the discussions which we have had on the Mafia and on corruption in the past four years.”*. The decisive conclusion that the Commission soon reached was as follows: *“We became aware that in the social teaching of the Church, in canon law and in the Catechism, there is no mention of the excommunication of mafiosi. This was the approach that we set out to take, and that is why this group has been formed.”*

The contribution of the German Commission for Justice and Peace in the worldwide struggle against organised crime

5. Against this background, the German Commission for Justice and Peace decided back in 2019 to address the phenomenon of organised crime, and to set up an interdisciplinary expert group or taskforce to this end, as it had observed the same emptiness in the official statements in the Roman Catholic Church in Germany. For example, the German bishops’ publication entitled *“Gerechter Friede”* (“A Just Peace”) from 2000 did not yet deal with the phenomena of organised crime. Considering that many local churches – in Mexico, Colombia, Italy or Albania, among others – are confronted with organised crime and its effects on a daily basis, and that church representatives are threatened and killed by its actors, there is an urgent need to catch up in this regard. The first aim must be to create an awareness of the problem of organised crime in the Catholic Church, and to engender an understanding of why and to what degree it also affects the Church. In the second place, it is also a matter of promoting concern for the struggle against organised crime among policy-makers and in society. The present publication serves this twofold goal, and is intended to constitute neither a compendium of organised crime, nor a scholarly

account, but to provide an initial orientation in order to enable the Church to approach the phenomenon and its significance from a social policy perspective, and to assess it in socio-ethical terms.

The Commission for Justice and Peace held an international conference in Berlin in July 2023 which hosted a discussion and an exchange of experience from other countries and local churches. The history of the Church's dealings with the Mafia, which is recalled in the present text by way of an introduction, was made present in Berlin by virtue of the attendance of Don Ciotto and Vittorio Alberti, as well as through reports submitted primarily from Latin America as well as from Albania and Germany. It was extremely important, and convincing, for the German representatives that the testimonies from abroad, some of which were highly moving, provided a personal, vivid impression of the otherwise virtually unimaginable degree to which organised crime defines the everyday lives of people elsewhere, and of the churches there.

Definitional aspects and tapping into realities

6. Focussing on the phenomenon of organised crime quickly leads to a realisation that there is a need to get away from fixating on the Mafia, and to take a much broader view. Even without establishing a clear definition, it becomes evident that organised crime encompasses a multiplicity of different forms of crime, and that it takes on a dynamic of development of its own which does not permit one to establish a one-size-fits-all definition that will be valid for all time. A definition is customarily used in Germany as a working foundation which was introduced by the Joint Justice/Police Working Group back in 1990. This describes organised crime as follows: *“Organised crime is the planned commission of criminal offences determined by the pursuit of profit or power, which individually or collectively are of considerable significance if more than two participants work together for a longer or indefinite period of time in a division of labour a) using commercial or business-like structures, b) using violence or other means suitable for intimidation, or c) influencing politics, the media, public administration, the judiciary or the economy”*.

We may not however lose sight of the fact that terms (of necessity) do not only contain major characteristics of the specific phenomenon to which they refer, but at the same time reflect an interest underlying the observation of the phenomenon. In this sense, the German working definition manifestly stresses the commission of specific criminal offences. In contrast, the European Union Agency for Law Enforcement Cooperation (Europol) draws more attention to the aspect of criminal communitisation or forms of organisation of organised crime. This is what it says on the Europol website: *“OCGs (Organised Crime Groups) are as varied as the markets they service and the activities they engage in. In many cases, OCGs*

reflect the societies, cultures and value systems they originate from. As societies across Europe become more interconnected and international in outlook, organised crime is now also more connected and internationally active than ever before. Since the year 2000, the United Nations Convention against Transnational Organized Crime has provided an internationally shared definition of an organised criminal group as ‘a group of three or more persons existing over a period of time acting in concert with the aim of committing crimes for financial or material benefit.’ [...] However, this definition does not adequately describe the complex and flexible nature of modern organised crime networks. OCGs operate in a criminal economy dictated by the laws of supply and demand and are favoured by social tolerance for certain types of crime such as the trade in counterfeit goods and specific frauds against public authorities or large companies. These factors will continue to shape the organised crime landscape. Individual criminals and criminal groups are flexible and quickly adapt to exploit new victims, to evade countermeasures or identify new criminal opportunities.”

There is no mistaking the fact that the understanding of organised crime expressed by Europol’s definition reflects the mandate of this authority, namely to combat criminal organisations operating on an international scale. At the same time, it makes it clear that there is a need for a flexible definition which is able to do justice to the changing forms of criminality.

7. The significance attaching to the perspective of the beholder thus also needs to be taken into account when reading the annual Federal Situation Reports of the German Federal Criminal Police Office, which are definitely used as a major source of information for the situation in Germany. They reflect the picture emerging from the situation from an investigative perspective, and hence do not provide an all-embracing picture of criminal reality.

This can easily be visualised by comparing the reports penned by Europol and those from the Federal Criminal Police Office. Europol primarily speaks of criminal groups, networks or experts who operate for instance via corruption, violence, online trading, etc., in the following fields: money laundering, cybercrime, drug manufacturing and trafficking, fraud, illegal trade in waste, crimes against intellectual property, smuggling of migrants, property crime, corruption in sport, as well as trafficking in endangered animal species, arms and people.

The 2020 Federal Situation Report shows for Germany that the most commonly-committed crimes lie in the fields of narcotics, economic and property crime; these account for roughly 70% of all organised crime committed in Germany. That having been said, these statistics only reflect those crimes which have been registered by the police, so that one must fundamentally expect a considerable grey area to exist. The resulting figures of detected cases furthermore naturally depend on the concrete police work, and hence on the nature of the

criminal offences, their categorisation, and their prosecution. A consequence of this is that criminal offences which of necessity are committed in the public domain are more likely to be noticed and registered by the police. This applies for instance to narcotics crime. It is therefore possible to say that the police statistics only record the visible side of organised crime, but not its covert side. This particularly applies to the establishment and maintenance of power structures forming the basis for exerting an influence within society, and according to a commonly-used saying is referred to as a 'crime without visible victims', that is victims who cannot easily come up in police statistics. This refers to people who are obliged by forms of illegal, illegitimate (structural) force to engage in culpable conduct that serves to obtain or conserve the power of organised crime.

8. This information is not intended to kindle a general distrust of official data, but it does call for caution when it comes to interpreting such data. Statistics do not reflect reality, but as a matter of principle only portray limited excerpts of it. As indispensable as official (sources of) information therefore certainly are, they are only authoritative within a broader context. This also applies to information which forms part of media reporting. Even reputable media do not focus solely on the information contained in their news, but at least as much on their information value, which is orientated towards the expectations of the public and the degree of public attention attracted. This in turn corresponds to the topicality of the information. From the outset, this lends greater weight to those forms of organised crime than it does to others which are connected to topics that are controversial within society, or which lend themselves well to being presented in the media. To put it in a nutshell: Reports on for instance clan or rocker crime 'sell' better than those about cigarette smuggling; reports on trafficking gangs are more saleable than ones about the many different reasons triggering flows of migrants. The incomplete or distorted picture of organised crime which the media therefore repeatedly create may nonetheless trigger major political consequences by giving rise to or amplifying feelings of insecurity and perceived threats which are not justified by the actual problem pressures. The very frequency of such reports and announcements may serve to stir up the mood of the population and heighten the pressure on those holding political responsibility to take some sort of action.

9. On the other hand, we must ask the question as to whether public awareness has yet suitably grasped the extent of the danger emanating from organised crime. One would be justified in doubting this, and the reasons for such doubts therefore need to be looked at in greater detail. The concept of keeping people safe emerges here as a suitable tool making it possible to register the multidimensional and multifaceted nature of the risks posed by organised crime. This is not a matter solely of the threat posed to individual safety by direct physical violence, but also of the risks posed to security, such as health hazards, environmental destruction or social problems which may place at risk, or even destroy,

human lives and peaceful human co-existence. It is self-evident that organised crime not lastly therefore also brings up ethical questions.

There is thus a need to bear in mind that, as a consequence, this discussion relates neither to the extent of the crime in the state and in society as a whole, nor to the various forms of criminal offence per se. For instance, the share accounted for by shoplifting among the total number of property crimes may well be extremely large, and the damage done by such crimes may be massive, but it is only interesting for the problems to be addressed here if and to the extent that it is committed not only by individual perpetrators, but also by groups of offenders acting targetedly who have been recruited for this purpose, and possibly also 'trained'. The interest therefore centres on the particular nature of organised crime as such.

10. A prominent characteristic of organised crime as a rule is its transnational nature, meaning that individual groups or networks work together according to a plan, beyond international borders, and rely on one another thanks to their division of tasks. The broad public is most likely to be aware of and familiar with cases of narcotics crime. There are for instance specific cultivation zones and/or production locations, supply routes for necessary materials and chemicals, transport routes for the substances manufactured, possibly interim storage facilities, and finally points of sale. The same applies to human trafficking, for instance trafficking in women, a large proportion of which takes place from specific countries in Africa via Italy to Central and Northern Europe. Organised crime therefore relies on international supply chains in just the same way as the regular economy. The transnational nature of organised crime by no means only entails that groups of foreign offenders are active in a specific country, but also calls for the existence of an infrastructure which facilitates global trade networks, thanks to which the various interdependent activities are networked together.

A form of internationality which is much simpler by comparison, and which is highly effective, is made possible by cyberspace, given that national borders are by definition virtually insignificant there. Criminal activities can take place there in real time on a global scale, even though they are launched from a specific location. Given the enormous number of branchings, it is usually very difficult to trace and identify the information channels in terms of where the activity was triggered, and who carried it out. This tactic is also used in order to mask flows of money or to obscure the structure of criminal activities by creating a virtually impenetrable network of interwoven (bogus) companies. The Internet has however also fundamentally transformed the sale of drugs and other illegal goods such as child pornography, and poses completely new difficulties to the law enforcement agencies.

11. Perpetrating organised crime on a major, indeed global scale requires considerable organisational talent and adaptability. Its players understand how to use individually similar

or different circumstances within their spheres of operation, that is national and regional, rural and urban areas, areas close to a border, or indeed internal areas. This explains the broad nature and depth of their penetration into the societies concerned. Their activities in the various social echelons, milieus and areas are what makes organised crime a cross-sectional topic with multiple facets and considerable range and controversy. Their manifestations reflect this multifaceted nature, and frequently show off all the characteristics of a dignified bourgeoisie, far removed from showy displays of ill-gotten gains for which pimps and drug barons have such a penchant. The really big money prefers to hide behind a mask of decorum. Public displays of violence are often bad for business because they mobilise the police and the public. It is not moral reservations which determine in most cases when violence is applied, where and against whom, but a sober weighing up of interests.

The destructive power of organised crime comes to light particularly blatantly when the circumstances are virtually unable to become effective in hindering them. The fearsome face of social circumstances in which it plays a dominant role can be studied in a number of Latin American countries.

The brutal reality of organised crime in Latin America

12. The focus should be placed on Latin America if one wishes to obtain a realistic picture of the destructive potential of organised crime. There is no other region of the world in which its cruel, shocking face has shown itself in a more barefaced fashion in recent decades. More than 70,000 deaths and 27,000 disappeared persons (*'desaparecidos'*) were counted in Mexico alone in the six-year administration of President Felipe Calderón, who declared war on drugs when he took up office in 2006. Only roughly half the dead were subsequently identifiable. The deadly violence more and more often took the shape of massacres or series of murders, and the case of femicide in the area of the border town of Ciudad Juárez is particularly worthy of note. It was hauntingly depicted by Chilean-born author Roberto Bolaño in the 4th volume of his legendary novel "2666". Increasing numbers of women's corpses were discovered from the early 1990s onwards which showed evidence of sexual violence, torture and mutilation, as well as of prolonged detention. Only a few of these several hundred murders were solved, and none of them were prosecuted.

In very general terms, the fact that such crimes have largely gone unpunished is the condition with some of the gravest consequences ensuing from organised crime in most countries in Latin America, but which at times assumed an extreme scale in Mexico. It is rooted in the weakness of the state, or in the deliberate inactivity of public authorities, mostly as a consequence of bribery and corruption or blackmail, as well as of fear which is very much

understandable. The Columbian Pablo Escobar, who gained fame the world over as a drug boss, had at least 30 judges and prosecutors killed as part of a war he declared against the State, a war that aimed to completely control that very State. The civil-war-like nature of the drug war goes a long way towards explaining the large number of casualties and the traumatising consequences of this war. Murderous violence is part-and-parcel of everyday life in Latin America to a great extent, and can affect anyone at any time, whether they are its target or are caught in the crossfire: journalists, police officers, school pupils, students, old men, mothers with their babies, on the street, in cafés or on a bus.

13. The excessive cruelty of many violent acts – the decapitations, the mutilation of the bodies, and much more –, appearing at first sight to be completely senseless and irrational, follow a coolly-calculating rationality in most cases which seeks above all to achieve a communicative goal: It is expressive violence which sends messages to the population, the state or competing gangs, and to their own members; it demonstrates unlimited power, merciless determinedness and a profound contempt of women. Terror also becomes much more intensive as a result of the extraordinary variety of the players who are involved: Along with individual hitmen or groups of them, organisations, youth gangs and crime syndicates or cartels, it involves on the part of the state the national and municipal police, the secret services, the military and special police or paramilitary units, ranging as far as death commandos, and for quite some time also several militias, in some cases state-recognised self-defence forces organised by the population or private security services, and in other cases associations operating autonomously, for instance to protect Christian values. The increasing militarisation of anti-organised-crime activities was associated with a growing number of human rights violations committed by the forces of order, so that the population was caught between the lines.

Major shootouts with increasing numbers of uninvolved civilians among their victims, ambushes aiming to kill members of competing organisations or to free prisoners, and similar bloody deeds, are made possible and favoured by the universal availability of weapons. These have been left over, firstly, from past civil wars and revolutions, and secondly from the USA, where they are readily available and are smuggled to the neighbouring countries. The increasing tendency of the United States to directly participate in the drug war on the side of the state authorities in the armed conflicts therefore appears somewhat absurd, and contributes towards increasing the level of violence.

14. The circumstances pertaining in the various countries of Latin America naturally vary to a greater or lesser extent as a result of their history, their cultural traditions and political structures, and not lastly by virtue of their geographical location and geology. All this impacts on the development of organised crime. National and natural borders thus influence the transport routes for illegal goods, whilst the duration and ways of engaging in political

and social conflicts shape the atmosphere within a society, and determine the degree of general propensity towards violence, as does experience of colonial and patriarchal rule. The stakeholders in organised crime not only make use of such conditions, but their own lives are profoundly rooted in them. They move like water, which always takes the path of least resistance. This means that organised crime gains a foothold where the risk of being discovered and prosecuted is as slight as possible. This in turn increases the chance of it being able to mould the surrounding conditions to suit it. Fragile states with weak, vulnerable institutions, with a legal framework that contains loopholes or can be bent, where there is extensive social injustice and a high degree of precarious employment, form a perfectly ideal breeding ground for organised crime. At the same time, the stakeholders of organised crime nonetheless also need a degree of stability in the State, and stable states, in order to be able to invest or use their profits safely.

15. Corruption thrives in the many, notoriously fragile, countries of Southern and Central America, and the recruitment of members of organised crime prospers. In societies in which the incomes of even civil servants and state employees are not enough to get by on, or where young people are not offered prospects for regular employment, people find it difficult to turn down lucrative moonlighting jobs or reject employment which brings in not only money, but also respect and membership of a group. The risk of having to die or kill for this is balanced out by the opportunity to rise up from being a social nobody to a feared somebody who is respected at least by these means, and perhaps even to become famous. The motto is: Better to live short and rich than long and poor. It is therefore not only fear which induces young people to form gangs or to join them. It is also and more so the positive prospect of obtaining recognition, safety and income. Even children become caught up in the maelstrom of violence, acting as messengers or couriers, or even as killers.

Youth gangs (“*bandas*”) are particularly typical of the situation in El Salvador, Honduras and Guatemala. Easy to recognise due to their striking, characteristic tattoos, adhering to a strict hierarchical structure, and armed to the teeth, the “*maras*”, as the young gang members are called, rule towns and cities, neighbourhoods or whole regions. The territorial basis for their rule entails murderous battles for territory. The *bandas* came about in the USA along the lines of American and Asian juvenile gangs in Los Angeles, and largely recruit their members among the children of families which had fled to the USA as a result of civil wars in their home countries. Many of them committed crimes and were detained, and thousands of them were deported to their countries of origin once the civil wars there had come to an end. There they found societies damaged by war where the ground was fertile for forming new gangs or reorganising existing ones, and above all virtually dysfunctional state structures in countries that were awash with weapons. This development once more underlines the fundamental significance attaching to international relations between North and Latin America, with their major social disparities, but also the legal and illegal

commercial links between them. The USA acts in many ways as a major player in the struggle against organised crime in Latin America, but at the same time is deeply involved in its creation and its history.

16. All this means that a monocausal, unidimensional view fails to do justice to the situation found both in Latin America and elsewhere. This relates not lastly to the social function of organised crime. As much as there is no disputing the fact that the population suffers as a result of the omnipresence of excessive violence with which organised crime undermines societies, it would be wrong to underestimate the degree to which organised crime is able to have itself tolerated, acquiesced to or supported through social good deeds. Pablo Escobar can once more serve as a classic example of this: He favoured funding sports facilities, schools and libraries, hospitals and housing in the poor districts in order to present himself as a kind of Robin Hood. That having been said, he only spent a modest fraction of his fabulous wealth on this which allowed him to forego counting his income, but to have the sacks filled with notes and count their content by weighing them. The idea of acquiring social respectability is also pursued by making investments in the regular economy which create jobs, this however being primarily also indispensable for money laundering. Both the criminal and the regular economies thus become closely intertwined; criminal and social activities are networked, and force both the State and society to blur the boundaries between these two domains, thus making it much more difficult to defeat organised crime. Projects of the State and the Church offering alternative legal earnings opportunities for young people and adults frequently have virtually no chance to compete against semi-legal or illegal opportunities which permit much more money to be earned in a shorter period. Organised crime establishes relief funds for prisoners or the families of those who are killed. Organised crime stakeholders may eliminate their inconvenient competition by destroying workshops, retail outlets, offices, social meeting places and other legal facilities, as well as threatening workers and trainees. It is not the honest intention to help people that motivates the charity provided by the cartels, but the ambition to gain influence and exert control.

17. The gigantic scale on which organised crime rules a whole number of Latin American countries cannot be estimated until this major grey area between legality and illegality is supplemented by the broad field of purely criminal activities: drug trafficking, kidnapping, contract killings, the arms trade and human trafficking, money laundering, animal rustling, protection money, manufacture and sale of counterfeit goods, land grabbing, cigarette smuggling, environmental crime, and much more besides. The degree to which the State and organised crime are involved with one another, and the depth and breadth of society's permeation by organised crime, might lead one to assume that defeating it would be a hopeless cause, a never-ending task which must ultimately culminate in defeat. This conclusion is however also rooted in misconceptions, above all the idea that organised crime

could be eradicated by pursuing iron-fist policies. But in the absence of support from the population, policy-makers and the judiciary, any state counterforce will tend to fuel the fire rather than preventing criminal violence. There is no doubting the fact that reliable state institutions are a necessary condition for successfully fighting crime, but this is by no means sufficient by itself. Law enforcement and special units frequently stand out by making spectacular arrests and seizing drugs, arms and loot or money, but such isolated victories are no substitute for a long-term strategy containing additional elements and needing to take a more fundamental approach. Harsh actions by themselves will do little to help drain the criminal swamp. Organised crime will suck the states and societies dry like a blood-thirsty vampire as long as the circumstances within society can be relied on to ensure that the gangs and syndicates can obtain new recruits. A scandalously unjust distribution of land ownership and riches, a massive shortfall of legal protection, as well as of opportunities for employment and political participation, force the majority of the population to come to terms with crime, or to become involved in it in order to ensure their survival. This is therefore the group which must spark resistance against organised crime in the shape of civil-society self-organisation, and it must obtain support from society's elite groups. This is taking place more and more frequently, and is sometimes achieved by highly-creative means. The Church is also playing a role in this change.

18. Pope Francis travelled to Mexico in February 2016 for a pastoral visit lasting several days. One of the focal points of his stay was in Ciudad Juárez in the Federal State of Chihuahua, that is in the very area where the terrible series of murders against women took place which was characterised by a display of cruel killings which was unusual even in light of the everyday nature of violence. In the sermon which he held during the Eucharist at the city's trade fair ground on 17 February 2016, the Pope spoke in detail of the special situation prevailing in Ciudad Juárez and of the unholy role played by organised crime, and placed it in a global context: *“Here in Ciudad Juárez, as in other border areas, there are thousands of immigrants from Central America and other countries, not forgetting the many Mexicans who also seek to pass over “to the other side”. Each step, a journey laden with grave injustices: the enslaved, the imprisoned and extorted; so many of these brothers and sisters of ours are the consequence of a trade in human trafficking, the trafficking of persons. We cannot deny the humanitarian crisis which in recent years has meant migration for thousands of people, whether by train or highway or on foot, crossing hundreds of kilometres through mountains, deserts and inhospitable zones. [...] This crisis which can be measured in numbers and statistics, we want instead to measure with names, stories, families. They are the brothers and sisters of those expelled by poverty and violence, by drug trafficking and criminal organizations. Being faced with so many legal vacuums, they get caught up in a web that ensnares and always destroys the poorest. Not only do they suffer poverty but they must also endure all these forms of violence. Injustice is radicalized in the young; they are “cannon fodder”, persecuted*

and threatened when they try to flee the spiral of violence and the hell of drugs. And what can we say about the many women whose lives have been unjustly robbed?"

19. Not untypically of the way in which he addresses problems, the Pope did not cast his attention in the case of organised crime first and foremost towards thinking about effective law enforcement methods, but towards the problem of the restricted perception underlying its practice. In the city's prison, which had a convict population of more than 3,000 at that time, he started his speech to the inmates with a self-critical admission: *"Divine Mercy reminds us that prisons are an indication of the kind of society we live in. In many cases they are a sign of the silence and omissions which have led to a throwaway culture, a symptom of a culture that has stopped supporting life, of a society that has little by little abandoned its children. Mercy reminds us that reintegration does not begin here within these walls; rather it begins before, it begins "outside", in the streets of the city. Reintegration or rehabilitation begins by creating a system which we could call social health, that is, a society which seeks not to cause sickness, polluting relationships in neighbourhoods, schools, town squares, the streets, homes and in the whole of the social spectrum. A system of social health that endeavours to promote a culture which acts and seeks to prevent those situations and pathways that end in damaging and impairing the social fabric."*

From his point of view, the Pope reached the conclusion that a broader, preventive approach was needed: *"The problem of security is not resolved only by incarcerating; rather, it calls us to intervene by confronting the structural and cultural causes of insecurity that impact the entire social framework."*

We therefore fall short of solving the problem of organised crime if we seek to tackle it only with police or prosecutorial means and at the level of individual morals. What in fact is needed is socio-political reforms and social ethics. In the opening speech that he gave on 13 February 2016 before members of the government and other public figures, Pope Francis immediately placed the main emphasis of his considerations on responsibility towards young people, who make up more than half the population of Mexico, and he came back to this again and again at almost all his subsequent engagements: *"A people with a youthful population is a people able to renew and transform itself; it is an invitation to look to the future with hope and, in turn, it challenges us in a positive way here and now. This reality inevitably leads us to think about one's own responsibilities when it comes to constructing the kind of Mexico we want, the Mexico that we want to pass on to coming generations. It also leads us to the realization that a hope-filled future is forged in a present made up of men and women who are upright, honest, and capable of working for the common good, the "common good" which in this 21st century is not in such great demand. Experience teaches us that each time we seek the path of privileges or benefits for a few to the detriment of the good of all, sooner or later the life of society becomes fertile ground for corruption, drug trade,*

exclusion of different cultures, violence and also human trafficking, kidnapping and death, bringing suffering and slowing down development.”

The Pope became more concrete when he spoke to representatives of the trade unions and industry: *“One of the greatest scourges for young people is the lack of opportunities for study and for sustainable and profitable work, which would permit them to work for the future. In many cases – many cases – this lack of opportunity leads to situations of poverty and rejection. This poverty and rejection then becomes the best breeding ground for the young to fall into the cycle of drug trafficking and violence. It is a luxury which today we cannot afford; we cannot allow the present and future of Mexico to be isolated and abandoned.”* There was hence an absolute need to break with the basic tenet applicable in economic life: *“The prevailing mentality, everywhere, advocates for the greatest possible profits, immediately and at any cost.”* At its core, this turning away, to which the Pope also refers as a ‘repentance’, means none other than a return to the Church’s social doctrine, which as the Pope is aware does not enjoy a good reputation among industrialists: *“When faced with tenets of the Church’s Social Doctrine, it is objected frequently: “These teachings would have us be charitable organizations or have us transform our businesses into philanthropic institutions”. We have heard this criticism. The only aspiration of the Church’s Social Doctrine is to guard over the integrity of people and social structures. Every time that, for whatever reason, this integrity is threatened or reduced to a consumer good, the Church’s Social Doctrine will be a prophetic voice to protect us all from being lost in the seductive sea of ambition. Every time that a person’s integrity is violated, society, in a certain sense, begins to decline. And this Social Doctrine of the Church is against no one, but in favour of all. Every sector has the obligation of looking out for the good of all; we are all in the same boat.”*

20. Colonial rule reproduced all over Latin America the classical dual structure encompassing the throne and the altar, that is the Church and the State. This lent to Catholicism a hegemonial position in the religious sphere vis-à-vis the indigenous religions on the one hand, and Protestantism on the other, as part of the Spanish and Portuguese conquests propelled forward by the Catholic monarchies, and the Catholic Mission which accompanied them. This political and religious dominance was restricted in a number of countries in the 19th Century, a development that was most pronounced in Mexico, where radical laicism the order of the day. In socio-political terms, the Catholic Church traditionally favoured a conservative, corporatist model which called for a strong State and which made Her vulnerable in the 20th Century for forming sympathies and alliances with the right-wing dictatorships. Latin America is now gradually losing its status as a Catholic continent in favour of a wide variety of Protestant communities and organisations, and of a revival of the traditional religions.

Against the background of these complex overall religious situations, one may not expect the Church to react in a uniform manner to the culture of violence and the nefarious deeds of organised crime.

The Catholic Church also had to adjust as a result of the pressure of competition between the denominations, of the impact of the Second Vatican Council, and of the changing political landscape, but She did so in Her own way. Whilst the Episcopate as a rule largely made efforts to maintain its contacts with the traditional elites, even if the latter were strictly conservative and in fact extreme right-wing and reactionary in their orientation, practical pastoral work was increasingly carried out in line with the grassroots in the parishes, where both local priests but above all religious were active, and these were frequently inspired by liberation theology. This difference in the entrenching of the clergy in terms of its everyday existence also created tensions within the Church along political lines, since given the polarisation within society, it was easy to suspect or persecute reform-orientated Catholic faithful or officials as being influenced by Communism. Such different or indeed opposing orientational patterns were not without their influence on the stance that was adopted vis-à-vis organised crime. There were thus elements within the clergy – also as a result of the conservative values which they proclaimed – which supported the social and socio-political initiatives taken by members of organised crime, and which repeatedly took part in peace negotiations between state institutions and organised crime stakeholders, whilst parish priests and religious predominantly contributed and continue to contribute towards civil society initiatives. It is among these latter groups that the majority of victims of criminal violence in the Church are found, apart from the simple faithful who are constantly exposed to it in the same way as the rest of the population. Above all, large numbers of murders have come to light that were committed against Jesuits and religious sisters who are not infrequently revered in the Catholic Church far beyond the borders of Latin America. It is in this area that ecumenical cooperation takes place most frequently, and in most cases this is promoted by the established Churches and by the World Council of Churches.

21. The multiple nature of the crimes perpetrated by organised crime virtually dictates that the resistance emanating from civil society should be organised first and foremost among the affected family members of individuals who have disappeared or been murdered. One example of this is the Columbian Association of the Relatives of the Detained-Disappeared (ASFADDES). It speaks out, firstly, against the inactivity of governmental institutions in solving the criminal offences, and secondly against the rampant impunity. A major role attaches here to investigative journalism, which is why journalists are among the primary victims of threats and killings. Specific associations focus on finding the many mass graves, opening them and having the dead forensically examined in order to be able to identify them and ascertain how they met their deaths. They are also concerned to make it possible for the dead to be properly buried and have their deaths officially certified in order

to be able to assert any compensation claims. Other groups, often including artists, are striving to develop a culture of remembrance helping to conserve the memory of the victims in society, and to prevent the crimes being suppressed, whitewashed or concealed.

Along with the familiar forms of written and image documentation which are frequently drawn up and financed by church institutions (such as the Office of Human Rights of the Archbishopric of Guatemala [ODHAG], the Jesuit social research institute in Columbia [CINEP], or the orders of the *Justitia et Pax* Commissions), there is an increasing trend towards forms of information and mobilisation being transmitted by electronic means. The social media are now being used by all sides, and their overall effect is hence ambivalent. On the one hand, they are accelerating the dissemination of information and making it easier to organise activities and resistance. On the other hand, cases of Internet crime are multiplying at both national and global level, in classical fields such as drug trafficking, as well as in new domains such as fraud or financial transactions.

22. The commitment of the Church however manifests itself not only in the pastoral care of relatives and surviving victims, but also when it comes to the preventive measures that aim to bring about legal amendments or to create legal employment, or to offer opportunities for criminals, and for young people in particular, to opt out. This ranges from witness protection programmes, through offers to have tattoos professionally removed or concealed, to helping people to escape. Protestant pastors provide practical guidance for prayer, whilst charismatic or Pentecostal churches organise spiritual and emotional guidance or campaigns for conversion to the faith or spiritual renewal of life. Some among the clergy are former criminals who make use of their own experience and contacts for their work, and who take risks to move in a kind of interim world or grey zone. The focus of the anti-organised-crime work done by Protestants previously lay in the individual domain, that is reforming people's lives on the basis of a religious conversion (also of Catholic Christians). Catholic pastoral work was more orientated towards social change, in line with the tenets of Catholic social doctrine. As a consequence of the two contrary trends, namely competition between the denominations on the one hand, and interdenominational ecumenical work on the other, the two approaches are overlapping more and more, either by virtue of approximation, or through cooperation.

Organised crime in Germany

23. Taking a look at Latin America and then towards Germany might easily suggest that the situation in our country is one that is peaceful and idyllic, and that there is no organised crime. It would however be a major error to seriously presume this to be the case. There

are some unmistakable indications that the dangers posed and the damage caused by organised crime in our country are being underestimated. The Federal Criminal Police Office's Federal Situation Reports regularly point to the large grey area that can be observed in most fields of activity of organised crime. Experts argue that a major factor here is likely to be the population's relative unwillingness to report such crimes. The majority of people pay more attention to the individual crimes that are committed than to their embedding in larger systemic contexts. They therefore look at it more like a detective novel, and less like an example case forming part of an analysis. This form of perception is favoured by the cultural portrayal of criminal reality. For example, on the occasion of the 50th anniversary of the premiere of the cult film "The Godfather" about the Mafia in German cinemas, journalist Petra Reski revealed the pattern that has been created by this and other films of this kind. She wrote in her article of 3 March 2022 entitled "*Schmutzige Deals, sauber inszeniert*" ("Dirty deals, neatly staged"), which was published on ZEIT Online: "*It [the film] embodied the idea of a good Mafia with a human face, as guardians of old values like family, justice and honour [...]. [...] Mafia films provide justifications for violence: If you want to get to the top, you have to be tough and cruel, even against yourself, but especially against others. Such underdog stories are often free PR for the Mafia. Legends of saints full of heroic deeds and trials that aspiring mafiosi have to pass on the way to their own canonisation. The only thing that has changed since The Godfather is the form: It is no longer the mafioso himself who is exalted, but the degree of violence he uses. No more bosses in pinstripes, but skinny boys in pants, track suits, faded jeans or greasy leather jackets. However, this portrayal is only more realistic at first glance; it does not harm the myth of the Mafia. On the contrary: The crueller the Mafia appears in the cinema and on television, the greater the rapture of the bosses. Fear of the Mafia is their symbolic capital. It doesn't bother them when their brutal sides are staged on film. In fact it enhances their prestige.*" It may be possible to challenge this analysis as to its details, but as a whole it nonetheless provides a correct, important indication of how media and culture are able to exert an influence on society's perception of organised crime. We should therefore beware of simply considering a specific image of organised crime that is communicated by the media as being real. It is also important to avoid unrealistic horror scenarios. The reality of organised crime in Germany is worrying enough.

24. The Federal Ministry of the Interior presented a comprehensive "Strategy to fight serious and organised crime" to the public in November 2022. The first sentence of the document reads as follows: "*The widespread criminal structures of serious and organised crime pose a threat to us all: to private individuals, to the government, to the economy and to society.*" True, the [most] recent situation report on organised crime from 2022 (published on 12 October 2023) does record a slight drop in the number of investigations against organised crime reported in comparison to 2021, but finds that it is "*still much higher than the levels of the previous years.*" It once more uses the working definition from 1990 (see

above), and its overall conclusion is as follows: *“The fields of crime narcotics trafficking/smuggling, crime in connection with economic life and property crime account for almost three-quarters of all organised crime investigations carried out in 2022. Almost half (roughly 46%) of all groups of organised crime are active in the field of crime narcotics trafficking/smuggling. This means that narcotics trafficking/smuggling remains the dominant field of activity of organised crime groups in Germany according to the figures available on detected cases.”*

The second largest group of crimes is economic crime, followed by property crime and smuggling. One-third of the investigations relate to money laundering, an area which is only included if it comes to note in the context of other investigations. The grey area is therefore likely to be comparatively large. The Federal Criminal Police Office concludes: *“organised crime groups continue to attempt to introduce the money that they obtain by criminal means into the legal economy, and hence to conceal the illegal origin of the assets. The volume of money laundering activities committed by organised crime groups is around 998 million Euro. [...] According to information from specialist literature, the property sector in Germany can be estimated to be a (high-)risk sector for money laundering as a result of its market characteristics. At the same time, the market players appear to be virtually unaware of any money laundering activities going on in this sector.”*

Concern must attach to the trend that has been observed with organised crime groups to increasingly *“use in some cases drastic means to carry out violence and/or intimidation. These were used in a majority of cases in order to demonstrate power both inwardly and outwardly, and to exert an influence by for instance intimidating or influencing witnesses, as well as to collect ‘debts’. The form of the violence that is used differs widely, but makes clear the general willingness of organised crime groups to engage in violence and make threats. This ranges from verbal threats, through hostage-taking, rape and bodily harm, to (attempted) killings. It targets both the members of one’s own group, and of rival organised crime groups, or individuals outside the group, such as family members, both those living inside and outside of Germany.”*

25. A popular perspective on organised crime which is frequently populistically instrumentalised largely attributes it to foreign players who are considered to belong to specific domestic milieus. Reference is made here more and more frequently to *“clan crime”*. As is demonstrated by the situation report, this is not entirely wrong, but it is dangerously one-sided. The case numbers do not support such clichés as a rule. Above all, however, it is the German State and German society which have been regularly confronted by economic and financial scandals in the recent past, thus giving rise to suspicion that structures and patterns of conduct are demonstrated which are at least similar to organised crime:

- the Cum-Ex scandal (share transactions in connection with which taxes were refunded that had not been paid at all);
- the so-called Panama Papers (suspicion of money laundering through letterbox companies);
- the Wirecard scandal (falsification of balance sheets and share manipulation at the DAX-listed company Wirecard AG);
- exhaust gas or diesel emission scandal (illegal manipulation of the engine technology of various car manufacturers to circumvent legal exhaust gas limits).

All these cases additionally make it clear that organised crime is limited neither to foreign players, nor to those who do not originate from Germany, and that it does not take place solely in the so-called underworld. There are also offenders here from the midst of society and the upper echelons of society. It is furthermore confirmed in Germany that organised crime is often particularly characterised by the fact that the boundary between the illegal and the legal domains, between the ‘underworld’ and the ‘upperworld’, is blurred by creating dependences or even alliances between the two areas. Bank employees or banks, lawyers or law firms, notaries or members of parliaments and political parties, may become involved in organised crime activities, be it voluntarily or under coercion, knowingly or as a result of deception. Both in Germany and worldwide, the masterminds of organised crime would not be able to pursue their criminal activities unless there was an entire army of accomplices supporting and promoting organised crime by cooperating or looking the other way.

There is however no place here for hysteria or panic. The influence exerted by organised crime groups through bribery or blackmail is very limited in comparison with other countries. The degree of resilience in the economy, administration and political arena, or indeed in the police, justifies neither reporting that stokes fears, nor a policy of appeasement which minimises either the risks or the damage done. The fight against organised crime demands considerable attention and attentiveness, and this must be reflected in the shape of reliable, adequate funding, by stepping up the effort in international cooperation and in the field of prevention. Not lastly, the difficult and frequently frustrating deployment of the police and public prosecution offices deserves recognition and appreciation in society.

Organised crime from a point of view of security policy and social ethics

26. Public authorities’ responsibility for the struggle against organised crime normally falls within the remit of domestic security, so that it forms part of national security policy,

which also includes external security. Both areas have had special intelligence services and armed forces attached to them: law enforcement and the military. The example of Latin America is a patent lesson of the major negative consequences ensuing if one mixes these different domains and tasks. The reality of organised crime nonetheless forces one to examine such a classical separation as to whether it is viable. The established security policy thinking furthermore suffers as a result of its fixation on the State. Where there is no functional State, there can indeed not be any security, either externally or internally. More recent Catholic social doctrine is however quite insistent that the State also does not constitute a superior value, but ultimately functions to serve. Security policy addresses the perception, analysis, prevention and processing of potential and acute domestic and external threats to the State, but its normative core relates not solely to the well-being of the State, but first and foremost to the protection and the welfare of the people living in the State, and to the common good of the people in the State. From the point of view of a Christian peace ethic, security policy is therefore based on the following pillars:

- respect for, as well as enforcement and realisation of, universal human rights;
- a rules-based international order and compliance with international treaties and agreements;
- constructive state cooperation in international institutions;
- promotion of democracy, co-determination and social participation;
- priority attaching to civil conflict management;
- the involvement of non-state actors in conflict prevention, management and post-conflict support.

27. In the same way as the international and transnational dimension of organised crime, obtaining a broader understanding of security consequently necessitates an examination of domestic and external security as a whole, and this should be expanded to include the aspect of human security. The expedience of this addition becomes immediately clear if one bears in mind that most forms of organised crime are accompanied by serious human rights violations. This is manifest when it comes to killing and murder, as this violates the right to physical integrity or the fundamental right to life. Drug deals breach the right to health because as a rule they are based on drug users' physical and mental dependence, or indeed cause such dependence in the first place. People's health is nonetheless by no means only placed at risk by illegal drug sales. It is also endangered when toxic waste is disposed of illegally, as this contaminates farmland and waters; when counterfeit medicines are manufactured, construction safety regulations are deliberately disregarded, or when women and men are forced into prostitution or children and young people are abused for commercial reasons. The characteristic that is common to all these and similar

forms of crime consists in always accepting the harm that they do to people, be it physical or emotional, short-term or permanent, and that it may lead to their deaths in extreme cases. People are instrumentalised in order to make a profit, this applying to the victims in all instances, but not infrequently also to the perpetrators if they are coerced into committing their crimes. Organised crime thus almost always targets the very heart of human rights, which consists in human dignity.

With respect for this major characteristic of organised crime, it must be taken seriously as a central topic of Catholic social doctrine. Human dignity, and the principle of personality underlying it, constitutes a fundamental pillar of this doctrine. In the same way, however, organised crime also violates the remaining fundamental principles which constitute the social doctrine: the principle of justice, solidarity, the orientation towards the common good, subsidiarity and sustainability. The examples mentioned in this orientation paper prove in many ways how these principles are being massively violated, and thus reveal the massively anti-social, destructive nature of organised crime.

The risks emanating from organised crime are therefore not alien to Catholic social doctrine as a matter of principle. Their treatment nonetheless still demands to be given an adequate place in the socio-ethical basic and further training received at theological schools and church institutions. The Church has a direct responsibility here, both in Her pastoral care, and as part of civil society.

28. The emphasis that is placed on human rights must not lead us to ignore or play down the damage that organised crime does to non-human Creation. Our fellow creatures equally suffer, or in fact are destroyed, for instance as a result of trafficking in endangered animal species and plant varieties, through the exploitation of natural resources that is illegal or is made bogusly legal through corruption, by rain forest deforestation, by poaching, by discharging toxic sewage into rivers and lakes, or by dumping oil and toxic substances into the sea. Such crimes, particularly when they are committed on a large scale, endanger the foundation for human life and the ecological cycles of nature, and therefore come into stark contradiction with the Sustainable Development Goals – an Agenda of the United Nations for sustainable development running until 2030 and intended to serve the purposes of lasting peace, general prosperity and protection of the planet. Much greater attention needs to be given to the ecological dimension of organised crime, and much more severe punishments need to be imposed on environmental crime, not lastly in view of the extent of the environmental destruction that has already been caused.

Criminal prosecution of environmental crime is however robbed of its plausibility and effectiveness if legal environmental destruction is continued unhindered. It is therefore a matter of framing and underpinning it via political decisions and statutory stipulations

which promote an environmental awareness and enhance environmentally-friendly conduct on the part of the entire population.

29. It would be fundamentally inadequate, and in fact actually wrong, to leave the struggle against organised crime solely up to the police and the courts. Each society that is affected must give an honest account of the manner in which it is benefiting from specific forms of organised crime, be it without its knowledge or consciously. This starts with clandestine construction work, or buying cigarettes with no revenue stamps, and goes through visiting brothels or illegally employing domestic help, to acquiring performance-enhancing medicines or party drugs or stolen works of art. Social acceptance of tax evasion as a trivial offence is only nominally distinct from tax fraud on a massive scale, and honest bankers play their part in this. To a large degree, organised crime is committed in accordance with the market principle, and does not work where there is no demand, albeit it is sometimes the supply itself which creates the demand. This is particularly the case in the drug trade. It is the demand for power and influence, for money, for the next high, for sexual satisfaction, cheap branded clothing and status symbols, and much more besides. The customers on these criminal markets place their own interests, needs and wishes above the welfare of their fellow human beings, and above the common good. They degrade their fellow human beings to become agents of their greed or avarice, their addiction or their egotism.

In addition to the structural factors favouring organised crime, there is thus a need when combating it to also pay attention to the social values, attitudes and stances in society, without falling into an individualistic moral lecture. Such a lecture will fail if it does not change the culture of a society in which organised crime is active. Social resilience against organised crime is reduced to the degree that it benefits from this very organised crime. Any form of tacit agreement with an illegal act undermines society's ability to withstand organised crime, which for its part, as a systemic evil, corrodes the most fundamental condition of any functioning state and community, namely mutual trust between people, and citizens' trust in a legal system which protects them and which is implemented by the State.

30. The more intensively a society is permeated by criminal networks, the more intensively and more sustainedly its system of values and security will be placed in question. This engenders uncertainty and fear if anarchic conditions become prevalent because the State loses its monopoly of power, and even atrocious crimes go unpunished. If the State appears to be powerless, or really is powerless, society leaves it up to criminal holders of power to guarantee a modicum of order, as is the case in many urban areas in the world, or society takes it upon itself to carry out this task. The formation of civil or armed militia, as takes place in some regions in Latin America, illustrates this unavoidable consequence of the State failing to deal with organised crime.

Only optimistic self-delusion can support the conviction that democracies are immune to the virus of organised crime and its destructive impact. Juvenile gangs do their dirty deeds in Denmark, whilst the State has almost completely withdrawn from certain city neighbourhoods in France and the Netherlands. In our country too, some urban and village areas have been transformed into no-go areas for certain groups within the population. Populistic propaganda therefore creates mistrust of the rule of law, and promises to restore law and order in a manner which invalidates rule-of-law procedures and the legitimacy of human rights. The Philippines have provided plenty of evidence of this in recent times. But autocratic or dictatorial regimes have never managed to eliminate organised crime. In most cases they have merely incorporated it into the state structures and enabled the political staff to become its beneficiaries. It is said with regard to some states that they have no problem with the Mafia because the State and the Mafia are one and the same. To be sure, these are extreme cases, but they demonstrate the ability of organised crime to wreck entire states in such cases.

In order to be able to keep organised crime at bay, and to reduce the dangers which it poses to a tolerable level, stakeholders from civil society and the state's law enforcement bodies must work together, at both national and international level. It is vital for the struggle against organised crime to be understood and organised as a cross-sectional task. Civil society cannot however replace the State, and any attempt to do so can only be justified as an emergency measure which must aim to make itself superfluous once more. This naturally also applies to the Church, and in fact even more so. The approach taken and the focus set by non-governmental action may only lie in the field of prevention or follow-up care (assisting the victims). That having been said, the State also has preventive work of its own to do.

31. Organised crime goes beyond the national borders in every direction. It therefore poses a challenge not only to the individual states in terms of its own interest, but to the entire community of states. This is why the United Nations are also involved in the struggle against organised crime. Vital significance attaches here to overcoming poverty and underdevelopment in the different regions of the world. In the State, as also in the community of states, the struggle against organised crime goes far beyond tasks that are to be carried out by law enforcement and criminal law. To be precise, what is needed is a global strategy which coordinates, integrates and bundles national and international efforts. The preconditions for this are relatively favourable at EU level, albeit much more intensive cooperation is needed for this, along with even closer networking, in order not lastly to accelerate and improve the exchange of information between national authorities. The existing exchange platforms, and those still to be established, must be enabled to record the dynamically-changing forms of organised crime in order to be able to adjust the reactions of the police,

and others, in a flexible manner. There is furthermore an urgent need to expand and enhance Europol.

The United Nations Office on Drugs and Crime (UNODC) is a good candidate to work as a partner in order to expand cooperation beyond the European framework, and the “United Nations Convention Against Transnational Organized Crime” could serve as a legal basis. In its present form, the International Criminal Police Organization (Interpol) is only suited to this task to a limited degree. As a platform for an exchange of information between national police authorities, Interpol does certainly increase the degree of networking between those working to combat international crime, but has virtually no strategic or coordinating function over and above this.

It would be welcome for the problems associated with organised crime to be included more closely than has previously been the case in European and German development work, and for it to be given greater attention in Germany in the Guidelines of the Federal Government on Crisis Prevention, as well as in the National Security Strategy on Organised Crime, as a highly-influential factor in destabilising states and exacerbating conflicts.

The role played by the Churches in the struggle against organised crime

32. As has already been emphasised, the primary stakeholders in the struggle against organised crime at national level are the competent state institutions, in particular the judicial and law enforcement authorities and the intelligence services. They must be propped up by political decisions in all respects in order to be able to carry out their tasks as successfully as possible. The Churches should do their utmost to support the State in this regard. *Justitia et Pax* proposes that the Federal Government, as well as the governments of the *Länder*, should establish roundtables to fight organised crime in which different groups and institutions should take part that are familiar with or affected by these problems in order to engage in a mutual exchange of information and experience, and to discuss necessary or helpful actions and initiatives, as well as to draw up corresponding recommendations to society, policy-makers and the public authorities.

The primary concern of the Church however relates to pastoral care for those people who are exposed to severe burdens when working for the State to combat organised crime. When it comes to child abuse and child pornography, for instance, viewing evidential material and securing evidence may easily bring officers to their psychological and emotional limits. Also using firearms, or simply knowing that their deployment may place them in life-

threatening situations at any time, must be dealt with in emotional terms. The Churches frequently render a valuable service here in the shape of pastoral work within the police.

33. Another exemplary model, namely the Santa Marta group, stands for direct cooperation between the Church and the State. Here, high-ranking representatives of the Church, personalities representing criminal prosecution authorities, as well as governmental and non-governmental organisations, are developing joint strategies against human trafficking. In December 2022, for instance, a Plan of Action against Human Trafficking was published, having been drawn up in cooperation between the German Bishops' Conference and the Santa Marta group. This appeal is also directed to executives of transnational companies. They are called upon to use all opportunities arising within their organisations in order for instance to create an awareness of the significance of economic crime in terms of corroding society. Their commercial activity may neither promote nor facilitate organised crime, and nor must it take on criminal traits of its own. This requires a profound transformation of commercial ethics.

There is also a need in this context to consider the significance of so-called “whistleblowers”. Where they bring criminal entanglements and activities to the attention of the public, they do not deserve to be defamed and persecuted, but should be protected and acknowledged by society. Dealing with them in an appreciative manner could increase willingness to report, and could ensure in the long term that companies and organisations shy away from the risk of succumbing to criminal intrigues.

Prevention therefore includes information, investigation and awareness-creation. What is however needed in the medium and long term is above all to educate and train individuals who are enabled through decency and steadfastness to resist the temptations of organised crime. Even though threats and reprisals, which may range through to physical violence, are part-and-parcel of the toolkit customarily used by organised crime players, people do not always come under their sway solely as a result of coercion. Too frequently do they voluntarily or negligently succumb to the temptations of organised crime and the attractiveness of what it offers. It is therefore a matter of also stressing, over and above criminal prosecution, the individual moral responsibility as a consumer, investor, manager in companies, and so forth. It is also possible to say in summary that, as part of civil society, the Churches are responsible for encouraging people to show civil courage. The ethical principle of ‘do no harm’ can definitely be translated into the legal principle of ‘commit no crime’. The Churches are called on here to do their part to form an individual conscience, as well as to create a professional ethic which helps people act blamelessly when doing their work. The Churches are present as institutions running kindergartens and schools, and through the staff, and must work together with parents to ensure that children and young people do not fall into the clutches of organised crime as aspiring criminals.

34. In very general terms, the Churches must use their own structures, at all levels, in order to act as alliance partners alongside those individuals, initiatives or organisations which resist organised crime. This takes place in Germany for instance via the association by the name of “*Mafianeindanke*” (Stand up to the Mafia!). Church institutions must obtain information as to where they are vulnerable in terms of their activities, and must take precautions in order not to be influenced by criminality. This relates for instance to aid programmes in specific countries, where material or financial aid contributed by the faithful may not be misused. Church banking institutions may not invest in companies or economic sectors which are allied with organised crime. This ban naturally also covers investments by public and private donors, or involvement in illegal deals in order to obtain profits or avoid losses. Companies which are suspected of being connected with organised crime in any way should not receive contracts from anyone, and certainly not from church facilities. It frequently proves to be extraordinarily difficult to prove this in individual cases, particularly since verifying investments and financial deals frequently goes beyond the capabilities of the state authorities.

The Catholic Church has an additional structural advantage which it may place at the service of the fight against organised crime and its prevention. The fact that She is constituted as a universal Church enables Her to take up a unique presence in terms of church institutions all over the world. This church network, which extends via Her various different hierarchical levels, is characterised by a fundamental amount of confidence placed in Her, within the many relationships, and this makes cooperation simpler. As a security-policy seismograph, she is furthermore able to act as an early warning of concerning developments in specific territories or areas, an ability which is however still amenable to expansion. Church institutions or organisations, or individual representatives of the Church, are thus able to tackle problems in good time, and to create an awareness of potential dangers among policy-makers and in society.

A final conclusion

35. It is not easy to find an appropriate expression to describe the murderous, destructive violence committed by organised crime. One may refer to it as an ‘octopus’, or as a rampant cancerous tumour, as a destructive virus. All such appellations express a sensation of a virtually overwhelming danger, and it is highly tempting to not only analyse them soberly, but in fact to demonise them. Some fear that this might lead to resignation or indeed capitulation; they therefore reject any religious diagnosis. The Christian faith knows of the existence of demonic principalities and powers, but it draws its ability to resist from the conviction that these have already lost the battle for dominion of the world. It is not for

nothing that the Gospels reveals Jesus to us as a miracle healer and exorcist who shows how healingly close is God's Kingdom in His work by His driving out of demons. The Churches therefore have their own view of organised crime which recognises it, beyond all denial, suppression or romantic trivialisation, as what it really is: cowardly, hypocritical, ruthless, and *in extremis* mercilessly brutal. This orientation aid seeks above all to provide information in this regard and to call for resistance.

Annex 1: Members of the “Organised Crime” Task Force of the German Commission for Justice and Peace

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Dr Jörg Lüer, Secretary of the German Commission for Justice and Peace, Berlin

Prof. em. Dr Heinz-Günther Stobbe, Chair of the Section on Peace of the German Commission for Justice and Peace, Münster (Chairman of the Task Force)

Prof. Dr Klaus von Lampe, Professor for Criminology at the Berlin School of Economics and Law

Dr Judith Vorrath, Researcher at the German Institute for International and Security Affairs, Berlin

Prof. h.c. Jörg Ziercke, Member of the Federal Board of the Weißer Ring and former President of the Federal Criminal Police Office

Secretary

Dr Markus Patenge, Advisor to the German Commission for Justice and Peace, Berlin

Annex 2: Attendees at the international conference on action by the Church in the light of organised crime in Berlin

Bishop Dr Stephan Ackermann, Bishop of Trier and member of the German Commission for Justice and Peace, Germany

María Luisa Aguilar Rodríguez, Head of Section for International Affairs at the Centro Prodh – Centro de Derechos Humanos Miguel Agustín Juárez, A.C., Mexico

Dr Vittorio Alberti, Head of the working group dedicated to excommunications of Mafia members in the Dicastery for Promoting Integral Human Development, Italy

Andreas Bär, Chairman of the Association of Catholic Prison Chaplaincy in Germany

Burcu Başdinkçi, Head of the Federation's echolot model project: Civil society against organised mafia crime, Germany

Susanne Breuer, Specialist Advisor for Latin America and Food at the Misereor Episcopal Aid Agency, Germany

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Dr Jörg Lüer, Secretary of the German Commission for Justice and Peace, Germany

Mila Luigji, Secretary General of Justitia et Pax Albania, Albania

Dr P. Martin Maier SJ, General Manager of the Episcopal Adveniat campaign, Germany

Dr Martha Lucía Márquez Restrepo, Director of the Centro de Investigación y Educación Popular (CINEP), Colombia

Sandro Mattioli, Chairman of the *mafianeindanke* association, Germany

Bishop Gjergji Meta, Bishop von Rrëshen, Albania

Ariela Mitri, Deputy Director and Head of the “Action against human trafficking and migration” department at Caritas Albania

Father Juan Ricardo Negrete Cárdenas, Rector of the Santuario de la Natividad de María, Mexico

Dr Markus Patenge, Advisor of the German Commission for Justice and Peace, Germany

Bishop em. Dr Salvador Rangel Mendoza OFM, Emeritus bishop of Chilpancingo-Chilapa, Mexico

Helena Raspe, Research assistant in the office of Member of the Bundestag Max Lucks, Germany

Stefan Redlich, Permanent Representative of the Head of Berlin *Land* Criminal Police Office, Germany

Archbishop Luigi Renna, Archbishop of Catania and President of the Episcopal Commission for Social Issues and Labour, Justice and Peace of the Italian Bishops’ Conference, Italy

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Antônio Sampaio, Global Initiative against Transnational Organized Crime, England

Matthias Schreiber, kolko – Human Rights for Colombia Association, Germany

Benjamin Schwab, Regional advisor for Central America and Mexico at the Misereor Episcopal Aid Agency, Germany

Prof. Dr Thomas Schwartz, General Manager of Renovabis, Germany

Marc Steinau, echolot: Civil society against organised mafia crime, Germany

Prof. em. Dr Heinz-Günther Stobbe, Chair of the “Peace” section of the German Commission for Justice and Peace, Germany

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