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ONCE UPON A TIME IN PALERMO

GIOVANNI FALCONE AND THE
FIGHT AGAINST COSA NOSTRA

Ruggero Scaturro

MAY 2022

ACKNOWLEDGEMENTS

The author would like to thank judges Antonio Balsamo and Giuseppe Di Lello Finuoli, who made themselves available for interviews and provided valuable insights. Thanks to Ian Tennant, Head of Vienna Multilateral Representation and Mark Shaw, Director of the Global Initiative Against Transnational Organized Crime (GI-TOC), for making this work possible. The author would also like to thank the GI-TOC Publications team for their precious work.

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Cover: An image is displayed in honour of Judge Giovanni Falcone, assassinated on 23 May 1992. © Mairo Cinquetti/NurPhoto via Getty Images

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CONTENTS

Introduction: The declassified papers.....	2
The Mattarella murder mystery.....	5
Cosa Nostra and neo-fascist terrorism: An unusual alliance?.....	7
Cosa Nostra and public procurement in western Sicily.....	15
Conclusions: Towards the Palermo Convention.....	19
Notes.....	21



INTRODUCTION: THE DECLASSIFIED PAPERS

In July 2021, the president of the Antimafia Commission of the Italian Parliament – established in 1963 to look into the phenomenon of organized crime in Italy and assess the adequacy of existing legislative and administrative measures to counter it – declassified the minutes of a meeting between the Commission, the celebrated judge, Giovanni Falcone, and the other prosecuting magistrates of the so-called ‘Antimafia Pool’ of judges (see below). The meeting was held in Palermo, Sicily, in June 1990.¹

Barring cases concerning national security or the safety of public officials, over recent decades the Commission has developed the practice of publishing the minutes of all its meetings, demonstrating a commitment to transparency and the rule of law.

The decision to declassify this 117-page record of the meeting, however, comes more than a year after a commitment taken by the Commission’s president, Nicola Morra, in 2020 to declassify all the Commission’s minutes from 1963 to 2001.² Having scrutinized the entire archive of its minutes, Italian civil society movement I Cittadini Contro le Mafie e la Corruzione (‘citizens against the mafia and corruption’) realized that the 1990 document was the only one yet to be made public. Given the potential relevance of its contents, they formally requested the Commission’s president to keep to his word and declassify it.³ A full unofficial translation of the minutes of the meeting is available at: <https://globalinitiative.net/wp-content/uploads/2022/05/gitoc-falcone-annex.pdf>.

From the initial pages of the minutes, it emerges that the 1990 meeting had been convened to discuss the reasons for delays in investigations carried out by the Antimafia Pool. When discussing these delays in the magistrates’ work, however, Falcone went on to disclose what appear to be new details pertaining to the context of the unsolved assassination a decade earlier of Piersanti Mattarella, the Governor of Sicily and brother of the current President of the Italian Republic, Sergio Mattarella.⁴

Mattarella, whose killers are still unknown – although there is consensus that Cosa Nostra kingpins were behind the hit – arguably personifies the anti-mafia movement in Sicily since the early 1960s, a period in which he began to gain international recognition and support for his good governance.⁵ The following section offers an analysis of those parts of the minutes that deal with a theory Falcone had developed that offered, in his mind, a reliable investigative route to uncovering the truth of the unresolved murder of the Governor of Sicily. In addition, thanks to an interview with Judge Antonio Balsamo, current President of the Court of Palermo, it sets out an explanation of how Cosa Nostra may have teamed up with an unusual ally to eliminate the respected politician.

The Antimafia Pool



The Antimafia Pool. From left: judges Giuseppe Di Lello, Giacomo Conte, Paolo Borsellino, Leonardo Guarnotta, Giovanni Falcone and Antonino Caponnetto, 1985. *Photo: Franco Zecchin via Franco Zecchin Photography*

Created in 1980, the Antimafia Pool was a group of investigating magistrates at the Court of Palermo who shared information and developed new investigative and prosecutorial strategies designed to strike a blow against Cosa Nostra. Their work led to the 1986–1992 ‘maxi-trial’, the largest criminal trial against organized crime in history.⁶

In July 1983, Judge Rocco Chinnici, who had founded the Antimafia Pool, was assassinated by Cosa Nostra and his role as head of the investigative branch of the Court of Palermo was taken by judge Antonino Caponnetto, who formalized the operations of the pool. It also included Giovanni Falcone, judge Paolo Borsellino and judge Giuseppe Di Lello Finuoli, among the others.⁷ ■

Furthermore, as shown in the extract below, the Antimafia Commission also used the occasion of the meeting with the pool of judges to collect as much information as possible on Cosa Nostra’s influence over public procurement in the province of Palermo and western Sicily.

Lo scopo della nostra missione a Palermo è anche quello di avviare una nostra indagine, che potrebbe trasformarsi, in seguito, se sarà necessario, in una vera e propria inchiesta secondo i poteri che la legge ci consente, sulla questione degli appalti e di tutte le disposizioni legislative che li regolano, in provincia di Palermo. Vi chiediamo quindi un'informazione, ovviamente nei limiti consentiti dal segreto istruttorio, sulle inchieste giudiziarie in corso sugli appalti in questa provincia.

The purpose of our mission in Palermo is [...] to start our own investigation, which if necessary, may later turn into an official inquiry according to the powers that the law permits, on the issue of public contracts and the legislative provisions that regulate them in the province of Palermo. We therefore ask you for information, obviously within the limits allowed by the confidentiality of judicial investigations, on the ongoing investigations into public contracts in this province.

Drawing from an interview with judge Di Lello Finuoli, former member of the Antimafia Pool, this report also analyzes those critical sections of the minutes that shed new light on how Cosa Nostra captured bidding processes for public procurement in Palermo and thereby exploited the massive and lucrative construction boom that Sicily's largest city underwent from the 1950s to the early 1990s.

Far from being just an administrative parliamentary document destined to gather dust among other forgotten archived material, these minutes reveal information on a crucial period in the history of Cosa Nostra. And, notably, they help us reach a broader understanding of how organized crime groups and corrupt public officials infiltrate the legal economy, politics and society as a whole.

THE MATTARELLA MURDER MYSTERY

Although the mystery around the unsolved murder of Mattarella appears to deepen every January on the anniversary of his assassination, the publication of these minutes may help to bring us a little closer to the truth. The document reveals that in 1990 Falcone had suggested following an unusual path to solve the case, and this may provide one missing piece in the puzzle. From the minutes, it appears that Falcone believed that, for reasons explained below, Cosa Nostra had forged an alliance with neo-fascist terrorist groups in mainland Italy.

In February 1978, the Sicilian Parliament appointed Mattarella as Governor of Sicily. From the outset of his tenure, he embarked upon a series of reforms aimed at increasing transparency in public procurement, and plugging legislative and administrative loopholes that were being exploited by Cosa Nostra and fraudulent officials to win public-works contracts, such as construction.⁸ In this arduous task, Mattarella strived to ensure good governance and transparency around public works programmes. At the same time, he launched a personal campaign aimed at clearing the name of his political party, Democrazia Cristiana (Christian Democrats, DC), which had become tainted by its close association with Cosa Nostra.⁹

The president of the Regional Government of Sicily, Piersanti Mattarella (left), seen with the then president of the Italian Republic, Sandro Pertini.

*Photo: Vittoriano Rastelli/
Corbis via Getty Images*



Was the Democrazia Cristiana the party of Cosa Nostra?

According to Judge Di Lello Finuoli, between the 1960s and 1980s Cosa Nostra exerted enormous control over Sicilian economic and social life. To consolidate its criminal influence it relied on nurturing good relations with members of political parties.¹⁰ During that period, the mafia group had managed to forge connections that enabled it to steer political decisions taken at a national level. These included agreements and arrangements with local corrupt politicians, who leveraged the weight and political influence of the Sicilian electoral constituency (then around 3.5 to 4 million people) to strengthen their position within their parties. Although Cosa Nostra partnered with individuals across the whole political spectrum, it found in the Democrazia Cristiana its most prominent and amenable allies.

From when it was founded in the early 1940s until its dissolution in 1994, the DC was the biggest party in Sicily, with popular support in both rural and urban areas. The party was continually looking for consensus and, in Sicily, it was never too fastidious about its choice of allies and supporters, especially during the Cold War years, when its rival the Italian Communist Party was gaining widespread support among rural communities and the urban working class.¹¹

It was a marriage of convenience. Cosa Nostra's inexorable goal was to accumulate power and money, and to do so, it found a willing and abetting partner in the DC. While some of its shadowy senior members, such as Salvo Lima, mayor of Palermo from 1958 to 1963, and his successor, Vito Ciancimino (right), oiled the wheels for the mafia group, others resisted and reacted – Mattarella being one such figure.¹²



Mafia mayor: former Democrazia Cristiana politician and mayor of Palermo Vito Ciancimino (front) appears in court. Ciancimino was sentenced in 1992 for his association with the mafia. He died in 2002. Photo: Marka/Universal Images Group via Getty Images

Despite the cosy arrangement the group had with some members of the DC, it would be inaccurate to label the DC – or any other party in Italy, for that matter – as Cosa Nostra's party. Despite acquiring the support of some corrupt factions and collusive influential figures in the political sphere, no Sicilian crime syndicate has ever been able to infiltrate an entire political party, neither at national nor regional level, even at its zenith of power.¹³ As Di Lello Finuoli put it, 'Cosa Nostra has never taken orders from politicians, and politicians have never taken orders from Cosa Nostra: the alliance revolved around common interests, [...] and this is the most logical explanation of how organized crime and politics have interacted in Sicily.'¹⁴

In practice, this meant nullifying all public procurement contracts, such as building licences, that benefited Cosa Nostra, and passing a series of by-laws that imposed compliance on the regional government with construction industry procedural rules that were in force in the rest of Italy. Effectively, Mattarella made existing Cosa Nostra-linked building schemes illegal.¹⁵

Mattarella, a leader with integrity, embodied Sicily's anti-mafia renaissance, and his work gained him recognition and support worldwide.¹⁶ Closer to home, however, the admiration was not so unadulterated. By openly declaring economic war on organized crime in Sicily, Mattarella would make enemies and lose institutional support. In the end, it brought him a death sentence.¹⁷ Two years after his appointment, in January 1980, the Sicilian governor was shot dead while driving to church on a Sunday morning.¹⁸

Cosa Nostra and neo-fascist terrorism: an unusual alliance?

Forty years later, the motives for Mattarella's murder are still disputed, as is the identity of the assassins. The hypothesis that this was a typical hit ordered by Cosa Nostra has neither convinced investigators nor has it been confirmed by any former Cosa Nostra *pentito*¹⁹ in the four decades since.²⁰

As for Falcone, the minutes reveal that in 1990 he was of the view that the assassination had been ordered and approved by Cosa Nostra but carried out by killers who were not part of the group. The judge believed that the assassination had been carried out by Valerio Fioravanti and Gilberto Cavallini, terrorists belonging to the so-called *terrorismo nero* movement (see below) hired ad hoc for this specific type of homicide.

Both had been convicted for their role in the 1980 terrorist attack in Bologna.²¹ As shown in the extract of the minutes below, Falcone firmly believed that the two were also involved in Mattarella's assassination. His belief was gaining credibility because Cristiano Fioravanti, the brother of Valerio, was convinced there was a connection between the Bologna incidents and his brother's involvement in the Mattarella homicide.

di Cristiano Fioravanti, che era passato attraverso approssimazioni progressive da un convincimento che il fratello Valerio fosse coinvolto nell'omicidio Mattarella alla affermazione sicura, convinta perché diceva che era stato il fratello stesso a dirglielo. Cristiano Fioravanti ci diede anche la spiegazione: si era deciso a dire quelle cose perché suo fratello negava di essere l'autore della strage di Bologna e dell'omicidio Mattarella. Egli diceva: "Io so per sicuro, perché me lo ha detto lui, che ha partecipato all'omicidio Mattarella. Quindi, se ammette - a seguito delle mie accuse - di aver commesso l'omicidio Mattarella, è responsabile di aver commesso questo omicidio ma è estraneo alla strage di Bologna; se negherà ancora entrambi i crimini, vuol dire che è coinvolto in entrambi". Vi rendete conto dell'estrema

(...) we were at the point where an extremely unusual fact about Cristiano Fioravanti was emerging in all its painful reality. He had gone through a process of conjecture – from an initial vague belief that his brother Valerio might have been involved in the Mattarella murder to the point where he was fully convinced of it – because he said that it was his brother himself who told him. Cristiano Fioravanti also gave us the explanation: he had decided to say those things because his brother denied being

the perpetrator of the Bologna massacre and the Mattarella murder. He [Cristiano Fioravanti] said: 'I know for sure, because he told me, who took part in the Mattarella murder. Therefore, if he admits – after I accused him – to committing the Mattarella murder, he is responsible for having committed this murder but he had nothing to do with the Bologna massacre; if he still denies both crimes, it means that he is involved in both.'

Five years after this meeting, in 1995, the court of Palermo acquitted Fioravanti and Cavallini owing to lack of evidence that could definitively prove their connection to the Mattarella homicide. However, Falcone's intuition was still likely to be revelatory because, according to Judge Antonio Balsamo, 'different pieces of evidence were pointing at Mattarella's homicide as the outcome of something big that was going on in Sicily'.²² Irrespective of the identity of the killers, Falcone firmly believed that this was something more than a regular mafia-style homicide and that, although Cosa Nostra would undoubtedly have had a vested interest in eliminating Mattarella for his work in reforming public procurement, this motive alone seemed too unconvincing for the murder of such a high-level target.²³ Falcone's inkling was based on the understanding of Mattarella's murder as the outcome of what has been defined by experts on the crime and terror nexus as a marriage of convenience, i.e. a convergence of interests shared by various groups and movements collectively forming the so-called anti-state in Italy in the 1970s and 1980s. These included Cosa Nostra, deviant elements of national secret services and intelligence, freemasons and neo-fascist terrorists.²⁴ Specifically, Falcone argued that Mattarella's assassination belonged to a series of political homicides, which, according to Di Lello, had been 'orchestrated by different allies' from the underworld (i.e. Cosa Nostra) and upperworld (political elites), with freemasonry elements occupying a territory between the two. These murders were aimed at eliminating outspoken 'high profile anti-mafia and anti-fascist leaders'.²⁵

Terrorismo nero

The term '*terrorismo nero*' (literally, 'black terrorism', derived from the political colour of the National Fascist Party) is the label commonly given to an armed terrorist movement inspired by neo-fascism and linked to extreme right-wing political ideologies. Its genesis in mainland Italy can be traced back to the 1960s, when many radical and extra-parliamentary right-wing movements developed alongside the Movimento Sociale Italiano (Italian Social Movement), a party formed in 1946 by supporters of former dictator Benito Mussolini and which became the fourth largest party in Italy by the early 1960s.

The major objective of this terrorist group was to subvert the democratic order through acts of terrorism orchestrated with the complicity of shadowy public officials and members

of secret services and freemasonry, and carried out by neo-fascist terrorists or hitmen from organized crime groups.

With a modus operandi known in Italian as *strategia della tensione* (strategy of tension),²⁶ the members of *terrorismo nero* carried out a 'prearranged and well thought-out series of terrorist acts, aimed at creating a constant state of tension and widespread fear among the public' with the goal of subverting the republican order, and ultimately installing an anti-democratic and dictatorial regime.²⁷

Notable examples were the Piazza Fontana bombing in Milan in 1969, which killed 17 and wounded 88,²⁸ and the Bologna train station bomb attack in 1980, in which 85 people died and over 200 were wounded.²⁹ ■

In Sicily, this allied strategy saw Cosa Nostra in the lead role in carrying out the killings. For example, Michele Reina, secretary of the Christian Democratic Party was murdered by the group in 1979, and Pio La Torre, Sicilian leader of the Italian Communist Party, and prefect of Palermo, Carlo Alberto Dalla Chiesa, in 1982. Following Falcone's logic, in just four years (1979 to 1982) four of the most important pro-democratic and anti-mafia figures of the Sicilian ruling class were murdered by Cosa Nostra with the complicity of its allies.³⁰

A few months later, in March 1991, Falcone compiled an indictment in which accused Cosa Nostra bosses Riina, Provenzano and Greco of ordering such homicides.³¹ The trial started in February 1992 and, although Falcone was assassinated in May 1992, it led to the conviction of the bosses in April 1995.³²

In the extract below, Falcone argues that this hypothesis is by no means far-fetched.

In effetti, anch'io, come tanti altri colleghi della Procura e dell'Ufficio istruzione, sentivo il compianto consigliere Rocco Chinnici parlare di una sua particolare ipotesi di lavoro (che comunque non mi aveva mai esplicitato), secondo cui aveva compreso tutto ciò che stava accadendo. Devo dire che si trattava di un'ipotesi tutt'altro che peregrina. Si sarebbe trattato, cioè, di omicidi "eccellenti" che sono in un certo modo apparentemente scaglionati nel tempo, ma che in realtà si inseriscono in vicende di dinamiche anche interne alla mafia e che possono restringersi in un ben individuato arco di tempo che va dal 1978 (omicidio di Michele Reina)

(...) In fact, I too, like many other colleagues from the Public Prosecutor's Office and the Investigative Office, heard the late councillor Rocco Chinnici talking about a particular working hypothesis (which he had never explained to me in any case), according to which he interpreted everything that was happening. I must say that this was by no means some bizarre hypothesis. It involved 'high-profile' murders that are to a certain extent apparently staggered over time but in reality are all part of a dynamic set of events occurring within the mafia and over a well-identified period of time (...)

The point Falcone was making, captured here in the minutes, is that the existence of Cosa Nostra's links with extremist groups might appear 'bizarre' – but only to inattentive observers. In Rome, for instance, meetings between Cosa Nostra (represented by boss Pippo Calò, the group's 'ambassador' to the capital) and individuals connected to neo-fascist terrorist groups were commonplace in those years, proving that the Sicilians were negotiating with other Italian political entities across a wide spectrum, including at the extremes.³³

But why 'outsource' a homicide that Cosa Nostra could have commissioned from its own ready pool of killers? Although the recruitment of external hitmen may seem like an unusual practice, as shown in the extract below Falcone explained that that period in the history of Cosa Nostra, 1980 to 1981, was a particularly critical phase for the group's internal relationships and struggles for control. It was, in fact, a period of 'crisis' that eventually led to the so-called second mafia war,³⁴ which would unleash a series of killings of Cosa Nostra figures between 1981 and 1984, following which the Corleonesi clan stepped in triumphantly to assume the commanding role of Cosa Nostra.³⁵

sul terrorismo nero, le modalità dell'omicidio Mattarella sono sicuramente compatibili; sotto il profilo della compatibilità fra l'omicidio mafioso affidato a personaggi che non avrebbero dovuto avere collegamenti con la mafia, è emersa una realtà interessante e inquietante. Il 1980 ha rappresentato il momento più acuto di quella crisi che sarebbe poi sfociata nella guerra di mafia: da un lato vi erano Bontade e Inzerillo (Badalamenti era stato già buttato fuori da Cosa Nostra) mentre dall'altro vi erano i corleonesi. Un dato è

(...) in terms of the results emerging from the investigations into black terrorism, the methods of the Mattarella murder are certainly compatible; in terms of compatibility between the mafia murder entrusted to persons who should not have had connections with the mafia, an interesting and disturbing reality emerged. The year 1980 represented the most acute moment of that crisis that would later lead to the mafia war: on the one hand, there were Bontade and Inzerillo (Badalamenti had already been thrown out of Cosa Nostra), while on the other there were the Corleonesi.

The Corleonesi clan

The Corleonesi clan (who hail from the eponymous Sicilian town of Corleone) was led by Luciano Leggio, Totò Riina, Bernardo Provenzano and Leoluca Bagarella, Riina's brother-in-law. The clan was officially formed in the 1970s and expanded its area of influence into neighbouring villages and eventually Palermo, which had been controlled by the Badalamenti, Bontade, Greco and Inzerillo families.

In Cosa Nostra circles, the Corleonesi were notorious for their propensity for brutality, but were initially underestimated and dismissed as rural peasants by the bosses of the Palermo-based mafia families who, by contrast, enjoyed the patronage of Sicilian politicians and elements of local aristocracy.³⁶

These powerful mafia families overlooked the Corleonesi at their peril, however, because under Riina the Corleonesi launched the so-called second mafia war. In a nutshell, this series of killings within Cosa Nostra carried out in western Sicily between 1981 and 1983 resulted in around 1 000 victims and led to the almost total elimination of the Palermo-based clans. Following this, the Corleonesi, and specifically Totò Riina, took the helm of the Sicilian Cosa Nostra.

The Palermo-based families were wiped out. Stefano Bontade, head of the Bontade clan, was murdered in 1981 and while



Palermo, 1980s. Families of victims mourn the Cosa Nostra 'second mafia war'. Photo: Marka/Universal Images Group via Getty Images

the remaining families were forced to either submit to the Corleonesi or flee, others abandoned the Sicilian Cosa Nostra, such as the members of the Inzerillo family, who sought asylum with Sicilian-American mob-allied families after the murder of their boss, Salvatore Inzerillo.³⁷

The conflict led to the long-lasting domination of Cosa Nostra by the Corleonesi, a primacy that remained unchallenged until Riina's arrest and imprisonment in 1993.

Although Riina was detained in solitary confinement, he managed to retain considerable authority through proxies until the early 2010s.

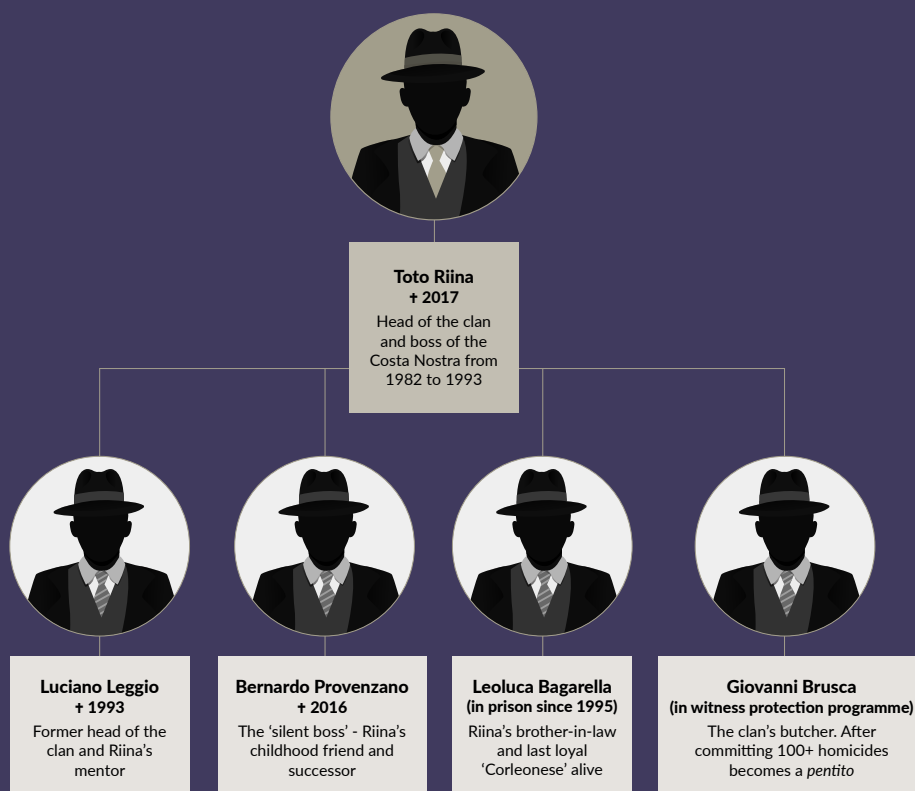


FIGURE 1 The Corleonesi clan in the early 1980s.

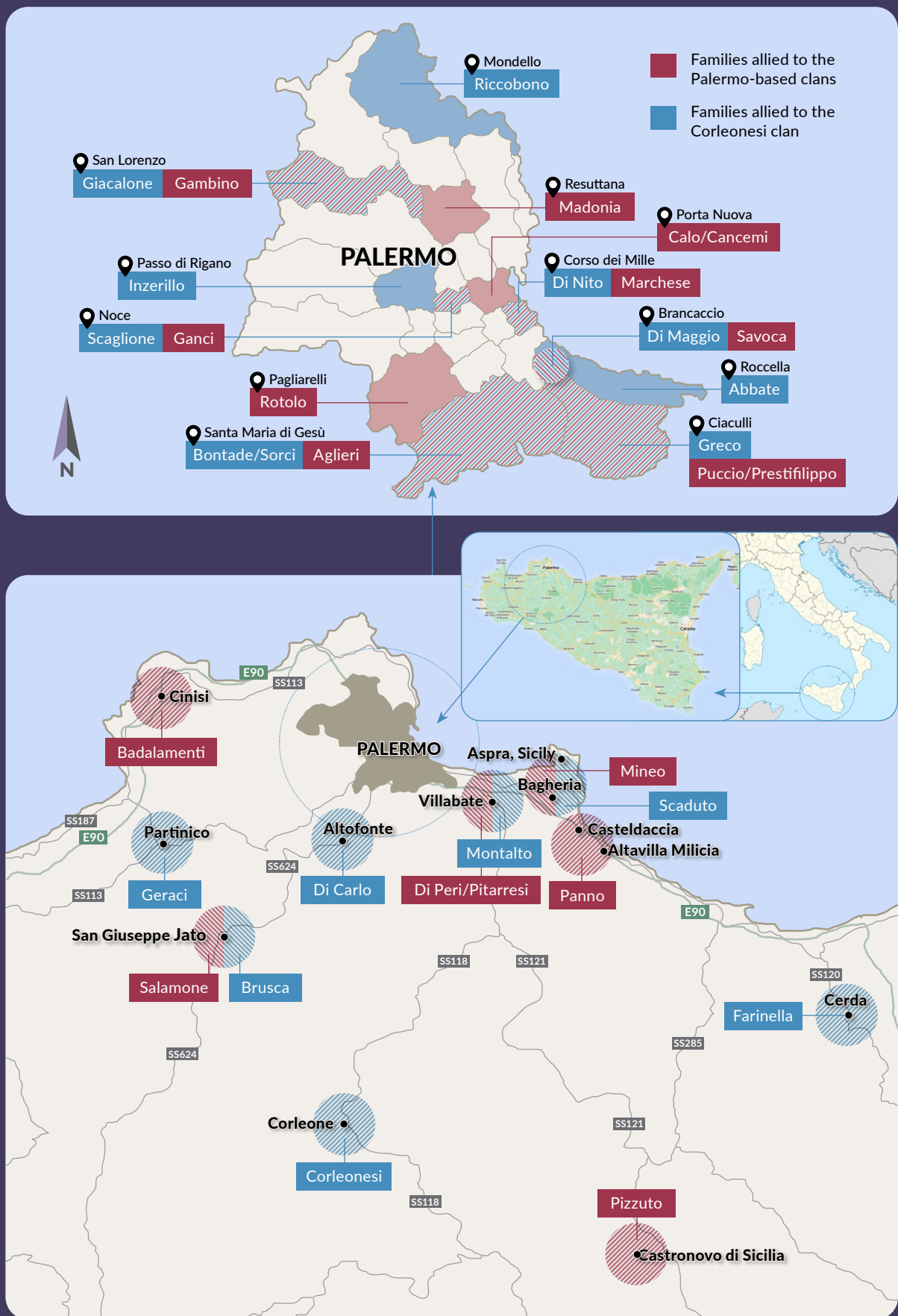


FIGURE 2 Above, metropolitan area of Palermo, below, western Sicily, showing territories controlled by Cosa Nostra clans participating in the second mafia war, 1980–1983.

During this unstable phase of transition within the organized crime enterprise, according to Falcone, Cosa Nostra's members of the *Cupola*, the group's leadership committee, agreed that Mattarella needed to be eliminated but could not unanimously decide on how such a strategically important killing should be carried out. According to a 2021 news report, 'everybody was afraid of making the first move', and it now seems that outsourcing the homicide was the only pragmatic solution.³⁸

La Cupola: Cosa Nostra's decision-making committee

Derived from the Italian term for a dome that crowns a building, the *Cupola* is a high-level committee-like body of leading Cosa Nostra members who periodically meet to decide on important issues, such as assassination targets and structural changes in the organization.³⁹ The *Cupola* is not a central government of Cosa Nostra, but a representative mechanism for consultation of independent families, who decide by consensus.⁴⁰

Starting from the bottom of the hierarchy, each family (or clan) controls a city district or town. A *capo mandamento* is a Cosa Nostra boss who controls (generally) three districts or towns and represents the respective families controlling the territory. At the provincial level, the representatives of three (or more) *mandamenti* constitute the provincial commission. Bosses of the provinces form the Regional Commission, or *Cupola*, which brings together representatives of the nine administrative provinces of Sicily.

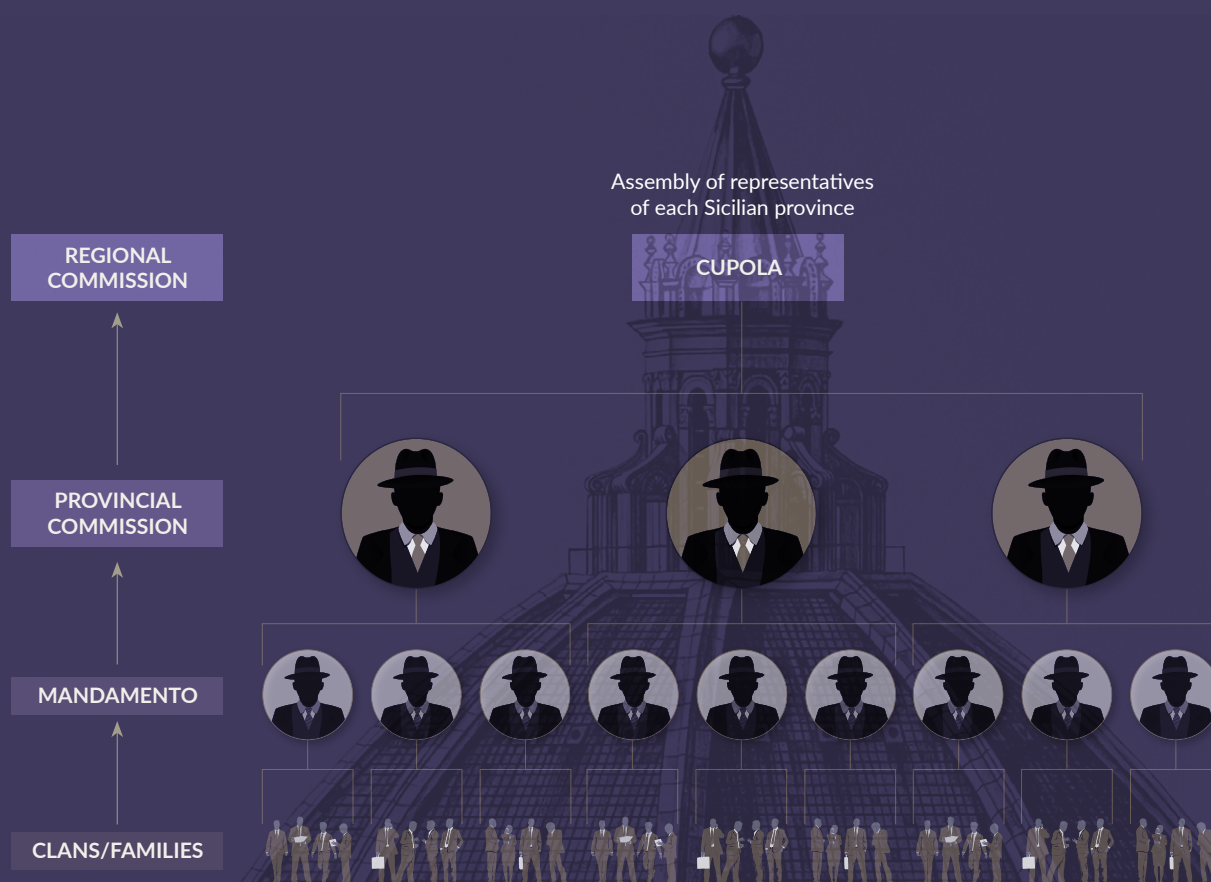


FIGURE 3 Organogram of Cosa Nostra in the 1970s and 1980s.

In other words, if any Cosa Nostra boss wanted to eliminate Mattarella, it was such a high-profile case that it needed authorization from above.⁴¹ Basically, no member of Cosa Nostra could have commissioned this crime to affiliated hitmen because, due to the internal power struggles of that period, this could not have been agreed upon by consensus within the *Cupola*, as would normally be the case, and could have caused a severe worsening of the already volatile conditions. Hence the need to rely on external sources not only to build and reinforce ties with the 'anti-state' alliance, but also to maintain as much secrecy around the agents of the assassination as possible to avoid public attention.⁴²

The approach appears to have worked. Forty-two years after Mattarella's murder, the case is still unsolved. According to Mattarella's grandson, in the 1980s it was inconceivable for most judges to harbour the notion that Cosa Nostra had established links with far-right extremists, especially in a period characterized by the belief that Cosa Nostra complied with some sort of code of honour, which encompassed, among other binding rules, the employment of hitmen belonging to the local criminal underworld.⁴³

The multiple investigations of recent years, however, have shed light on how Cosa Nostra's methods have changed over the years and today we have proof, according to Judge Balsamo, of numerous 'cooperative arrangements between mafia clans and terrorist organizations'.⁴⁴ History has proven that Falcone's theory was not only right, but also avant-garde for the time.



COSA NOSTRA AND PUBLIC PROCUREMENT IN WESTERN SICILY

The Mattarella case was not the only item on the agenda of the meeting in 1990. Falcone and the Antimafia Commission also discussed aspects of the relationship between organized crime, corruption and public procurement in Palermo.

Between the 1950s and 1980s, Cosa Nostra had its hand in every single public-works bid in Palermo, and Falcone believed that its control over the process was total, from awarding subcontracts to the realization of infrastructure through the employment of workers directly selected by the criminal syndicate and the selection of partners along the construction supply chain.⁴⁵

From a historical perspective, examining how Cosa Nostra infiltrated public procurement in Sicily in the second half of the 20th century is of great importance, as it provides a case study that helps experts and policymakers more broadly to assess how organized crime captures elements of the legal economy, to identify the inadequacies in norms and the existence of legislative gaps, and to protect the public from risks associated with low-quality construction and other services.

For decades, Cosa Nostra's infiltration of the construction supply chain meant a stable source of income. In the final phase of Palermo's construction boom in the late 1980s (known as the *Sacco di Palermo*, or the siege of Palermo), Cosa Nostra is estimated to have made a profit of some 30 billion Italian lire (equivalent to €15 million).⁴⁶

Sacco di Palermo

The Italian term for the historical construction boom that characterized the Sicilian capital from the 1950s to the late 1980s is one that aptly reflects a sense of destruction and conquest. The 'siege of Palermo' saw the demolition of numerous historical villas that gave Palermo its architectural grace until then, to make way for shoddily constructed high-density apartment blocks – projects awarded to Cosa Nostra and its affiliate companies.

After World War II – and a defeated Fascist Italy – migration from impoverished rural areas to Palermo swelled the city's population astronomically. This led to a 30-year-long unregulated and undercapitalized construction boom characterized by an aggressive involvement of Cosa Nostra members in real estate speculation.⁴⁷

According to experts, this phase reached its peak when DC member Salvo Lima was mayor of Palermo (1958–1963 and 1965–1968) and Vito Ciancimino the council member



An apartment block in Palermo. Photo: Getty Images/iStockphoto

for public procurement.⁴⁸ In less than a decade, the two civil servants approved around 4 200 building permits, most of which were granted to front companies run by Cosa Nostra; 2 500 were signed in the name of only three front men, who had never had experience in the construction sector until then.⁴⁹

The extract below shows Falcone's concerns about the existence of a highly influential nerve centre headquartered in western Sicily through which the mafia group was able to control and coordinate the whole construction process.

e complessa di quel che noi vorremmo, però, ormai è sicuro, c'è un vertice che dirige e coordina le assegnazioni e le esecuzioni, cioè tutta la materia. Anche in sede di aggiudicazione, non è necessario che si arrivi direttamente ad un coinvolgimento dell'ente che deve fare la gara; molto spesso è sufficiente un sistema tale per cui si organizzano le modalità della partecipazione e tutto ciò può prescindere, in una certa misura, da coinvolgimenti, connivenze o collusioni dei funzionari preposti alle gare.

(...) it is now certain that there is a head that directs and coordinates the assignments and project implementation of the whole [construction] process. Even in the award phase, it is not necessary to directly involve

the entity that has to make the tender: very often a system is sufficient for which the conditions of participation are organized, and all this can be separated, to a certain extent, from the involvement, connivance or collusion of the officials in charge of the tenders.

But how did Cosa Nostra manage to win the contracts? The group influenced the bidding processes in mainly three different ways, depending on the circumstances: firstly, by bribing public officials to obtain information on the first bid; secondly, by threatening competitors and forcing them to withdraw their offers, and, thirdly, by bribing members of the public committees in charge of the process. Once a contract was awarded, the contractor run by Cosa Nostra usually avoided meeting deadlines because in this way it could extend the schedule and raise material costs for extra profit.⁵⁰

During the meeting, Falcone emphasized how the fight against the influence that the Corleonesi clan (and Cosa Nostra in general) wielded over the authorities was at the very centre of national anti-organized-crime strategies. Nevertheless, the collective antimafia effort was stymied by the sophisticated and corrupt schemes that surrounded public procurement on the island, which would have been difficult for those not fully aware of 'the reality in Sicily' to untangle.

tà dei Costanzo. Se non si comprende la realtà siciliana e
di determinate zone del Meridione d'Italia, non si potranno
mai fare se non discorsi generici e fumosi.

If you do not understand the reality of Sicily and certain areas of southern Italy, you will never be able to do anything but make generic, nebulous speeches.

According to Falcone, it was a system that could not function without the collusion of the national bureaucratic apparatus and of representatives of local and national committees and institutions. In fact, although most of the contracts were awarded at the regional level, for public procurement projects involving national infrastructure, every contract would have needed to be approved at the national level, also because many public-private enterprises working in the construction industry were (and are) based in the north of the country.⁵¹ As Judge Di Lello Finuoli explained:

Contracts were rigged all over Italy, and not just in Sicily. Big infrastructure in the south of the country and in Sicily have always been planned in the north, and commissioned to large companies based in north. These have always come to operate in Sicily in full awareness of extortion schemes put in place by Cosa Nostra for supplies and services, private security and so on. With these rules, investing in Sicily was very convenient for them, and no one ever had the audacity go against this scheme. Those few who opposed it were brutally killed.⁵²

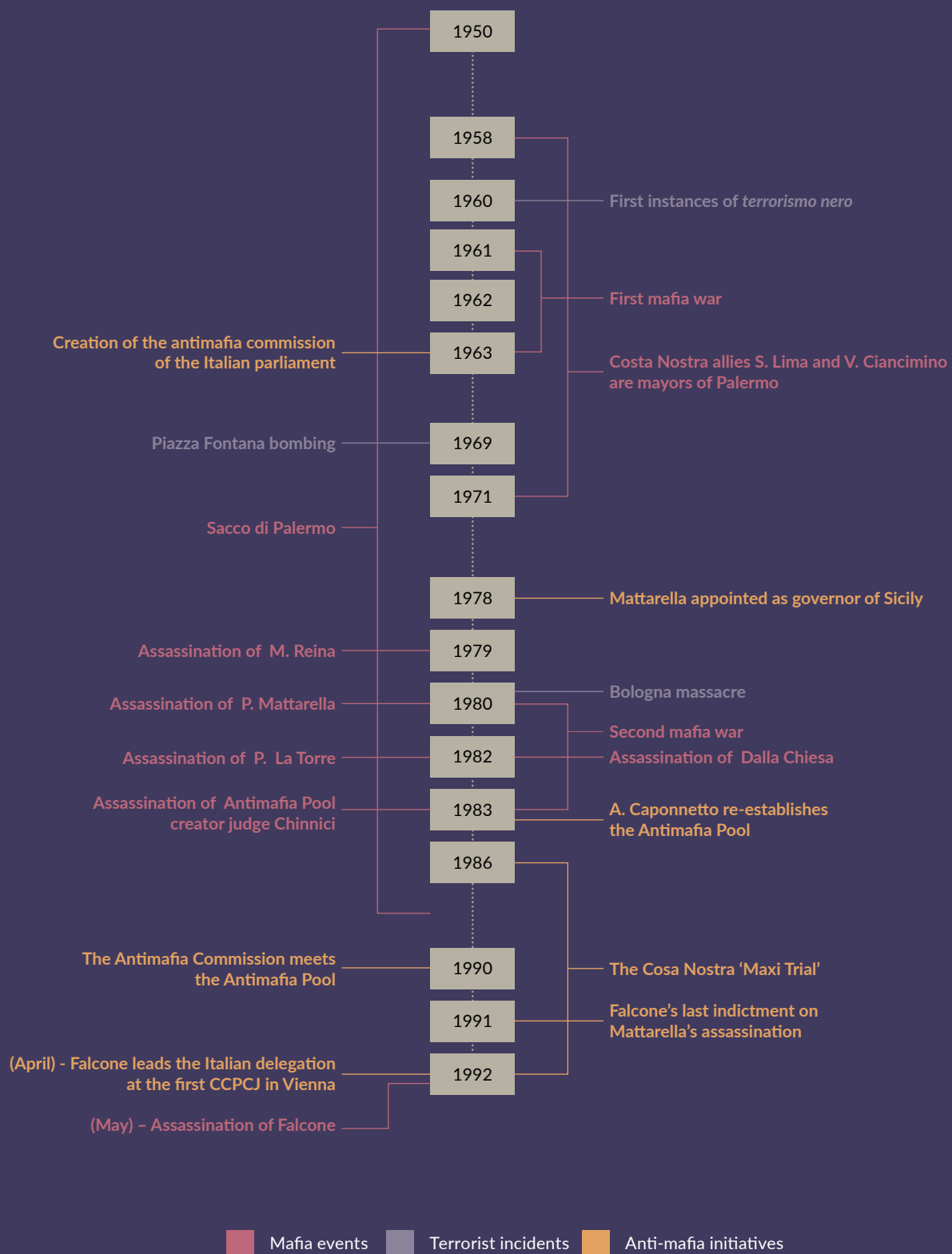


FIGURE 4 Timeline of key events: Cosa Nostra, terrorism and the antimafia enterprise, 1950-1992.



CONCLUSIONS: TOWARDS THE PALERMO CONVENTION

The GI-TOC Organized Crime Index 2021 shows how state actors are the most predominant facilitators of organized crime the world over – an experience brought into sharp relief by the minutes of this meeting during the height of criminal–state collaboration in western Sicily.⁵³ Sicily and Italy would eventually come to turn the tide against the mafia, thanks to the commitment of legal professionals and experts, such as Judge Giovanni Falcone and many others. Other countries now in the grip of organized crime have been less successful. The Index also shows how most countries today face high levels of criminality, and many lack the resilience needed to tackle organized criminal networks or withstand the corrosive effects of organized corruption.⁵⁴

The impacts of organized crime are manifold, but the experience of Sicily over the decades of mafia power show how the economy, society and the environment all suffer. And just as countries can learn from the homeland of the Cosa Nostra about why organized crime is damaging, they can also learn lessons about how the public, the judiciary and civil society can work together to show their country an alternative future.

The Antimafia Commission's decision to make the document analyzed here public constitutes a great step in itself, as the decision, prompted by civil society, proves that public institutions can improve transparency and access to information. The Antimafia Commission is a vital body in the fight against organized crime in Italy and its president's choice to reveal what was said in the 1990 meeting represents not only a valuable step towards reaching the truth, but also marks a precedent for similar initiatives. It is an example of best practice and of how civil society can play a central role in holding authorities accountable.

As regards the homicide of Piersanti Mattarella, some experts argue that the declassified information will not produce any significant result. The real secrets are not kept in the archives of Parliament but elsewhere, and who knows where. However, Falcone's lead is still relevant, and not only for the Italian context, as it sheds light on a typical scenario of convergence of interests between organized criminal networks, politico-terrorist groups and deviant factions within the state. The minutes show us how the judiciary can play a key role in anti-organized-crime efforts, not only through legal processes, but also as part of multi-stakeholder advocacy. In this sense, Falcone, and other members of the judiciary like him, not only played a judicial but also an activist role in society, sometimes at their own grave risk.



Judge Giovanni Falcone leaving the Court of Palermo with police security, 16 May 1985. Falcone was killed by the Mafia in 1992. Photo: Vittoriano Rastelli/Corbis via Getty Images

From an international perspective, the work done by the Antimafia pool was pioneering. During the 1980s, Falcone had been forming links with the US justice system with a view to helping with cross-border investigations into the increasing threats posed by transnational organized crime.⁵⁵ The multilateral system was also beginning to respond, and the idea of a new convention on transnational organized crime was taking shape, strongly promoted by the Sicilian judges of the Antimafia pool. Two years after that Parliamentary Commission meeting, in April 1992, Falcone led the Italian delegation at the first ever UN Commission on Crime Prevention and Criminal Justice in Vienna, established as the entity that succeeded the Committee on Crime Prevention and Control in that year.⁵⁶ The following month, he was murdered by Cosa Nostra in his home city of Palermo, becoming another victim in the mafia's campaign of terror against those who challenged their power. What the Cosa Nostra had not realized at the time was that this assassination would, in part, lead to the adoption of the 2000 UN Convention Against Transnational Organized Crime, the first international instrument formulated to fight organized crime.

The Sicilian antimafia initiative, some details and segments of which can be read in these minutes, has therefore left a clear and indelible imprint on this first global treaty on organized crime, which is now almost universally adopted by UN member states and which takes its name from the city where it was negotiated and signed – the Palermo Convention.⁵⁷

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