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Giovanni Falcone's Investigation into the Sicilian Mafia

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The Ethnologist and the Magistrate
Giovanni Falcone’s Investigation into the Sicilian Mafia

Deborah Puccio-Den
LIER

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<tr>
<th>ABSTRACT</th>
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<tbody>
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<td>The social and professional experience of Giovanni Falcone, the examining magistrate in the most dramatic legal proceedings ever brought against the Mafia, leads to an examination of the relationship between judicial and ethnographic investigations, for it is thanks to the Maxiprocesso pretrial investigation (1986) that an abundance of information on Cosa Nostra, its way of operating, its internal rules, and its code of honor is now accessible. While the reconstruction of truth by way of clues, in a world protected by omertà, invites comparison between the examining magistrates’ investigative techniques and the epistemological model that has underpinned the social sciences since the nineteenth century, the use of informants belonging to the Mafia underworld – the pentiti – establishes an even more direct parallel with ethnographic methods.</td>
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Keywords: Mafia, epistemology, legal investigation, Falcone, Sicily

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The Mafia? What is the Mafia?
Something you eat?
Mimmo Piromalli

The Mafia? Is it a brand of cheese?
Tell me what it is, because I have no idea!
Gerlando Alberti

“Investigating the Mafia is like crossing a minefield,” said Giovanni Falcone in an interview with Marcelle Padovani. Sadly prophetic words from a magistrate who was killed by the Mafia in a bombing that destroyed a piece of highway between Palermo and the Punta Raisi airport on May 23, 1992. Giovanni Falcone was born in Palermo in 1939 into a conservative bourgeois family. He passed the entrance exam for the Italian magistrature in 1964, and was first appointed judge at the Lentini district court in south Catania, before beginning a stretch as prosecuting attorney in Trapani in 1967. In 1979, he was appointed examining magistrate at the Court of Palermo, where he put together the most dramatic proceedings ever brought against the Mafia, the Maxiprocesso, or Maxi Trial. An unprecedented legal enterprise, this trial was based on a theoretical formulation of Cosa Nostra as a unified organization rather than a series of more or less interrelated groups. In the 1980s, after more than a century of silence – of omertà – a new image of the Mafia finally came to dominate, that of a masculine, initiatory secret society characterized by a strict pyramid structure. The Act of September 29, 1982, promulgated in response to the murder of General Alberto Dalla Chiesa, formalized the existence of a “Mafia-type criminal organization” whose members were punishable simply for belonging to it, rather than for having committed a specific crime. It was under this Act that, in 1986, after a three – year, 8,607 – page investigation, the Court of Palermo indicted 707 individuals. The crimes for which they were charged, perpetrated as part of a strategic operational plan in the interests of the organization, confirmed the unitary conception of Cosa Nostra also adopted by the judges following the confessions of pentiti (informants) Tommaso Buscetta and Salvatore Contorno.

This “minefield,” beyond being a metaphor-turned-tragic experience for the magistrate who had dedicated his life to investigating the Mafia,
is a particularly revealing case for studying the similarities between ethnographic and legal investigation. It is thanks to the work of examining magistrates that it is now possible to access an abundance of information on Cosa Nostra, its way of operating, its internal rules, and its code of honor. While the reconstruction of truth by way of clues, essential in dealing with a world protected by omertà, invites comparison between the examining magistrates’ investigative techniques and the epistemological model which, as this article will show, has underpinned the social sciences since the nineteenth century, the use of informants belonging to the Mafia underworld, the pentiti, establishes an even more direct parallel with ethnographic methods.

An analysis of the process of cultural and social construction that established the legal principle of the Mafia as a criminal organization cannot be dissociated from the study of the historical conditions that produced a change in the Mafia’s image. Originally seen as the possessors of the most authentic “Sicilian-ness,” the Mafiosi became the “enemies of Sicily,” figures of a social otherness that ethnologists observe and judges punish. During the interviews magistrate Falcone granted to Marcelle Padovani, he went back over the first years of his career and the “historical” limits his work came up against at the time: “In the atmosphere of that period I also breathed in an ‘institutional’ culture that denied the very existence of the Mafia and rejected anything that referred to it” (Falcone 1997, 39). Until the early 1970s, anyone who spoke of the Mafia as a criminal organization was reduced to silence. On September 16, 1970, Mauro de Mauro, a Palermitan journalist who regularly published the findings of his anti-Mafia investigations in the communist newspaper L’Ora, mysteriously disappeared. In 1971, chief public prosecutor Pietro Scaglione was assassinated. Despite an increasing number of assassination attempts and murders, the theory of the Mafia expounded by folklorist Giuseppe Pitré (1841-1916) continued to prevail. This view can be summed up in a few axioms: the Mafia is neither a sect nor an organization; it has neither rules nor statutes; a Mafioso is neither a thief nor a criminal; the criminal Mafia is not the Mafia but criminality, and criminality should not be confused with the Mafia, as the latter is simply a way of being, feeling, or behaving, a psychological attitude or temperament linked to “Sicilian-ness” (Renda 1997, 168, 184).

In order to understand the real significance of this theoretical stance, it must be resituated in the historical context that produced it. This means looking back to the political debate ignited by the murder of Notarbartolo that raged from 1893 to 1904. The conviction of Palermo politician Salvatore Palizzolo to thirty years’ imprisonment for the murder of Leopoldo Notarbartolo, director of the Banco di Sicilia, raised an outcry. As evidenced by the press of the time, this was not only an indictment of the Palermo Mafia, but also of the Crispi’s and di Rudini’s Sicilian policy. The Notarbartolo affair turned into a “trial of Sicily and of Sicilians” (Renda 1997, 159). For Pitré therefore, to defend Palizzolo was to protect Sicilian culture from attack by “Northerners” who, by identifying Mafia with society, were criminalizing the entire island. The dismissal of the case against Palizzolo in a new trial instituted in Florence in 1904 served to trivialize the real scale of Mafia activity, reducing it to a cultural or even “folk” phenomenon. Twenty years later, in 1925, the most important Sicilian politician, prime minister Vittorio Emanuele Orlando, stated in a public speech that “if by Mafia they mean having an exaggerated sense of honor, if they mean being furiously intolerant of bullying and injustice, and showing the generosity of spirit needed to stand up to the strong and be understanding toward the weak; if they mean having a loyalty to your friends that is stronger than anything, stronger even than death; if by Mafia we mean feelings like these, attitudes like these – even though they may sometimes be exaggerated – then I say to you that what they are talking about are the distinguishing traits of the Sicilian soul. And so I declare myself a Mafioso and I am proud to be one!” (Renda 1997, 26).

Of course, this declaration of Sicilian pride must also be resituated in its political context, with a ruling class torn between public safety issues and the determination not to give in to the repressive temptations of fascism. The fact remains that this ruling class was so heavily implicated in the local system that it seemed incapable of perceiving its discrepancies. So Orlando, who was reiterating the old distinction between a “bad,” criminal Mafia, and a “good” Mafia, the very expression of the sentiments of honor and loyalty, was content simply to pass off the Mafia as a regional culture gone astray, centered on individualism (Renda 1997, 212, 228). Leonardo Sciascia’s position was not much different. In writings halfway between literary fiction and essays, the most well-known Sicilian author suggested that the Mafia, a phenomenon intimately linked to the governing power, is the product

*Ethnologie française, XXXI, 2001, 1*
of a general state of corruption. Consequently, he did not believe that Cosa Nostra could really be extracted from Sicilian society, identified, examined, and judged; hence the strong opposition between him and the anti-Mafia front when the Maxi Trial began. (Renda 1997, 248, 304-305)

The ethnographer, the politician, and the writer have one key point in common: they all consider the Mafia to be a behavior and not a structured, unitary organization. The argument defended at the Maxi Trial, “that the Mafia exists, that one enters it by swearing an oath, that as part of this ritual the new member declares his willingness to pursue the organization’s ends and to submit to a series of behavioral rules of which the most fundamental are absolute obedience to the bosses, secrecy, and omertà,” is the legal conceptualization of a “truth” reconstructed through the *pentitis’* confessions. Before getting to the heart of the historical and social process that led to Cosa Nostra’s disclosure, it is worth outlining other examples of views brought up to date through “detective” methods.

### The Ethnographer and the Inquisitor

Marcel Griaule likens the heuristic processes of ethnography to the course of a pretrial investigation. In *Méthode de l’ethnographie* (1957), he associates ethnographic investigation with a legal cross-examination. Just as the investigating magistrate gathers evidence and compares the different versions of the facts reported by witnesses in order to discover the truth, the ethnographer checks what he is told by the indigenous people—who have been subject to a close interrogation on their culture—using all the information available to him and, by confronting the informants with the divergent versions obtained in other interviews, tries to press them into stating truths that they did not intend to reveal (Griaule 1957, 51, 60). These disconcerting and provocative assertions have the merit of exposing, albeit not denouncing, the violence inherent in ethnographic practices, a violence that is irreducible within a power relationship. Griaule saw fieldwork as the continuation of a long tradition of adventure and exploration. Indeed, his Dakar-Djibouti mission, which crossed Africa in twenty-one months, was an enterprise both of knowledge discovery and of “colonization” (Clifford 1996, 61). This ethnographer’s aggressive attitude takes us back to the forms of protoethnography implemented in a context of colonization and cultural domination.

We have the conquistadores to thank for our abundant literature on the beliefs and customs of the New Worlds. These were carefully recorded as part of the Spaniards’ repressive strategy to eradicate these practices. The seventeenth-century Mexican extirpators left us “dates, places, portraits of the culprits, narratives of their existence, and detailed descriptions of their practices” to substantiate their accusations and interpretations (Bernand and Gruzinski 1988, 148).

Similar attention to detail characterized the observation of Andean idolatry. In the Cajatambo region of Peru, “repentant” caciques and sorcerers were used to trace the genealogy of the period’s “pagan” ministers. In Mexico, once again, the “art of confession” was employed to force those who refused to talk to give up the names of their accomplices. The “hunters of idolatry” used all the tricks of the trade to make natives reveal what they were hiding. They pretended to know more than they knew. They played on any contradictions to confuse the “guilty” (Bernand and Gruzinski 1988, 150, 171).

As one can see, the acquisition of knowledge in this case is intrinsically linked to the exercise of power. Observation of the customs and practices of New Spain was in fact motivated by the goal of dominating the recently conquered peoples. Although the urge to identify “idolatries” cannot be dissociated from a thirst for knowledge, the extirpators’ efforts to gather knowledge were aimed at setting up and legitimating the massive repression of the indigenous populations. This undertaking of political and cultural uniformization had begun in Europe two centuries earlier. In the fourteenth century, Jacques Fournier, bishop of Pamiers from 1317 to 1326, scrupulously interrogated the peasants of the county of Foix and of Haute Ariège in order to track down any Cathar heresy among them, or any form of deviation from the official Catholic norm (Le Roy Ladurie 1975, 10). At the time, legal procedures and interrogations led to the implication and harassment of 114 people. Yet today, the volumes in which they are collected, now at the disposal of historians, reveal an attitude somewhere between detective interest and ethnographic curiosity that goes largely beyond the strict bounds of inquisitorial prosecutions against heterodox tendencies. The inquisitor was obsessed with detail and shed light on the very life of the “guilty” village, quite apart
from any deviance, and provided Emmanuel Le Roy Ladurie with the material for the most famous of his village monographs.

Similarly, Carlo Ginzburg reconstructed the “mentality,” “religious behaviors,” and “popular beliefs” linked with witchcraft in the rural society of Friuli using the records of trials against the benandanti, custodians of a fertility cult present in this northeastern Italian region where Germanic and Slavic traditions met (1966, VII). In a book that became a classic of Italian historiography, Ginzburg strives to show how, between the late sixteenth and mid-seventeenth centuries, a metamorphosis was enacted, turning these “defenders of the harvest” into “witches” and transforming their “nightly battles,” which aimed to secure the fertility of the fields, into a diabolical Sabbath. The Spanish colonizers imprisoned the cultures they came across in the Americas inside a series of religious categories centered on the notion of idolatry, in a legacy of both ancient paganism and medieval scholasticism (Bernand and Gruzinski 1988, 6). In the same way, the judges of the trials studied by Ginzburg tirelessly superposed their interpretive scheme of witchcraft (pacts with the devil, Sabbath, desecration of the sacraments, etc.), developed by the work of theologians and inquisitors over the period from the mid-twelfth century to the mid-thirteenth century, over the beliefs and “superstitions” glimpsed during their interrogations. Under pressure from the investigators, which ranged from a more or less violent interrogation to torture, the accused ended up admitting the judges’ version. However, the benandanti’s resistance to being defined as witches — resistance that records the records of the early trials still allowed to surface — bring a level of genuinely popular beliefs within reach.

Other archival documents that Ginzburg studied indicate an increase in inquisitorial trials in the diocese of Modena between the late fifteenth and mid-sixteenth centuries. The feverish activity of the Modenese inquisition is related to the presence of fra’ Bartolomeo of Pisa, who was as meticulous as the bishop of Pamiers and led all witchcraft trials personally. The accounts of the accused provided the monk with precious material for developing his treaties of demonology, revealing a link between the practice of repression, theoretical reflection, and doctrinal elaboration. Once again, the historian notes the aggressive technique of the interrogations. The judge would skillfully lead the defendant on a predetermined path, implicitly suggesting the answers to be given, and striving finally to make the confession of the accused coincide with a truth he already possessed. There was nothing for the defendant to do but meekly give him or herself up, ask for forgiveness, “repent,” and accept the penance imposed by the inquisitor (Ginzburg 1986, 3-28).

When Ginzburg switched his focus to the contemporary era, it was the trials against terrorism that interested him, as he detected in them the same mechanisms that can be seen in the trials of the Inquisition. Reexamining the records of proceedings instituted against Adriano Sofri, the historian likens the attitude of the president of the court to that of the inquisitors who used their power to persuade witnesses to share their point of view (Ginzburg 1991, 94). Admittedly, the examining magistrate claims to have been guided in his investigation by a “specific purpose,” “a problem to solve,” and “a working hypothesis to test” (Ginzburg 1991, 31). Yet any research aiming to establish a truth must question the quality of the hypotheses used and, if the facts contradict them, the hypotheses must be modified or abandoned. In this case however, instead of comparing the pentito’s confession with the objective data available, the investigation turned Leonardo Marino’s word as an authoritative source with which to assess or even dismiss the versions given by eyewitnesses (Ginzburg 1991, 21).

In looking at the Sofri trial, Ginzburg intended to explore the intricate and ambiguous connections between the profession of judge and that of historian. He wanted to establish a comparison between the systems of validation specific to the legal world and those employed in the study of history. Like legal argument, historical analysis uses clues and traces to build evidence and establish a truth. More generally, Carlo Ginzburg calls the epistemological model on which the social sciences have been based since the nineteenth century an “evidential paradigm.” I will now turn to an analysis of this model.

The Evidential Paradigm

In his essay “Spie. Radici di un paradigma indiziario,” Carlo Ginzburg uses the “Morellian method,” a system for attributing old paintings, as a basis for illustrating an epistemological model that combines medical symptomatology, physiognomy, jurisprudence, the detective novel, and artwork identification skills. Giovanni Morelli maintained that in order to identify
a painting’s true creator, an examination should not be based, as is customary, on the most visible characteristics, but rather on the most negligible details: earlobes, nails, the shape of fingers and toes, and so on: “Any art gallery studied by Morelli begins to resemble a rogue’s gallery,” wrote Edgar Wind. Enrico Castelnuovo likens Morelli’s presumptive method to the one ascribed to Sherlock Holmes by his creator, Conan Doyle, in about the same period. The art connoisseur resembles the detective who discovers the perpetrator of a crime (or of a painting) on the basis of clues that, to most people, are almost imperceptible. Examples of Holmes’s shrewdness in the interpretation of clues abound (Ginzburg 1986, 160).

Ginzburg draws a parallel between the ability to trace experimental data of a seemingly trivial nature back to a complex reality that cannot be directly experienced, and the knowledge of a hunter, who constructs the shape and movements of invisible prey from tracks left in the mud, broken tree branches, feathers clinging to bushes, and clumps of fur and droppings left on the ground. “Deciphering” and “reading” animal tracks are metaphors that refer to the inaugural act of writing’s invention (Ginzburg 1986, 166–167). Chinese tradition ascribes this to a senior civil servant who observed the tracks of a bird imprinted on a riverbank.9 Umberto Eco classifies “tracks” (in the sense intended by hunters), “symptoms” (in a medical sense), and “clues” (for example, objects left by a murderer at the scene of the crime) under the heading of “recognition” (1988, cited by Caisson 1995, 120). The model of medical semiotics—a discipline that enables the diagnosis of diseases inaccessible to direct observation on the basis of symptoms imperceptible to the layman—can also be glimpsed in the evidential paradigm. Indeed, the epistemological model that became dominant in the social sciences in the 1870s is itself centered on semiotics (Ginzburg 1986, 165).

Can ethnology be counted among the sciences that use this model? Claude Lévi-Strauss highlighted the importance of the seemingly most insignificant detail in the work of Marcel Mauss, who advised his students never to neglect anything and even, or perhaps especially, to focus on what appears to be rubbish, waste, or “leftovers.” Did not Lévi-Strauss define the discipline of ethnology itself as a “science whose object is made up of things that academics in other social sciences have let slip off their tables?” It is with these leftovers that ethnology “cobbles together” its meaningful world. The debris of other views, when reassembled in a different order, reveals to the ethnologist a meaning that was originally hidden (Caisson 1995, 115–116). There is a clear affinity between the art of interpreting signs and the hermeneutic process of ethnology. The bricolage ("cobbling together") that Lévi-Strauss speaks of in La Pensée sauvage (The Savage Mind) is also the translation of one cultural system to another. “What I mean by the term pensée sauvage is the system of postulates and axioms required to establish a code which allows the least unfaithful translation possible of ‘the other’s’ into ‘ours’ and vice versa,” he explained in an answer to Paul Ricœur (1963, quoted by Caisson 1995, 116). Ethnologists use indigenous informants or “translators,” whose role as mediators between one culture and the other is comparable to that of witnesses or informants used by the justice system, seen as snitches and “spies” by the group to which they belong. Having recourse to these intermediaries is all the more important in certain “minefields” where participant observation is particularly difficult or practically impossible. This justifies the parallel made between methods of building epistemological knowledge and the investigation techniques of magistrate Giovanni Falcone, which are based, on the one hand, on the word of informants (and, more specifically, on the confessions of Tommaso Buscetta) and, on the other hand, on the meticulous interpretation of clues.

**The Falcone Method**

Morelli had completed his medical studies. Conan Doyle was a doctor before dedicating himself to literature. It is also interesting to note in passing that the Holmes–Watson partnership—the sharp-witted detective and the narrow-minded doctor—is the dual personality of a real character.9 For his part, Giovanni Falcone hesitated between a legal and a medical career before the law eventually won him over. While the magistrate used medical language to characterize his profession, speaking of the “diagnosis” of criminal acts subject to his “examination” (Falcone 1997, 119), it was the “Morellian method” that proved essential in his processes of verification, not so much for identifying the perpetrator of the crime as for authenticating the picture painted by his witness. “In the early 1980s, he sent an official from the Guardia di Finanza to São Paulo in Brazil to check if, in a certain

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Ethnologie française, XXXI, 2001, 1
place, he could see the iron bench opposite a joiner’s workshop that Tommaso Buscetta had spoken of in his confessions. Not for the love of incidental detail, but to assure himself of the credibility of the famous ‘pentito’s’ testimony as a whole” (Falcone 1997, 5-6). Like an ethnologist, the magistrate could not overlook a single detail, especially as “in the world of Cosa Nostra, every detail has a precise meaning, and is related to another detail in a logical pattern” (Falcone 1997, 16-17). When it comes to unlocking the secrets of a society whose sense of belonging is based on the law of silence, an investigation can only begin with the interpretation of signs.

The first investigation into the Mafia led by Falcone was the Spatola investigation. “Contained in the Spatola trial documents was a complex reality to decipher,” he said a few years later (Stille 1995, 33). Although the reality was opaque, there were certainly clues with which it could be elucidated. Defying the official theory that claimed that the impossibility of breaking the barrier of omertà, no investigation into Cosa Nostra could succeed, Falcone endeavored to reconstruct a dense network of connivance between the Sicilian “families” and the Gambino family of New York, using minute clues such as bank statements, airplane tickets, photographs, and fingerprints. Banking investigations, which follow money’s path via traces left by checks and account transfers in banks all around the world, are one of this examining magistrate’s greatest inventions. Another technique used by Falcone to track down the perpetrators of a murder was the examination of weapons. In a society where the obligation to secrecy forbids both talking and writing, a weapon left at the crime scene serves as a signature. That is why Mafiosi prefer lupara bianca – the victim disappears completely, having been strangled and dissolved in an acid bath to eliminate all traces – unless they want to sign a murder and, in an interplay of signs specific to the Mafia world, gain the reputation that results from an act of violence perpetrated against an influential figure. The method of execution, meanwhile, can indicate the motive of a murder. “Singer Pino Marchese was found with his genitals in his mouth: he had had an affair with the wife of a man of honor. Pietro Inzerrillo was discovered in New York, in the boot of a car, with banknotes stuffed in his mouth and around his genitals. Message: you swiped too much money and look where it got you!” (Falcone 1997, 27-28). Such messages, which are also warnings, reestablish the unwritten rules that apply within the Mafia world and the morality these rules underpin.

“Everything is a message, everything is full of meaning in the world of Cosa Nostra,” said Giovanni Falcone (Falcone 1997, 51). Yet to interpret these messages, a code is needed: “Our work as magistrates also includes mastering a key for interpreting signs. For me, a Palermitan, this is only natural” (Falcone 1997, 51). For any ethnologist entering a foreign society, learning the language in its broadest sense is a necessary experience; the Palermitan magistrate took this for granted. To be able to understand a culture that is nothing less than “a heightened attachment to typically Sicilian values and behaviors” (Falcone 1997, 61) one must have “breathed the air of the Mafia with every breath” (Falcone 1997, 68). The fact that the magistrate lived in the same world as the men of honor created the conditions for a hitherto impossible level of communication. “I collaborated with Falcone because he is a man of honor,” Calderone told the newspapers (Falcone 1997, 17). “Why did these men of honor trust me? ... I was born in the same neighborhood as many of them. I know the Sicilian spirit well. I can understand much more from an inflexion in the voice or a wink of the eye than from a long statement” (Falcone 1997, 17). “Every so often during the interrogation of Michele Greco, a Palermo Mafia boss, we would say to each other, ‘Look me in the eye!’ because we both knew the importance of the look that goes with a certain kind of statement” (Falcone 1997, 16). The magistrate went on to list the blunders committed by the magistrates who had gone before him and had failed to break the wall of silence behind which the Mafia hid. In this way, in July 1984, Tommaso Buscetta began to collaborate. “Your Honor, to answer such a question even the entire night would not be enough time.’ I turned to the Italian magistrate who had accompanied me and said, ‘I am sure that this man is going to collaborate with us.’ What he had just said to me was, in fact, a clear signal of peace and openness” (Falcone 1997, 51).

■ On Initiation

There were two phases to Falcone’s investigation: before and after Buscetta. “Before him, I had – we had – only a superficial idea of Mafia activity. With him we
began to look inside” (Falcone 1997, 40). Similarly, the involvement of Dogon Ogotemmêli was a watershed in Marcel Griaule’s research, first because it provided “the opportunity to completely renew the perspective of his investigation” (Griaule 1966, 7), and second because, by implicitly acknowledging the authority of his informants, it marked a change in the epistemological foundation of his research (Clifford 1996, 87). In October 1946, the blind old hunter called for Marcel Griaule, to whom he wished to reveal the Dogons’ thought, a vast philosophical construction with strictly limited access. Although to begin with the native was in the position of the “patient,” the “accused,” or the “candidate” patiently answering the questions of the “doctor,” the “magistrate,” or the “examiner” (Griaule 1952, 542), as the ethnologist’s knowledge of the Dogons grew, the informant took on an increasingly active role, not only in the transmission but also in the interpretation of his own culture (Rodeghiero 1998, 32). What, more specifically, was Tommaso Buscetta’s contribution to the Maxi Trial investigation? “He gave us an essential key for interpretation, a language, a code. For us, he was like a language teacher who makes it possible for you to go to Turkey without needing to speak with gestures…. Other pentiti have perhaps had greater importance than Buscetta in terms of the content of their revelations. But he was the only one who taught us a method… This method can be summed up in a few concepts: we must resign ourselves to conducting very large investigations, to gathering as much more or less relevant information as possible, …so that once we have all the pieces of the puzzle, we can develop a strategy” (Falcone 1997, 41–42).

In order for their full revelatory power to be unleashed, the legal files that had until then been fragmented by province had to be assembled as part of a single investigation into the Mafia in Sicily. Giovanni Falcone considered teamwork an effective means of addressing Mafia crime and the key to producing a fully documented dossier on a multitude of cases. Consequently, following the assassination of Examining Office head Rocco Chinnici in the fall of 1983, Falcone joined the group formed by Antonino Caponnetto: the Antimafia Pool. The island’s crimes – all controlled if not executed by Cosa Nostra – were connected by imperceptible links. The meaning of one event could be clarified using information gathered on another. As the investigation deepened, a network emerged, a structure took shape, and, from one relationship to the next, the “unified nature of Cosa Nostra” became clear. This was the “Buscetta theorem.” By reconstructing the culture “from the inside,” which is the aspiration of any ethnologist, the judge was able to organize the data already collected into a coherent system. The pentito’s collaboration allowed the investigator to make a qualitative leap forward. Falcone crossed the same threshold as the one that separates the ethnographer, or the patient collector of material, from the ethnologist, or the researcher who develops theories and methods that serve to apprehend, organize, and interpret. Ogotemmêli’s contribution to Griaule’s investigation was no less important. “Here too, a comprehensive set of myths provided the key to institutions and customs, and there were many clues to suggest that under the varied appearance of their rites and behavior, the diverse black populations of these regions hid the outline of a single religion, of a shared way of thinking about the organization of people and the world” (Griaule 1996, 219).

Yet Marcel Griaule was criticized for the excessive trust he showed toward his preferred translators and informants. One may wonder to what extent Ogotemmêli’s interpretation directed the course of Griaule’s research and to what extent the chosen interlocutor was representative of his culture (Clifford 1996, 50–51). The same reservations were voiced with regard to Falcone’s investigative work, seen as too dependent on the subjective, self-interested viewpoint of an ex-Mafioso who was using the state apparatus to pursue a personal vendetta. In fact, according to the magistrate’s argumentation, building evidence on the basis of directly verifiable clues remains a source of information independent from the oral collaboration, and creates favorable conditions in which to provoke, control, and verify the confessions. Furthermore, the Maxi Trial investigation was not based solely on Tommaso Buscetta’s deposition. By crosschecking the testimony of several informants, the magistrate was able to “outline a fairly comprehensive panorama of Cosa Nostra from all possible perspectives” (Falcone 1997, 63). The magistrate shared with ethnologists a scrupulous concern for “optimizing the relevance of information by confronting the statements of the various individuals involved” (Bonnain and Elegoët 1978, 352), for checking the information collected from different informants through comparison, and for taking only corroborated testimony to be accurate.
There was another reason it was essential to cross-check all testimony in the Falcone investigation, which stemmed from the very nature of the world being explored. “One of the most important rules is to split up information. Cosa Nostra is not only secret to the outside…but also within itself: it discourages full knowledge of the facts and creates obstacles to the circulation of information…. Cosa Nostra is the realm of incomplete speech. It should therefore be no surprise if today, revelations of facts unknown even to the men of honor who have been at the top of Cosa Nostra come to light” (Arlacchi 1994, 85-87). Yet behind these strategies of concealment lies an even more essential truth, which Tommaso Buscetta sensed: “Once I had entered the secret society, I realized that behind the circumspect ways of the men of honor there was nothing particularly important” (Arlacchi 1994, 46). While the secret, initiatory nature of the knowledge Ogotemmêli revealed to Marcel Griaule has been systematically exaggerated (Clifford 1996, 65), it becomes clear upon closer inspection that the importance of Mafia secrecy, just like insider secrecy, “lies less in what it hides that in what it affirms: membership of a class or a status” (Jamin 1977, 13). The two phases of Griaule’s career are joined by the notion of secrecy, as the documentary and initiatory paradigms are linked to the idea that culture is structured as something to be revealed. James Clifford suggests replacing this view of the appearance of truth as a “revelation” by a conception of ethnography as a “dialogical enterprise” (1996, 88). Similarly, it could be suggested that in Falcone’s investigation, it was not the mere transmission of secrets from the former man of honor to the representative of the state, but rather the productive dialog established between the magistrate and his informant that was so effective. The failures of the first pentiti prove as much.

On May 30, 1973, Mafioso Leonardo Vitale, racked by deep religious torment, presented himself to the mobile brigade and confessed. After having told of his initiation and revealed the names of dozens of members of the Palermo families, he lost himself in endless “waffling”: “mental illness = psychological ill; Mafia = social ill; corrupt authorities = social ill; prostitution = social ill; syphilis, warts = physical ill that has affected my mind, which has been sick since my childhood; religious crises = psychological ill that stems from these ills. These are the ills I have been victim to, I, Leonardo Vitale, resurrected in the true faith of God” (Lupo 1999, 312). He was judged insane and locked up in the judicial psychiatric hospital.
years later Giuseppe di Cristina invited the carabinieri to an abandoned country house and provided them with an organization chart of the Corleone family. He gave the names of Bernardo Provenzano and Salvatore Riina, the Corleonesi nicknamed the “Beasts.” Freed by the carabinieri, the man of honor was murdered in a Palermo street in May 1978 (Lodato 1994, 21-27). Was an encounter between a magistrate of Giovanni Falcone’s caliber and a *pentito* of Tommaso Buscetta’s intelligence required to assert the reality of the Mafia? The novelty of the Maxi Trial lies in the fact that the Mafiosi spoke in court and, consequently, that which had previously taken place in the form of a necessarily ambiguous personal relationship between Mafia and police became institutionalized and legalized (Lupo 1999, 307). Even so, this event alone would never have had an impact on society if it had not occurred along with other, more profound changes. Pino Arlacchi speaks of a “cultural revolution…that consists in no longer considering the Mafia as essential to Sicilian society or as a sort of fate specific to the island and, consequently, in believing in the ethical superiority of the state of law and its representatives” (Chinnici et al. 1992, 56). I will now try to pinpoint where and by which means the Mafia was transformed, how from being the intrinsic character of the island it became a “social evil,” and a “disease afflicting Sicily.”

■ Constructing the Other

“When Buscetta, to justify his confession, told me that his pals had broken the most basic rules of Cosa Nostra and that they were going to ruin the organization through their behavior, I felt it was a great moment, a historic occasion,” said Giovanni Falcone (1997, 39). Well before extending to the rest of society, the construction of the Mafia’s otherness was an internal process within the Mafia world. Since the Corleonesi, known for their brutality, had taken hold of Cosa Nostra, the organization seemed to have gone wild. “The families were tearing each other apart and suspicions of betrayal and double-dealing wormed their way through everything” (Arlacchi 1994, 140). In this apocalyptic scenario, Tommaso Buscetta, “witness to a vanishing world,” a “general in a ghost army” (Arlacchi 1994, 222), considered that describing the death throes of the whole world he had believed in would not be a “betrayal.” “He claimed to be the real man of honor, while the Corleonesi and their allies were the dregs of Cosa Nostra, since they had not respected its rules” (Falcone 1997, 60) The magistrate was there, pen in hand, the feverish chronicler of a crumbling world that must quickly be captured in writing to save it from the dangers of evanescence to which societies “without writing” are exposed.

The merit of the examining magistrates in the Maxi Trial is to have given rise to confessions which they alone were in a position to record. Once again, these magistrates recall the Spanish conquistadores who hurried to set down in writing the rites of customs of the Indians (Bernand and Gruzinski 1988, 27). By describing in careful detail the initiation rituals, festive practices, leisure activities, the system of appointment, the family structure, the killing techniques, and the ethical code of the Mafia, the magistrates helped us discover a world at the very same time as they tried to destroy it. Like the information gathering of the extirpators of idolatry, the magistrates’ endeavor for knowledge had to lead to a struggle against “evil.” The fight waged against the Mafia took on the quality of a crusade. “Falcone seemed to be motivated…by a desire to free Sicily from the plague of the Mafia” (Stille 1995, 36). While smuggling and the drug trade were causing wars within the Mafia world, the terrorist methods used by the Mafia no longer generated consensus in the world at large, but rather generated alarm and protest. Gradually, the romantic image of the Mafia was undermined and, in the end, the man of honor conformed to the stereotype of an outsider, marked by a primitive barbarism and associated with sickness and the plague. Were not idolaters too shown in the guise of the plague-stricken, and idolatry likened to an “illness” whose “contagion” we must fear (Bernand and Gruzinski 1988, 163-164)?

The association between the Mafia and the plague took root over a long period. It first appeared following the proclamation of the Unification of Italy (1871). When the unified state looked toward Mezzogiorno, a distressing social picture emerged. In Sicily, the misery of the working classes, illiteracy, and the land monopoly dominated by a few large landowners were perpetuated through the violence used by the *gabellotti*, who served as intermediaries between landowners and peasants. The Franchetti-Sonnino investigation (1876) is an example of the paternalism with which the new-born Italian state confronted the “Southern question.” Sicilians were indiscriminately identified with the “illness to be treated.” “Emaciated, starving, covered in
Deborah Puccio-Den

...sores,” they bore the scars of physical and social harm which it was up to the “educated class of central and Northern Italy…to the exclusion of all Sicilians or, at least, almost all Sicilians” to cure as quickly as possible, “because the wounds were gangrenous and threatened to infect Italy” (Renda 1997, 105). In an article by Alfredo Oriani published on January 8, 1900, the whole of Sicily was painted as “a cancer at the foot of Italy, as a province in which neither custom nor civil laws were possible” (Renda 1997, 156). In 1910, the public prosecutor Salvatore Pagliano denounced “the region’s endemic social infirmity” (Renda 1997, 175). The Sicilians themselves, especially those who came from the capital, shared this grim view of the island. Santo Stefano de Quisquina, a small village in the province of Agrigente, was described by a reporter from the Palermo newspaper L’Ora – who had come in May 1911 to cover the umpteenth murder – as a “land ruled by barbaric and primitive customs.” He described the funeral he attended as “the ceremonial of a wild tribe’s archaic and incomprehensible rites” (Renda 1997, 189). Giuseppe Pitré took on the role of spokesman for the “Sicilianist” reaction to this type of view.

So, in the early decades of the twentieth century, debate on the Mafia focused north-south antagonism. Once the republican state was established (1945), the conflict turned political. In the latter half of the 1950s, there was an intense mobilization for the south’s renaissance. Attempts at land reform intended to build on the “healthy forces of Sicily,” while the peasant movement took on the aura of a “regenerative movement” (Renda 1997, 308–309). The ethnographic investigations of Carlo Levi, Danilo Dolci, and Ernesto De Martino were born of this climate of cultural and political resurgence. In 1955, Carlo Levi published Le Parole sono pietre, which concludes with the biography of militant unionist Salvatore Carnevale, who was murdered on March 6, 1955, by the Sciara Mafia of Calabria. In Sicily, Danilo Dolci’s investigations were motivated by social projects aiming to revive the fishing and peasant villages of the bay of Castellammare, which were fighting to have the reform against Mafia bosses and large landowners applied. Danilo Dolci collected biographies that told of the peasants’ ongoing struggle to have the law enforced, and record the clashes between the gabbellotti Mafia and the police.

Franco Castagnetta, a Roman doctor, undertook an investigation into crime in Sardinia, which in turn had a strong focus on biographical narrative. Ernesto De Martino conducted a “write-up of custom” using a dual model: legal and medical. The informants were identified by their name, village of residence, and profession, as in civil status records (Charuty 1999, 83–94). In 1976, a government order for a parliamentary inquiry into the Sicilian Mafia was the occasion for the first biographies of Mafia figures to be collated. The magistrates of the Antimafia Pool in Palermo made use of the vast amount of information collected in the parliamentary commission records and, in continuing the task, opened the season of pentiti biographies. In this manner, they took over from the ethnographers, and were followed by researchers like Anton Block (1974) who continued to use the biographical method to probe the Mafia phenomenon. They had come full circle.

The pentiti’s declarations, recomposed and reorganized in written legal records, produced new knowledge, opened up unexpected perspectives, and enabled researchers with an interest in the Mafia to make significant theoretical advances. Today, acknowledged Mafia specialists may obtain special authorization to interview the pentiti, thereby stepping into the magistrates’ shoes. One such academic is sociologist Pino Arlacchi, who has written books recounting the confessions of pentiti Antonio Calderone and Tommaso Buscetta (Arlacchi 1992, 1994). For their part, some magistrates publish articles in specialized journals. Roberto Scarpinato, the magistrate who continued Falcone’s investigation, suggests that the Mafia, with its ranks and its roles, offers an identificatory path to individuals who do not want to remain nuddu miscatu a nentì, “a person mixed with nothing,” to use an expression often employed by the pentiti. By embodying a positive image of the state, Falcone and Borsellino made other identifications possible, prompting the Mafiosi to repent (Scarpinato 1998). The attempts of a few magistrates to elucidate the deeper motives of the men of honor can be compared to those of sociologists who look for reasons for the violence of certain criminal gangs. To give just one example, Alain Ehrenberg strove to show, on the basis of interviews and the perusal of legal records, that hooligans “are not gangs of lunatics, degenerates, or animals, …one of the forms of insanity or inhumanity; a pure social monstrosity because they lack, it is thought, all sense” (1991, 46). Similarly, in Giovanni Falcone’s social and professional experience, the desire to crack down on the Mafia went hand in hand with an effort to understand them and, in turn, to understand himself.

Ethnologie française, XXXI, 2001, 1
Returning to the Self

To begin with, the Mafia – a world of violence which seemed to lack all reason – had aroused a feeling of repulsion and strangeness in the young law student. “I saw Cosa Nostra as the seven-headed Hydra: something magmatic, omnipresent, and invincible, responsible for all of the world’s ills…In the face of the brutality, the murders, and the assaults, I was overcome with horror” (Falcone 1997, 39). Then, as his knowledge of the matter gradually progressed, a greater understanding of the internal rules governing this world brought about a reversal of values. “The things that horrify us in the event of a violent death, as magistrates or ordinary citizens – a man eliminated by his best friend, a brother strangled by his own brother’s hand – do not produce the same reactions in men of honor….It is a strange interpretation of the concept of honor, that dictates that you must never delegate the task of killing someone of your own blood!” (Falcone 1997, 30-31).

In order to understand the Mafia, the magistrate turned to the comparativist approach. Yet while men of honor were compared to the most exotic peoples – the Sioux, for example, with whom they share the sentiment of being the only “Men”17 – Falcone never yielded to exoticism. Whether it was explaining the elimination of the weakest individuals as a group survival strategy by using the example of the Eskimo, or understanding the symbolic benefits of murdering a prestigious boss by referring to the existence of a similar code among the Native Americans, looking elsewhere served to better grasp the internal logic of Mafia behavior. “The more bloody, merciless, and cruel the execution seems to us ordinary citizens, the prouder of it the man of honor can be” (Falcone 1997, 31). Or, “The most loathsome retaliations, …those that to the honest citizen seem needlessly cruel, are never executed lightheartedly but with a sense of duty” (Falcone 1997, 32). Once he had discovered the “rationality of the rules on which the Mafia was based,” this “Sicilian of the Enlightenment,” as he has been defined, took pleasure in sweeping away all the myths that surrounded it. “I would like to do away with another widespread platitude, which is even glorified by a certain type of literature: that of the so-called murder rituals….Many stories have been told about incapretta-mento….18 Any killing technique is legitimate as long

2. Judge Falcone with Leoluca Orlando, the mayor of Palermo, in 1989 (© agency: Studio Camera; photo: F. Lannino)
as it works and it does not cause too many problems” (Falcone 1997, 27). Falcone overlaid the image conveyed by the press of a “traditional” Mafia, a “relic” of a bygone era, with that of a criminal organization that was adapting to modernity (Falcone 1997, 78). With the Mafia rid of its folklore, there was no room for the common representation of the bloodthirsty Sicilian belonging to an outdated world. “Newspapers, books, and movies all dwell on the Mafia’s cruelty. It exists, of course, but it is never an end in itself…. In the organization, violence and cruelty are never gratuitous. They always represent the final option, when all other forms of intimidation have proven ineffective or when the offense committed is so serious that it deserves only death” (Falcone 1997, 28-31).

“Serious and perfectly organized,” Cosa Nostra is all the more formidable because it functions like a modern state, with its control systems and its mechanisms of repression. “Cosa Nostra is, in its own way, a legal society or organization, which requires effective penalty mechanisms in order for its regulations to be respected and applied. Given that inside the Mafia State there are neither courts nor law enforcement agencies, it is essential for each of its ‘citizens’ to know that punishment is inevitable and the sentence will be executed immediately. Those who break the rules know they will pay with their lives” (Falcone 1997, 37). Paradoxically, it is within the Mafia, “this Mafia which, when you look closely, is essentially nothing other than a need for order and, therefore, a state,” that Falcone finds his ideal of statehood. “This adventure has made my sense of the state even more authentic. By confronting the Mafia State, I realized just how much more functional and effective it is that our state” (Falcone 1997, 71). This “adventure,” as he called his experience in the exotic Mafia world, led him to look differently, critically, at his own society, and to question it at a profound level. “At times, these Mafiosi seem the only rational beings in a world of lunatics…. Men of honor are neither evil nor schizophrenic. They would not kill their father and mother for a few grams of heroin. They are men like us. The Western world, and Europe in particular, has tended to exorcize evil by projecting it onto ethnicities and behaviors that seem different from our own. But if we want to fight the Mafia effectively we must not turn it into a monster or think of it as the mob or a cancer. We must recognize that it is like us” (Falcone 1997, 72, 82-83). At the end of his career, the magistrate no longer saw Cosa Nostra as the “seven-headed Hydra.” His original “horror” was replaced by a feeling of familiarity and the recognition of a shared humanity. “Knowing the Mafia has had a profound influence on my relationship to others, and even on my convictions. I have learned to recognize the humanity in the worst of beings, to have a true rather than a merely formal respect for the opinions of others…. Although it might seem strange, the Mafia has taught me an important lesson in morality” (Falcone 1997, 71). For Falcone, investigating the Mafia meant learning to understand people and to recognize them, over and above their differences. This learning about otherness, this recognition of what is the same in others, this lesson of tolerance, confers an anthropological significance on his investigation. The Mafiosi are not sorcerers, lunatics, or savages – the categories into which “others” are usually locked. “They are men like us.” On the far side of the mirror held up to him by a “different” culture, Falcone recognized himself.

On January 30, 1992, the Court of Appeal confirmed the conviction of the men of honor as well as the conception of Cosa Nostra put forward at the Maxi Trial by Tommaso Buscetta and codified by Giovanni Falcone. The murders in the summer of 1992 of magistrates Falcone and Borsellino were the immediate consequence of “the collapse of the judicial and cognitive taboo on the nature of the Mafia, and of the break of a second taboo that prevented any in-depth investigation into the relationship between Mafia and police” (Arlacchi 1995, 12-13). After Falcone’s death, Tommaso Buscetta opened a new chapter in his confessions, concerning “the political complicity in the highest spheres that allowed Cosa Nostra to prosper undisturbed until the 1980s” (Arlacchi 1994, 206). The Senate’s authorization having been obtained in May 1993, on March 2, 1995, the Palermo magistrates instituted proceedings against the man who for forty years had been the most high-profile figure in Italian politics, Giulio Andreotti. “The time is now ripe to utter that name,” stated Tommaso Buscetta (Arlacchi 1994, 206). The charge of Mafioso association was laid, among other things, on the basis of the declarations of twelve pentiti. On September 24, 1999, the Assize court of Pérouse acquitted Giulio Andreotti and other defendants including Mafioso Tano Badalamenti. The repudiation of the magistrates and the pentiti followed, commented on by Buscetta as follows: “Tano Badalamenti never repudiated me. He behaved like a defendant and his only assertion was that he didn’t even know what the Mafia was. So those who claim that Badalamenti repudiated Buscetta and that he was
believed by the magistrates, if they want to be consistent they should also claim that Cosa Nostra does not exist, that it never existed” (1999, 168). We were back to the starting point. Giovanni Falcone’s legal adventure, continued by the Parlermitan magistrates, proved to be a tremendous endeavor for knowledge with no real hold on reality. “The transformation of the Andreottian movement into a sort of mask-appendix of the Mafia” (Arlacchi 1995, 22) dragged us from concealment strategies implemented within a secret society to the ambiguity of political games. It also leads to the discovery of a worrying anthropological truth: that very often, behind the mask of the “Others” are hiding “Our Own.”

Notes


2. The series of interviews Giovanni Falcone granted to Marcelle Padovani about the Mafia was published in Cose di Cosa Nostra (Falcone 1997). The quote given here is on page 45. “Cosa Nostra” is the Mafia’s indigenous name: “The word ‘Mafia’ (as pentito or informant Tommaso Buscetta specified) is a literary invention. True Mafiosi are simply called ‘men of honor.’ Their secret association is called ‘Cosa Nostra’” (Arlacchi 1992, 15). In this article, quotes from this book and from the other works originally published in Italian were translated into English from the French version, which was translated from the Italian by the author of this article.

3. Carlo Alberto Dalla Chiesa, known for his successes in the battle against terrorism, had been sent to Sicily to fight the Mafia just four months earlier.


5. Translated into English under this title by John and Anne Tedeschi (Ginzburg 1980).

6. One of the leaders of the extreme leftist organization Lotta Continua, accused by pentito Leonardo Marino of having ordered the murder of carabinieri Commissioner Luigi Calabresi.

7. Several clues suggest that Marino’s confessions were manipulated, or even “made up,” with the consent of the carabinieri (Ginzburg 1991, 36).


9. He was one of the young Conan Doyle’s professors, known for his extraordinary diagnostic skills (Caisson 1995, 165).

10. These Mafia “families” do not necessarily imply any blood or marriage relations.

11. There are many episodes that confirm the force of this prohibition. To cite just two: Michele Cavataio was killed in the “viale Lazio massacre” (1969) for having in his possession an organization chart of the Palermo Mafia families. The golpe borghe, the “coup” organized in 1970 by prince Valerio Borghese in collaboration with mafioso Luciano Liggio, failed because of the Mafiosi’s strict refusal to provide a list of names of affiliated members (Arlacchi 1992, 75, 98).

12. In Italian, “to swipe” is pappare, a word that in its original sense means “to eat.”

13. “No one will ever find a list of members of Cosa Nostra, or receipts for dues paid. That doesn’t mean that the rules of the organization aren’t monclad and that they aren’t recognized by everybody,” said Tommaso Buscetta (Falcone 1997, 101).

14. “As if, as archaeologists of the present, we were exhuming the disjointed beads of a necklace; and we were suddenly able to see them, strung according to their primitive placement, and loosely arranged around the young neck that they were originally intended to decorate,” Preface by Claude Lévi-Strauss to Soleil hapi (Talayesva 1959, 8).

15. Led by two young Tuscan intellectuals, Leopoldo Franchetti and Sidney Sonnino.

16. Paolo Borsellino, the examining magistrate designated to take over the investigative work of Giovanni Falcone upon the latter’s death, was himself murdered on July 19, 1992, by means of a car full of explosives.

17. It is perhaps useful to note that one of the etymologies of the word omertà maintains that the term derives from the Sicilian omu, “man” (Padovani 1987, 261).

18. A technique that involves tying the victim’s wrists and ankles behind his back while ensuring the rope goes around his neck, so that in trying to set himself free, the victim strangles himself.

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