

Contents

Acknowledgments — VII

Introduction — XIII

Chapter 1

The Crime Continuum: The Role of the State — 1

States as Successful Criminal Enterprises — 2
“Force” Theory — 2
“Conflict” Theory — 4
The “Jealous” State — 5
State Committed Organized Crimes — 9
Defining Criminal Behavior (CB) — 14
Felony — 14
Misdemeanor — 15
Offense — 15
Infraction — 15
Wrongdoing — 15

Chapter 2

The Crime Continuum – The Role of Organized Crime — 21

Defining Characteristics — 21
Mafia — 24
Chinese Triads — 29
Hong Kong Triads — 32
Taiwanese Triads — 35
Yakuza — 37
Crime That Is Organized (CTIO) — 42

Chapter 3

The Criminal Harm Continuum — 49

Breakdown in Law and Order — 49
Economic Harm — 51
Wars — 51
Civil Wars — 53
Financial Harm — 55
Fraud — 55
Bribery — 55
Corruption — 57

Money Laundering — 58

Criminal Economic Harm — 60

Social Harm — 60

Organized Crime — 60

Shadow Economy — 61

Chapter 4

Does the Punishment Fit the Crime? — 67

Government — 67

Enforcement of Sanctions — 68

Impunity — 68

Regulatory Capture — 69

Bribery and Corruption — 71

Inappropriate “Ecosystem” — 73

Indifference — 75

Social Axioms and Assumptions — 75

Culture — 75

Media — 77

Chapter 5

The Criminal Strategy External Continuum — 81

“PESTLE” Framework — 81

Political Environment — 82

Economic Environment — 84

Social Environment — 87

Technological Environment — 96

Legal Environment — 98

Environment — 101

The “Five Forces” Framework — 103

Head-to-Head Competitors — 104

Supplier Power — 104

Buyer Power — 104

New Entrants — 104

Alternatives and Substitutes — 105

Chapter 6

The Criminal Strategy Internal Continuum — 113

Mission, Vision, and Values — 113

Mission and Vision — 113

Henry Ford — 115

Marks and Spencer — 115

Values — 117

How Different are Organized Crime and Legitimate Business
Values? — 117

Introducing the “Five P” Performance Framework — 120

Purpose — 121

Principles — 122

Power — 125

People — 129

Processes — 131

Chapter 7

Differences between OC and Legitimate Enterprises — 135

Purpose — 135

Six Questions — 136

Principles — 141

What the Organization Stands for and its Culture — 141

The “Tone at the Top” and the “Tone in the Middle” — 142

Careers of Employees and How They are Treated — 142

Being a Responsible Citizen — 144

Power — 146

Cosa Nostra — 148

'Ndrangheta — 148

Camorra — 149

Yakuza — 150

Triads — 151

People — 152

Processes — 152

Chapter 8

Business Strategy Implications — 157

Politics — 157

Economics — 160

“Ethical Fading” — 161

Construction Industry — 162

Oil and Gas — 163

Financial Services — 164

Society — 167

Legislation and Regulation — 173

Market Failure — 174

Social Harm — 174

Regulatory Capture — 175

XII — Contents

Chapter 9

Conclusions — 181

- States Define What is Criminal and What is not — **181**
- States and Organized Crime are Natural Competitors — **181**
- Differences in Criminality are Ones of Degree — **182**
- Punishment Often does not Fit the Crime — **182**
- Strategic Similarities Greater than Differences — **183**
- Blurred Ethical Boundaries — **183**
- “Black Letter” Law Matters — **184**
- Organized Crime’s Three Advantages — **184**

List of Figures — 187

List of Tables — 189

About the Authors — 191

Index — 193