

Law and Economics of Organized Crime

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Main topics

- Legal Definitions of Organized Crime (OC) as used by different jurisdictions and legal systems
- Types of OC, including terrorism, financing OC and money laundering;
- Macroeconomics of OC, markets and regulation of criminalized goods and services, and respective macro-effects;
- Prevention and punishment of OC: Investigation and prosecution of OC in different jurisdictions, successes and failures.

Learning objectives

- The course main objective is building capacity of ISLS students to determine and comprehend the complex legal-economic phenomena of organized crime in all its types, including use of violence, terrorism (domestic and international), financing criminalized activities through money laundering and offshore financial centers.
- The secondary, but equally significant objective is to equip student with understanding of the diversity of legal-policy approaches to organized crime applied by different jurisdictions and international institutions and organizations.

Target student's profile

- The course fits to and is designed to enrich the analytical competences of bachelors, masters and doctoral students in law, economics and political science;
- The course would be most beneficial to students who had passed the introductory educational stages of these disciplines, although first grade students are welcome as well.
- Since the course language is English, basic speaking-reading-writing proficiency is a precondition for benefitting from the course.

Detailed course structure

The course is structure in four modules

- identification of the OC types and related phenomena by law and economics as fields of knowledge and their definition in different legal systems;
- description of the complexity of the different criminal activities, groups, organization and jurisdictions, including globalization of OC activities and networks;

- socio-economic and economic descriptions of OC practicalities – demand and supply of criminalized goods and services, management-communication-control practicalities in OC groups and countries that are more exposed to their influence, with special attention to terror – domestic and international, and macro effects from OC activities, including violence and terrorism; two extreme examples of government “sponsored” OC and violence (Nazi Germany and Soviet Russia) will be used as an illustration;
- the last module deals with peculiarities of tackling OC and terrorism: the role of law enforcement and judicial institutions – national and international; it will highlight some successes and failures (with a reference to use of AI, big-data-mining, etc. for monitoring and analysis) of preventing, as well as investigating and prosecuting OC in different democratic and authoritarian forms of governance.

Pedagogical approach

The course, in part, is constructed on the personal political experience of dealing with legacies of authoritarian-communist regimes in post-Communist East European and post-Soviet countries, which includes participation in constitution and legal-economic reforms (as member and committee chairman of the Constitutional Assembly and reform consultant in other countries) and experience in building international coalitions (of libertarian and free market think tanks).

The course is a sequence of interdisciplinary lectures with presentations (roughly 30-40 slides per module), with utilization of statistics and interdisciplinary sources and using dialogue and Q&A communication techniques – to facilitate students’ interest and participation.

Each of the module would take several academic hours a day, provisionally four days. On the fifth day it would be beneficial to held several hours Q&A sessions.

Evaluation criteria

At the end of each module there will be a quiz session with students, on specifically designed questions that allow for better memorizing the points of the module. The final Q&A session aims output.

At the end of the second module students will be asked to write a 1000-words essay to be presented on the last day, thus providing them with an opportunity to benefit from discussions of the next two modules.

Suggested bibliography

Besides global terrorism and OC indexes referred to below, the course presentations will use other sources for international comparisons, such as indexes on rule of law, public governance, free trade, globalization, democratization, economic and human freedom.

- Abel Brodeur, The Effect of Terrorism on Employment and Consumer Sentiment: Evidence from Successful and Failed Terror Attacks, *American Economic Journal: Applied Economics*, 2018, vol. 10 (4), pp: 246-82: <https://www.aeaweb.org/articles/pdf/doi/10.1257/app.20160556>
- Andrea Mario Lavezzi, Economic Structure and Vulnerability to Organised Crime: Evidence from Sicily, *Global Crime*, Vol. 3, No. 9 (2008): pp. 198-220: <https://mpr.a.uni-muenchen.de/50114/>
- Anupama Jacob, Economic Theories of Crime and Delinquency, *Journal of Human Behavior in the Social Environment*, 21:270-283, 2011: https://is.muni.cz/el/fss/jaro2015/SPP209/um/Jacob_2011_Economic_Theories_of_Crime_and_Delinquency.pdf
- Bardwell Harrison and Iqbal Mohib, The Economic Impact of Terrorism from 2000 to 2018, *Peace Economics, Peace Science, and Public Policy*, De Gruyter, vol. 27 (2), May 2021, pp.: 227-261: <https://www.degruyter.com/document/doi/10.1515/peps-2020-0031/html> .
- Bastian Herre, The Global Terrorism Database: How do Researchers Measure Terrorism, *OurWorldinData.org (OWD)*,² i2023: <https://ourworldindata.org/the-global-terrorism-database-how-do-researchers-measure-terrorism>
- Bastian Herre and Fiona Spooner, Homicide data: how sources differ and when to use which one, *OWD*, 2023:
- Center for Economic Performance, Conference on the economics of crime and justice, June 7, 2024: https://www.youtube.com/watch?v=HvmP_FpS6Qc.
- Crime Archives, Human Progress: <https://humanprogress.org/topic/crime/> .
- Daniel Mitchell, Offshore center clampdowns are attacks on globalization, *Cayman Compass*, June 18, 2018: <https://www.caymancompass.com/2018/06/11/mitchell-offshore-center-clampdowns-are-attacks-on-globalization/>
- David Gold, Economic of Terrorism, Lecture, University of Zurich: https://www.files.ethz.ch/isn/10698/doc_10729_290_en.pdf .
- Diego Gambetta, *The Sicilian Mafia, The Business of Private Protection*, Cambridge (MA), Harvard University Press, 1993 (available from different sources).
- Erika Fairchild, *Comparative criminal justice systems*, Wadsworth, Belmont, Calif., 1993
- European Parliament, Terrorism related definitions, reviews and policy documents: <https://www.europarl.europa.eu/topics/en/article/20180316STO99922/how-to-stop-terrorism-eu-measures-explained>
- FBI, Definitions of International and Domestic Terrorism: <https://www.fbi.gov/investigate/terrorism> .

- Federico Varese, What is OC: <https://federicovarese.com/wp-content/uploads/2019/07/varese-2017-redefining-organised-crime-03.pdf>
- Federico Varese, The Russian mafia : private protection in a new market economy, Oxford, Oxford University Press, 2001: <https://archive.org/details/russianmafiapriv0000vare/page/n7/mode/2up> .
- Felipe Gonzales, different working papers on Police and Public Safety: <https://www.fmgoncalves.com> .
- Francesco Calderoni et. al., Organized crime groups: A systematic review of individual-level risk factors related to recruitment, Campbell Systematic Reviews, 2022, pp.: 1-87: <https://pmc.ncbi.nlm.nih.gov/articles/PMC8833286/pdf/CL2-18-e1218.pdf> .
- Gary S. Becker, Crime and Punishment: An Economic Approach, Journal of Political Economy, Vol. 76, No. 2 (Mar. - Apr., 1968), pp. 169-217: <https://www.jstor.org/stable/18304823>
- Gary S. Becker and William M. Landes (editors), Essays in the Economics of Crime and Punishment, NBER, 1974: <https://www.nber.org/system/files/chapters/c3625/c3625.pdf> .
- Gianluca Fiorentini and Sam Pelzmann (editors), The Economics of Organized Crime, Cambridge, Cambridge University Press, 1996: <https://www.cambridge.org/core/books/economics-of-organised-crime/632CA5713D3BAACB30F830D2C2B1F15F> .
- Global Terrorism Database, University of Merland: <http://apps.start.umd.edu/gtd/> .
- Institute of Economics and Peace 2024 (Defining and Measuring Factors that Drive Peace): <https://www.economicsandpeace.org/wp-content/uploads/2024/06/GPI-2024-web.pdf> .
- Institute of Economics and Peace 2024, Global Terrorism Index (Measuring the Impact of Terrorism): <https://www.economicsandpeace.org/wp-content/uploads/2024/02/GTI-2024-web-290224.pdf> .4
- J. Serio, Organized Crime in the Soviet Union and Beyond, Low Intensity Conflict and Law Enforcement, Vol. 1 (2), Autumn 1992, pp: 127-151: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/organized-crime-soviet-union-and-beyond>
- Kent Roach (editors), Comparative Counter-Terrorism Law, Cambridge, Cambridge University Press, 2015: <https://www.cambridge.org/core/books/comparative-counter-terrorism-law/B5DAC3C76A943BDD74D7354344BD6EA0> .
- Klaus von Lampe, A Systematic Overview of Definitions of OC, Excerpts from Chapter 2 of the book Organized Crime: Analyzing illegal activities, criminal structures, and extra-legal governance (pp. 27-30): <http://www.organized-crime.de/OCDefinitionsReview.htm>.* 5

- Klaus von Lampe, Definitions of OC by country, international agencies, institutions and organizations: <http://www.organized-crime.de/organizedcrimedefinitions.htm> .*
- Krassen Stanchev, Economic Perspective of Organized Crime, Southeast European and Black Sea Studies, 2004, vol.4, issue 1: <https://www.tandfonline.com/journals/fbss20>
- Krassen Stanchev, Economics of Organized Crime (with some examples from the Balkans), Partners' Academy September 19, 2024
- Krassen Stanchev, It Is Not In the Offshore Areas, But In the Governments Where the Problem Lies, Economic Policy Review, September 15, 2015: <https://ime.bg/en/articles/it-is-not-in-the-offshore-areas-but-in-the-governments-where-the-problem-lies/>
- Luis Rene Beres, Law and Politics in Israel: What Terrorism Means for the IDF Commander, Brown Journal of International Affairs, Vol. 4, No. 2 (Summer/Fall 1997), pp. 257-276: <https://www.jstor.org/stable/24590033>
- International OC, US Department of Justice' Criminal Divisionb, definition: <https://www.justice.gov/criminal/criminal-vcrs/international-organized-crime>.
- Interpol, Global Strategy on Organized and Emerging Crime (Summary): <https://www.interpol.int/en/Crimes/Organized-crime> .
- Mallam Mohammed, Abedsinajad Hussein and Chukwudi C. Nwokolo, Organized Crime, Corruption and the Challenges of Economic Growth in the Economic Community of African States, University of Nigeria - Department of Economics, May 18, 2021: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3848650
- Maria González-Miranda, Offshore Financial Centers: To Be or Not to Be, IMF eLibrary, 2013: <https://www.elibrary.imf.org/display/book/9781616352653/ch014.xml> .
- Markus Pohlmann, Gerhard Danneker and Elizangela Valarini, Bribery, Fraud, Cheating: How to Explain and to Avoid Organizational Wrongdoing, Berlin, Springer, 2020: <https://link.springer.com/book/10.1007/978-3-658-29062-7> .
- Martin Scheinin and Mathias Vermeulen, Unilateral Exception to International Law: Systemic Legal Analysis and Criticism of Doctrines that Seek to Deny or Reduce the Applicability of Numen Rights Norms in the Fight against Terrorism, Corte Interamericana de Derechos Humanos: <https://www.corteidh.or.cr/tablas/r29030.pdf> .
- Ludwig von Mises, Omnipotent Government: The Rise of the Total State and Total War, New Haven, Yale University Press, 1944 (2010): https://cdn.mises.org/Omnipotent%20Government%20The%20Rise%20of%20the%20Total%20State%20and%20Total%20War_3.pdf
- OC Index 2023: <https://ocindex.net>
- Musee memorial du terrorisme, Defining Terrorism: <https://musee-memorial-terrorisme.fr/en/defining-terrorism>

- Parker Asmann, Defining OC: A Primer: <https://insightcrime.org/news/how-to-define-organized-crime-latin-america/> .*
- Pierre Hauck and Sven Peterke, Organized crime and gang violence in national and international law, *International Review of the Red Cross*, Vol. 92, No 878, June 2010, pp.: 407-436: <https://www.corteidh.or.cr/tablas/r25263.pdf> .
- R. Barry Johnston and Oana M. Nedelescu, The Impact of Terrorism on Financial Markets, IMF Working Paper 05/60, 2005: <https://www.imf.org/external/pubs/ft/wp/2005/wp0560.pdf>
- Rensselaer W. Lee, OC and Morass in the Former Soviet Union, *Demokratizatsiya*, vol. 2 (3): https://demokratizatsiya.pub/archives/02-3_Lee.PDF
- Robb Shawe, Ian R. McAndrew, Impact of Domestic Terrorism on Economy: A Literature Review, *iBusiness*, 2023, No 15, pp.: 84-97: https://www.scirp.org/pdf/ib_2023032816435810.pdf .
- Ronen Palan, The emergence of Offshore Economy, *Futures*, 1998, Vol. 30, No. 1, pp. 63–73: <https://www.sciencedirect.com/science/article/pii/S0016328798000068>
- Rudolph Joseph Rummel's Legacy, 20th Century Country Democide, University of Hawaii: <https://www.hawaii.edu/powerkills/20TH.HTM>
- Sean Ross, Top 5 Ways Terrorism Impacts the Economy, *Investopedia*: <https://www.investopedia.com/articles/markets/080216/top-5-ways-terrorism-impacts-economy.asp> .
- Statista, Global economic costs of terrorism from 2000 to 2019: <https://www.statista.com/statistics/489649/global-economic-costs-of-terrorism/>
- Tsuyoshi Hasegawa, *Crime and Punishment in the Russian Revolution: Mob Justice and Police in Petrograd*, Harvard University Press, 2017
- Thomas C. Schelling, What is the Business of OC?, *The American Scholar*, Autumn, 1971, vol. 40, No 4, pp.: 643-652: https://www.jstor.org/stable/pdf/41209902.pdf?refreqid=fastly-default%3Ac8d0081447e86a348b0cdeb53eec7662&ab_segments=&initiator=&acceptTC=1 .
- Thomas Sigler, Kirsten Martinus, Iacopo Iacopini, Ben Derudder, *The Role of Tax Havens and Offshore Financial Centers in Shaping Corporate Geographies: An Industry Sector Perspective*, University Collage London, Discovery: https://discovery.ucl.ac.uk/id/eprint/10075189/7/Iacopini_The%20role%20of%20tax%20havens%20and%20offshore%20financial%20centres%20in%20shaping%20corporate%20geographies.%20An%20industry%20sector%20perspective_AAM.pdf
- Transnational OC, US FBI, definition and examples: <https://www.fbi.gov/investigate/transnational-organized-crime>

- UN Definition of OC: https://www.unodc.org/e4j/zh/mun/crime-prevention/organized-crime.html#:~:text=The%20United%20Nations%20Convention%20against,least%20one%20serious%20crime%3B%20to.*
- UN Office of Drugs and Crimes (UNDOC), Introduction to International Terrorism, UN, Vienna, 2018: https://www.unodc.org/documents/e4j/18-04932_CT_Mod_01_ebook_FINALpdf.pdf .
- UNDOC, Globalization of Crime: a Transnational OC Threat Assessment, Vienna, 2010: https://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf .
- US Definition of OC, US Office of Justice Programs: https://www.ojp.gov/ncjrs/virtual-library/abstracts/organized-crime-what-it#:~:text=Organized%20crime%20basically%20supplies%20illegal,national%20and%20even%20international%20proportions.*
- United Nations High Commissioner for Human Rights, Negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms: <https://digitallibrary.un.org/record/860534?v=pdf>
- Victor Thuronyi, Tax Aspects of Offshore Financial Centers, IMF eLibrary, 2003: <https://www.elibrary.imf.org/display/book/9781589061767/ch015.xml> .
- William Jennings, A Note on Economics of Organized Crime, Eastern Economic Journal, Vol. 10, No. 3 (Jul. - Sep., 1984), pp. 315-321: https://www.jstor.org/stable/pdf/40324917.pdf?refreqid=fastly-default%3A9ad29ed0164652b6533f8c07d576e2f7&ab_segments=&initiator=&acceptTC=1

Course's relevance and its connection to contemporary global issues

- Globalization as a multifaceted reality, besides its positive impacts on prosperity and human development, globalizes OC and terrorism. The associated technological progress and new information channels are used by the “providers” and “managers” of criminalized activities;
- Legal and public governance challenges stemming from OC, policies and institutional designs to prevent and limit OC threat to humanity requires its understanding and analysis in relation to economic phenomena and markets for criminalized good and services.
- OC, and terrorism as subcategory of such crime, can be monitored, investigated dealt with by such means as big-data-mining, AI and coordination of preventing efforts by government, international and civic organization efforts and counter-actions.

Professional references

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