

# Green Criminology and Dirty Collar Crime

Vincenzo Ruggiero · Nigel South

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**Abstract** As a contribution to literature drawing together green criminology and studies of organised and corporate crime, this paper provides a case study of crimes and public health harms linked to the Naples garbage disposal crisis. The context is the inability of modern consumer society to cope with the problem of mass production of waste. In turn this leads to opportunities for both legal and criminal entrepreneurs to offer services that promise but fail to ‘dispose’ of the problem. The analysis draws upon environmental law and classic studies of organised crime.

According to Seattle, an American Indian chief, the earth is not the white man’s sister, it is his enemy. He says: Carry on contaminating your beds and one night you will be suffocated by your own rubbish. (Eduardo Galeano, *Memoria del Fuego*).

‘In June 1996, 640 tons of urban Californian trash ended up in a suburb of Beijing, China: faced with a stinking pile of refuse containing sewage, used syringes, and a decomposing dog, the ‘China Daily’ Newspaper stated: “if the U.S. government is concerned about human rights, it should ... stop the dirty business.” (*Ajello and Ranawana 1996*)’ (in *Mandel 1999: 66*).

## Introduction

Among all organisms inhabiting the planet, only humans generate masses of non-reducible waste. The problems of waste management and rubbish disposal are absolutely central and yet generally overlooked issues for a hyper-consumer society. These problems lead to uncomfortable questions and as with Al Gore’s message about the challenge posed to

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V. Ruggiero (✉)  
Middlesex University, London, UK  
e-mail: v.ruggiero@mdx.ac.uk

N. South  
University of Essex, Colchester, Essex, UK  
e-mail: soutn@essex.ac.uk

human society by climate change, at the heart of these questions there is an ‘inconvenient truth’ about the crisis of waste that ‘rubbish society’ brings with it and that urgently needs to be addressed (O’Brien 2007; Girling 2005). According to Rosenthal (2008), across continental Europe and in the USA,

... longstanding landfill sites are filling up quickly, and in Europe’s small spaces there is little room for new ones. The problem has made it imperative for European nations to cut their waste.

By 2020, the European Union will require member nations to reduce the amount of trash sent to landfills to 35% of what it was in 1995. It has already begun severely restricting and reducing the use of landfills, aka garbage dumps, because of the host of health and environmental problems they produce.

But none of this will be easy. Italy, Spain, Greece and Britain each still send more than 60% of their garbage to landfills. A recent study found that they, as well as Ireland and France, are unlikely to meet those long-term landfill targets. In 2006, the United States sent 55% of its waste to landfills, according to the Environmental Protection Agency.

Responding to the ‘inconvenient truth’ of impending waste management collapse will require changes in individual and social behaviours. In turn, such changes will require motivation, perhaps based on the exercise of incentives, encouragements to compliance, or forms of regulation. This is necessary because finding workable and palatable alternatives to mass consumerism and hence mass waste production is harder and less attractive than engaging in denial and employing techniques that help us to neutralise—at least psychologically—the scale and significance of the problem (Sykes and Matza 1957). However change is also difficult for other reasons, not least because waste disposal is highly profitable big business and attractive to both legitimate and illegitimate enterprises. In short, waste generates ‘dirty capitalism’ and ‘toxic crimes’.

### **Green criminology, Environmental Injustice and the Avoidance of Responsibility**

Recent studies, covered by various terms such as green, environmental, conservation or eco-criminology (Lynch 1990; South and Beirne 1998; Beirne and South 2007; Sollund 2008; White 2008; Herbig and Joubert 2006; Walters 2010), have fused elements of critical criminology and environmental awareness and produced a now substantial body of work examining criminological and public health consequences of environmental harms and injustice. Given the evident problems posed by environmental damage and pollution, Simon (2000: 635) suggests that only a form of ‘institutionalised insensitivity to right and wrong’ can explain continuing environmental victimization, injustice and violations of environmental and corporate crime laws. At the global level, Simon indicts the waste industry for activities that are all the more devastating because ‘most of its victims include the least powerful people on the face of the earth, poverty-stricken people of colour, most of whom are powerless to resist the environmental deviance of multinational firms.’ (ibid: 639). Many studies have drawn attention to this environmental victimization of communities of the poor and powerless due to the frequency with which their locations may be the sites of, for example, polluting industry, waste processing plants or other environmentally hazardous facilities (Bullard 1994; Williams 1996; Lynch and Stretesky 2001).

Such ‘toxic tragedies’ (Cass 1996) are commonplace internationally, frequently exhibiting characteristics such as: difficulty of prosecution due to problems in drawing

together evidence that can tie commercial operations to specific illegal offences; cases of corruption; and strong industry 'profit-at-all-costs' motivations (Cass 1996: 110–112). In the latter case, the rationality of a business enterprise may lead to deliberate choice of criminal activity due to the low chance of detection, difficulty of proof of guilt and options for 'fixing' cases should they come to the attention of rule- or law-enforcers or even the courts (Cass 1996: 112 drawing on Sutherland 1949). Within this general pattern may be found what Gobert and Punch (2003: 27) refer to as 'crime facilitative industries in which one can discern a recurring and disproportionate pattern of criminal activity. Persons with a criminal record may be attracted by the opportunities provided by these industries, seeing in them the potential for remunerative illicit businesses. Gobert and Punch draw on the work of Huisman and Niemeijer (1998) to identify some of the features that may make elements of the Netherlands waste disposal business prone to rule-bending and criminal opportunism. It seems highly likely that the same features will be found more broadly across international boundaries.

Companies are paid prior to delivery and, as a result, are easily tempted to take on contracts they cannot possibly fulfil. They then will turn to illegal methods for satisfying their obligations. The firms involved are typically small and run by managers with a dominant managerial style but few qualifications. By providing high rewards and/or by establishing dependency relationships, managers who are averse to regulation and unions are nonetheless able to create a loyal workforce. At the same time these managers will strive to forge good contacts with government officials, employing professional consultants to advise them on how to portray an image of being environmentally friendly ... Behind this façade the companies will consciously and systematically violate the law.

Mandel (1999: 66) describes the business of such violators as 'deadly transfers' of 'unsanctioned hazardous materials', unwanted and frequently toxic waste moved from regulated spaces to sites where weak or no opposition will be encountered and from developed to developing nations as part of a global industry. For Mandel, this occurs in a 'disorderly world' which poses a number of problems for the development and application of law relevant to the environment. This cannot be pursued in great detail here but we can touch upon some indications of the issues.

### Environmental Law

Environmental law can be described as a conceptual hybrid, in that its doctrinal content largely derives from principles enunciated in other legal contexts. It is inspired, on the one hand, by public law, consisting of sets of regulations, procedural constraints, and control processes yet it contains, on the other hand, elements of private law, where it affects property and other recognised rights and interests: 'Therefore, there can be a sense that environmental law discourse is ultimately shackled by a dependent, satellite status, a repository of greener values, but for the most part swimming against a distinctively un-green tide of prevailing legal priorities' (Stallworthy 2008: 4–5). Environmental law, in other words, suffers the legacy of legal reasoning geared to the protection of socio-economic systems heavily orientated towards unfettered industrial growth, production and consumption.

Increasing commitment to market freedom has created a situation in which ethics, education and the 'invisible' mechanisms of the economy itself are seen as the only regulatory tools upon which states are expected to rely. Critics, however, argue that legal

control cannot be discarded and that strategies require ‘legal embeddedness’ if they are to succeed: ‘The environment needs good law if it is to avoid suffering further serious harm’ (Wilkinson 2002: 8). To take a specific case, e.g. waste disposal, law faces challenges posed by the following three categories of conduct: a) legal persons discharging substances in accordance with the conditions established by a licence; b) legal persons discharging substances in breach of their licence; c) legal persons discharging substances without holding a licence (Wolf and Stanley 2003). It may be true, as Stallworthy (2008: 1) argues that environmental law is evolving ‘to the stage that it has developed a coherent basis of applicable theory and principles’, however such law has mainly focused upon the second and third category mentioned above, namely on the harm caused by white collar, corporate or conventional offenders, while the damage caused by industrial development itself has remained largely unaddressed. And yet, the reach of environmental law could potentially introduce into legal discourse ‘long unasked questions as to the ecosystem and biodiversity protection, as well as appropriate conditions for access and use of natural resources’ (ibid: 3).

In response to such problems—legal and moral—the notion of inter-generational equity has been set out. This is a proposition arguing for ‘justice between generations’, identifying obligations and rights enforceable in international law. According to this view, each generation receives a natural and cultural legacy from previous generations that it holds in trust for succeeding ones. This partnership between the living, the dead, and the unborn entails ‘a duty on mankind to pass onto succeeding generations a planet at least as healthy as the one it inherited so that each generation will be able to enjoy its fruits’ (Kofele-Kale 2006: 324). It is hard to establish, however, how such moral obligation lends itself to be turned into a legal one. Some authors tend to see its fairness and concerns as perfectly suitable for incorporation into statutory legal principles (Wolf and Stanley 2003). Others, by contrast, criticise governments for their unwillingness or inability to translate such moral obligation into radical regulatory measures. In an effort to balance business interest with public interest, governments can at most implement policies that limit rather than eliminate environmental damage. Such measures may include the ‘polluter pays’ rule, whereby businesses should internalise the costs of the pollution they generate; ‘eco-taxes’ which are expected to encourage firms to reduce the environmental impact of their activities; and ‘emissions trading’, an ‘eco instrument’ which establishes the maximum level of ‘pollution credits’ for businesses: ‘Over time, the regulator reduces the number of credits in circulation and this results in an increase in the price of the credits. This provides a financial incentive for participating firms to reduce their need for credits by developing less polluting methods of production’ (Wolf and Stanley 2003: 18).

Critics of these ‘eco instruments’ remark that environmental law as a whole has proved a colossal failure, despite good intentions and the hard work of many citizens, lawyers and government officials. Agencies are accused of adopting an excessive degree of discretion in their statutes so that continuing damage to the atmosphere, other natural resources and other species, is allowed. In response, a ‘public trust doctrine’ is advocated as a fundamental mechanism to ensure governmental protection of the environment and the interests of public welfare and survival: ‘At the core of this doctrine is the principle that every sovereign government holds vital natural resources in “trust” for the public’. In this way, a shift is encouraged from a system driven by political discretion to ‘one that is infused with public trust principles and policies across all branches of government and at all jurisdictional levels’ (Wood 2009: 43).

Failures of regulation and avoidance of responsibility continue. In the case study that follows, the contributions of political discretion and commercial expedience to such events

are central. As we shall see, after discussing such conducts relating to the case of Naples and the 'rubbish crisis' experienced by this Italian city, an analysis of the novel ways in which white collar and organised crime are connected will be necessary.

### **Rubbish Tsars and New Entrepreneurs**

In Naples, local administrators have failed (or more likely avoided the urgency of the need) to find a solution to rubbish disposal due to the presence of a myriad of groups with a vested interest in this specific industry. Fear of losing political support led the local authorities to contract the business of garbage management to a large number of small companies, despite the dysfunctional effects such unregulated segmentation visibly caused. This distribution of 'favours', which some would attribute to the peculiar Neapolitan way of practising the principles of democracy, is seen by Vilfredo Pareto (1966) as a fundamental feature of democracy itself. In the 'cynical' analysis of Pareto, the essence of democracies is the patron-client relationship, a relationship based for the most part upon economic interests.

In such systems, democratic participation is achieved by courtesy of a vast number of mutually dependent hubs of influence and patronage, which keeps together by the fact that each hub is dependent to some extent on the good graces of another such hub (ibid: 67).

The task of these systems, in order to maintain their stability, is to aggregate the various centres of patronage, the various clientele, in such a way that they are all satisfied.

This Paretian arrangement, however, proved politically effective but economically disastrous in Naples, to the point that in 1994 an 'Extraordinary Commissioner for Rubbish' was appointed by central government. The small companies, in other words, proved competent in ensuring consensus and votes but inept in delivering the services entrusted to them. The newly appointed Commissioner however, lacking awareness of the local political alchemy, found no cooperation in the region of Campania and its capital Naples. As an outsider, he proved unable to elaborate a plan likely to be supported by the several groups of interest involved. The task therefore, was given to a local representative, the Governor of the Region itself, Antonio Rastrelli. This politician of the Right planned an ambitious large-scale integrated cycle which included differentiated collection of garbage, its dumping in controlled sites, its transformation into compressed materials termed 'ecoballs' and the conversion of the latter into combustible oil. This, finally, was to be sent to incinerators and turned into electricity.

Only in 1998 did this ambitious plan go out to tender and when the winning company was offered the contract in the year 2000, Antonio Bassolino from the Left became Governor of the Campania region. Signatory of the contract with Bassolino was the corporation Impregilo, a conglomerate which included Fisia Italimpianti, Badcock Communal GMBH, Deutische Babcock Anlage, and Evo Oberhausen. The conglomerate offered suspiciously low costs and took on the commitment to manage the whole cycle and build the necessary facilities. It should be noted that the owner of Impregilo is Pier Giorgio Romiti, the son of the long-term director of personnel of the Fiat complex, a top manager who switched to private large-scale enterprise after serving the largest entrepreneur in the country for three decades. Pier Giorgio achieved what his father had long dreamed, investing his own capital and gaining a position in the exclusive circle of Italian capitalism no longer as an employee but as a proprietor (Astone 2009).

## Emergency Situation

Impregilo showed its negotiating power, based both on the reputation of its family ownership and on contingent urgency, by obtaining permission to build disposal sites wherever they chose as a reward for charging such a low price for its services. The place of Acerra was chosen, an area where a new paediatric hospital was due to be built. When the inhabitants of Acerra started to riot, it became apparent that even when completed, the prospective disposal sites would only be sufficient to process fifteen per cent of the garbage produced in the region (Petrillo 2009).

Impregilo limited its job to the destruction of the rubbish brought by the lorries, compressing hundred of thousands of 'ecoballs' and burying them in some existing regional sites or sending them abroad. According to the agreement between the Regional authority and the company, while the whole cycle and plant were being completed, some sub-contractors would have been chosen for the disposal of the rubbish. This 'interim' solution, in fact, lasted between 2000 and 2007, when it became clear that the old system based on numerous sub-contracts granted to small companies had never been abandoned. In fact, the Paretian distribution of favours, as described above, intensified, causing frenetic real estate activity in the area, with land being sold at three-to-four times its market value. New small entrepreneurs entered the scene, buying land from private owners and, pending improbable authorisation, turning it into disposal sites.

The new set of adventurous entrepreneurs expanded the already large area of illegal waste disposal, stepping up the provision of illicit dumping services to industrialists from the North of Italy. In the previous years organised crime based in the Campania region had often offered waste-disposal services to firms operating in the North, including those producing poisons such as dioxane. In this respect, investigators had already warned that 'the seawater of large parts of the Naples province was polluted mainly because of unauthorised dumping, which constituted ninety per cent of the total waste actually disposed of in the bay of Naples' (Ruggiero 1996: 140).

Under the new circumstances, firms set up by organised criminal groups proliferated, including improvising lorry owners limiting their role to the transportation of garbage. The complicity of local politicians was detectable in the hasty, routine authorisations given to such entrepreneurs, some of which used cover names of family members or associates without a criminal record. One such company, pending assessment of the ecological harm it caused, marketed its activity under the cynical denomination 'Ecologia 2003'. The small camorra entrepreneurs realised that one kilo of rubbish was worth more than one kilo of tomatoes, thus turning as much land as they could into illicit dumping sites. Sites previously shut down by the authorities due to the danger posed to public health were also utilised (De Crescenzo 2008).

On 27 June 2007, the investigative judges of Naples brought criminal charges against twenty-eight individuals, including some managers of Impregilo for 'fraud against the public administration' and some administrators for incapacity to control the work of those they commissioned and for their failure to denounce the fraud. After an emergency situation lasting 14 years, and with a waste of money quantifiable at about eight billion euros, sixty tons of rubbish were scattered on the streets of the Naples province. In the streets of Naples alone there were five thousand tons. Pier Giorgio Romiti and Antonio Bassolino were identified as the main responsible figures (De Stefano and Iurrillo 2009). The former was accused of presenting an inadequate, fraudulent tender while aware that the price quoted was unrealistic and that the company bidding for the work lacked the technical capacity to perform the job required. The latter was charged with gross negligence and complicity in the

fraud, having granted an invalid contract and failed to intervene when the improper conduct of the beneficiary became manifest. Bassolino displayed public irritation at the charges and justified himself by saying that he had signed the agreement without 'reading it' as he often did: 'I sign so many papers!' He also argued that a proper assessment of the contracts granted to external entities was the remit of his close collaborators, particularly 'technicians' with the relevant expertise and monitoring capacity (Piccoli 2008: 15).

## Dirty Collar Crime

Some aspects of the case just described are far from unique. Much previous research conducted has shown that processing industrial waste without a licence and sidestepping environmental regulations 'is cheaper and faster' (Szasz 1986, 1994). Cases uncovered in the Netherlands proved that illegal enterprises may offer service packages which comprise false invoices, transport facilities, mendacious chemical reports as to the nature of the substances dumped and forged permits to dump. In most European countries some legally registered companies also operate illegally. They either establish partnerships with legitimate firms or run their own in-house parallel illicit business. The choice between the two services is the result of how much the customer is prepared to pay. It is otiose in this respect, to question whether customers are aware of the illegal nature of the cheaper option, as its very cheapness speaks for itself (van Duyn 1993; Brants 1994; Moore 1994; South 1998). In the USA research has indicated that the involvement of organised crime reaches all aspects of the business, including control of companies officially licensed to dispose of waste and those earning contracts with public or private organisations, or the payment of bribes to dump site owners or outright ownership of such sites (Block and Scarpitti 1985; Szasz 1986; Salzano 1994).

Recent cases which occurred in Germany show that even in countries where the legislation is progressive and clear, illegal disposal of waste is widespread. Such cases emerged when a mismatch was noted between the quantity of waste expected and that actually received by incinerators operating in the eastern regions of the country. The missing portion of waste was found to have been dumped in illegal disposal sites. Entrepreneurs utilising such dumps opted for the cheapest way of waste management, thus circumventing the rules which impose a fee of around 200 euros per tonne of waste treated (Natale 2009). Cases also emerged in which the composition of the waste treated was falsely certified so that substances which should have been disposed of in special sites were instead dumped in inappropriate ones. That cases such as these occur in highly ecologically aware Germany may be surprising but the paradox is that the development of illegal dumping services has run parallel with the steep increase in environmental awareness, the latter forcing governments to raise costs for industrial dumping which indirectly encourages industrialists to opt for cheaper, if illicit, solutions.

Past and current cases of illegal waste disposal share a key characteristic, displaying the dynamic of a partnership between the official economy and organised crime. Organised crime offers a service to legitimate business and receives in exchange opportunities for entrepreneurial development (Ruggiero 1996, 2000). The case of Naples, however, offers new material for reflection that may modify previous analytical assumptions.

## Benefiting from Chaos

The judicial investigation was a clear response to widespread stereotypes: first, that responsibility for the rubbish crisis was to be directly attributed to organised crime; second,

that the root of the problem was the demagogy of the environmental movement; and third, that local administrations were 'Nimby', that is they were unprepared to host dumping sites in the areas they governed. In fact, organised crime found business opportunities courtesy of the inefficiency of legitimate entrepreneurs and the 'dirty collar offenders' operating among them. Moreover, even the trite adage whereby entrepreneurs from the north of the country find an unfavourable atmosphere for business in the south due to the activities of organised crime proved totally inaccurate. The case discussed above shows that the prime beneficiaries of the chaotic situation were the very actors who produced it, namely the legitimate companies who, after giving organised crime a chance to offer their services, blamed organised crime itself for their own incapacity to deliver what was required by contract. Among the other benefits gained was a request for more funds to perform a job which, it was claimed, was hampered by chaos and by the insatiable demands for protection money made by local criminal groups. Dirty collar crime, in brief, created a particularly favourable climate for business: causing chaos boosted profits. False blame allocation also proved ineffective with regard to the purported demagogy of the local environmental movement and unwillingness of the local authorities to host waste disposal sites on their territories. The investigation made it clear that the former started its mobilisation only when unauthorised sites were used, including a site destined for the construction of a new paediatric hospital. Local administrators, in their turn, were proven not only to be well prepared to have dumping sites legitimately built in the territories they governed but also to turn a blind eye when illegitimate ones provided a convenient solution to the emergency situation.

#### From Landesco to Block and Chambliss

When John Landesco (1973) described the structure, cultural background and operations of organised crime in Chicago, he highlighted the ties of mutual interest that mobsters established with the police, entrepreneurs and customers for the goods and services they supplied. Such ties, generally hidden from public view, often became manifest at weddings, funerals, political banquets and other occasions that brought the community together. In a fascinating chapter on the funerals of gangsters, Landesco remarked that, while in life one may conceal personal ties, in death one cannot avoid disclosing them. Additionally, at other venues such as political meetings and banquets, the politics-business-crime nexus was visually inescapable, with the City Hall attaché drinking next to racketeers, businessmen and police officers, all discussing ways of helping each other in their respective entrepreneurial efforts. However, even this unifying description is superseded by the case examined above. Landesco's detailed analysis confirms that often the official economy and organised crime are engaged in an exchange of services and in mutual entrepreneurial promotion. The garbage crisis in Naples displays some traits that suggest that this analysis should be taken further, employing definitions provided by Block (1991) and Chambliss (1978). The former suggests that the term 'organised crime' should be abandoned altogether in favour of the term 'illegal enterprise'. The latter, after a long period of participant observation spent in the underworld, concludes that organised crime consists of businessmen, politicians, and a minority formed by members of criminal syndicates.

#### Così Fan Tutti

The Naples case shows that organised crime is able to penetrate the legitimate economy when the latter provides openings and apposite entrepreneurial space. The encounter



between organised crime groups and business, in other words, does not amount to an unnatural meeting between a dysfunctional and a harmonious entity but between opportunity seekers who are equally prepared to creatively bend the rules. A harmonious economy would immediately detect unorthodox operations and single out crooked operators, thus excluding adventurers and criminals and pushing them back within the narrow confines of the conventional, illicit economy. The cases presented show instead that a mutual learning process is in place whereby criminal techniques 'migrate' from one group to another, from legitimate to illegitimate entrepreneurs, and vice versa. The former learn from the latter the way in which public resources can be ransacked, while the latter learn from the former how fraud is a substantial aspect of business (Ruggiero 2007). We have seen how the official companies involved in the garbage crisis in Naples undercharged the local administration for a service that they, in reality, were unable and unprepared to provide. In a similar fashion, groups of criminals operating in Naples have become legendary for their ability to sell so-called 'parcels', namely items of no value that are purportedly quality goods in high demand. 'Parcels' vary from offering boxes presumably containing latest model computers or state of the art mobile phones, while the real content of the boxes may consist of stones or mineral water bottles. Entrepreneurs involved in the case of Naples sold their own 'parcel', a fraudulent promise of a service which they knew in advance they could not deliver. Both legitimate and illegitimate entrepreneurs contributed to saturating the environment with illegality, thus blurring the boundaries between economic initiative and crime. In such an environment they found it easy to justify their practices through a typical rationalisation ('everybody does it') that echoes Mozart's opera: *Così fan tutti*.

### Socialism for the Rich

The specific 'dirty collar crime' described shows how business can benefit from the very disasters it creates. When small adventurous companies entered the scene, along with firms directly or indirectly owned by criminal organised groups, the official contractors who had committed themselves to the management of waste demanded more public finances to fight chaos and restore order, namely to bring the garbage disposal cycle as a whole under their own control. They also used the concomitant popular protest as a form of pressure upon the authorities to persuade them to release more funds (Brusasco 2009). Finally, they felt that they were entitled to be rescued like other companies experiencing difficulties in the manufacturing or the financial sectors that had been similarly 'bailed out'. This prompts a final, more general observation. The very notion of enterprise in past centuries gained acceptance in the collective sensibility because entrepreneurs, while creating goods and providing jobs, risked their own resources in ventures whose outcomes were more or less unpredictable. Failure to keep a company healthy immediately turned into the risk of exclusion from markets. Dirty collar criminals, by contrast, translate their own failure into novel opportunities for profit; they avoid the uncertainties of private markets, opting for more secure sources of income within the public sphere. Their lack of genuine economic initiative is reflected by their targeting of institutions and collective actors rather than clusters of private consumers. Moreover, when they fail they remove the variable risk and divert it onto the collectivity, requiring assistance from the state, and while publicly advocating liberalism, they aim at the construction of a form of socialism exclusively tailored for the rich.

## Conclusion

In the case described here, legal dirty-collar offenders and illegal organised crime have exploited ‘negotiable-regulated’ spaces. Even where regulations and controls are operating and asserted these drive some behaviours underground, create profitable enterprises to bypass them and are unable to change values and incentives that favour environmentally bad outcomes. Such outcomes are problematic and damaging in a variety of ways: to law, civic life, and public health.

The difficulties of finding appropriate and effective legal or civil remedies in this particular arena of environmental harms and crimes are now well known and problems of inadequacy of arrangements and resources for enforcement of rules and laws are commonplace and described internationally (Hutter 1986; du Rees 2001; De Prez 2000). This situation applies across a range of related organised, corporate and white-collar crimes involving ‘breaches of health, safety, environmental, consumer or food legislation committed by both large multi-national corporations and local businesses’ (Croall 2009: 167). Organised forms of crime operating as illegal enterprises, frequently with legal fronts, tend to avoid effective sanction and disruption by means of intimidation, corruption and value to legitimate business as a way of ‘externalising criminogenesis’ (Szasz 1986: 23). Where such enterprises and their offences are treated as corporate crime, the law is often found to be, as Punch (2009: 52) puts it, ‘weak, if not impotent’: ‘The law is in a sense merely paper, a statement of moral disapproval or intent, or what is referred to as the ‘law in the books’’. Clearly the forms of response and methods of rule- and law-enforcement available to local, national and international bodies formally responsible for environmental protection (albeit that these are sometimes lacking in demonstration of such responsibility in practice), are limited in scope and impact. In moving forward, new tools and arrangements are needed but it should not be forgotten that there will also be much to remember, re-learn and apply anew from past encounters with enterprise crime, corrupt government and fraudulent businesses.

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