

Let Statistics Tell the Tale

Judith Harris (January 30, 2008)



Part I – Balance sheet for justice

Although Mark Twain supposedly said, after Benjamin Disraeli, “There are three kinds of lies: lies, damned lies and statistics,” two newly released statistical reports which occasionally overlap—one on justice, the other on society—offer a fascinating close-up of today’s Italy.

Introducing the new judiciary year in late January, the senior regent of the Rome court of appeals, Claudio Fancelli, presented the annual statistical summary synthesizing the year from July 1, 2006 through June 30, 2007. Given the controversy over the newly resigned Justice Minister Clemente Mastella affair, which has his wife under house arrest for alleged participation in corruption, it is worth considering what else the magistrates of Italy have been up to this past year.

The report could hardly fail to describe problems, but it was not by all means entirely negative. Perhaps its proudest moment comes with the striking increase in the number of individuals actually incarcerated for “crimes against the heritage” (*patrimonio*), up 29.1% over the previous year. This hike reflects the decade-long police crackdown on thefts in museums and on archaeological sites, as well as against the physical environment—the great parks like the Abruzzi, and the cement-blighted coastline.

Said Fancelli: “Delinquents on all levels consider it convenient from a juridical point of view to operate within our country, given our [inadequate] penal code.” And indeed crimes by foreigners (robbery, prostitution, drug hustling, exploitation of children) have soared, with nearly half the crimes attributed to minors involving children from the Balkan area (“Slavs”).

The sluggish justice system is a leitmotif. The delays in Rome reflect in part the fact that, between 2000 and 2007, the number of trials taking place in the capital had tripled. The number of divorces winding up in a courtroom soaring by 11% in just one year, and the resulting slow-down had one divorce case in Rome dragging on for 12 years.

In addition, Rome comes off as particularly litigious, vaunting as many *avvocati* as in all of France, “with possible effects on the overcrowding of the judiciary calendar,” according to the financial daily *Il Sole-24 Ore*. “It is an abnormal number,” Fancelli acknowledged.

Also evident: a North-South judicial split, with the full-employment, industrial Northern sub-Alpine area plagued with a relatively high number of accidents in the workplace. In the South, and increasingly with “infiltrations” into Rome itself and the Lazio region, the judiciary was obliged to confront organized crime: the Mafia, Camorra, ‘*nDrangheta* and the *Sacro Cuore Unito*.

In this the Southern magistrates showed considerable activism. In Palermo, the number of trials for Mafia association rose by a startling 288% (64 cases in 2006 as compared with 248 in 2007). One such trial has just brought about the resignation of the Sicilian regional assembly president Salvatore (“Toto”) Cuffaro, cleared of his being, himself, a Mafia associate, but convicted on charges of providing aid to mafiosi.

Cuffaro, staunch ally of Silvio Berlusconi, was sentenced Jan. 18 to five years in prison on grounds that a former police officer had told him in 2001 that investigators had bugged the home of a convicted Mafia boss in Palermo. For days Cuffaro braved Palermo demonstrators (including girls who dressed up like cannoli) and refused to leave office until his appeal trial could be heard, but on Jan. 26 he bowed to public pressure and resigned. The pressure in the business community in Sicily for Cuffaro to resign was spurred by the increasing number of businessmen who defy organized crime by refusing to pay protection.

At the same time, the number of other trials linked to some degree to Mafia activity rose significantly: for alleged extortion, by 67% in just one year; for usury, by 36%; for corruption, by 129%; and, the greatest increase, for drug trafficking, which rose by 741% in a single.



For the Naples area (the city itself, Caserta, Benevento and Avellino), said Undersecretary for the Justice Ministry Luigi Scotti, it had been “a dramatic year for justice, aggravated by the chronic lack of magistrates.” For that territory, there were 177 murders, 25% more than the previous year, while what are called “Camorra-style” crimes rose from 78 to 103 while at the same time crimes of extortion, believed linked to organized crime, rose alarmingly, by nearly 10%.

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