



# Organized crime involvement in antiquities looting in Italy

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## Abstract

*Tombaroli* (the Italian name for looters of archaeological heritage) have criminally preyed on Italy's ancient tombs for centuries. Criminological research on archaeological looting in Italy, however, is scarce. This research focused on the nature of the relationship between *tombaroli* and organized crime groups in Italy: a misrepresented relationship, as some media outlets depict looters as involved with organized crime. This research project drew on a multidisciplinary body of literature on Italian archaeological looting and interviews with looters, law enforcement officials, archaeologists, prosecutors, and journalists, among others. It demonstrated that Italian archaeological looting is not a problem of organized crime. The study concluded that, presently, the relationship between looters and traditional Italian criminal organizations is anecdotal at best, nor currently looters could be considered organized criminals but rather criminals that need a certain level of organization to operate.

**Keywords** *Tombaroli* · Archaeological looting · Illicit trafficking of cultural heritage · Organized crime · Cultural heritage crime

Years ago, an Italian weekly news outlet headlined on its website a non-dated piece of news stating that the Camorra, the famous Italian organized crime group, was involved in trafficking archaeological heritage. The brief piece of news, consisting of only one paragraph, shockingly never referred again to the Camorra in-text. The journalist (not named) refers to a police operation code-named Artemis (Artemide, in Italian), which is the only clue to date the piece of news: operation Artemis happened in February 2015, when the art squad of the Italian Carabinieri (cooperating with Spain's Guardia Civil) investigated 142 suspects of looting archaeological arti-

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facts all over Italian sites, including Pompeii. The operation was not only important because of its magnitude, but also because law enforcement seized no less than 874 archaeological items. The investigated were mostly looters (*tombaroli* in Italian) and buyers (In Primapagina, n.d.; Isman 2009).

The present research dealt with the problem of illicitly excavated antiquities, where archaeological heritage ends in a gray market while in the process the destruction of scientific evidence occurs. Because of the danger to cultural heritage and archaeological sites produced by this crime and the illicit profits generated, it is essential to keep the facts straight to portray accurately this form of criminality. However, criminological literature regarding the source of looted archaeological objects in Italy is still scarce, limited, and filled with gaps, one of them being the linkage of looters to traditional organized crime. Existing literature is mostly descriptive, lacking in explanatory or exploratory research (Balcells 2020, 2021).

More specifically, this research focused on the initial phase of the journey undertaken by antiquities into their correspondent illicit market: looting, defined as the extraction of an antiquity at an archaeological site with total disregard to proper archaeological methods of extraction and recording. The goal of this criminal action is to extract an artifact to obtain some financial gain while in violation of a country's law or policy protecting cultural heritage. Therefore, what originally was an archaeological artifact turns into loot, then contraband, a commodity and finally an artistic object to collect (Mackenzie et al. 2020).

The research revolved around Italy, considered a vast open-air museum, and one of the most paradigmatic cases of source countries both in the licit art market but, sadly, in the gray market of illicit antiquities. According to Nistri (2008), clandestine excavations have been one of the greatest criminal enterprises in the country: a phenomenon alarming both archaeologists and public and private institutions in charge of safeguarding the country's archaeological heritage.

With these premises in mind, the objective of this article was to assess the nature of the relationship between Italian tomb raiders and organized crime groups. More specifically, the article assesses the nature of the relationship between *tombaroli* and traditional Italian organized crime groups; the traits that *tombaroli* share with organized crime; and finally, about the forms of organizational structure that *tombaroli* use. As it will be further developed later, the obtained results demonstrated that Italian archaeological looting is not a problem of organized crime. The study concluded that, presently, the relationship between looters and traditional Italian criminal organizations is anecdotal at best, nor currently looters could be considered organized criminals but rather criminals that need a certain level of organization to operate.

## Literature review

Extant literature on the relationship of Italian organized crime groups with archaeological looters is, to say the least, highly contradictory. Journalists and archaeologists have attempted to pinpoint an interest in Italian organized crime groups into archaeological looting: most of them pointed towards the South, and more specifically, to the involvement of the Sicilian Cosa Nostra. These articles range from alleging a

clear involvement with the Italian mafia to indicating only partial cooperation, such as sharing the profits of trafficked archaeological goods, as stated by archaeologist Thoden van Velzen (1991). Hamblin (1970), an American journalist visiting Italy, gave an example of this clear involvement of the Italian mafia in the activities of *tombaroli* in 1970, where *mafiosi* supervised looters at an excavation in Selinunte. Journalists Stille (1999) and Lattanzi (1998) claimed that *tombaroli* could work during the day because they had the protection of organized crime groups. In the north of the country, Perticarari (1986), a looter himself, denied the existence of organized crime, yet at the same time, did not deny the involvement of organized crime in the South.

Operators within the Italian criminal justice system have contradictory points of view. Melillo (2008), Deputy National Antimafia Prosecutor, argued that all the traditional Italian criminal organizations have a vested interest in the illegal use of the archaeological sites located in the territories that they control. The prosecutor stated that there is a relationship with Italian mafia-type organizations, mostly in three tasks: the control of zones; the facilitation of related services; and the laundering of profits from other criminal activities via the underground trade of works of art and archaeological pieces. Iannizzotto (2006), a police officer, took a similar perspective in his work, by highlighting the undervalued and little-known phenomenon of the vested interest of organized crime groups in cultural heritage. According to the author, all well-known Italian organized crime groups (he specifically referred to Cosa Nostra, 'Ndrangheta, Camorra, and Sacra Corona Unita) have long participated in the illicit trafficking of works of art, as it requires a particularly complex structure. Pastore (2001), another police officer within the Carabinieri, referred to the existence of criminal organizations and gangs which study and survey archaeological sites. Finally, Luigi Lombardo (cited by Stille, 1999), an Italian examining magistrate, confirmed a clear involvement of Mafia-type organizations in the operations of tomb raiders.

Nistri (2008), on the other hand, referred to networks whose task is to handle the numerous changes that take place from the time of the theft to the time the objects reach the final users. The author is the only dissenting voice, when he stated that "We should underline, at least as regards our experience, that no proof has ever been found of an involvement of mafia-type organizations in the direct and continuing organization of the activities related to the traffic of cultural artifacts, even though investigations have often demonstrated a link between mafia organizations and the specific criminal sector regarding both the monitoring of the territory and the selection of objectives" (pp. 97–98).

Balcells' (2021) systematic literature review highlighted the contradictions regarding a possible involvement of *tombaroli* with organized crime groups as an important research gap affecting this topic. Specifically, only nine articles out of forty-six reviewed mentioned some kind of involvement between organized crime and *tombaroli*: therefore, less than 20% of these articles observed this supposed relationship. Furthermore, there are significant conceptual inconsistencies to be found in the literature: some authors refer to organized crime broadly; others use the term "networks"; and still others attribute the phenomenon to "gangs" and "squadrons," terms used interchangeably that add another level of confusion to the issue in question.

The lack of agreement regarding the relationship between *tombardoli* and organized crime groups is also perceptible in the broader debate about organized crime permeating the illicit antiquities trade: a debate marred by the paucity of comprehensive and reliable information on this sort of crimes (Proulx 2011). The main problem has been the definition of organized crime, as many authors stated: after all, talking about organized crime involves referring to a multilayered social phenomenon, constructed in several ways and influenced by different factors (Alder and Polk 2002, 2005; Chappell and Polk 2011; Mackenzie 2005, 2008, 2011a; Proulx, 2011; Tjihuis 2006). Moreover, scholarly literature mostly states that the involvement of organized crime is not the prevalent dimension of this phenomenon (see, for example, Alderman, 2011; Chappell 2011; Mackenzie 2011b; Tjihuis 2006; Visconti 2015).

Historically speaking, some scholars have criticized quick assumptions, stating that organized crime has permeated the art market at least since the 1960s (Chappell and Polk 2011). Ferri (2014) refers to how during the 1960s, there was a shift in the trafficking of cultural property from single offenders towards organized crime groups; the internationalization of markets and the liberalization of the trade helped boost this change. However, most of the accounts that have claimed some kind of involvement have rarely been substantiated. Some authors claimed that the relationship between organized crime and the art market is, to say the least, spurious.

The structure of groups of *tombardoli*, which has an impact on both the conceptualization of what constitutes organized crime and how *tombardoli* learn as a group, is a topic rarely addressed in the literature. In twenty-one out of the forty-six articles reviewed by Balcells (2021) there was some reference regarding how *tombardoli* organize. The descriptions, however, are highly simple. What can certainly be assessed is that, beyond some cases where it is stated that the tomb raider works alone, we find that literature depicts tomb raiding as a group activity. Out of the forty-six studies reviewed, only twenty articles refer to some kind of organization, while twenty-six omit this information.

## Methodology

Departing from scarce information available in the literature, this study attempted to answer what is the nature of the relationship between *tombardoli* and organized crime groups. Out of this general research question emerged three sub-questions. The first one specifically referred to the nature of the relationship between *tombardoli* and traditional Italian organized crime groups such as Cosa Nostra, 'Ndrangheta, Sacra Corona Unita, or the Camorra, among others. A second sub-question asked what traits *tombardoli* share with organized crime groups. Finally, the last research sub-question addressed what forms of organizational structure do *tombardoli* employ.

This was a qualitative research based on a sample selected through a combination of purposive and snowball sampling procedures. There was an effort to include in the sample representatives of all groups who have a daily experience with the phenomenon of *tombardoli*. The interview sample consisted of eleven police officers, two prosecutors, ten archaeologists, two ministry officials, three journalists/writers, one criminologist, as well as eleven tomb raiders. The sample can be seen as a multiple

data set including the views of all major knowledgeable groups affected by looting, while at the same time retaining its focus on the activities of *tombadori*.

The central method of data collection was the qualitative interview with the above-mentioned interviewees. As stated, a total of 40 interviews were conducted in Rome, Montalto di Castro, La Giustiniana, Montefiascone, Cerveteri, Naples, and in different towns in Sardinia and Sicily, between December 2016 and November 2021. Most of the interviews involved interviewer and interviewee only, yet three interviews were conducted with two, three, and four interviewees simultaneously. Most of the interviews were recorded, after having read along with the interviewee the informed consent and having answered doubts they might have regarding their rights. However, some of the interviewees did not consent to being recorded, and then their responses were written down as the interview proceeded. The interviews ranged in length between one and two hours, but most of the interviews were approximately two hours long. All of them were conducted using Italian as the spoken language and transcribed verbatim in Italian. The interviews were semi-structured, occasionally departing from the questionnaire to explore areas that respondents saw as important, or to pursue lines of inquiry that seemed pertinent but were unanticipated.

A content analysis of the data obtained in the interviews and several other supports was conducted. Instrumentally speaking, alphanumeric codes were assigned and identified in a color-coded chart Excel sheet that served as a data matrix and guided the created data matrix in three spreadsheets: one for the matrix, one for the codebook, and a final one for frequencies. Transcribed and coded quotations that were deemed important and relevant were cut and pasted into the data matrix. The goal was to articulate several themes that were linked together, either similarly or divergently, in a way that they could collectively analyze archaeological looting perpetrated by *tombadori* in Italy nowadays and answer the research questions.

The analysis followed the open, axial, and selective coding stages. In the open coding phase, data were organized under twenty-two codes. In the axial coding phase, these twenty-two codes were filed under five category headings, which seemed to best represent the common themes shared by groups of coded data. In the selective coding phase, the relationship with the axial codes was examined, so the connections between codes could be explained. A three-layered process was followed: a first layer involved the examination and comparison of threads and patterns within categories; a second layer involved the same work but this time across categories; finally, a third layer placed the information gathered with respect to prior research, thus comparing and contrasting issues raised in the previous chapter about the literature. All three layers were iteratively considered simultaneously while conducting the data analysis.

Steps were taken to ensure the maximum strength of the validity of the obtained data: to begin with, interview data were situated within the existing literature on the issue of looting in Italy, which gave raw data context; also, data that interviewees gave was validated through other external sources. The second technique used to strengthen validity was the use of rich data by the compilation of transcripts from the interviews and memos: participants' reactions and the changes throughout the research processes were documented before the analysis of the data. To obtain stronger data reliability, information was crosschecked, confirming that the original informant was not the source of the corroborated information. When assertions could not

be verified, they were not included in the stage of data analysis. Efforts were made to locate evidence that built a code or a theme from different sources. This evidence was then used to triangulate information to provide validity in the findings. Rich data also has an impact on reliability, as procedures were documented to demonstrate how coding schemes and themes were used consistently. To do so, research diaries and memos provided an audit trail on the collection and analysis of data, chronicling the evolution of the research project, and documenting every rationale for possible choices made during the process.

## Results

### The contested relationship between *tombaroli* and Italian organized crime groups

Many interviewed experts thought that even in archaeological areas that exist in provinces where important organized crime groups are rampant, there is little evidence that these groups are trafficking with archaeological items. This lack of interest is mostly because organized criminals are more prone to steal art than loot archaeological items, as it is easier to take well-known, valuable pieces instead of learning to find unknown pieces buried in unearthened tombs. Moreover, interviewed experts noted that economic reasons explain why traditional Italian organized crime groups do not engage in the looting of tombs: organized crime groups who are used to amassing large profits trafficking other illegal commodities cannot expect to achieve the same profits with archaeological items. After all, other commodities can be produced or obtained while archaeological items can be hard to find, are non-renewable, and are not valuable enough to justify this permanent involvement of organized crime groups.

One of the *tombaroli* stated that “In an area like Bisenzio, where we dug, most of the objects we found in the tombs could be, the objects that were inside could be around two million lire a day, do you understand? They carried an average of two million lire a day (\$1227). As we were four in the group, it was just about 500,000 lire (\$307). So, as you can see, it’s not that there were huge profits, do you understand? That’s why you cannot talk about organized crime. Organized crime won’t get dirt on their hands for 500,000 lire, do you understand?” (Looter #4).

This lack of interest in archaeological items indicates organized crime groups’ lack of specialization in this sort of trafficking. It is even rare to find this sort of trafficking combined with other smuggled goods. As stated, for these organized criminals to have access to archaeological items buried in tombs, they would either need the collaboration of *tombaroli*, or learn to do that task themselves. Data collected in this study did not find any solid evidence for either of these scenarios. Expert respondents claimed that the connection between drugs or other trafficked goods and trafficking of antiquities does not occur in Italy as in other countries in the world. For example, an interviewed prosecutor labeled the relationship between organized crime groups and *tombaroli* as very diluted; he further argued that this form of criminality cannot be compared to other criminal organizations that operate worldwide or even to established criminal organizations operating in Italy. In any case, the expert stated that the problem with *tombaroli* is entirely different from manifestations observed in Colom-

bia or in Peru, where trafficking of antiquities is strongly linked to drug trafficking; in Italy, these ties do not exist (Prosecutor #1). To conclude, Italian expert respondents conclude that they have not witnessed any possible specialization of organized crime groups regarding archaeological looting.

In the north, there has always been a prevalent activity of *tombaroli* because of the high concentration of Etruscan necropolises. Respondents stated that there is no presence there of criminal organizations, nor the infiltration of organized crime groups from the south. According to these experts, in the north the involvement in looting is done occasionally at a small-scale and at a local level, as always happens in towns, nearby the necropolises where the pieces are. Their points of view agree with existing literature defining looting as the task of small-town inhabitants who occasionally loot (Carabinieri, 2008; Isman 2009a; Pastore 2001; Pastore 2011; Watson & Todeschini, 2007).

In fact, police officers denied that the situation in the South is out of control and in the hands of organized crime groups. By contrast, some documentary accounts, such as Hamblin (1970) or Stille (1999), depicted entire teams of *tombaroli* working under the rule of a local Mafioso. However, these sources are outdated and do not seem to represent the reality of looting in the South nowadays (thus having the effect of perpetuating the myth of mafia involvement), as police officers stated. According to these respondents, *tombaroli* in the south are the same as *tombaroli* in the North (Police officers #4 and #5).

As such, the involvement of organized crime groups in archaeological zones in the south is still unverified. A police officer stated that organized crime groups in the South have been found with looted archaeological items, yet these were anecdotal accounts involving individuals, not entire organizations. In his opinion, these criminal organizations do not have a specialized investment in looted antiquities (Police officer #1).

The only differentiating factor in the looting of archaeological heritage between the Italian north and south refers to the control of the territory by certain organized groups. A police officer stated how “In the south of Italy, criminal organizations hold a lot of power in the land they control. Evidently, that land might be filled with archaeological riches, thus making the task of looters difficult, who need to confront these criminal organizations and pay fees. That is not the case in the north, where *tombaroli* are free to excavate where they please, as there is no possession of lands by organized crime in the northern provinces” (Police officer #5).

Finally, two archeologists stated how they had never found evidence of organized crime groups controlling territory in the north. They think that wherever there is a criminal organization controlling the land, it follows that there is at least a control of the archaeological looting that happens in the area perpetrated by its members (Archaeologists #1 and #2).

### ***tombaroli* as organized criminals**

As there was no evidence of traditional Italian organized crime groups involved in the trafficking of looted antiquities, the next step was to assess whether *tombaroli* could fit the description of organized criminals. The criteria employed in the present

article to define organized crime were taken from the United Nations' Convention on Transnational Organized Crime (UNCTOC), also known as the Palermo Convention, signed in December 2000, and entered into force in September 2003. Article 2 of the Convention defines organized crime as "... a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offenses established pursuant to this Convention, to obtain, directly, or indirectly, a financial or other material benefit." The criteria shown in the Convention's definition of organized crime can serve as a checklist to assess whether *tombaroli* fit in. This definition is used as not only due to the significance of the UNCTOC (which marks the first global treaty against organized crime) but also because of the importance the UN has placed on protecting cultural heritage against different threats: for example, in 2008 the international organization hosted in Italy a conference devoted to the topic discussed in the present article and the final conclusions were threefold: first, the involvement of organized crime in the illicit antiquities trade depends on what we mean by this term; second, that it does not appear to involve the Mafia (already seen); and third, that there is not enough information to determine the precise role of organized crime (Manacorda, 2008).

Certainly, groups of looters are structured (more on this issue in the next epigraph) and are comprised of more than three participants. All respondents answered affirmatively. For example, a prosecutor stated how once he prosecuted a group of ten *tombaroli* (Prosecutor #1), while active archaeologists reported witnessing small groups of three individuals at most (Archaeologists #3 and #4). These groups tend to use the same participants over time, even though members are free to join, quit, or rejoin as they please. One archaeologist stated that: "He [referring to a well-known antiquities' dealer] has worked not only for a long period of time but also with the same team of people. If you were able to look at his seized documents, the same names appear: *tombaroli*, restorers, people trafficking the pieces out of Italy... they were always the same. It works better if the people are always the same" (Archaeologist #2). Interviewed *tombaroli* gave interesting insights about the composition of their teams. They manifested that the limit of participants was mandated for economic ("...because beyond five people, there is no profit anymore") and organizational reasons ("We are four or five, but no more because later it hardly becomes manageable") (Looters #1 to 5).

All the participants also agreed upon the fact that *tombaroli* act for a prolonged or indefinite period. *Tombaroli* usually start at an early age (strength is required for such a physically demanding task) and stop when they no longer have the strength to keep going (Peticarari; 1986; Tagliaferri and Rupi Paci 1992). One looter stated how he began in the 1950s and finished excavating with his team ten years ago (Looter #3). Another stated how he began when he was fifteen and stopped when he was fifty-seven (Looter #5). Both their careers extended over five decades. Acting for a prolonged or indefinite period is vital due to the need to know the terrain where the illicit excavations will take place. A police officer stated: "They have to know the zones where they move well ... some of them are specialists and know the terrain and where to go to dig and find good pieces perfectly well" (Police officer #4). Such prolonged periods of time also allow *tombaroli* to amass a significant quantity of treasures, as information related to police seizures demonstrates (Carabinieri, 2008; Nistri 2008;



Rush & Benedetti Millington, 2015). For example, Operation Andromeda found 337 archaeological finds from the areas of Lazio, Puglia, Sardinia, and Magna Graecia, all repatriated from Geneva; Operation Iphigenia recovered 23 funerary urns and 3000 archaeological items; Operation RoViNa recovered 520 archaeological objects (Povoledo 2013; Rush & Benedetti Millington, 2015).

However, one of the missing items in the UNCTOC definition is the commission of one or more serious crimes or offenses, described as those with a penalty attached of four years of incarceration or more. In fact, many respondents disregarded the presence of the third criterion. According to the Italian cultural heritage and landscape law, passed in 2004, looting is punished in its article 175.a with the arrest for up to one year and a fine between €310 and €3,099. Most interviewees agreed that it is impossible for a *tombarolo* who is only charged with the crime of illicit digging to end up in prison because of the low penalty attached to this crime. Therefore, it is extremely rare to see a *tombarolo* behind bars. For example, interviewed *tombaroli* were asked whether they had been arrested and prosecuted, and what their punishment was. One was sentenced to fifteen months of jail for each of his two arrests, but both times his sentence was suspended (Looter #5). Two of them were each sentenced to house arrest for a duration of six months, but their sentences were also suspended (Looters #6 and #7). The oldest of all the *tombaroli* was fined, even though his lawyer appealed and later won the case, so the conviction was overturned. Another was never arrested for looting, but he had to demonstrate to police that the goods seized at his house were crafted by him. In the end, he was not convicted (Looter #8). All the *tombaroli* stated that they did not know of any *tombarolo* serving time in prison, and *tombaroli* did not seem to worry about serving time in prison. In fact, paradoxically, as law enforcement becomes more aware of their activities, the law becomes softer on them. One prosecutor specifically complained that he cannot apply aggravating circumstances to this crime with the latest criminal code reform (Prosecutor #1). The approval of the Cirielli law on December 5, 2005, abolished some of the aggravating circumstances that could be used previously (Isman 2009). The possibility of *tombaroli* ending up in prison exists. However, according to the legislative framework, going to prison can only happen when a *tombarolo* becomes a recidivist and has been arrested several times. A police officer stated, “They [*tombaroli*] aren’t even concerned about going to prison. After all, what happens? They serve a year, tops. It is a holiday for them. They reorganize, they meet new people, and when they leave, if they still have the money they made with them, they are happy” (Police officer #1).

The last criterion refers to organized criminals obtaining, directly or indirectly, a financial or other material profit. Most respondents agreed that *tombaroli* are motivated solely by economic profit. In fact, all the *tombaroli* frankly admitted that they did it for money. As one of them stated, looters will never become rich: “No, no. No *tombarolo* works anymore as a full-time looter, understand? It is all people who have another job, and the profit obtained from looting tombs is used to round off a salary, or a bad season in agriculture, understand?” (Looter #1). That is why, as was seen in the first criterion, concerning collaboration between more than three people, it is normal that groups are not big, so that looters can be rewarded with bigger shares. *Tombaroli* are suppliers and if they cannot find clients, they look for middlemen and dealers to place their discoveries. Middlemen and dealers, however, only pay a small

percentage of the total value of the piece to those *tombaroli*. In those instances, out of the total amount of money any given piece may produce, the big profit is not for the looter. For example, according to an investigative journalist, the dealer who sells the product to a wealthy client is the one who profits the most (Journalist #2).

In sum, only one of the items in the UNCTOC definition of organized crime is missing: the commission of one or more serious crime or offenses. As such, it precludes the labeling of *tombaroli* as organized criminals. It is important to highlight the problem of the weak punishments for this form of crime, even though law enforcement is actively attempting to curb this phenomenon. Because the penalties are so low, ordinary townspeople are not afraid of illicitly taking archaeological goods that belong to the state to sell them to their clients.

### **Organizational structure of *tombaroli***

The classifications of organizational structure used in this project followed Natarajan and Belanger's (1998) study of thirty-nine drug trafficking organizations prosecuted in the city of New York. The classifications of organizational structure in Natarajan and Belanger's (1998) model are conceptualized as follows: the organization can adopt the form of freelance individuals (where there is no formal hierarchy or division of labor and there is no expectation for future transactions); a family business (where an informally defined division of labor may exist, and the activity operates as a family operation); a communal business (where the division of labor is informal and flexible, but there is a clearly identified boss); or a corporation (where the division of labor is clearly defined according to a clearly defined formal structure, and numerous individuals are involved).

The looters' organizational structure most identified by expert respondents was the freelance structure. Literature abounds with cases of freelance *tombaroli*. Two archaeologists defined the freelance organization when applied to *tombaroli*: it consists of small groups that are created to achieve a goal, which is unearthing a tomb that has valuable goods inside. Thus, a group of people progressively assembles to manage to find, unearth, and empty a tomb and to then sell its contents. Members keep entering and leaving teams as they need (Archaeologists #1 and #4).

The second most prevalent form of structuring the *tombaroli* teams was the familial structure. In many instances, the expert interviewees thought that groups of *tombaroli* were mostly composed of family members, so this structure, according to them, was also suited to define the reality of archaeological looting in Italy. An interviewee defined this structure as follows: "Yes, it is a family division: especially in small centers, such as Cerveteri. Families are like schools of *tombaroli*, and the teams are composed of uncles, cousins, and brothers, and close acquaintances, too. This is what I have prosecuted the most" (Prosecutor #1). These families are locally based, which implies that most of the inhabitants in rural areas know who excavates and who does not. In any case, these families cannot be compared to organized crime families, led by crime bosses.

The communal structure was the third most designated by respondents. Although not all respondents thought that they had seen *tombaroli* operate following this structure, literature gives examples of this sort of structure. Migliore (1991) gave a perti-

ment example in his ethnography of Sicilian tomb robbers and explained how in small Sicilian towns: “The individuals who actively seek buried treasure on archaeological sites share the sentiments of other rural Sicilians. Treasure hunting is viewed as a legitimate, although potentially dangerous, profession. The individuals who engage in this type of activity are ordinary members of the community; they have various economic, social, and kinship ties with other community members” (p. 116). Finally, four respondents thought that in the South, the reality of looting adapted better to corporate structures, the least mentioned of the four structural categories. There is scant evidence of this structure, though, as the literature rarely describes it.

All interviewed *tombaroli*, depending on the characteristics of their teams, identified with one form of structure. Some described their group as consisting of freelancers. Others stated they had family members in their teams; two of them linked their experiences to a communal structure. None of them, however, thought their task to be fit for a corporate structure.

## Analysis

The literature’s evidence of the involvement of organized crime groups in looting is ambiguous. Some authors thought that there was no involvement (Chappell and Polk 2011), whereas others believed that there was (Melillo 2008; Nistri 2008). But there is much anecdotal evidence in the literature suggesting that organized crime benefits from the looting and subsequent trafficking of Italian archaeological heritage. The confluence of the relative ease in looting archaeological heritage and the profit margins obtained when selling pieces to preeminent collectors boosts the idea of organized crime being involved in archaeological looting. Furthermore, recently, both the media and members of the Italian criminal justice system furthered this idea by rashly attaching the label “organized” (Europol 2011; Morelle 2014).

However, international organizations tend to agree on the involvement of organized crime in trafficking cultural heritage. As early as 2004, the Economic and Social Council approved the Resolution 2004/34, on the Protection Against Trafficking in Cultural Property, which states that organized criminal groups are involved in trafficking in stolen cultural property (ECOSOC, 2004). The United Nations General Assembly also passed the resolution E/RES/2013/31, stating that this international organization was “... Alarmed at the growing involvement of organized criminal groups in all forms and aspects of trafficking in cultural property and related offenses, and observing that cultural property is increasingly being sold through markets, including in auctions, in particular over the Internet, and that such property is being unlawfully excavated and illicitly exported or imported, with the facilitation of modern and sophisticated technologies” (p. 5).

The UNCTOC Conference of parties claimed that trafficking in cultural property has links to organized crime, as it relies on procedures used by organized criminal groups; it satisfies a strong demand and is thus highly lucrative for those participating in the trade; its complex nature often requires the involvement of many actors, including legal entities and third parties, who tend to operate in a structured and organized way; and it uses modern and sophisticated technologies. There is also evi-

dence that transnational trafficking in antiquities is linked to other illicit activities in which organized criminal groups are involved, including drugs and arms smuggling, violence, corruption, and money laundering (Borgstede, 2014). The United Nations Interregional Crime and Justice Research Institute (UNICRI) states that organized crime groups have become more deeply involved in the theft and export of illicit antiquities, among other forms of cultural property (Calvani, 2009).

This research's findings, however, indicated that Italian archaeological looting is not perpetrated by organized crime groups. The simplicity of commercial structures employed nowadays by *tombadori* (for example, transporting, selling, and delivering the pieces to the client without the use of a middleman) means that archeological looting cannot be related to Italian organized crime, which mostly refers to large-scale, stable, and structured organizations (Paoli, 2003). Italian organized crime exercises political dominion over their areas of influence, collects both lawful and unlawful debts, and regulates legal and illegal markets, among other tasks (Paoli, 2003). According to Sciarrone (2009), they also use violence and intimidation to enter the legitimate economy and seek to control the territory. The nature of these criminal associations becomes confused when the term is used to describe smaller organized criminal groups with local significance (Paoli, 2003).

The only connection between the conception of Italian organized crime described by Paoli (2003) and Sciarrone (2009) and *tombadori* is that looters might operate in territories which are controlled by organized crime groups. Even though interviewees mentioned most of the groups (Cosa Nostra, Camorra, 'Ndrangheta, and Sacra Corona Unita), they primarily referred to Cosa Nostra and Camorra when discussing organizations which controlled the territory and allowed looters to excavate. Experts discarded the presence of 'Ndrangheta and Sacra Corona Unita, as they remain outside this kind of illicit market. Cases where organized criminal groups requested the services of *tombadori* are anecdotal and do not have significant evidence in the press and literature. In the news, reporters merely imply that this form of looting is the product of organized crime networks, linking Cosa Nostra, 'Ndrangheta, Camorra, or the Sacra Corona Unita to the activities of *tombadori*. However, these pieces of news are anecdotal, few, and the evidence given is very feeble, in the opinion of the expert respondents.

Data gathered in this study evidenced that *tombadori* cannot be labeled organized criminals, according to the UNCTOC, because not all the items of the definition of organized crime stated in its article 2 are present. The low penalty attached to the crime leads *tombadori* to perceive themselves as non-criminals. All the *tombadori* who were interviewed for this project do not see the activity in which they engage as criminal. *Tombadori* claimed that looting for them is a way of living that is strongly tied to both their ancient roots and the land where they have lived since they were born. In fact, *tombadori* consider themselves to be descendants of the Etruscan civilization, as a way of justifying ancient Etruscan items are theirs as their living heirs. They see their criminal activity either as a job or a hobby.

Moreover, Italian *tombadori* are passers-by in the Italian criminal justice system. Both elements, *tombadori* not seeing themselves criminals, and their sporadic presence in the criminal justice system, weaken the preventive capacity of law enforcement. They also, however, weaken the culture of protecting the territory and the

archaeological heritage it might contain, which is by no means an infinite resource. The latter can be seen in the justifications of *tombaroli*, who think that they should benefit from whatever archaeological items “their” land has underneath. Even though they know that archaeological heritage pertains to the state, the fact that they see it as their property threatens the communal sphere of cultural heritage.

Two of the most agreed upon organizational structures established by Natarajan and Belanger (1998), freelance and family business, imply loosely affiliated networks of people involved in a criminal opportunity. Because most respondents saw *tombaroli* as freelance operators, there appears to be no formal organization among those looting Italian archaeological heritage. Even *tombaroli* saw themselves as independent contractors. Freelance operators have no division of labor as they perform the requisite tasks related to looting, such as spotting the terrain, digging, appraising the goods, and selling them. Data demonstrated that family ties do not seem to play an important role in archaeological looting beyond teaching sons and grandsons the ropes of becoming a *tombarolo*. Families that work together to actively loot and sell archaeological findings also have an informal division of labor and do not appear to have an identified leader. Furthermore, these families do not have a structure.

## Conclusion

The results garnered from the conducted interviews did not support the notion that organized crime is involved in archaeological looting in Italy. A solid link between traditional Italian organized crime and *tombaroli* was not found. No proof has ever been found of an involvement of mafia-type organizations in the direct and continuing organization of the activities related to the trafficking of cultural artifacts.

The results pointed instead towards the existence of a highly opportunistic crime that is largely taken advantage of by locals who do not appear to see their activity as criminal. Instead, they see their actions as ways to generate an extra, secondary income, as all the interviewed *tombaroli* were employed. Their criminal activities provide them with the opportunity to meet basic living expenses, in a way that does not require a great deal of trouble or coordination of efforts.

*Tombaroli* are “organized” in the sense that they need to create teams whose task is to loot and then find sellers for the found items. Though these teams coordinate their activities, this does not necessarily denote the involvement of “traditional” criminal associations and even less so the presence of the mafia. Furthermore, *tombaroli* cannot be labeled organized criminals according to the definition of the UNCTOC, as they do not fulfill the requirement regarding the aim of committing one or more serious crimes or offenses. It is important to highlight the problem of the weak punishments for this form of crime, even though law enforcement is actively attempting to curb this phenomenon. Because the penalties are so low, ordinary townspeople are not afraid of illicitly taking archaeological goods that belong to the state to sell them to their clients.

Applying Natarajan and Belanger’s (1998) organizational structures to the looters did not sustain the notion that *tombaroli* are organized criminals. The fact that *tombaroli* organize mostly as groups of freelancers or family members supports the

idea that looters should not be labeled organized criminals. In sum, these results highlighted the need to assess exactly how *tombaroli* do operate, without fashionable myths that romanticize and misconstrue reality.

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