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Discussion

The Social Life of What?

Some Comments on Theodoros Rakopoulos's Article "The Social Life of Mafia Confession: Between Talk and Silence in Sicily"

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What follows is a methodological qualification I wish to add to Theodoros Rakopoulos's welcome contribution to Mafia studies (2018). From the outset, the article's title, "The Social Life of Mafia Confession: Between Talk and Silence in Sicily," muddles a state procedure and the perception of what he calls "Mafia confession" in village conversations. The emphasis of the author on "informal ethnography" masks two main problems: the lack of informed historical context and the failure to distinguish levels of analysis. Rakopoulos's fundamental misrepresentation of the political frame of his fieldwork raises challenging questions about the engagement of anthropologists in political life. Words in Sicily are a matter of life and death, especially when they are related to *pentiti*. Working on "gray areas" should not preclude rigor and precision in identifying our object of inquiry. Because the Mafia itself is rooted in gray areas, the anthropologist needs to fully understand the consequences of adopting a floating position in fieldwork, and especially in his or her production of knowledge. Rakopoulos has chosen to rely solely on his own informally obtained local information to represent "Mafia confession." However, studying "Mafia confessions" through hearsay or stories collected in cafés and villages is essentially a category error. In other words, the anthropologist has mistaken a cultural analysis of "words" for the actual legal and concrete "thing" constituted by "collaboration with the justice system" (which he calls "Mafia confession"). Unfortunately, the informal discourse that he reports plays a role in the misrepresentation of the *pentitismo* and is itself an aspect of local political contestation rather than simply an example of folk "symbolism." Such a misleading characterization, legitimated in an academic article, could provide justification to refrain from the use of *pentiti* in anti-Mafia investigations, undermining their credibility and reinforcing the gray areas between the Mafia and the state instead of generating critical knowledge.

Category errors are not the only mistakes in the article. There are also some factual errors. When Rakopoulos writes that "If turned penitent, however, they (Mafiosi) enter witness protection schemes and are set free under a wholly new identity" (168), this statement may well hold some truth value for his informants. But this is definitely not what happens to a Mafia repentant-informer. Not only do *pentiti* serve time in jail after confessing, but also while they are in the protection program their new identities do not allow them to acquire a full legal identity, nor to sign any contract. Law 203/1991, which regulates the legal status of "collaborators with justice," does not warrant their release or immunity; it merely reduces the time that they will serve by between a third and a half, and applies a mandatory sentence of 12 years (minimum) to 20 years (maximum) for Mafiosi sentenced to life imprisonment. Contrary to popular opinion, rumors, and gossip that constitute the material substantiating Rakopoulos's article, the law governing the condition of Mafia confessions imposes a judicial framework—based on the notion of "self-incrimination" (*chiamata in cor-reità*)—that leads *pentiti* to confess crimes previously unknown to the authorities. As a result, they will be charged for additional crimes, thus lengthening their jail sentences.

To avoid epistemological blunders, we need to distinguish treatment of *pentiti* by the Italian judicial system and the perception of their "confessions" in different language registers and ideological levels. This confusion between two levels—political and religious—may be appropriate for the symbolic framing of the *pentitismo*, but it is completely misleading when we come to analyze what Rakopoulos calls "Mafia confessions." Such "secular confessions" form part of a criminal inquiry undertaken by the state, strictly defined by Italian law, where procedures for conducting interrogations are regulated by protocols and where the participants' roles and responsibilities are rigorously set. While Christian confession "provides cosmological ramifications to absolution from personal responsibility" (Herzfeld 1992:159, quoted by Rakopoulos 2018:176), "Mafia confessions" are the exact opposite: they are devices for allocating responsibility for crimes imputed to the Mafia.

Giovanni Falcone, the anti-Mafia judge assassinated on May 23, 1992—primarily for being the author of the *pentiti* law—was very careful to define and separate Mafia confessions from the moral and religious shroud in which they were wrapped, and in which Rakopoulos unfortunately rewraps them. Falcone established robust criteria for granting protection, such as providing "trustworthy information" rather than the "sincerity of repentance." The idea that "Catholicism frames social action in Italy" (Ben Yehoyada 2015:192, quoted by Rakopoulos 2018:175) leads researchers, mistakenly, to mire their research objects in a religious frame, failing to submit evidence with an accurate ethnography.¹ This was also my preliminary

1. "Instead of exploring this penitent mafiosi's 'motivations' (which would be an issue difficult to examine ethnographically and even limited in its cognitive significance)" (Rakopoulos 2018:174).

hypothesis, derived from long-term fieldwork on the religious framing of social practices in the anti-Mafia movement. However, after discussing this subject in an article on the controversial nature of the *pentito*, located “between law and religion,” I dismissed the thesis entirely, realizing that it was unsubstantiated by my interviews with magistrates, officers, policemen, and some of the “collaborators with justice” in the Protection Service. “Taking seriously” the arguments of pentito like Buscetta—and many others I myself met—when they say that they “did not repent,” or when they make a sharp distinction between their debt to society and their debt to God, means taking into account their moral stance without imposing one’s own moral bias that might help reinforce political arguments designed to discredit them.

The former was precisely the approach adopted by Judge Falcone, for whom the judicial inquiry elicited a genuine anthropological interest in the Mafiosi. When Rakopoulos claims, “Akin to an anthropologist, Falcone insisted on creating a long-term relationship with his interlocutor Buscetta” (175), an observation I myself made in an earlier article, he misses the core point of my demonstration. Confidants, informants, or spies speaking to the police are embedded in Sicilian history and genealogy. However, the institutionalization of Mafia confessions was achieved when Falcone and Buscetta collaborated, not because the judge and the pentito struck up a “friendship,” as Rakopoulos calls it, but after their “speaking together” became officially recognized and framed—not by the Church, but

by the Italian state; not in “the confessional booth,” but on the premises of the state administration; not in “face-to-face private conversations,” but in a judicial setting; and not in anonymity, but by using their own names to sign their own statements. All these elements are nothing less than the conditions of possibility for an unprecedented knowledge about the Mafia, leading to the gradual exposure of the entanglement of Mafia and state, and eventually to the judge’s assassination.

As for blunders, one might wonder why, in an article titled “Between Talk and Silence in Sicily,” anyone would feel entitled to dispose of any discussion of the performativity of words. Yet, the author has relegated Austin’s discussion of performativity to a footnote, with the excuse that his work only concerns “inner psychological states” (Rakopoulos 2018:175, n. 17). Taking Austin’s “speech act” theory seriously would not only have helped Rakopoulos gain a better understanding of his topic (which is definitely not “Mafia confession”), it also would have made him more alert to what anthropologists “do” with words. Consequently, the anthropologist would not have so starkly demonstrated the pitfalls of anthropological intervention in political debates without rigorous contextual research.

References Cited

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