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CORRUPTION AT THE BUSINESS-POLITICS INTERSECTION IN THE CITY OF
MONZA, ITALY

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Title

Corruption at the business-politics intersection in the city of Monza, Italy

Abstract

In 2012 a new law in the matter of transparency and anti-corruption was approved in Italy. The law has set within new frames the understanding of corruption mechanisms, as well as the definition of core concepts of the anti-corruption discourse, such as ‘prevention’ and ‘transparency’. Moreover it has also re-defined the roles and tasks of actors and employees of the public sector. In December 2013 the city of Monza, Northern Italy, was hit by the biggest corruption scandal of its history. Investigations evidenced the existence of a well run system of corruptive practices between the public sector and the City Council, which were aimed at favouring certain companies for public works and calls for tenders.

The recent events that occurred in Monza acquired even more relevance in light of the principles contained in the new legislation, particularly its stress on anti-corruption discourses (and rhetoric), as well as on the practical and performative role of virtues and ethical values in the public office.

This paper looks at how employees of Monza City Council perceived and (re)signified corruption as a whole consequent to the 2013 scandal and to the introduction of the new law, not only considering their impact at a local level, but also in a wider perspective in relation to corruption perception and practices at a national level.

Introduction

An ethnography of corruption in Italy poses the problem of dealing with a phenomenon that is perceived to be extensive and which is commonly believed to have been well rooted in the cultural field. From the huge corruption related scandal of Tangentopoli (1992), 23 years have passed, and yet in this time lapse, although corruption has always been one of the main topics of the public discourse, could we neither see a decrease of corruption scandals, nor a real effort in fighting corruption from a legislative and normative point of

view. Even though corruption is strongly perceived as one of the most relevant issues to be addressed, it seems that a feeling of powerlessness is pervading Italian society at all levels.

This being said, in the following pages I will analyze how corruption practices and the consequent anti-corruption discourse are perceived by public officials employed in the city council of Monza, a town located in Lombardy and capital of the homonymous province, which between 2013 and 2014 has been interested by a corruption scandal that involved both the private and the public sector.

Indeed, the private-public sector intersection has proven to be over the years the field in which corruption is mostly put in practice. The cases of Tangentopoli, Sistema Sesto, MOSE, Expo 2015 and Mafia Capitale all represent corruptive systems that had their rules, codes and rituals, which helped shape a network of solidarity between the public and private by creating a self-legitimising and self-indulging environment, in order to put the moral costs of corruption down.

The newly approved Law in the Matter of Anticorruption (190/2012) sets within new frames the understanding of how corruption works and proposes prevention, achieved through more transparency, accountability and responsabilisation, as a more viable way rather than repression to defeat corruption.

The first measures contained in the law text were to be adopted by January 2014. Just about a month earlier, though, the city of Monza was hit by the scandal also known as ‘Clean City’, which involved the company leader in the waste disposal service in the area, Sangalli & C., and a fair number of employees of Monza City Council, including a councilor and a sector manager.

On the basis of these two events I have decided to focus my research on how (and if) employees of Monza City Council perceived and re-signified corruption as a consequence of the introduction of the new Law and of the breakthrough of a scandal which had involved some former colleagues. In doing so, I have also considered some aspects of how corruption is dealt with in the public discourse as a whole, and how this can influence the way in which corruption is understood, and in which way this might be the cause of a certain feeling of powerlessness that seems to pervade the way in which citizens relate to the issue.

In particular it will be accounted that employees of the City Council seem to relate in a more immediate way with discourses relative to morality and values, rather than with the prescriptive principles contained in the law text, and though generally in accordance with its principles, they do think that a stress on positive values and cultural elements could have an important role in fighting corruption in the long period. On the other side, the existence of a

situational morality and of a way of informal relation with the institutions seems to be a more direct way through which actors deal with the corruption phenomenon as a whole.

The paper focusses on the practices of corruption, well aware that this is only one side of the coin, the other side being the cultural symbolism of corruption and its influence on the creation and legitimation of shared beliefs within society.

Methodology

The city of Monza has been selected as a field for an ethnographic research as a part of the EU financed FP7 ANTICORRP project, specifically WP4 - 'The ethnography of corruption practices' - carried out between November 2013 and January 2015. The reasons that led to the selection of the city were multiple and identifiable mainly both with the accessibility of the field and a pre-existent network of acquaintances, which facilitated the starting up of the research, particularly for what concerned the collection of quantitative data through the distribution of a survey to a sample of Monza citizens. The results of the survey have been extensively analysed in the first deliverable submitted by WP4 in June 2014.

The research has been influenced by two occurrences: the coincidence with the first actuation phase of the new Law in the Matter of Transparency and Anticorruption (approved in 2012) to be concluded by the beginning of 2014, and the breakthrough of a corruption related scandal in the city of Monza to be later known as 'Clean City' in December 2013. These events made it clear that Monza offered a chance to directly observe two phenomena: the public discourse related to the new legislation becoming effective and its consequent impact on the public office in the City Council, and the developments of a trial for corruption which clearly manifested a tight relationship between the private and public sector.

The ethnographic research underwent three main phases: first, as previously accounted, quantitative data have been collected through a survey distributed to a sample of people living in Monza, as a part of a wider project within the WP4, which aimed at gaining data in several countries with the intention of attempting a comparative approach on multiple issues, in particular that of the relationship with local institutions, as well as individuation of local issues, social norms and values. The second phase included getting in contact with Monza's City Council and having a chance to participate in meetings organised by the institution with the formative purpose of discussing with town councillors and managers of the public sectors the implications of the new Anti-Corruption Law and the new tasks and procedures that it put in effect. In this phase I also interviewed 20 civil servants (nine women

and 11 men) working for Monza's City Council at various levels and in different sectors, as well as lawyers, entrepreneurs, journalists, trainers and other professionals engaged in the fight against corruption. The third phase was mainly constituted by an in-depth research on corruption related media coverage, particularly on newspapers, but also TV-shows and social media, with the intent of finding peculiarities in the role of information in understanding and identifying instances of corruption, as well as with the purpose of analysing how corruption is addressed in the public discourse and in everyday life.

Is Monza a ‘Clean City’?

Monza is the district capital of the province of Monza e della Brianza, situated in Lombardy, just about 15 km away from Milan, and had a population of about 123,500 inhabitants in 2014. It is the most important economic, industrial and administrative centre of the Brianza area, supporting a textile and furniture industry, featuring small to medium enterprises with few relevant exceptions, which typically are family-run businesses, where co-owners (and often workers as well) are linked by family ties, either by blood or marriage (Ghezzi in Smart, Smart eds., 2005, p. 101). Its province is also commonly considered to be one of the wealthiest in Italy as it has the highest yearly income pro-capita¹. It features a large number of immigrants, both from other Italian regions (mainly from the south) and from abroad. Foreign immigrants, mainly from Romania, Egypt, Peru and Ecuador, are about 1/10 of the entire population.²

The peculiar characteristics of the regional economy and the consequent entrepreneurial structure that originated in Brianza at least since the end of the Second World War, was defined by Ghezzi as *entrepreneurial familism* (Ghezzi, 2007, pp. 182-183), where the signification of family ties and their relevance to economic business are both the cause and effect of the current socio-economical context. The kind of familism postulated by Ghezzi, in fact, doesn't refer to the existence of harmonious relationships within family members aimed at cooperation and at the organisation of production, but rather to the creation of cohesive groups of kin with the ‘father/entrepreneur’ in an apical position, from which he can exercise a strict control over his employees/family members thanks to his undisputed authority.

¹ Il Cittadino, 7th September 2012

²http://www.comune.monza.it/export/sites/default/portale/DOCUMENTI/viveremonza/dati_statistici/STRANIERI_2013.pdf 19/11/2014

Among the many family-run businesses existing in Monza and in the Brianza region, there is the company Sangalli & C., leader of the waste collection sector not only locally, but also in other Italian regions, employing more than 1000 people. The company, in line with the typical entrepreneurial structure of the Brianza area, is currently managed by the three children of ‘patriarch’ Giancarlo Sangalli (de facto still very active in the company management, although now in his 80s), a self-made man who as a young man left his job as a worker of a oil refinery and invested all his savings importing from Great Britain a machine which looked like a barrel and was pulled by a horse, with which he entered the drainage industry, building a real business empire over the decades.³

Sangalli & C. later specialised in many fields linked to waste collection and disposal, obtaining contracts mainly in Lombardy, but lately expanding to other Italian regions as well as abroad. Among all the won tenders, particularly interesting for our case are those relative to the waste collection in Monza between the years 2009 and 2018, and to the routine maintenance of the municipal cemetery of Monza. Both cases show peculiarities if we consider the way the whole process, from the creation of the call for tender to its conclusion, was carried out, and how the various entrepreneurs, politicians and civil servants involved interacted within a corruptive system.

In December 2013 local and national newspapers reported that as a consequence of the ‘Clean City’ investigations, the owners of the private company Sangalli & C. were accused of having paid a maxi bribe quantified in more than 1 million € divided among politicians and public officials of the City Council of Monza, managing to steer the work of the Environment Committee and the nominees of the members of the jury for the call for tender for waste collection in the same city. Moreover, Sangalli & C. would have bribed the two heads of their competitor in that occasion to ensure that they would withdraw their participation to the call, leaving Sangalli & C. to be the only contender. Furthermore there was the contract for the maintenance of the municipal cemetery of Monza (awarded in 2010, the value of 3.5 million €) that Sangalli & C. has been granted through a joint enterprise. In this case under investigation was also a surveyor in charge of controlling the regularity of the contract, which would instead omit the control and would not have reported breaches in exchange for money. Sangalli & C., as a consequence of the same investigation, has also been accused of corruption related crimes in other municipalities, in order to win tenders and

³ <http://www.ilgiorno.it/monza/cronaca/2013/12/13/995999-Tangenti-Concas-Sangalli.shtml>, accessed 17/11/2014

to kick off competitors with the help of local politicians and other entrepreneurs, with the aim of creating a sort of oligopolistic agreement among similar business companies.

A total of 26 people have been arrested and 41 were put under investigation for crimes linked to what has been later called the ‘Sistema Sangalli’⁴, where the 80 year old owner of the company was considered to be the epicentre of a well run corruptive system which involved both the public and the private sector.

Investigations have produced many evidences, mostly through phone and environmental tapping, on how corruption was put into practice within the public/private sector intersection, which were avidly reported by local and national newspapers in the first days following the breaking news.

With the help of the order of the investigating judge (Tribunale di Monza, rg nr 4392/12, rg gip 10102/13), it is possible to reconstruct the events which led to the arrests and how the corruptive system was supposedly running.

In February 2009 the manager of the Environment sector of Monza City Council (later charged for corruption) preliminarily approved a call for tender of a total estimated value of 128,700,000 € relative to waste disposal in the city of Monza within the years 2009 and 2018, which was definitely approved about a month later by the General Secretary of Monza, in the form of a restricted procedure.

By the deadline only three companies had applied: Sangalli & C., AMSA spa. and a third one later excluded due to the lack of necessary requisites. The first two companies were then invited to apply for the second selection phase and to present their offer. By July 2009 the company Sangalli & C. had presented their quotation (1.10% lower than the estimated value), while AMSA spa. had given up on the tender and pulled back from the call. Just some days after the deadline, the commission charged with evaluating the offers agreed to accept the proposal presented by the only company which participated with the call - Sangalli & C. - and the contract was finally signed by September 2009. This procedure was actually contrary to the protocol, as according to the legislation tenders of such values can't be assigned when only one company is participating, to avoid potentially illegal procedures. (Ibidem, p. 53) The problem would have been solved with a special declaration of intent written by a bribed employee of the City Council prior to the deadline, with which it would have been announced that the administration would have proceeded also in case that only one company

⁴ ‘Sangalli system’

participated, as an extraordinary measure to avoid the Municipality from having to repeat the whole procedure and leaving the waste disposal service uncovered.

Investigations have proven that six people had been bribed with kickbacks and other utilities in order for Sangalli & C. to be able to win the tender by being left with no competitors. Two of these six people were employees of the City Council of Monza which had been asked to be part of the evaluating commission; two were external consultants in the same commission, and the remaining two were the manager and the councilor of the environment sector, who would have influenced the nominations to create a group of conniving functionaries. Moreover, evidences also showed that two managers of the company AMSA spa., the other competitor, had been bribed with a kickback of about 1.5 million € to make them withdraw from the call and avoid presenting a proposal. Through wire-taps the investigators have even been able to record the exact moment when the kickbacks were exchanged, as it was possible to record the moments when the members of the Sangalli family were recounting the value of bribes and their ‘beneficiaries’.

At the time of writing, about one year after the scandal breakthrough, most of the trials are all still running and will be concluded in January 2015. Nevertheless, despite all the collected evidences, almost the totality of the defendants have applied for plea bargain and will most likely get a suspended sentence, in accordance with the Italian judgement law⁵, although they have confessed being involved in the corruptive system reported above.

What lies in the shadow of the law?

In the year 2012 a new Law in the Matter of Transparency and Anti-Corruption was approved by the Italian Parliament. Until then, as Substitute Public Prosecutor of Monza Walter Mapelli maintains, the main structure of the Italian penal code on corruption dated back to 1930, and had been only slightly revised in 1990, before Tangentopoli. From the mid 90s on, one could observe an increase of measures that actually seemed to facilitate illegal practices, rather than regulate the licit ones, like the decriminalisation of misconducts such as office abuse and accounting fraud, the approval of an unclear legislation in terms of conflict of interest and the shortening of the statute of limitations period. The situation caused a lot of uncertainty for two main reasons: first, the confusion about the roles of public officers and the private sector makes it difficult to recognise who is bribing who (i.e. members of the city council who are also firms of construction companies involved in call for tenders in the same

⁵ Il Cittadino MB, 9th July 2014

municipality); second, the inadequacy of norms about what is to be considered a means of corruption makes it hard to determine whether a ‘utility’ is to be considered as a gift, as a kickback or as a means of potentially corruptive exchanges. The ever evolving corruption practices are even harder to be individuated and consequently prosecuted, when the penal code still considers corruption as the ‘direct exchange of money or other utility’ between the corrupter and corruptee. As we will see in the following paragraph, kickbacks can be hidden behind many other forms of interaction between the public and private sectors, which although they are not recognised by the law as potentially risky (Mapelli, 2012, pp. 27-28), is a situation that often has led to an indulgent and self-absolutive attitude towards scandals by the people involved (Vannucci, 2012, p. 183).

The so-called Law in the Matter of Transparency and Anti-Corruption (n. 190) approved in 2012 represents a first attempt at changing such a perspective, by trying to introduce a new vision of how corruption works and how it should be contrasted, starting from the assumption that the phenomenon has become somewhat of a ‘pathology’ of the public office (Conz and Levita, 2012, p. 4).

First of all, the law stresses the importance of transparency, accountability and responsibility as the three main tools to defeat corruption, starting from the assumption that prevention, rather than repression, is more easily achieved. Therefore the law aims at contrasting corruption through preventive actions in terms of ethics and performance and at fostering a culture of ‘integrity’ and ‘legality’. In doing so it individuates the single citizen as potentially active in the anti-corruption discourse, once again through transparency, since the accessibility to former sensitive information could have a positive influx on the agency possibilities of a multiplicity of actors.

What is most peculiar is that the law sets the goal of reaching prevention through the intervention on the moral integrity of public officials, on ethical conduct codes (which should have a *practical* and *performative role*), on responsabilisation in the public administration, towards an integrated strategy: penal/administrative/preventive/repressive (Ibidem, p. 6). According to the law commentators, the text stresses the need to spread a culture of legality and of ethics, which would make corruption to be perceived as a reprehensible phenomenon, and corrupters to be seen as subjects that have betrayed the trust given to civil servants, and therefore deserve social stigma (Ibidem, p. 23).

It could be maintained that the law makes an interesting turn in the way the public office is perceived: if citizens’ distrust in the state originates in the fact that corruption practices seem to be widespread and not adequately prosecuted (Italy ranked at #69 in TI’s

corruption perception index in both years of 2012 and 2013⁶), then the State needs to conform its practices to the citizens' expectations of legality through transparency, responsibility and accountability.

In the analysis that Mapelli made during a conference held at Monza City Council⁷, it was made relevant how for the first time the law text focalises its attention on the importance of prevention. Focusing on the transparency of all the processes, of the charges and of the powers would function as retention factor, on the basis of the assumption that the public officer is somehow by definition corruptible given the held office,. For what concerns the focus on the importance of the performative role of ethics and moral values, it is important to note that the public officer is not considered to be corruptible because he is lacking values, but because he became unaccustomed with putting them into practice, due to *environmental* factors postulated by ex Judge Antonio Di Pietro, a point that I will address in the next paragraphs.

Since corruption is the result of a secret pact between the public and private, aimed at achieving a personal advantage to the detriment of the community, transparency seems to be the only solution. Transparency should make documents and acts accessible by everyone, while its opposite, secrecy, always constitutes a breaking line between inclusion and exclusion from the access to certain sensible information. The fact that secrecy in the public office could be a fosterer for corruption is not new to the political debate, if we consider that for example ex California governor Earl Warren addressed the issue already in 1974 in a commentary to the Watergate corruption scandal, where he stated that

when secrecy surrounds government and the activities of public servants, corruption has a breeding place. Secrecy prevents the citizenry from inspecting its government through the news media. The minimum amount of secrecy needed for the proper operation of government should be fixed by law, and no secrecy beyond that point should be countenanced. (Warren, 1974, p. 550)

Moreover, according to Warren, 'it would be difficult to find a more efficient ally of corruption than secrecy. Corruption is never flaunted to the world' and therefore 'we have the right to compel our public officers to keep the avenues of information open so the public can know and evaluate the character of their work from day to day' (Ibidem). In the same years, politologist Carl J. Friedrich compared secrecy to corruption and treason, for secrecy is a way to manipulate not only reality, but also the general politics as well as administrative processes. Therefore secrecy is considered by the author to be a paradox of democracy, for it

⁶ <http://www.transparency.org/cpi2014/results>, accessed 15/12/2014

⁷ Monza City Council, 25/01/2014

is to some extent necessary to achieve certain results, but is also a means of threat for society as a whole (Friedrich, 1972, p. 176ff).

In a very similar perspective the new Anti-Corruption Law sets itself four important goals: first, the adoption by every administration of ‘transparency plans’, that is, periodic reports on their activity, risk factors and measures to be adopted; second, the introduction of a system of protection and rewards for whistleblowers: people who denounce illegal activities; third, the implementation of conduct and integrity codes and of transparency; last, the promotion of a culture of legality in the public office and in the public administration (Conz and Levita, 2012, p. 19).

As a consequence of the introduction of these new measures and of recent scandals it was vital to understand how employees of the City Council in Monza do perceive corruption practices and the consequent anti-corruption discourse, with all its above mentioned implications.

First of all, out of the 19 employees of Monza City Council I interviewed, only two of them claimed to know the content of the new law, and they were the two sector managers, the figures mainly involved with the effects of its application and responsible for the production of documents regarding transparency for their own sector. Most of the other employees reported they had heard there was a new law, they even remembered having seen some internal dispatches about it, but they didn't feel involved enough to take their time and acquire a deeper knowledge on the matter, which was somehow striking with the fact that the Law itself sets an accent on the responsibility and the active participation of public officials and civil servants.

The law didn't seem to have affected the working routine in the matter of procedures as of the time they had been interviewed (June 2014), but nevertheless employees felt that ‘transparency’ would soon translate into more paperwork: ‘when the law changes by force the work increases and there are many more acts... the problem is that salaries are always the same and the staff is always less... people are made of flesh and blood, you know?’ (Woman, interviewed on 16/06/2014). One of the concerns linked to this aspect was that once one has to invest energies in producing more documents for the sake of transparency, the level of attention towards certain elements could get lower due to the less time available for every procedure, that is to say that too much information could actually lead to an increase of *opacity*. Some informants also maintained that transparency might not be so effective as desired, simply because most citizens would not have the technical competences to really understand the content of all the documentation that a public office produces.

Consequently, it was important to understand how the interviewed civil servants perceived another one of the significant elements contained in the text of the law: the stress on ethics and moral values and their relationship with the legislation. According to Italo Pardo in regard to the Italian case study:

[...] attention needs to be drawn on a growing ambiguity to the official definition of what constitutes (morally and legally) illegitimate behaviour in public life. This ambiguity about the role of public institutions and the people who staff them, has fed on a blurring of the dividing line between legitimate and illegitimate behaviour, and that between the legal and the moral. (Pardo [ed], 2012, p. 35)

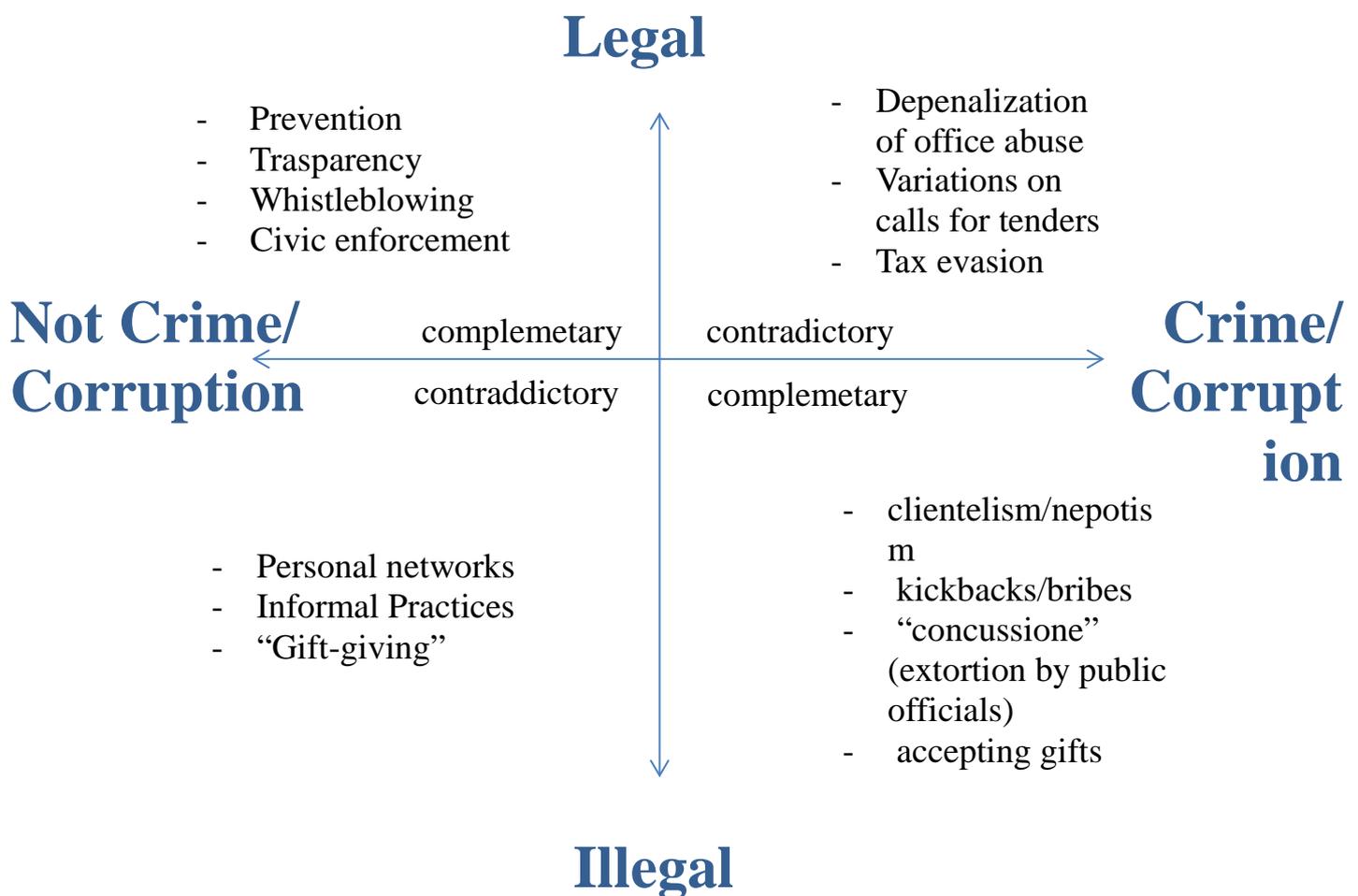
Most of the informants agreed that ethics/morals (and/or the lack of) are some of the most salient elements which can determine the choice whether to be involved in corruption practices or not: ‘you hear so much that maybe you do not even understand anymore the difference between what you can morally do, or rather is it not appropriate to do, as they all do it, really... you can't save anyone, but those who are employees or politicians... because there is always an employee who knew in the end, these things would not be possible without their connivance’ (woman, interviewed on 16/06/2014), and more, ‘the person must have principles and one must know whether what one does is right or wrong’ (man, interviewed on 20/06/2014).

Most corrupt actions are violations of rules and procedures. Ideas of what is (not) legitimate are socially constructed. The inadequacy or complicated nature of rules form the ground for moral legitimating and practical justification of corrupt actions (Pardo, 2004, p. 6), a fact implied by another civil servant, who commented that ‘many citizens who are also employees of the public sector, either due to ignorance or indifference, do not know what they are doing... sometimes you do things wrong because you do not know what's the right and legit way’ (man, interviewed on 20/06/2014).

What is legal is not always regarded as moral and legitimate, nor what is illegal as immoral and illegitimate, therefore we need to take into account the gradations of individual positions between ideal extremes in everyday life (Pardo, 2004, pp. 5-6). In this regard, Alberto Vannucci and Donatella della Porta speak of *situational morality*, a kind of moral that serves as self-legitimation for corruption and is a consequence of a process of socialisation to corruption practices, which I will address in the next paragraph. According to the authors, the tendency to engage in corruption or not is influenced by the environment in which one operates, therefore the expectation of others behaving as corrupt works as a self-fulfilling prophecy that generates more corruption (della Porta and Vannucci, 2007, p. 49). In

such a situation, that is if corruption is thought of as a pervasive phenomenon, the moral costs of conforming to a set of shared values, either positive or not, are reduced (Ibidem, p. 56). Such an attitude is not only affecting the attitudes of power groups and causing grand corruption, but also has a great influence on petty corruption and the way in which the citizens relate to the State, and on behaviours which do not necessarily take place outside the law. The figure below shows, with the help of the semiotic square as a representing tool, the practices individuated by my informants and how they perceived them in relation to the categories of ‘legal vs illegal’ and ‘crime/corruption vs not crime/corruption’.

Figure 1 Categorisation of common practices as described by the interviewed employees of Monza City Council



For instance, when questioned about potentially illegal practices in everyday life, my informants generally agreed with them being immoral and unacceptable, though they individuated some of them as being ‘not too detrimental’, i.e. using informal contacts to access health services:

I once needed an urgent CT scan, thank goodness I knew that person and I managed to go after a week, because I was sick. Those are just minimal things, but they're now bread and butter in the end. Sometimes people do it just because they cannot access basic services, and you know that going to private doctors is not so simple with the costs and everything, and so I do not even see it as something... I say I need it, and luckily I was able to go. (Woman, interviewed on 16/06/2014)

Moreover, informants generally agreed with informality and corruption being 'wrong', but they were keen to accept certain behaviours within limits: 'Sometimes at Christmas we used to receive a *panettone*⁸, but after Sangalli [the scandal] not anymore. It can happen that you receive a gift or an invitation to dinner. Anyway the code of conduct for employees of the municipality rightly puts a limit because it can create complicity' (man, interviewed on 16/06/2014).

These are just two examples, and yet it can be seen how situational morality is a contingent and movable concept that positions itself within an ideal continuum between what is totally immoral and unacceptable, and what is morally legit and acceptable. Where the actor sets himself and his actions in this continuum depends on the situation, which can constantly be renegotiated upon need to overcome the ambiguity of the interaction with the State. In this sense Pardo speaks of the *heterogeneity of morality*: 'the culture of corruption and abuses of power, and the representation of their practice, may be subjected to nuanced, and changing, moral evaluation' (Pardo, 2004, p. 7).

On the other hand, the fact that the importance of morality needs to find legitimation in the text of a law was to some extent surprising to many: 'I think it's a defeat. If a law needs to stress such things [moral issues] it means we reached the bottom' (woman, interviewed on 16/06/2014). The intrinsic ambivalence of such a discourse has been noted by most of my interlocutors as well: 'I believe more in morals and ethics, than in laws. If the law is complex, there are many shadow areas which people with bad intentions can use to hide their illegal business' (man, interviewed on 20/06/2014), but also 'since we have no conscience, we need to have rules that scare us, that make it clear that we are going to be punished' (man, interviewed on 16/06/2014).

⁸ A type of sweet bread loaf originally from Milan, usually prepared and enjoyed for Christmas and New Year, making it a typical gift among acquaintances.

These two sets of attitudes arose also during a focus group held at Monza City Council (25/09/2014), where civil servants had been asked what they thought of the relationship between laws and morals:

Woman 1: There are even too many laws, even regarding anti-corruption, in fact we have an endless legislation, that is maybe it's even too much legislation, because sometimes you risk to block procedures for quibbles which are only formal and not substantial, here... this happens. Secondly, more than the law, as they have legislated so much, it would take just an attempt to give more... shall we say, to instil a bit more civic sense in people, but already when they are young, in my opinion [...]

Woman 2: The respect of public things, which we don't have any more [...]

Woman 1: Exactly, respect for public things

Woman 2: There is no more respect for public things, since they belong to everyone, then well... let's destroy them. [...] I think, however, it's because they believe they are smart. How to say, if the others can do it, why can't I do it too? I give it a try. They do not think about the consequences, they're not interested in the image, ethics, morals, they're not interested in anything, so they try. They say ok, they all steal, so why can't I do that too? (Focus Group, 25/09/2014)

Is the lack of values and moral issues, together with the belief that corruption is widespread and therefore to some extent acceptable, enough to understand why people would engage in corruption practices at all? What sets the border between right and wrong attitudes in the public office and how do we overcome discretion? Does the above mentioned 'environmental factor' justify the choice of being a corrupter/corruptee instead of obeying the law?

I do believe that these three questions address three topics which are vital to the understanding of how corruption works.

If the new Law approved in 2012 stresses the importance of transparency, accountability and responsibility, it is also true that, as Vannucci maintains, we can observe a general feeling of impunity, self-indulgence and self-absolution at all levels, but especially among politicians and public officers (Vannucci, 2012, p. 121), that originates mainly in the fact that from the 1990s to 2012 not much has been done, from a legal point of view, to assure that people found guilty of corruption are rightly prosecuted. The shared idea is that in Italy one needs to cohabit with corruption, since it has become endemic (Ibidem, p. 123), a feeling that has been confirmed by many of my informants, who have often been telling me that 'corruption always existed, and will always exist' (i.e. man, interviewed on 16/06/2014).

Another element which emerged from the focus group excerpt is the role played by the conception of what is 'public good'. Rothstein and Torsello, in a paper recently

published, analysed bribery in preindustrial societies in an attempt to individuate whether different approaches to the dichotomy of public vs private do actually influence the ways in which corruption is conceived and enacted (Rothstein and Torsello, 2014). According to the authors, ‘differences in what is understood as corruption lie in the variation of what counts as (and is the extension of) public good in cultures, and variation in whether it is morally wrong to turn a public good into a private good’ (Ibidem, p. 265).

The common understanding of what is a public good varies from society to society, yet as we can see from the focus group, it is often referred to as something that ‘belongs to everyone’. Starting from this assumption, we could maintain that if something belongs to everyone, every actor in a society could feel entitled to dispose over its usage on the basis of the fact that they feel like they own a part of it, even if of infinitesimal size.

Andrea Ferrarini, philosopher and member of ANCI Lombardia (an association that reunites the Municipalities of the Lombardy region), in an interview⁹, when confronted on the matter of the relationship between the public office and the public good, maintained an interesting point, stating that since the public administration manages collective interests, its action range includes goods that belong to everyone and to no one at the same time. Considering public goods as no one's goods would help in overcoming the problem of corruption in the sense that no one would feel entitled to one's share of what belongs to the collectivity.

On the other hand Rothstein and Torsello claim that

The very nature of a good being ‘public’ is that it is to be managed and distributed according to a principle that is very different from that of private goods. The public goods principle implies that the good in question should not be distributed according to the private wishes of those who are given the responsibility of managing them. When this principle for the management and distribution of public goods is broken by those entrusted with the responsibility for handling public goods, the ones who are victimized consider this malpractice or corruption. (Ibidem, p. 279)

The importance of an ethical relationship with the public good emerged also from my interviews: ‘I have through the years maintained the perception that my job and the administration I work for are not only mine, but a common good, so the idea of damaging it would hurt me, in the sense that I'd feel like I am hurting myself’ (man interviewed on 16/06/2014).

⁹ Interview, 07/04/2014

The public-private sector intersection: institutional informality and its rituals

The public-private sector intersection has often been the field in which most corruption practices have been put into play, and the Italian history of corruption related scandals from the 90s on clearly remarks how the relationships between the public and private provide a fertile field for corruption to develop.

The most famous example is surely that of the Mani Pulite ('Clean Hands') investigations and the consequent Tangentopoli ('Bribesville') scandal, which refers to the period 1992-1996, during which as a consequence of the investigations led by the so called 'Mani Pulite judges pool', the political establishment suffered multiple, reiterated 'attacks' by the Magistrature. Corruption appeared to be so widespread that in the four year lapse most of the deputies of the Italian Parliament got more or less involved – both as suspects and/or as witnesses – as well as Ministers, Senators, former Prime Ministers and managers of the public and private sectors.

According to a study published by the newspaper *Corriere della Sera* in 2012¹⁰, a total of 2565 people have been accused of being involved in Tangentopoli, whether because of corruption, extortion, fiscal fraud, illicit political parties financing and abuse of public office. As of the year 2000 only 1408 prosecuted judgements have resulted in a sentence, while over 500 cases have fallen into the statute of the limitations' time period. The Italian jurisdiction, in opposition to other countries, begins the statute of limitations when the crime has supposedly been committed, and not when it has been discovered. As a consequence of that, crimes such as corruption which supposedly require a reiteration of contacts within a long time lapse are for that reason hard to date, to be investigated and therefore prosecuted. Moreover, the long times of the Italian judgement system have made it hard to bring all those procedures running at the same time to a positive end. Consequently, a discrete number of suspects has not been judged at all and has often been reintegrated in the same working positions.

Tangentopoli is considered to have been a widespread corruptive system, with its brokers, its rules and its rituals, which involved every area of the economy where public and private sectors met. As an example, political parties used to lot boards of direction in public enterprises, so that their emissaries could influence calls for tender, and by doing so create advantages for certain private enterprises, which would later illegally finance those same

¹⁰ <http://www.corriere.it/cronache/speciali/2012/mani-pulite/>, accessed 29th Sept. 2013

political parties as a 'thank you' (Barbacetto, Gomez and Travaglio, 2012, p. 19). The system was so pervasive and so often run, that for anyone working in the business it was a matter of common understanding knowing how much should be paid to whom to obtain a certain benefit.

Two were the goals of entering such a system: economic gain and power. While the first is easy to understand and to figure, the second goal is more complex to analyse, more subtle and somehow a consequence of the first: the access to power through the ability of obtaining kickbacks and the possibility to redistribute the money to other people in power places. To use two examples dear to the anthropological perspective, the ideal corruptor during Tangentopoli was similar to a cross between a broker and a Big Man: someone able to build relationships with people in key positions and to have access to a great money flow, which would help him maintain those relationships on the basis of reciprocity and redistribution.

This particular configuration made the ex magistrate Antonio di Pietro coin the definition of kickback as *dazione ambientale* (somehow translatable as dation¹¹ made necessary by the very same environmental situation), meaning that actually Tangentopoli went far beyond the bare exchange of kickbacks, and rather created an automatic, self-perpetrating system of regulation between the public and the private sectors, which shaped an environment in its own right. In such an organisation, it becomes hard to say whether it is the politician corrupting the manager or the other way around, but once the process has started, none of the two has interest in interrupting it, both for economic and judiciary reasons. The Italian law, in fact, recognises both the corruptor and the corruptee as guilty, with the result that - as in the Prisoner's Dilemma - none of the two would find it convenient to report the other, but they'd rather cooperate against the Law.

The shameless corruption events made public by the Mani Pulite pool were probably influenced by an excess of confidence derived by widespread practices. Everyone seemed to conform to a form of interaction between public and private sectors, which had become the normality. Corruption had become a customary practice, commonly accepted and reiterated.

Now, 25 years have passed since Tangentopoli, which at the time was considered to be a point of no return after which everything would have changed, and yet nowadays it is still possible to observe similar events occurring. Sistema Sesto, MOSE, Expo Milano 2015 and Mafia Capitale, just to name a few, are all scandals which appeared in the press between

¹¹ intended as 'giving something without any liberality'

2011 and 2014, and which involved businessmen, politicians and employees of the public sector at all levels for a total estimated damage of billions of euros. Every ‘system’ seemed to work according to its own rules and roles, which were known and accepted by all actors and supported by what De Sardan called the *corruption complex*: ‘a number of illicit practices, technically distinct from corruption, that share with corruption their association with the state and contradict the official ethics of ‘public property’ or ‘public service’ and offer the possibility of illegal enrichment’ (De Sardan, 199, p. 26).

The Sangalli scandal shows some similarities with Tangentopoli, especially in regard to the rituality of corruption practices, which is one of the core aspects of how corruption is actually made possible, but also to the strict relationship between business people and politicians. The reiteration of illicit exchanges (money and other utilities) is set to bring down the risks and create a routine which is both the result of previous interactions, and the starting point of any future transaction. Vannucci, in this sense, maintains that the bigger corruption ‘networks’ become, the more they need regulation, and therefore informal governance structures are necessary to discipline and make actions and intentions predictable. Moreover, according to the author, when such illicit activities start following strict criteria and clear conduct codes, the risk perception and the importance of *ethic discomfort* tend to become weaker (Vannucci, 2012, pp. 135-136).

For example, for what concerns the involvement of the Sangalli Company, of the surveyor of the municipal cemetery of Monza (public employee) and of the subcontractor for its maintenance, in an exchange of kickbacks aimed at avoiding controls over breaches of contract, the investigators have been able to record through video cameras and microphones the way in which the bribes were handed.

Sangalli Sr. had visited the cemetery with his subcontractor for an inspection. The surveyor waited for them at the entrance with his car and took them for a tour of the structure, during which the envelope containing the agreed amount of money would be exchanged, away from anyone's sight:

In the short journey around the cemetery, Sangalli hands down something: it is reasonable to think that it is the money he had prepared the day before in his office, then he eloquently intimated E. to hide the banknotes: ‘put them in your bag before the three of us get arrested [...]’

Then comments about the costs of the kickback followed:

S.G.: With all the budget cuts made by Monti [former Prime Minister], it's better cutting a bit here as well...

M.R.: Cutting a bit here too... eliminating...

S.G.: Yes, but not... you... but I *loaded* you so please give me a hand

E.: Where could you find another one like me... one that cares for you as much as I do care for you.

(Tribunale di Monza, rg nr 4392/12, rg gip 10102/13, p. 106) [my emphasis]

The excerpt above demonstrates that corruption requires high levels of informality between actors, which can be extended to high levels of informality between their held positions and furthermore between the institutions and the companies they belong to. We can note how formal and informal levels of interaction between public and private sectors somehow overlap and become hard to tell from each other, constituting what I would call *institutional informality*. Moreover, the example above shows another component of corruption practices: the existences of rules and routines helps developing a specific linguistic code, which allows the actors to understand each other without any need to directly address the issue. ‘I loaded you [with money]’ wouldn't make much sense if not referred to what had happened right before this sentence was pronounced - the bribe exchange. Alberto Vannucci maintains that the existence of a coded language that describes the illicit exchange of money and other utilities becomes a normalisation factor, which favours reiteration through the dissimulation of the real nature of the exchange (Vannucci, 2012, p. 137). It is also interesting to note that the civil servant brings the conversation about the costs of corruption to a totally different level by implying that it is not a matter of money, but of taking good care of someone else's business as a consequence of ‘affection’. This way the bribe exchange loses its illegal connotation, and at the same time Sangalli is implicitly restrained from bargaining, because cutting on the budget could negatively influence the civil servant's ‘friendliness’.

In a very similar perspective, according to Mapelli, corruption in the public office is fostered by two elements: first, a large number of mid to low profile civil servants who, thanks to the held office, are in the position of asking for, or accepting, kickbacks. Second, rules and procedures are, at the same time, strict and flexible, since they are norms provided by law, but through the ‘goodwill’ of public officials, they can turn from insuperable obstacles to high speed lanes (Mapelli, 2012, p. 88).

In another occasion the involved members of the Sangalli family discuss about the manager of the environmental sector implying that she had gotten quite some experience in such corruptive procedures over the years and she had developed her own ‘routine’:

S.G.: She told me you need to give the 100 thousands directly to me

S.D.: Well, she's been burnt many times

S.G.: Yes, she's been burnt many times, you see she is experienced (Tribunale di Monza, rg nr 4392/12, rg gip 10102/13, p. 62)

And moreover:

S.D.: I was just telling him, [...] although I'm tailed, and although they're tailed... ehm, she asked me...

S.G.: That's incredible

S.D.: But how will I manage to give it to her?

S.G.: Damn these people, eh, when they get used to it they can't seem to stop

S.D.: They don't... but where am I going to give it to her? (Ibidem, p. 63)

According to the evidences they then agreed to exchange the kickback in the restroom of a cinema while the film was playing. These dialogues show how corruption implies the development of a very specific know how, a series of precise social competences and skills which are vital to surviving in a corruptive system (Vannucci, 2012, p. 169). Such acquired competences help the people involved in minimising the potentially dangerous effects of illicit practices, or 'being burnt', as they call it.

In another recorded conversation Sangalli Sr., in reference to the involved councillor, stated: 'He's a criminal... these people here... they're "Jesse James"' (Tribunale di Monza, rg nr 4392/12, rg gip 10102/13, p. 66). Interestingly his interlocutor (one of the potential members of the prospect commission) took the chance and answered, 'G. if in the future you will want to give something to me as well [...] I will be happy' (Ibidem).

This short dialogue excerpt shows two very interesting elements, as individuated by De Sardan (1999). According to the author 'only the practices to which one falls victim or from which one is excluded are denounced as being corrupt' and therefore 'those in which one plays a role oneself never give rise to condemnation' (Ibidem, p. 34). Sangalli Sr., although he himself was being the corrupter, considered the councilor to be a criminal because he was continuously asking for money. Interestingly the member of the commission used the chance to openly ask for his own share, despite the fact that this would make him fall into the 'criminals' category as well. As De Sardan maintains, *corruption is someone else*: 'the real borderline between what is corruption and what is not fluctuates, and depends on the context and on the position of the actors involved' (Ibidem).

The member of the commission does not seem to consider his request to be illegitimate; on the contrary, he seems to be involved in that 'delinquent sub-culture [which] produces specific forms of self-justification' (Ibidem, p. 35), on one side probably because

the definition of corruption is more easily ‘applied’ to others than to oneself, and on the other side because once the illegal transaction is often reiterated, it becomes banal through its routinisation and ritualisation, and due to that it is perceived to be less detrimental (Ibidem, p. 37ff).

Ironically ‘corruption is as frequently denounced in words as it is practiced in fact’ (Ibidem, p. 29) and the same people involved often do not seem to have a clear perception of their own role. The stigmatisation of corruption seems to have become to some extent a *topos*, or a self-explanatory way of dealing with the phenomenon at all levels of discourse and by a multiplicity of actors. Sangalli Sr., in another recorded dialogue, when referring to some employees of the City Council, stated, ‘they're all criminals, sooner or later we will have to pay every one of them to get to do works’. In a later occasion, though, once his company was awarded the tender for waste disposal, thanks to the paid bribes, he seemed to have appreciated the ‘work’ of those same people that he considered to be criminals, that is the councilor and the public officers involved. In commenting on the successful operation he stated: ‘I must admit that the City Council, despite its amateurism, did very good’ (Tribunale di Monza, rg nr 4392/12, rg gip 10102/13, p. 69), which shows that corruption has become a source of the existing network of solidarity within business and political worlds (De Sardan, 1999, p. 40ff), which is based on a shared series of linguistic codes, rituals and social competences that lead to, and at the same time are a consequence of, informal relationships between public and private sectors.

Social humility and social stigma

It's already been pointed out that the public debate over corruption in Italy has individuated in a general feeling of impunity, self-indulgence and self-absolution at all levels as the reasons why corruption is such a widespread phenomenon in Italy. The explanation, though, seems not only to lie in the penal and judiciary system, but some cultural elements might be at play.

My informants have often stressed the link between corruption and lack of positive values, and have individuated as an important issue the fact that negative, or ‘false’ values, seem to have become a point of reference in society as a way to assert one's success. For example, an employee in the education sector stated:

I do not know whether it is linked to a national discourse on Italian culture, I think it is rather inherent to the human nature rather than to the Italian culture [...]. We often find ourselves debating in the world of

education and training, something that is becoming increasingly important... in the sense of how the educational aspect then affects the present or future behaviour, this is definitely a subject of discussion. I do not know whether this has to do with the anti-corruption rather than with the mode of civil life within the rules... [...] There's an aspect of competition which is increasingly exasperated: those who get there first and have a lot of money are good and worth so much, those who have a big car... I believe that this has had its share, as well as those who bully, who are able to raise their hands... these are things that touch the world of children every day. There is an always a higher tendency to support the competitiveness of the children in the classes [...], and I believe that in the long term this can make a difference culturally, the more we push the competitive level the more we get to say 'then, yes, I'm worth so much, since I have a lot of money', and lots of money is not always easy to achieve... eh, and so the risk is always that you fall in an attempt to get money with the least effort possible and using all the available shortcuts'. (Woman, interviewed on 25/06/2014)

Another employee working with children in a municipal library maintained a similar point:

We have to recover a bit of social humility, which is non-existent in Italy. They are sending clear messages, they train children with television. [...] there is an average of fame and success that they establish, while every person should have its own personality and you have to send the message that every individual is important. Instead children now learn that unless you have some advertised products you are not important. Unfortunately, corruption cannot disappear because it depends on the whole system and how one is educated at home. (Woman, interviewed on 16/06/2014)

The importance of the education of future generations has been stressed by a relative majority of women, who are probably more involved than men in children's education and tend to develop a longer period perspective. In commenting what would be a way of defeating corruption in Italy, another informant asserted:

First, compliance with the rules, that is, if there are rules you have to respect them [...] and then also at the level of enhancement of positive behaviour and critical, negative value, negative judgment against... because the message can't be that success... that the best achievement is being smart, that if you can make it to be successful in life with the least effort you are cool, that shouldn't be'. (Woman, interviewed on 20/06/2014)

According to Vannucci, one of the biggest problems with fighting corruption in Italy is the fact that although there are efforts to address the issue from a legal and normative point of view, the social structure of values evolves through unpredictable paths. The weak civic sense of public officials and of the citizens, which finds its origins in education within the family, but also in schools at all levels, weakens what he calls the *moral levee* of corruption and makes legality to be perceived as a secondary element of the relationship

between the individual and the state (Vannucci, 2012, pp. 129-134). In accordance with this point of view is also journalist Gad Lerner, who in a report titled 'Corruption without indignation'¹², commented that in Italy 'civic sense has turned into cynic sense'.

Directly linked to positive values, civic sense and their role in fostering legality, is also the issue of social stigma, which according to Vannucci (2012, p. 184) could lead to a snowball effect towards honesty, while instead it is not perceived as an impediment to corrupt practices, but rather a facilitator by De Sardan (1999, p. 47), who implies that in such occurrences the proverb 'a trouble shared is a trouble halved' might apply better.

An employee of Monza City council was a big supporter of the theory that

Moral contempt is positive, it is useful for me. [...] yes because anyway one sees that the honest citizen who is committed to make society moving forward has a great merit, this is a worthwhile person, society now moves ahead thanks to the people who want to build, not to those who want to destroy... this should be an example for younger people, otherwise what examples do we give? (Man, interviewed on 20/06/2014).

Despite the fact that all my interlocutors seemed to be very positive about their role as civil servants and about the importance of loyalty to one's office, the facts that occurred in Monza demonstrate that corruption indeed can happen and that falling into certain practices is not so uncommon as perceived.

When questioned about the recent events, my informants were mostly still shocked about the news and reported having been surprised to hear that some of their ex colleagues had engaged in such extensive corruption. Some of them had often worked with the employees involved and had known them for years; still, they had never suspected anything. Although aware of the fact that this would be sensible information, I have asked them to try giving an explanation to the phenomenon, but none of them seemed to have come to a precise idea on the happenings. The most mentioned reason why someone would become a corrupt public officer was 'crave for money and/or power', although my informants themselves recognised this to be somehow reductive. One employee addressed the issue saying:

There are people that get exposed quite stupidly... the corrupt is primarily a criminal, but is also a moron... [...] The manager that ended up in jail for the equivalent of one year's salary... it seems to me something profoundly stupid. I wouldn't go to jail for a year's salary. (Man, interviewed on 20/06/2014)

¹² <http://www.gadlerner.it/2014/12/18/corruzione-senza-indignazione-ecco-il-reportage-di-fischia-il-vento>, accessed 17/12/2014

That point of view which was though contradicted by another employee, who commented:

When I heard of these arrests that happened, most people I've heard saying 'oh gosh, but he did it for so little money, if one does it, he should do it to make a bang'! Either you do it to be totally blown away, but if you don't manage, what happens? And instead I believe there is someone that with his little monthly routine has made a lot of money'. (Woman, focus group, 25/09/2014)

A component of 'environmental pressure' has also been individuated: 'because when it is rooted in a system it is maybe also true that when you are in that situation you cannot do otherwise, even if your conscience probably tells you differently'. (Focus group, 25/09/2014)

This same pressure created by the fear for social stigma has also other implications. For example, one employee admitted that she was so scared that people could think that she, as a civil servant, could have made her career thanks to the help of acquaintances or through paying bribes, that she restrained from applying for jobs where fellow employees would have been in the judging commission:

It occurred to me not to apply for a job because I knew that in that municipality in the commission there was someone I knew. I did not even want to let it happen that anyone could say that I got the job because I knew that person or because he was my friend, so I decided not to apply and then I got it somewhere else, so to speak. But for my pride, one day I will tell to my children 'look I haven't gotten that far, I have not done much career, however, where I made it it's all mine'. (Woman, interviewed on 25/06/2014)

Conclusion

As a consequence of the most recent corruption scandals, both in Monza and at a national level, the City Council employees I interviewed were mostly very sensitive about the problem of corruption, which they all recognised as one of the biggest issues in Italy.

The 'Clean City' scandal in particular seemed to have affected their perceptions on the matter, which were divided in two main attitudes: on one side there was a large majority of employees which thought that corruption is immoral and generally wrong, and who condemned the acts of their ex-colleagues. They considered corruption to be a betrayal of their mission as civil servants and were shocked that such practices were perpetrated by people they knew, and who had built a network of solidarity and informal relationships with the private sector. On the other side, there was a minority of informants who also agreed on the fact that corruption is detrimental to the society, but who admitted that they never had

found themselves in the position to be directly confronted with the moral dilemma of engaging in such practices or not, so they claimed they were not *incorruptible*, but they rather were *not corruptible* because their position would not allow them to have anything to ‘offer’, so their take on the issue was ambivalent.

All the interviewed employees stated that they had never experienced corruption in their office, though they were well aware that it possibly existed within the City Council walls, as the recent investigations and arrests had demonstrated. They also appeared to be well aware of the mechanisms and rituals of bribes exchanging.

For what concerns the anti-corruption discourse, although they recognised the theoretical validity of the principles contained in the newly approved law, they individuated some critical aspects. In particular, they seemed to have mixed feelings towards the ‘medicine of transparency’ (man, focus group, 25/09/2014), and especially they found that relying on transparency only, without intervening on those cultural elements which foster corruption practices, could be the prelude to a new failure. Moreover, transparency in the public office is perceived to be potentially ineffective in front of a too extended and complicated legislation, which offers many chances of hiding in its shadow areas to those who might want to engage in illegal activities.

Informants seemed to be quite discouraged towards the possibility of finding a solution to corruption both in the short and long term. I could observe a general feeling of powerlessness deriving from the fact that corruption is commonly believed to have become a part of the Italian mentality, and that it is something on which media and the public discourse have played a important role, since the high number of news reporting cases of corruption give the impression that processes and investigations on new cases seem to be potentially never-ending. If corruption exists and always has existed, as some have maintained, fighting the phenomenon reminds one much of Cervantes' Don Quixote tilting the windmills. On the other hand, I could also observe a totally different attitude towards the identification of possible solutions, which were rather variegated: children’s education to legality; positive values and morality; the recovery of a shared sense of social humility at the expense of extreme competitiveness and the certainty of legal punishments against corruptive crimes, as well as moral contempt towards those who have been found guilty.

This last issue was particularly felt and most of the people I interviewed pointed out that fair punishments would work as a much better retention factor than prevention through transparency and accountability. A matter of discontent was derived in fact from the expected end of the ‘Clean City’ trials, which were believed to end up with little to no punishments,

and that is something that will most likely happen, because it is allowed by the current Italian legislation. One employee summarised the overall shared feeling of self-indulgence and self-absolution, saying, 'look at them on TV... they steal my money and yet they look like heroes'! (Man, interviewed on 25/06/2014).

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