

# 3<sup>RD</sup> POLISH LAW & ECONOMICS CONFERENCE

## **The Reuse for Social Aims of Illegal Assets and the Competition Policy. A New Network Strategy to Defeat Organized Crime**

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### **Abstract**

The economic theory of crime considers criminal a rational individual, maximiser (that is, inclined to act to maximise his/her utility) and perfectly informed on the costs and benefits of his/her actions, or rather fully able to decide whether to assume a deviant behaviour (as stressed by sociologists, a behaviour which violates the institutionalised expectations of a given social norm; in juridical terms, a crime) rather than devoting himself/herself to a legal activity. Such abstraction involves a fundamental implication regarding the policy of prevention and fight against crime, in particular organised crime: if the choice to violate a norm is rational and sustained by a very serious evaluation of the consequent expected utility of this behaviour (and that is of its expected utility) a more rational system of penal justice is needed, to reduce its number. Nevertheless, nowadays it more often happens that the inconsistency, the complexity of the system, the length of the procedures and sometimes the lack of financial resources make it always more difficult to realise an incentive system of policies against organised crime.

The paper aims at analysing the role of reusing for social purposes of the goods confiscated from criminal organisations, instituted in Italy by the Law n. 109, 7/03/1996 (Dispositions for the management and destination of seized and confiscated goods). This paper - using a theoretical model based on the insights of the Social Network Analysis and Theory of Evolving Networks - intends to show that the seizure and the confiscation of the illegal acquired assets, and suitable policies aimed at promoting and supporting the development of Social Enterprises and other non-profit organizations, which assume an important role in the labor market, can have a direct impact on the individuals' choices, reducing the incentive for illegal activity.

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