

Articoli

ELITE-INTERVIEWING IN ORGANISED CRIME RESEARCH: THE CASE OF ANTIMAFIA MAGISTRATES

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This article deals with the methodological challenges of interviewing antimafia magistrates (AMs). On the ground of author's fieldwork experience and elite-interviewing literature, it deals with key procedural questions — sampling, access, and the conduct of the interview —, and addresses the thorny issue related to AMs dual epistemic register – they are repository both of factual evidence about the mafia and of institutional representation influenced by the so-called “thought of State”.

Keywords: elite interviewing; antimafia magistrates; organised crime; qualitative methodology; mafias

L'articolo si occupa delle sfide metodologiche poste dalle interviste ai magistrati antimafia. Basandosi sull'esperienza di ricerca dell'autrice e sulla letteratura relativa all'elite-interviewing, tratta alcune delle questioni procedurali più rilevanti – il campionamento, l'accesso, e la conduzione dell'intervista - e affronta la spinosa questione relativa al duplice registro epistemico dei magistrati antimafia che sono depositari sia di elementi fattuali riguardo al fenomeno mafioso sia della rappresentazione istituzionale influenzata dal cosiddetto “pensiero di Stato”.

Parole chiave: elite interviewing; magistrati antimafia; criminalità organizzata; metodologia qualitativa; mafie

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1. INTRODUCTION

Studying organised crime raises many methodological challenges due to its nature, which is concealed, illegal, and embedded in networks of secrecy and violence. In addition, the study of organised crime, especially mafia-type associations, is complicated by the fact that it is a topic overloaded with common-sense images and stereotypes profoundly influenced by social representations closely tied to institutional perspectives¹. To deal with all these challenges, scholars tend to combine different sources, especially judicial files, which contain primary sources like intercepted telephone calls, and interviews with key observers, including subjects who have turned state's evidence and, above all, those who have developed expertise on the phenomenon due to their professions². Among the latter, the ones most interviewed by researchers studying the mafia are antimafia magistrates

¹ Marco Santoro, *Mafia politics*. Polity Press, Cambridge, 2022..

² Theoretical and methodological discussion on how to study organised crime can be found in: Donald R. Cressey, *Methodological Problems in the Study of Organised Crime as a Social Problem*, in "The Annals of the American Academy of Political and Social Science", 1967, v. 374, pp.101-112; Marco Santoro, Roberta Sassatelli, *La mafia come repertorio*, in "Polis", 2001, n. 3, pp. 407-430; Umberto Santino, *Dalla mafia alle mafie. Scienze sociali e crimine organizzato*, Rubbettino, Soveria Mannelli, 2006; Alessandra Dino, *Confini e dimensioni del crimine mafioso: alcuni problemi metodologici*, in Alessandra Dino (a cura di), *La violenza tollerata. Mafia, poteri, disobbedienza*, Mimesis, Milano, 2006, pp. 141-172; Pamela Rawlinson, *Mission Impossible? Researching Organised Crime*, in *Doing Research on Crime and Justice*, Roy King, Emma Wincup (eds.), Oxford University Press, Oxford, 2008, pp. 264-291; Antonio La Spina, *La sociologia del fenomeno mafioso dopo il 2006*, in "Rassegna italiana di sociologia", 2009, n. 2, pp. 301-308; Rocco Sciarone, *Campo teorico e generi sociologici del fenomeno mafioso*, in "Rassegna italiana di sociologia", 2009, n. 2, pp. 324-330; Nando dalla Chiesa, *Contro la mafia. I testi classici*, Einaudi, Torino, 2010; Dick Hobbs, Georgios A. Antonopoulos, *How to Research Organised Crime*, in *The Oxford Handbook of Organised Crime*, Letizia Paoli (eds.), Oxford University Press, Oxford, 2014, pp. 96-121; Nando dalla Chiesa, *Una disciplina in cammino*, in "Rivista di studi e ricerche sulla criminalità organizzata", 1, 2015, pp. 1-9; Klaus von Lampe, *Organised Crime Research*, in *Organised Crime*, Klaus von Lampe, Sage, London, 2016; Antonio Iannello, Antonio Vesco, *Tra repressione e conoscenza. Lo studio del fenomeno mafioso e il problema politico del rapporto con le fonti*, in *General Intellect* (a cura di), Università critica. Liberi di pensare, liberi di ricercare, il lavoro culturale & Effimera, 2017, pp. 172-195; Federico Varese, *Comparazione e spiegazione. Lo studio delle mafie*, in *Lo studio della politica*, Roberto Mulé, Sebastiano Ventura (a cura di), il Mulino, Bologna, 2019; Federico Varese, *Ethnographies of Organised Crime*, in *The Oxford Handbook of Ethnographies of Crime and Criminal Justice*, Sandra M. Bucerius, Kevin D. Haggerty, Luca Berardi (eds.), Oxford University Press, Oxford, 2022, pp.340-359; Ombretta Ingrassi, Monica Massari (a cura di), *Come si studiano le mafie?*, Donzelli, Roma, 2022.

(AMs), working in the *Direzione nazionale antimafia e antiterrorismo* (DNAA) and in *Direzioni distrettuali antimafia* (DDA)³. Despite the extensive use of these sources, methodological reflections upon them are lacking⁴.

The paper, grounded on my twenty years research experience in the field of mafia studies, during which I have interviewed around fifty AMs, intends to discuss some of the challenges emerging in carrying out these kinds of interviews, and to offer some recommendations by taking useful insights from the elite interviewing literature.

The category of the elite was developed primarily with reference to political officeholders, senior civil servants, and corporate executives⁵. It does not straightforwardly refer to members of the judiciary, even if more recently it has been extended to include legal professionals⁶. In considering AMs as belonging to elite groups, we understand the category of the elite in a broad meaning. We have taken up the “classical” definition according to which elites are those individuals who, by virtue of the institutional positions they occupy, exercise great influence

³ The *Direzione nazionale antimafia* office was established in 1991 (Decreto-legge 20 novembre 1991, n. 367, convertito con modificazioni dalla legge 20 gennaio 1992, n. 8) with the aim of nationally coordinating the investigations of mafia-type organised crime, and also – since 2015 – terrorism (since then the name has changed: DNAA). It coordinates the investigations conducted by the District Anti-Mafia Directorates (DDAs) on mafia-related crimes. At the local level, the *Direzione Distrettuale Antimafia* (DDAs) operates within the Public Prosecutors Offices located in the seats of the 26 Courts of Appeal.

⁴ Some work have dealt with the methodological challenges of using oral sources in mafia studies, referring to people living in mafia context, like neighbourhood of *Camorristi* (Gabriella Gribaudi, *Lo spazio sociale e la camorra*, in *Come si studiano le mafie?*, Ombretta Ingrassi, Monica Massari (a cura di), Donzelli, Roma, 2022, pp.87-108); or to members of the organizations (see “Trends in Organised Crime”, special issue “Interviewing Organised Criminals”, 1, 2008); or to people turning state evidence (Alessandra Dino, *A colloquio con Gaspare Spatuzza. Un racconto di vita, una storia di stragi*, il Mulino, Bologna, 2014; Ombretta Ingrassi, *Confessioni di un padre. Il pentito Emilio Di Giovine racconta la ‘ndrangheta alla figlia*, Melampo, Milano, 2013; Ombretta Ingrassi, *Exploring Organised Crime Beyond Institutional Sources*, in *Fieldwork Experiences in Criminology and Security*, Antonio M. Díaz Fernández, Carmen Del Real, László Molnar (eds.), Springer, New York, 2023, pp. 341-357).

⁵ It is out the scope of this essay to reconstruct the debate over the definition of elite. It is useful just to remember Zuckerman’s (1972) distinction between elites and ultra-elites — the former characterised by the ability to exert influence through social networks, social capital, and strategic positions within social structures; the latter as the most highly placed members of an already elite group — established a hierarchical vocabulary. Cfr. Harriet A. Zuckerman, *Interviewing an Ultra-Elite*, in “Public Opinion Quarterly”, 1972, v. 36, pp. 159-175.

⁶ Xu Liu, *Interviewing Elites: Methodological Issues Confronting a Novice*, in “International Journal of Qualitative Methods”, 2018, v. 17, pp. 1-9.

over decisions, resources, or processes of social consequence⁷. In this paper, we assume that AMs can be counted among the elite not only due to their positional status, but also because of their epistemic one, as a consequence of their specialization. Indeed, since they work in the Prosecutor offices specialised in antimafia investigations, they possess — as in the case of other elite groups — rare, specialised, and institutionally validated knowledge that is not available to the general public and is difficult or impossible to access through other means⁸. Over their careers, AMs working in the DNAA and DDAs have the chance to acquire an extraordinary depth of experiential and analytical knowledge concerning the internal structure of criminal organisations, their operational and cultural codes, methods of territorial control, strategies of economic infiltration and relationships with political and institutional actors. This knowledge is grounded in investigative work and, moreover, has been systematically tested, refined, and institutionally validated through the adversarial processes of criminal investigation and trial, giving them a form of “empirical authority” that no other category of informant can replicate. The article is organised as follows. The next paragraph deals with the definition of elite interviewing and introduces the approaches proposed by those scholars who have used elite interviews, showing the advantages of this method in interviewing AMs; in addition, it discusses elite interview procedures, focusing on sampling and access, and their use in organised crime research. Regardless of the discipline, scholars, reflecting on elite interviewing methods share the same procedural questions, which on the one hand are typical of interview techniques, and on the other rise challenges that specifically concern this area of inquiry⁹. The third paragraph, by focusing on the delicate phase of interviewing, emphasizes the importance of developing trust and reflexivity during and after the interview. The fourth paragraph will discuss a crucial issue emerging in using institutional sources — both

⁷ Joel D. Aberbach, Bert A. Rockman, *Conducting and Coding Elite Interviews*, in “PS: Political Science and Politics”, 2002, v. 35, n. 4, pp. 673-676; George Moyser, Margaret Wagstaffe (eds.), *Research Methods for Elite Studies*, Allen & Unwin, London, 1987.

⁸ Beate Littig, *Interviewing the Elite — Interviewing Experts: Is There a Difference?*, in *Interviewing Experts*, Alexander Bogner, Beate Littig, Wolfgang Menz (eds.), Palgrave Macmillan, London, 2009, pp. 98-113; Lewis A. Dexter, *Elite and Specialized Interviewing*, Northwestern University Press, Evanston, 1970.

⁹ Procedural indications abound in the methodological literature on qualitative interviews. Useful practical suggestions can be found in Herbert J. Rubin, Irene S. Rubin, *Qualitative Interviewing. The Art of Hearing Data*, Sage, London, 2012.

written (judicial files) and oral (interviews with AMs) — that has to do with their dual nature: on the one hand, they offer rich and certified factual information and data, generated during police investigations, on the other they are strictly linked to the institutional discourse surrounding the mafia phenomenon. Finally, the paper will offer some concluding remarks that stress the importance of opening a debate on oral sources in mafia studies, recalling the need to increase systematic reflections upon methodology within the mafia studies community.

2. ELITE AND ANTIMAFIA MAGISTRATES INTERVIEWING

2.1 *Defining elite interviewing*

Elite interviewing is a method which is increasingly used by scholars belonging to various disciplines. Its first formalization dates back to the early 1970s, when scholar Lewis Anthony Dexter published the seminal work “Elite and Specialized Interviewing”¹⁰. At the outset, the use of elite interviewing was widespread especially in the area of human geography and political science,¹¹ while later on it reached other disciplines, including management and organisation studies,¹² or again communication and media research¹³. This enlargement brought about new perspectives, especially drawn from professional practice contexts. In addition, the method of elite interviewing started to be discussed more broadly in the field of qualitative methodology¹⁴ and was integrated with feminist and narrative ap-

¹⁰ Lewis A. Dexter, *Elite and Specialized Interviewing*, cit.

¹¹ Linda McDowell, *Elites in the City of London: Some Methodological Considerations*, in “Environment and Planning”, 1998, v. 30, pp. 2133-2146; Erica Schoenberger, *The Corporate Interview as a Research Method in Economic Geography*, in “The Professional Geographer”, 1991, v. 43, pp. 180-189; Andrew Herod, *Gender Issues in the Use of Interviewing as a Research Method*, in “The Professional Geographer”, 1993, v. 45, pp. 305-317.

¹² Laura Empson, *Elite Interviewing in Professional Organizations*, in “Journal of Professions and Organization”, 2018, v. 5, n. 1, pp. 58-69; Angelo M. Solarino, Herman Aguinis, *Challenges and Best-practice Recommendations for Designing and Conducting Interviews with Elite Informants*, in “Journal of Management Studies”, 2021, v. 58, pp. 649-672.

¹³ Christian Herzog, Christopher Ali, *Elite Interviewing in Media and Communications Policy Research*, in “International Journal of Media and Cultural Politics”, 2015, v. 11, n. 1, pp. 37-54.

¹⁴ William S. Harvey, *Strategies for Conducting Elite Interviews*, in “Qualitative Research”,

proaches¹⁵.

According to some scholars, what specifically defines an elite interview is the large asymmetry of knowledge and institutional experience that the interviewee brings to the encounter¹⁶. However, not all scholars agree on this definition. Some, in fact, argue that power during the interview is not a fixed property of individuals, even in this kind of interviews¹⁷. As Lancaster suggests in her reflexive account of policy research, notions of authority, sensitivity, vulnerability, and power must be understood “not as fixed qualities inherent to the researcher or the participant, but rather as fluid and relational”¹⁸. Ntjenjom Mbohhou and Tomkinson have extended this argument most systematically, proposing the concept of “moments of discomfort” as sites in which the dynamic and shifting nature of power and information can be observed directly, and warning against what Mason-Bish has called the “elite delusion”¹⁹ — the tendency of researchers to approach elite subjects with preconceptions about fixed power asymmetries that distort both their preparation for fieldwork and their conduct within it²⁰.

Mikecz has also emphasised that the researcher’s positionality is a dynamic one, insofar as it changes during the research process, as a result of collecting new data and developing a relationship with the field which changes over time. Reducing positionality to insider-outsider terms would simplify a complex rapport. It would be more rewarding to understand it as a continuum that can be actively shaped by

2011, v. 11, n. 4, pp. 431-441; Robert Mikecz, *Interviewing Elites: Addressing Methodological Issues*, in “Qualitative Inquiry”, 2012, v. 18, n. 6, pp. 482-493; Xu Liu, *Interviewing Elites: Methodological Issues Confronting a Novice*, cit.

¹⁵ Adrianna Kezar, *Transformational Elite Interviews: Principles and Problems*, in “Qualitative Inquiry”, 2003, v. 9, n. 3, pp. 395-415. pp. 395-415.

¹⁶ David Richards, *Elite Interviewing: Approaches and Pitfalls*, in “Politics”, 1996, v. 16, n. 3, pp. 199-204.

¹⁷ Linda McDowell, *Elites in the City of London*, cit.; William S. Harvey, *Strategies for Conducting Elite Interviews*, cit.; Robert Mikecz, *Interviewing Elites: Addressing Methodological Issues*, cit.; Kate Smith, *Problematising Power Relations in “Elite” Interviews*, in “Geoforum”, 2006, v. 37, pp. 643-653.

¹⁸ Kari Lancaster, *Confidentiality, Anonymity and Power Relations in Elite Interviewing: Conducting Qualitative Policy Research in a Politicised Domain*, in “International Journal of Social Research Methodology”, 2017, v. 20, n. 1, pp. 93-103, p. 97.

¹⁹ Hannah Mason-Bish, *The Elite Delusion: Reflexivity, Identity and Positionality in Qualitative Research*, in “Qualitative Research”, 2018, v. 19, n. 3, pp. 263-276.

²⁰ Léger Félix Ntjenjom Mbohhou, Sule Tomkinson, *Rethinking Elite Interviews Through Moments of Discomfort: The Role of Information and Power*, in “International Journal of Qualitative Methods”, 2022, v. 21, pp. 1-10.

the researcher through preparation, cultural knowledge, and reflexive self-awareness²¹.

According to Herod, power can also be held by the researcher and not only by the interviewee, even if the latter has a high social position. Indeed, the researcher is the one who decides the questions, selects analytical categories, and ultimately produces an account coming from the interview²². Other scholars, instead, recall about the risk that elite subjects might exercise their power in controlling the research process. In this regard, an instructive experience was shared by Ntienjom Mbohou and Tomkinson regarding their research in a non-democratic context, showing how the expectations that elites hold concerning the researcher's own resources — financial, informational, political — can reshape the conditions of knowledge production in ways that standard methodological frameworks are ill-equipped to anticipate²³.

Regardless of the differences underlying the various positions, the distinctive feature of the elite interviewing method lies in the fact that it involves dealing with individuals who occupy a social and institutional position that generates an expert and layered form of knowledge. Such knowledge should not be elicited directly, so as to avoid suspicion and reluctance to participate; rather, it should be allowed to emerge naturally. To achieve this, Dexter suggests adopting a “nonstandardized treatment” toward these subjects. This means:

Stressing the interviewee's definition of situation; 2. Encouraging the interviewee to structure the account of the situation; 3. Letting the interviewee introduce to a considerable extent (an extent which will of course vary from project to project and interviewer to interviewer) his notions of what he regards as relevant, instead of relying upon the investigator's notions of relevance²⁴.

²¹ Robert Mikecz, *Interviewing Elites: Addressing Methodological Issues*, cit.

²² Andrew Herod, *Reflections on Interviewing Foreign Elites: Praxis, Positionality, Validity, and the Cult of the Insider*, in “*Geoforum*”, 1999, v. 30, n. 4, pp. 313-327.

²³ Léger Félix Ntienjom Mbohou, Sule Tomkinson, *Rethinking Elite Interviews Through Moments of Discomfort*, cit. Ntienjom Mbohou L.F., Tomkinson S. (2022), cit.

²⁴ Lewis A. Dexter, *Elite and Specialized Interviewing*, cit., p. 5.

Needless to say, elite interview procedures can be included within those envisaged in qualitative interviews. However, it is interesting to note that they show specific peculiarities, especially in relation to sampling and getting access to informers, two crucial elements of interviewing procedures amply debated in the methodological literature. As we will see in the next section, instructions and recommendations coming from elite interviewing methodology are useful when engaging AMs as interviewees.

2.2 Selecting and Contacting Antimafia Magistrates

When designing research grounded on interview techniques, the first procedural question concerns the principles that should govern the selection of interlocutors. The elite interview literature has addressed this question extensively and with some consistency, converging on the view that probabilistic or random sampling is inappropriate for this research context. As Mikecz states, given the very limited number and the influential position of elite individuals, random sampling is structurally unsuited to the task: it risks excluding, purely by chance, precisely those subjects whose knowledge is most analytically productive.

One conceptually important distinction, insufficiently theorised in the existing mafia studies literature, concerns the difference between research in which sampling is not strictly necessary and those in which it becomes methodologically indispensable. When a study is organised around a specific judicial case or a defined set of investigations, the relevant population of interviewees is typically small enough to interview in its entirety, or at least to approach comprehensively: sampling in any technical sense is redundant.

The main criterion in elite research is not statistical representativeness but relevance — a point that Aberbach and Rockman capture in their well-known formulation that the primary design principle of any well-constructed elite interview study is, as in social science more broadly, “purpose, purpose, purpose”²⁵. As Dexter sustained, the criterion is always ultimately situational: it depends on what the research is for²⁶. What is important is making the purposive and well-reasoned selection criteria explicit, a practice rarely followed in mafia studies when using

²⁵ Joel D Aberbach, Bert A. Rockman, *Conducting and Coding Elite Interviews*, in “PS: Political Science and Politics”, 2002, v. 35, n. 4, pp. 673-676.

²⁶ Lewis A. Dexter, *Elite and Specialized Interviewing*, cit.

interviews with AMs. Indeed, in this field scholars tend to take the correctness of the selection for granted, without giving details about it.

There is no doubt that purposive sampling and snowball sampling, the non-probabilistic strategies reckoned most appropriate in elite interviewing, are both particularly suited for the category of AMs. More specifically, purposive sampling, that entails the identification of interviewees on the ground of criteria stemming directly from the research question, is appropriate when the research on organised crime is based on specific criminal investigations, a particular criminal organisation or a defined geographical territory. In these cases, the selection is led by the logic of institutional position: the researcher contacts the magistrate who has coordinated the investigation under inquiry, or those in the DNAA who are in charge of the areas of specialisation or the specific territory corresponding to the focus of the inquiry.

Snowball sampling, which is usually used when the population of relevant interviewees is not fully known in advance, is recommended in mafia research when the boundaries of a given investigation or thematic domain are not always visible to the researcher before the fieldwork has begun. It is advisable to start from AMs working at the DNAA who might be useful, in order to gradually identify the other network of contacts. Since they coordinate other magistrates, those who work at the DNAA often are aware of colleagues conducting investigations into specific phenomena. Moreover, referrals between magistrates carry a form of institutional endorsement that significantly increases the likelihood of participation. This is a great advantage which makes the fieldwork smoother. Each magistrate permits the researcher to extend his/her social capital, including an effect on reinforcing the perception of credibility that is essential for sustained access, and generates chains of introduction that may reach interlocutors the researcher would not otherwise have been able to identify. Similar effects are described in the literature on interviewing elites, where snowballing is crucial for increasing the reputation of the researcher and thus expanding their field of investigation. Littig, exploring the field of legal elites in India, explained very well this mechanism, where professional referral networks proved decisive in securing access to senior judges and lawyers²⁷. The access phase constitutes a crucial stage when working with elites, including AMs. Far from being a preliminary administrative matter, access is itself a substantial methodological act — one that carries the full weight of the relational and

²⁷ Beate Littig, *Interviewing the Elite*, cit., pp. 98-113.

institutional dynamics that will subsequently shape the interview encounter.

The elite interview literature has consistently identified access as the first and most difficult challenge of this form of research, while simultaneously acknowledging that no standard strategy is necessary. What the literature does firmly suggest is that, more than in other field of inquiry, effective access strategies are not primarily technical but relational: they depend on the researchers' capacity to present themselves as credible, competent, and trustworthy interlocutors in the eyes of subjects who are, by virtue of their institutional position, finely attuned to assessing the legitimacy of those who seek their time and attention.

The researcher's position within the academic field is among the most consequential of these variables. For those who have already published on mafia-related topics, whose institutional affiliation is recognised within the specialist community, and who can invoke a prior record of serious engagement with the phenomena under investigation, the path is smoother. This is not a question of prestige alone — it is a question of epistemic credibility. Magistrates are sophisticated professional interlocutors who will rapidly assess whether a proposed collaboration is likely to yield any analytical value for the purposes of the research being described. Liu observes that the researcher's profile is an important factor in convincing an elite subject to agree to an interview, since the interviewee will consider the rationale and value of the encounter in terms of the researcher's background and competence²⁸.

Social capital — the network of professional relationships and reputational endorsements that a researcher can mobilise at the moment of first contact — accordingly functions as a primary access resource in this context. However, what is particularly necessary for access to be successfully obtained is the project for which the interview is requested. Presenting it as a credible and scientifically well-grounded project is essential. It should come across as being academically rigorous and thematically relevant to the AMs own domain of professional expertise. Moreover, in presenting their project's objective researchers should show that it does not have extractivist instead of genuinely collaborative aims. One important recommendation suggested by elite interviewing regards temporal expectations. AMs work under conditions of intense and often unpredictable professional pressure. Therefore, an approach that might communicate impatience, impose rigid

²⁸ Xu Liu, *Interviewing Elites: Methodological Issues Confronting a Novice*, in "International Journal of Qualitative Methods", 2018, v. 17, pp. 1-9.

timescales, or make demands on the magistrate's time that exceed what the institutional context can reasonably accommodate would ultimately be counterproductive. Researchers should show that they are aware of these constraints and prepared for extended and flexible timelines. As elite interview literature consistently advises, persistence must never be perceived as pressure.

In light of these considerations, the interview process with AMs is best conceived not as a single encounter but as a sequence of at least two distinct meetings, each serving a different and irreplaceable function. The first one has the purpose of establishing the conditions for trust, and therefore it is advisable to conduct it in person rather than remotely. In person it is easier to show that one is "honest, open, fair", qualities that according to Rubin and Rubin, contribute to building trust²⁹. The first encounter should be kept brief. It is not yet the place for a substantial analytical discussion, and attempting to make it so would likely prove disadvantageous. What this meeting is the place for is something more delicate and more consequential: the gradual construction of a working relationship — showing the informer that he/she will co-participate into the research — in which the magistrate begins to perceive the researcher not as an extractive outsider but as a serious and trustworthy interlocutor. During the first encounter, AMs might make available the judicial files relevant to the research.

The second meeting will be fixed after reading the judicial files, which will allow the researcher to develop his/her knowledge about the facts and the magistrate's interpretation. In the second meeting, the researcher will use an interview scheme as a result of the many questions that their reading of the file has stimulated. His/her independent view will make the conversation more of a dialogue rather than merely an exchange of information.

In the second meeting, the researcher arrives not as a blank slate waiting to be filled but as an interlocutor with views, questions, and — crucially — the capacity to notice when the magistrate's account and the documentary record diverge. Those moments of divergence are often the analytically richest moments of the entire encounter. However, as illustrated by the elite interviewing method, our knowledge should not impact on our listening. We have to avoid either expecting confirmation of what we have read or openly contrasting the magistrate's

²⁹ Herbert J. Rubin, Irene S. Rubin, *Qualitative Interviewing. The Art of Hearing Data*, Sage, London, 2012, p. 93.

framework. Any researcher who addresses the second meeting totally influenced by their documentary reading will run the risk of only being a passive translator of institutional thought. At the same time, approaching the interview by bringing arguments contrasting the AMs's framework would be counterproductive, since the interviewee might become less collaborative. The challenge, then, is to hold two attitudes at the same time as a consequence of having read judicial files: deeply receptive and independent. It is in that tension — between knowing and being willing not to know — that the most valuable and unique interview results tends to emerge³⁰.

3. CONDUCTING INTERVIEWS WITH ANTIMAFIA MAGISTRATES: FROM TRUST TO REFLEXIVITY

As underlined by the literature on interview methods, the interview process is inevitably influenced by the characteristics of the two subjects involved in the encounter, including class, professional identity and personal characteristics. According to the father of elite interviewing, “who is interviewing whom and for what purpose determines what it is best to do. That is to say ‘it depends’”³¹. In other words, “every suggestion about how to conduct interviews must depend upon these all-important variables: the personality and skill of the interviewer, the attitudes and orientation of the interviewee, and the definition by both (and often by significant others) of the situation”³².

Dexter's observations regarding interview method — and consistently endorsed by subsequent contributions to the literature on elite interviewing and more broadly with qualitative interviews in humanities and social sciences — converge on a core methodological principle that we need to keep in mind even when using oral sources in mafia studies: the interview encounter is not a neutral instrument of data extraction but a situated social event, constitutively shaped by the characteristics, histories, and mutual positioning of both parties involved. If we understand interviews as a form of “social production of knowledge”, when we interview

³⁰ I have already suggested this kind of double attitude in relation to interviews with people who turned state's evidence. Even in this case we know many information that we collect through the interviews thanks to the preliminary reading of judiciary sources. Ombretta Ingrascì, *Confessioni di un padre*, op. cit.

³¹ Lewis A. Dexter, *Elite and Specialized Interviewing*, cit., p. 24.

³² *Ibidem*.

AMs we need to give more consideration to the conditions under which knowledge is generated, exchanged, and co-constructed rather than the technique used to get information³³. Qualitative interview knowledge is linguistic, conversational, narrative, relational, and pragmatic. Being aware of this is crucial even when conducting interviews that seems to be just an instrument to gather data, as interviews with AMs may appear to be. In other words, as the broad literature on qualitative interviews teaches us, we need to remember that the knowledge generating from the interview is a product of a specific relational encounter rather than a mere extraction of information from an expert taken by a skilled questioner.

Having said that, reflexivity, involving “a continuous process of critical scrutiny and interpretation, not just in relation to the research methods and the data but also to the researcher, participants, and the research context”³⁴ is highly recommended. A researcher should question his/her role in shaping what the narrator shares and should read it critically. In the specific case of interviewing AMs, this reflexive requirement operates at two levels simultaneously: at the level of the interview relationship itself — paying attention to the ways in which the researcher’s own social location, professional identity, and institutional affiliations shape what magistrates are willing to disclose and how — and at the level of the epistemological framework brought to the interpretation of what is said. Reflexivity about the source of knowledge and the conditions of its institutional production must be built into the analytical position from the outset, not introduced retrospectively as a caveat.

Only by experiencing the encounter as a deep dialogue can it lead to a collective production of data and interpretations useful to the research’s aim. Emphasizing the relational dimension does not eliminate the knowledge asymmetry between researcher and magistrate, yet it contributes to considering this asymmetry not as an obstacle, rather as an opportunity which should stimulate the researcher to adopt a reflexive attitude. In sum, the interview should be “more akin to a two-way dialogue than a one-way interrogation”³⁵. The researcher is not a neutral subject: analytical frameworks, prior knowledge of the judicial record, awareness of the lit-

³³ Steinar Kvale, Svend Brinkmann, *Interviews: Learning the Craft of Qualitative Research Interviewing*, Sage, Los Angeles, 2008.

³⁴ Marily Guillemain, Lynn Gillam, *Ethics, Reflexivity, and “Ethically Important Moments” in Research*, in “Qualitative Inquiry”, 2004, v. 10, n. 2, p. 275.

³⁵ Lee Ann Fujii, *Interviewing in Social Science Research: A Relational Approach*, Routledge, New York, 2018, p. 3.

erature on organised crime are all part of his/her toolbox. He/she should use the latter as input that, during the dialogue, softly shapes the questions, interventions and body language. The AMs, too, will bring his/her own knowledge. Interestingly, both parties can think together that neither could have thought alone.

This comes across very clearly when elite interviewing is combined with ethnographic-sociological and oral history approaches³⁶. This integration of different interview traditions offers, in our view, the most productive methodological framework for conducting interviews with AMs. Indeed, merging these different qualitative approaches makes it possible to grasp simultaneously the discursive and the factual dimensions of interviewees' accounts — bearing in mind what the interviewee claims happened and how they represent it, without treating either dimension as simply reducible to the other. This dual analytical attention is highly necessary in the case of AMs, whose accounts are shaped by decades of institutional practice and whose authority as interpreters of the mafia phenomenon is itself a feature of the data requiring analysis.

A further practical dimension of interviews with AMs deserves attention, and it concerns the two-encounter model introduced in the discussion of access. The relationship between the first and second meeting is not merely logistical: it is epistemologically generative. The magistrate who, in the first encounter, functions as a gatekeeper to judicial sources and a provider of contextual orientation becomes, in the second, an analytical interlocutor for a researcher who has now independently engaged with the documentary materials.

Especially in the first encounter, it is advisable to follow Dexter's suggestion according to which the researcher should be willing to follow the respondent's own logic, priorities, and framings, and should be ready to acknowledge that what the interviewee chooses to foreground is itself analytically significant. As Dexter specified, the interviewer's role is not to extract pre-specified information, but to create the right context, in which interviewee can provide the researcher with specialised knowledge that she could not have anticipated in advance. Eventually, the researcher should employ a non-directive posture and an adaptive engagement. In Dexter's words: "in elite interviewing... the investigator is willing, and often eager

³⁶ Daniel Bertaux, *Biography and Society. The Life history Approach in the Social Sciences*, Sage, London, 1981; Daniel Bertaux, *Racconti di vita. La prospettiva etnosociologica*, a cura di R. Bichi, Franco Angeli, Milano, 1999; Paul Thompson, *The Voice of the Past. Oral History*, Oxford University Press, Oxford, 2000.

to let the interviewee teach him what the problem, the question, the situation, is — to the limits, of course, of the interviewer's ability to perceive relationships to his basic problems, whatever these may be"³⁷.

During the first meeting the researcher's effort should be focused on building trust, a topic on which literature on qualitative interviews have discussed extensively, especially by feminist approaches³⁸. In order to gain trust it is important to create a colloquial atmosphere. For this reason, it is recommended to avoid asking to record the encounter. AMs might perceive the recorder as intrusive and inhibit the sharing process.

Once trust has been developed, researchers might propose to record the interview during the second meeting. Recording is methodologically relevant since the second meeting should be carried out as a dialogue, especially if the researcher has developed a good level of experience in the field of organised crime research. In this case, actually, the encounter would become a critical dialogue between the researcher's independent analytical reading of previously collected judicial files, and the magistrate's institutional view. In addition, during this meeting — or in a successive one — researchers can also ask about what may be absent in the judicial files, namely aspects/events that emerged during the investigations and were not reported in the documents because they were not criminally relevant. The more trust has been successfully built, the more AMs will be willing to share their knowledge on "silent events". For instance, during my doctoral research on mafia women, four AMs spoke of phone calls between some Cosa Nostra bosses and their extra-matrimonial lovers, which due to privacy reasons were not reported in the investigative acts. This evidence, narrated by AMs to me, was quite useful in deconstructing the representation of bosses as men of honour who respected their wife and followed the mafia rule of not having lovers, which circulated as stereotype.

Generally speaking, the second meeting with AMs might become the beginning of a highly productive and reciprocal relationship which can be useful not only for researchers but also for AMs who show a need to talk with interlocutors having a perspective which goes beyond judiciary aspects, and gave them the possibility to understand the mafia phenomenon as a whole, including its socio-economic and

³⁷ Lewis A. Dexter, *Elite and Specialized Interviewing*, cit., pp. 5-6.

³⁸ Ann Oakley, *Interviewing Women: A Contradiction in Terms?*, in *Doing Feminist Research*, Helen Roberts (ed.), Routledge & Kegan Paul, London, 1981.

socio-cultural dimensions³⁹. This necessity emerged very clearly from the testimonies of AMs, whom I invited in the advanced course of Sociology of Organised Crime dedicated to method and sources I hold at the University of Milan in the academic years 2018-2019. During the class, AMs discussed with students the construction of judicial files, and stressed the relevance of grounding their interpretation of mafia behaviours and actions not only on the penal code but also on sociological and anthropological work produced academically. They explained to the students that they found some sociological concepts so insightful that they adopt them explicitly in their judicial files, like for example the notion of “social capital”, developed by sociologist James S. Coleman and applied by Rocco Sciarone to the mafia’s ability to build social networks with external subjects.

Moreover, it is crucial to employ a critical approach when interviewing AMs by maintaining a certain distance. In the case of APP keeping a fruitful distance might be challenging more than with other interlocutors. This is because they are individuals who have devoted their professional lives — and in some cases have put those lives at serious risk — in pursuit of a cause to which they are deeply committed. The moral seriousness and personal courage that this commitment implies can create a powerful affective dynamic in the interview setting: the researcher, who not rarely is an antimafia activist, may feel, consciously or unconsciously, a sense of admiration or respect that inhibits critical questioning. Conversely, the magistrate may, in the context of an interview that feels intellectually engaging and personally respectful, disclose more than they would in a more formal and guarded interaction.

It is interesting to note that the relationship between the production of judiciary and academic knowledge might be epistemologically risky due to what scholars have called “source circulation”⁴⁰ among those who make up the “community of experts”⁴¹, including not only magistrates and scholars, but also journalists and activists. This phenomenon, namely “the fact that texts, reports, and documents are characterized by cross-references and mutual citations, to the extent that the

³⁹ Monica Massari, Stefano Becucci (a cura di), *Mafie nostre, mafie loro*, Edizioni di Comunità, Torino, 2001.

⁴⁰ Rocco Sciarone has amply stressed this risk, Rocco Sciarone, *Mafie vecchie, mafie nuove. Radicamento ed espansione*, Donzelli, Roma, 2009; Rocco Sciarone, *Fare ricerca sulle mafie*, in Ombretta Ingrascì, Monica Massari (a cura di), *Come si studiano le mafie?*, Donzelli, Roma, 2022, pp. 12-26.

⁴¹ Joselle Dagnes *Quali fonti per lo studio delle mafie in Europa?*, in Ombretta Ingrascì, Monica Massari (a cura di), *Come si studiano le mafie?*, Donzelli, Roma, 2022, p. 56.

primary source from which the reported contents originate can no longer be identified”,⁴² is quite widespread in mafia analysis. Therefore, researchers should always look for the first origin of the information they find in a given source, by attempting to trace the chain of citations through other sources.

Reflexivity, a research posture, that is — as is well known — amply recommended in qualitative interview methods, is the antidote to all the above risks. In expert interviews, such as those conducted with AMs, researchers must be aware of the above dynamics, in order to treat the interview material as data rather than as testimony. This is not in contradiction with what we discussed above about the interview’s non-neutral nature. Actually, it is because we recognize the specific positionality of both interlocutors that we should treat what emerges from the interview practice with great rigour.

4. THE DUAL EPISTEMIC REGISTER OF ANTIMAFIA MAGISTRATES

Discussing the methodological implications entailed in interviewing AMs working in the DNAA and DDAs, by drawing inspiration from elite interviewing, as proposed in the previous paragraphs, is particularly necessary, since AMs display a dual epistemic register, in so far as they are both those who carried out the investigation on the one hand, and the authors of significant judicial files on the other. In other words, as we will deal with in this section, they are repository both of factual evidence about the mafia and of institutional representation.

AMs play a pivotal role in the Italian institutional architecture dedicated to countering organised crime: they hold the formal authority to initiate investigations, to coordinate the activities of law enforcement agencies, and to construct the evidentiary framework within which criminal organizations are defined and prosecuted. The decisions they take — which investigations to pursue, which evidentiary thresholds to apply, which legal categories to employ — have direct and far-reaching consequences for the institutional landscape of crime control and for the public representation of organised crime more broadly⁴³. As a result, they

⁴² *Ibidem*.

⁴³ On the overlap between juridical narrative and the conceptualization of the phenomenon see Orsetta Giolo, *Mafie, diritto, diritti. Prospettive per un’analisi “di confine”*, in Ombretta Ingrassi, Monica Massari (a cura di), *Come si studiano le mafie?*, Donzelli, Roma, 2022, pp. 13-28; Elena Ciccarello, Antonio Vesco, *Una questione politica. Il sapere sulla mafia in Italia*, in “Studi sulla questione criminale”,

are simultaneously actors whose institutional decisions shape the phenomena under investigation and a source of reflexively organised knowledge about those phenomena, a knowledge whose production is inseparable from the exercise of institutional power. That is why interviews with AMs present the same pitfalls that judicial sources pose, as discussed in recent years by scholars belonging to different disciplines⁴⁴.

Judicial sources can be conceptualized through a fundamental distinction between their function as “containers of raw primary material” — wiretap transcripts, intercepted letters, financial records, seized documents, *pizzini* —, and their function as documents in their own right, bearing the interpretive imprint of their authors and of the institutional context in which they were produced⁴⁵. In their first function, judicial sources are very rich repositories: fragments of information that, combined with material drawn from other source types permit the researcher to assemble a deeper and wider picture of the social reality under examination than any single source type could furnish alone. In their documentary function, judicial sources are more challenging, since they are not always neutral transmissions of facts. Rather, they offer a specific interpretation of the law, shaped by the “pre-understandings” that judicial actors have developed through their professional lives, and by the social and cultural contexts within which they operate. As Bourdieu’s concept of “thought of the state”⁴⁶ illuminates, judicial documents carry within them a series of hidden principles of social order and institutional domination that generate a vision of the phenomena they address which is constitutively dependent on categories whose neutrality cannot be taken for granted.

2021, n. 2, pp. 13-33.

⁴⁴ Rocco Sciarrone, *Mafie vecchie, mafie nuove*. *Cit.*; Alessandra Dino, *Confini e dimensioni del crimine mafioso: alcuni problemi metodologici*, in *La violenza tollerata*, Alessandra Dino (a cura di), Mimesis, Milano, 2006, pp. 141-172; Antonio Iannello, Antonio Vesco, *Tra repressione e conoscenza*, *cit.*; Ombretta Ingrascì, *Le fonti giudiziarie nello studio delle mafie. Riflessioni per un dibattito*, in “Rivista di studi e ricerche sulla criminalità organizzata”, 2018, n. 4, pp. 28-33. See note 8, and Ombretta Ingrascì, Monica Massari (a cura di), *Come si studiano le mafie?*, Donzelli, Roma, 2022, in particular Carolina Castellano, *Reprimere, conoscere. Le fonti giudiziarie nell’analisi storica delle mafie*, in Ombretta Ingrascì, Monica Massari (a cura di), *Come si studiano le mafie?*, Donzelli, Roma, 2022, p. 137.

⁴⁵ Ombretta Ingrascì, *Le fonti giudiziarie nello studio delle mafie*, *cit.*, pp. 28-40.

⁴⁶ Pierre Bourdieu, *Practical Reason: On the Theory of Action*, Stanford University Press, Stanford, 1998. Marco Santoro, *Il dono del Don. Frammento di una teoria politico-culturale della mafia*, in “Lares”, vol. 86, n. 3, 2020, pp. 477-516; Marco Santoro, *Mafia Politics*, *cit.*

This awareness can provide the grounds for developing a rigorous understanding of the epistemological status of the knowledge produced through elite interviews with AMs. Indeed the overlapping between the author of the judicial source and the subject of the elite interview is a combination posing epistemological challenges and, at the same time, offering methodological advantages.

Regarding the challenges, we need to consider that the correlation itself between document author and interview subject introduces a risk of compounded interpretive closure. If judicial documents already carry within themselves the institutional pre-understandings and thought of the state of prosecutorial practice, then an interview that relies primarily on the prosecutor's own account of those same documents risks not supplementing or questioning their institutional logic but reinforcing it. A researcher who allows the magistrate to serve as the sole interpreter of the sources he/she have themselves produced risks constructing what one might call a "closed epistemic circuit": the document explains the interview, the interview explains the document, and both remain embedded in the same institutional perspective, with no openly external point of reference to introduce a critical view.

I have encountered this risk in my own fieldwork. During my doctoral research on the changing role of women in the Mafia – carried out between 2000-2004 – I met a antimafia magistrate⁴⁷ who, when asked to account for decisions not to charge women with the more serious offences of promoting and directing a mafia-type association, offered justifications that presented those decisions as legally self-evident, or the natural result of what the facts permitted, when properly read. And yet, an attentive and independent reading of those same judicial files revealed that the factual framework underlying this case was indistinguishable from many in which men had been charged with precisely those offences. What arose between the facts and the charges made was not evidence but a set of interpretive pre-understandings — assumptions about gender, the plausibility of female leadership, what a woman in a mafia family could realistically be believed to know and decide according to the official mafia norms⁴⁸ — that the magistrate themselves had, in many cases, genuinely internalised as legal reasoning rather than recognised as

⁴⁷ Interview with antimafia magistrate, Palermo, 03-07-2001.

⁴⁸ Giovanni Fiandaca, *La discriminazione sessuale tra paradigmi giudiziari e paradigmi culturali*, in "Segno", 1997, n. 183.

cultural prejudice⁴⁹. Had I accepted his accounts at face value, I would not have reached what my subsequent research has confirmed⁵⁰: that women were involved at levels of organisational responsibility significantly higher than the charges made at the time reflected, and that this systematic undercharging was itself a factor of the utmost analytical importance, revealing less about the actual structure of mafia organisations than about the gendered pre-understandings embedded in prosecutorial culture at a specific historical moment⁵¹.

Having recognised these challenges, we must at the same time emphasise the advantages of interviewing subjects who are the authors of judicial files. Interviewing them can offer benefits and not only drawbacks only if one keeps in mind the epistemological risks described above. The main advantage lies in the fact that AMs interviews facilitate a selection of the material within the judicial files and also its reading. Magistrates can illuminate the judicial document from the inside. All scholars who have experience in studying judicial files know that these documents can reach thousands of pages. On the one hand, software for qualitative research may help researchers deal with this large amount of material, while on the other using a technological mediator might bring the risk of missing important and subtle information. Here AMs might become an indispensable guide, since they conducted the investigations and are those who produced the files. In this respect, the magistrate performs an indispensable function as a facilitator that no other source can replicate. Recently, I have dealt with the issue of a Chinese illegal bank used by the 'Ndrangheta: without the guide of a magistrate who had conducted the investigation, it would be quite hard to understand the complex network behind the Fei Ch'ien system reconstructed in the judicial files and to

⁴⁹ These issues are at the core of reflections carried out by legal hermeneutics which constitutes a distinct branch of the philosophy of law concerned with the theory and practice of legal interpretation. Rather than conceiving of interpretation as the mechanical subsumption of particular cases under pre-established rules, legal hermeneutics approaches the encounter between norm and fact as a fundamentally generative process — one in which legal meaning is not passively recovered from a fixed textual source but actively constructed through the situated, historically embedded act of understanding itself

⁵⁰ In this interpretation I was facilitated and supported by previous journalistic work and academic studies: Renate Siebert, *Le donne, la mafia*, il Saggiatore, Milano, 1994; Teresa Principato, Alessandra Dino, *Mafia Donna. Le vestali del sacro e del profano*, Flaccovio, Palermo, 1997; Clare Longrigg, *L'altra faccia della mafia*, Ponte alle Grazie, Firenze, 1997.

⁵¹ Ombretta Ingrascì, *Donne d'onore. Storie di mafia al femminile*, Bruno Mondadori, Milano, 2007. See in particular part III “*Donne di mafia: da impunate a imputate*”.

illustrate the most interesting intercept phones relevant to my study.

In conclusion, judicial sources and interviews with AMs are governed by the fundamental methodological principle I have stressed in my previous work on judicial sources: neither should be read passively, each is the expression of a precise institutional subjectivity operating within specific structures of knowledge and power, and both achieve their maximum analytical yield when brought into critical dialogue with perspectives that the institution itself cannot generate⁵². In other words, they must be interrogated, their contents received with analytical vigilance and systematically confronted with other sources and other views⁵³.

What the interview with the magistrates adds to this framework is not a complication, but a deepening: it makes visible the human subjectivity behind the institutional document, and in doing so it both enriches the analysis and intensifies the methodological responsibility that the researcher must bring to it.

Eventually, when interviewing AMs the overlap between institutional position and informer status is an epistemological conundrum that needs to be specifically addressed. Researcher who fails to hold both sides of AMs duality in view — and thus treats the Prosecutor either as a transparent informant or as a suspect source to be deconstructed — risks producing an analysis that either depends passively on the institutional interpretation or is overly critical.

5. CONCLUDING REMARKS

This article has addressed some questions related to interviews with antimafia magistrates by taking inspiration from elite interviewing, a field in which scholars since Dexter's foundational text have dealt with the challenges posed by getting expert knowledge through interviews.

Given the complex nature of this kind of oral sources, this article suggests that opening a debate upon interviews procedures in mafia studies is necessary and rewarding, insofar as the organised crime research community has neglected to discuss them so far. Researchers who interview AMs rarely account for how they select them, what strategies they employ to gain access, how they manage the pow-

⁵² Ombretta Ingrassi, *Le fonti giudiziarie nello studio delle mafie*, cit.

⁵³ Ombretta Ingrassi, Monica Massari, *Mafia e fonti biografiche. Lo sguardo interno all'universo mafioso*, in *Come si studiano le mafie?*, Ombretta Ingrassi, Monica Massari (a cura di), Donzelli, Roma, 2022, pp. 65-85.

er dynamics of the encounter, or how they interpret accounts whose institutional provenance shapes both what is said and what can be acknowledged.

We believe that it is quite important to account for what researchers are doing when they select interviewees, negotiate access, manage the interview encounter, and interpret what magistrates say. This article has tried to offer some suggestions and recommendations about sampling, the relational dynamics of access, the epistemological status of institutional accounts and the conditions under which an interview with a powerful and well-positioned institutional subject can generate knowledge that goes beyond the reproduction of an official perspective.

In these final remarks, we will stress three broader implications that this paper might have.

First, the field of mafia studies would benefit from the development of a shared culture of methodological transparency — one in which the selection of interviewees, the management of access, and the analytical treatment of institutional accounts are reported, defended, and subjected to critical peer scrutiny as standard elements of scholarly practice, rather than treated as private fieldwork matters only vaguely related to the production of findings.

Second, the interpretative scheme proposed here, in which emphasis is put on the dual epistemic register that is closely interwoven with the distinction between the “container function” and the “documentary function” of judicial sources, might be applied to any elite research that relies on interviews with institutional actors who are simultaneously the producers of the documentary record and the interpreters of the phenomena it documents: investigating officers, senior civil servants and regulatory authorities.

Third, the kind of knowledge that elite-specialised interviews with AMs can generate — at best, a genuinely collaborative intellectual endeavor in which the magistrate’s experiential knowledge and the researcher’s analytical frameworks push each other beyond what either could reach independently — represents one of the most distinctive and valuable contributions that social-scientific research can make to understanding mafia-type organised crime. Achieving that potential requires not only methodological skill and relational sophistication, but the epistemological and ethical rigour to know exactly what kind of knowledge one is producing, how, and at what risk.

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