As if they were brothers: ritual brotherhood and its criminalization

Naor Ben-Yehoyada

Over the past six years or so, several initiatives have sought to expand the reach of the Antimafia criminal justice project beyond the strictly-defined realm of criminal organizations of the mafia type. As that strict definition constitutes one of that criminal justice project's fundamental achievements of the 1980s-90s (Puccio-Den 2008; 2012; 2015), this recent turn poses intriguing anthropological dilemmas. Specifically, several legislative and political initiatives have proposed to criminalize associations that promote or coordinate interference with public administration. These initiatives share two things. First, a new approach to the political potential of "deviated" Freemason lodges. Second, they attempt to reframe corruption as an associative crime, rather than as either the transaction between gain-seeking individuals (mafia-related or not) or as the "organic interweaving of mafia and not mafia" best captured by the term "*intreccio*" on the other hand (J. Schneider 2018, S19). This shared approach to corruption as an associative crime suggests a new anthropological imaginary of the power of ritual brotherhood to motivate or oblige persons' action.

Governing powers in Italy have historically misrecognized and periodically persecuted or monopolized ritual brotherhood (e.g. Freemasons under Fascism; Conti 2003, 315–20).¹ Both the Mafia and Freemasonry created specters of organized subversion that haunted state order (Benigno 2015). Political assumptions about the illicit potential of ritual brotherhood shaped the official perception of Freemasons and Mafias, which substantiated their criminalization as organizations (Leccese 2018). At such moments, the targets of criminalization and indictment were formed not of individuals but of bundles of relationships: ritual brotherhood, which by facilitating claims to sameness, parity, and shared fate among its initiated members, appeared as binding, mobilizing, and contagious enough to pose a perceived threat to "public order." Nevertheless, accusations of various types, which cast on the same stage these two ritual brotherhoods, they until recently reserved the terms "associative bond [*vincolo associativo*]" to the Mafia. This distinction retains for the Mafia the anthropological imaginary according to which people act because they are compelled or obliged ("*vincolatt*") as members of a ritual brotherhood to do so, not necessarily because they see it in their own individual interest to do so (Pipyrou 2014, 12). The shape and direction of this obligation appear as vertical (hierarchical), horizontal (reciprocal), or ideally as both.

More broadly, the distinction between the cohesive power of Mafia and that of Freemasonry was crucial for the Antimafia criminal justice project of the late 1970s to early 1990s, even if it does not align with recent sociological and historiographical understandings of Mafias, which make ritual initiation only one dimension of the wider complex (Lupo 2018, xi; Sciarrone 2002; Catino 2019). In this judicial line of reasoning, Mafiosi, unlike Freemasons, do what they do because they are who

they are—mafiosi. In other words, the social fact of mafioso's membership "sticks" – it becomes a persevering characteristic of a person and a determinant of their actions.

In the case of the Freemasonry-Mafia complex, the distinction between the two forms of brotherhood emerges and accrues an explanatory power in plots about the interface between the two associations. In short, the supposedly more binding association of the two – the Mafia – would appear as having more infiltrating and influencing capacities into and onto the less binding – the "deviated" Freemasons lodge in question. This question is posed and staged regarding individual freemason-mafiosi's loyalty and the sincerity of their brotherhly oath. This distinction between the assumed forms of brotherhood reveals a deeper question that has implicitly shaped the discussion about the Mafia-Freemasonry complex: does the combination or partial grafting of the two associations increase or decrease their intrusive or subversive power?

Criminalization as saming

Over the past three decades or so, students of the relationship between states and societies have increasingly used the term "criminalization" to denote "the process by which states, media, and fearful citizens define particular groups and practices as 'criminal,' evoking a threatening criminal imaginary" (J. Schneider and Schneider 2008, 352). As soon as it caught the attention of legal anthropologists, criminalization took the shape and assumed the function of othering. For example, for Sally Engle Merry (1998, 15), the target population of "the criminalization of everyday life [...] is often envisioned as degraded, indolent, vicious, and licentious as well as racially distinct and inferior. [...] Racial fears and social images of disorder take solid form in a procession of convicted and incarcerated bodies." More broadly, scholarship on illegality has exposed how the criminalization of people, places, and practices justifies marginalization and oppression (Comaroff and Comaroff 2006; Thomas and Galemba 2013; Fassin 2018).

This critique has largely ignored a dimension of criminalization that revolves not on othering but on saming; not on claimed difference of identity but on similarity of political form. In this dimension of criminalization, those with the power to do so define as "criminal" certain social relations, which they share with those whom they criminalize, because of that similarity and the menace of organized predation, corruption, or subversion that it conjures. Such criminalization targets the organizational dimension of suspected criminal association, rather than any individual act. It relates that organizational dimension to the institutionalization of social relations on which it is based, and crystalizes those social relations using the same term used for the kinship backnbone of the criminalizer: national, civic, religion, or global brotherhood. This dimension is foregrounded in the persecution of transnational revolutionary anarchists along early 20th Century Across Mexico and the US (Lomnitz-Adler 2014) and more broadly (Andreas and Nadelmann 2006; Lagalisse 2019); and of Italian Freemasons as "elite secret and criminal organization" (Mahmud 2014, 26). In other cases, othering and similarity of political form both play a role: as in the persecution of transnational mujahids, whose unversalist project of "brotherhood and unity" menaced US-led world

order (Li 2020, 158); and of somali pirates and their attempts to insert their modes of protection in "global sea of trade" (Dua 2019a, 4). Whether or not othering plays a role, a variety of forms of kinship – fictive (Li 2020, 117), flexible (Dua 2019a, 69), felt (Lomnitz-Adler 2014, 214), or reified (Mahmud 2014, 93) – shapes both the criminalizing project and the criminalized social relations.

There is another problem with the view of difference-based criminalization: that it unfolds against the background of a world-image made of individual and individuable events, actions, and persons (Ginzburg 1999). This background enables critiques of difference-based criminalization to assume that any non-individual label (mafioso, terrorist, anarchist, and so forth) results from the criminalizing gaze rather than from any moment of social relations in the target of criminalization. As a result, as with the anthropological approach to the criminalization of forms of "predation" and organized crime (which form its subset), the attention to similarity-based dimension of criminalization "complicates the moral and political clarity of a straightforward criminalization paradigm" (J. Schneider and Schneider 2008, 357).

In the project on which this paper is based, I examine one ongoing case of the criminalization of social relations. I refit concepts from the historical anthropology of the institutional meddling with kinship to illuminate the changing relationships between kinship, friendship, and the law. The particular term of kinship considered here is brotherhood. The friendship in question combines the institutional practice of ritual fraternization and the affective ties described as "brotherly love" (Mahmud 2014, esp. 83-116), which formal associations – in this case, the Sicilian Cosa Nostra and some Italian Freemasons lodges – spin out of that term. While both associations are gendered and exclusive, Freemasons combine it, perhaps more perniciously, with "a universalizing claim of acceptance and inclusivity" (2014, 16). The law in question emerges from the process of state-centered criminalization of some of these associations (and legalization of others), which, because it varies in time and target, transforms its subject – the criminalizing state – as well (Moore 1978, 29–30).

From this perspective, I hope to show how the criminalization of ritual brotherhood plays a key role in "the detailed political processes through which the uncertain yet powerful distinction between state and society is produced" (Mitchell 1991, 78). The legitimacy of domination, and therefore of the state, emerges from the attempts to police the scale, forms, and spread of fraternal associations. Such policing itself transforms, like any other regulatory project, under "the same social processes that prevent the total regulation of a society [and] also reshape and transform efforts at partial regulation" (Moore 1978, 1).² In what follows, I ask that we regard the state neither as "having a monopoly on violence," as Weber is often misquoted to have stated (e.g. Martin 2020, 657), nor necessarily as "a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory," as the English translation puts it (Weber 1919, 78). Instead, perhaps it would be more helpful to see states as claiming monopoly over the legitimation (retrospective at times) of the use of physical force – as well as of violence and domination – whether its officials, or others, expend it;³ a statement echoed immediately after Weber's famous

definition: "Specifically, at the present time, the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it" (1919, 78). What conditions pertain to the state's attempted monopoly is its ability to negotiate with the various other "political associations" their own claims to use both violence (physical or other) and the terms of relatedness – scaled up and rearticulated – to legitimate that violence. An appreciation of the specter that ritual brotherhood occasionally conjures reveals how criminalization revolves not only around difference but also around similarity of political form. The ongoing Mafia-Freemasons complex grants us an especially privileged persepective for such an examination, because it allows us to appreciate how the state represses some forms, scales, and instances of ritual brotherhood while celebrating, permitting, condoning, or ignoring others.

Brotherhood in general

Brotherhood is the term on which the relationship between kinship and friendship hinges, and therefore political action in modern Euro-American polities. As others have amply shown, modern Euro-American political thought is founded on the assumption that the only kinship idiom that has survived modernity (however defined) is fraternity (e.g. Anderson 1991, 6-7). Familial realities apart, among all the popular kinship categories (cousins, sisterhood, in-laws, milk-kin, godparents, etc.), fraternity has come to postulate the closest, strictest, most equal bond (Minicuci and Palumbo 2001). In European, Middle Eastern, and North African imaginations, brothers are supposed to be similar, close, equal, mutually trusting, and so forth, and should beware of divisive competition - or so go various ideologies of fraternity (where discourse of sameness overshadows attention to sibling order and comlementarity; Strathern 2020, esp. 146; Michelutti et al. 2019, 7–10). This postulated strictness is historically related to the emergence of brotherhood's ubiquity as a vehicle of mobilization: invocations of fraternity entail a binary, situational, flattening view of the social world, and produce reifying exclusive Us and Them mentality. Most famously, in tribal feuds, however people describe their relationship, they call each other "brother" when the time comes to bear arms. But the call is made and taken as a situational mobilizing gesture, not a description of political relations (Dresch 1986, 311; Shryock 1997, 77).

Yet in spite of brotherhood's axial role, post-WWII treatises about human alternatives to the Euro-American kinship cosmologies either write directly against its "mechanical solidarity" (Lévi-Strauss 1969, 484), or treat it as an indistinguishable form of "mutuality of being" (Sahlins 2013, ix), while comfortably ignoring the kinship varieties within the Middle East and Mediterranean (Shryock 2013, 271).⁴ Accounts of modern public and political life at times also switch between kinship, family, and fraternity when focusing on the symbolic imprint of kinship terms on modern political institutions (e.g., D. M. Schneider 1977; Shever 2013). These positions only reinforce the long-critiqued tendency to separate politics and kinship into respective analytical domains (Yanagisako and Delaney 2013; McKinnon and Cannell 2013; Bear et al. 2015). As Lilith Mahmud concludes in her work on Italian Freemasons, "While familial metaphors supply the affective language of nation-

states—motherlands and fatherlands, brotherhoods of citizens—kinship is not literally supposed to provide a medium of engagement in the democratic body politic" (2014, 91). Yet kinship terms of relatedness have done exactly that (Dua 2019b).

Modern European states' role for brotherhood generalized and abstracted what earlier institutions had reformulated; monastic, lay, or chivalrous were the main forms. Such earlier institutions also attempted to scale up and monopolize brotherhood and other terms of relatedness and the mobilizations they permitted (Agamben 2013; Torre 2019; Velasco 2010, respectively). "Fraternity is a peculiar form of love," which, in its Freemasonic articulation claims itself humanist and universally inclusionary (in principle) unlike its nationalist twin-modern (Mahmud 2014, 83–84). The peculiar form of love that it bequeaths to the friendship that it ritually institutionalizes is "brotherly love," that is, experiencing it with someone who becomes so only by force of shared membership in the fraternal association. Both the experience of brotherhood and its forms of sociality predate the Enlightenment. Brotherhood's privileged position appeared already in "brotherhood in Christ" and, more specifically, as in "fraternities, the most characteristic expressions of late medieval Christianity... [which] embodied sacred Christian kinship as opposed to profane consanguinity" (Bossy 1985, 58).

The organizational potential of ritual brotherhood for political mobilization has a long history of ecclesiastic reform in the name of "brotherly love" (J. Schneider 1990, 37). While the ideal of brotherhood has shaped Freemasonic notions of "pure" friendship and projects of fraternization (Loiselle 2014, 170), the same projects spun their fraternizing terms from the worlds of relatedness, with which they coexisted for a while and then eventually rejected (Garrioch 2009).

These projects of institutional ritualization turned brotherhood into "brotherhood," in three mutually constitutive elements. The first element is the choice of particular term of kinship: brotherhood. In the second, people enter one relationship – friendship – shaped in the form "just like" another relationship (in this case, brotherhood; Pitt-Rivers 1973, 93). People who are or enter one relationship are called to act towards each other "as if" they were brought together by another. Whatever shape any one relationship takes, the friendship that is modeled after it is said to assume that shape (fraternal, sororal, avuncular, parental-filial, patronal, conjugal, and so forth). In the third element, that relationship is potentially and often scaled up. As a result, differently from social institutions like dyadic blood-brotherhoods (Evans-Pritchard 1933; Beidelman 1963), which only model one kind of relationship (friendship) on another of the same scale (brotherhood), in institutional ritual fraternities the institution and the figure at its head mediate vertically not just the friendship of any two or more friends, but all friendship under its auspices.

As a result, these various ritualization projects share not only an ideology of *fraternity*, but a sociology of *confraternity* as well. The demand of members to treat each other as if they were brothers emerges through their actual initiation into a relationship of co-brotherhood (confraternity), an institutional relationship itself modeled after the relationship between any two people

godfathered by the same person, which in turn entails the call to experience their relationship to each other as if they were brothers. All this means that Freemasonry shares with its preceding ritualization projects another characteristic: situated as it is in a particular moment in the chain of reforms to gendered sociability, it molds its postulated fraternity from that of its immediate predecessor (and now counterpart), which it then treats as "kinship" (McKinnon and Cannell 2013). The history of the development of the family in Europe, of the development of the terms of political alliance, and of the forms of sociability are therefore more deeply connected and for a longer time than most people would assume (Da Re 1993; Delille 2011). This suggests that we should disentangle the seemingly liberal fraternal message from the confraternal form.

While modern nation-states seek to monopolize friendship-as-brotherhood, they only recently joined a long historical chain of such institutions, some of which are still thriving. When states criminalize certain forms of ritual brotherhoods and the associations on which they are based, they therefore criminalize earlier or emergent competing forms of association and the idioms of kinship (or, more broadly, the terms of relatedness) that they themselves rearticulate. At the contemporary end of this chain of monopolizing attempts stand contemporary states. The same rearticulated brotherhood that substantiates states' national citizenship as generalized friendship has served other associations, which at times predate their respective states, and at others claim to survive (if not promote) their demise (Herzfeld 2021). Hence the menacing potential of exclusive brotherhoods that are smaller than, wider than, or traversing established political communities, in general and in Italy in particular: "The fraternity of Freemasons posed a threat to the state because it would seem to materialize as a private fraternity" (Mahmud 2014, 92). In a way, we can say that brotherhood – through its gradual process of ritualization and institutionalization – "is at once on the threshold of [politics], in [politics], and in one sense… [politics] itself" (Lévi-Strauss 1969, 12).

The elementary form of political friendship

Unlike the Nature/Culture duo, kinship/politics permits historical examination: that of instituted relatedness and its graduated criminalization. As Mahmud shows, in Freemasons' accounts, the "incommunicable experience of fraternity" declares itself "the secret of fraternity at the heart of humanism" and claims primacy within the Enlightenment if not ownership over it (2014, 197). In one interpretation, humanist fraternity directly borrowed the substance of brotherhood from the world of kinship (the relationship between two sons of the same parent[s]) to constitute the elementary form of political relation on the threshold of modern politics, thus leaving the premodern world of relatedness behind. The clue of that hierarchical chronology is its incommunicability: it situates friendship and the politics it permits as hierarchically superimposed on kinship and irreducible to it.

Yet what if this incommunicability comes not from the form of humanistic brotherhood as a unique term of kinship, but from the act and experience of its transformative expansion? A transformative experience that accompanies the accomplishment of relating in general, with its

Ben-Yehoyada

subsequent "cosmological sense of relationality (transcendent, aura-carrying, mysterious)" in Strathern's rendition (2020, 163). What if each formed and reformed fraternization synthetically duplicates practices and terms already in existence in the form that it spins, "a duplication... permitted by the emergence of certain [ritualization and institutionalization] which themselves belong to [kinship]" (Lévi-Strauss 1969, xxx)?⁵

The opposition between Freemasonry and confraternities enjoys high credibility both among present day Freemasons (Mahmud 2014, e.g., 85), and within the scholarship on early modern European sociability, on the Enlightenment, and on the clandestine emergence of the modern political public sphere.⁶ In the wake of Habermas's and Koselleck's writing on Freemasons lodges' role in the lead up to the French Revolution, Freemason sociability was opposed to confraternities along the new-/old world historiographical division: religious/secular, Enlightenment rationality/"superstition", public sphere/courtly politics, equality/hierarchy. Yet recent work on 18th century France suggests important similarities, continuities, and overlaps "between the religious sociability of the confraternities and the apparently secular sociability of the lodges" (Garrioch 2010, 316–17). Both 18th Century associations were autonomous, election-based, principally and overwhelmingly gendered (Agulhon 1966, 372-73; Burke and Jacob 1996), dedicated to charity, involved payment for and participation in members' funerary services, dedicated to God as the leader, opposed to blasphemy, and often bore names of saints (Garrioch 2010, 318-19). Nor did the question of secrecy distinguish between the two types of association. Freemason orders changed their attitudes toward authorities and the public with the tides of rulers' persecution, as had confraternities and other contemporaneous societies, (Jacob 1991, esp. 42; Eisenbichler 2000; Galt 1994). The same holds for the transformations of the Freemasons orders and their relationship to political transformations in 19th C Italy and Sicily (Recupero 1987, 48; Conti 2003, 155–74).

While a study of the historical relationship between Italian Freemasonic lodges and confraternities parallel to Garrioch's work on Paris awaits writing, I hope several points can already be made. Even if much scholarship of Freemasonry argues that it bequeathed brotherly love and brotherly solidarity to modern politics in Europe and America, that inheritance is more complex.

What Koselleck, Habermas, and others see in Freemason brotherhoods' contribution to Enlightenment and political modernity went beyond a partial secularization of brotherhood from a purely cosmological Judeo-Christian relation of brotherhood to a modern political institution. That contribution had actually been articulated in a context of an earlier, long political contest between Church, realms, and rising classes (Velasco 2010). It follows that the particular politicization of brotherhood (and of gendered love, friendship, and solidarity) did not take place within the context in which it is usually assumed – proto-modern secret societies, emergent middle class, and so forth – but actually arrived to that context already politicized according to the transforming political constellations of the *Ancien Régime*. Furthermore, the actual transformative potential of ritual brotherhood was actually adopted by the *borghesia* from contexts in which kinship, ritual kinship, and kinshipping practices had operated in denser social dimensions. The political trajectory of brotherhood is only one in a sequence of moments in which emergent institutions rearticulated, scaled up, and then sought to monopolize each time a particular meridian of relatedness: marriage and levirate (Goody 1983, 64– 68), fosterage (Parkes 2006), and sponsorship (Mintz and Wolf 1950). In this multidimensional meddling with and scaling up of kinship (alliance, affinity, and allegiance), the magnified terms and practices of brotherhood mediated its transformation into the elementary form of the political relation of friendship.

We can appreciate this transformation if we follow what happens to the "absent third" of the relationship (Shryock, Trautmann, and Gamble 2011, 52), which seemed to Derrida a necessary element of friendship (Derrida 2005, 276): from the "spiritual party" as a kinship near-universal (Sahlins 2013, 4); through lay confraternities, which based their ideology and ritual of brotherhood on the sociological formation of con-fraternity, that is, of the relationship between two persons sponsored into the association by the same "third" and/or through their devotion to a particular saint (Black 2000); to the legislation of friendship (e.g., in medieval Spain) as brotherly love mediated by the lawmaker who at the same time authorizes it (Velasco 2019, 119–21). The sovereign's monopoly over the distinction and separation between friend and enemy merely follows from that (Schmitt 1996, 26).

The same holds for modern state's attempts to discipline, control, and criminalize such kindred sociability beyond the masso-Mafia criminalization complex. The effervescence of initiatives for an associative framing of corruption displays the effect of this menace, and the key role that the "heightened concern about corruption... plays in the process by which the state as affective formation is remade, and remade differentially for differently positioned people" (Muir and Gupta 2018, S10). Differently so over time. Confraternal forms of sociability often shared with their contemporary political realms that moment's permutation of fraternal ideology (Garrioch 2010). If the contemporary Italian case of anticorruption criminalization initiatives carries any wider relevance, then we may ask about other times and places: how such fraternal ideology and confraternal associations refigured specters of organized violence, corruption, subversion, or injustice? What role did the chain of spun-off terms of relatedness (like ritual brotherhood) play in the monopolies over legitimation of violence that governments have sought to maintain and in the criminalization projects that these monopolies entailed? As a menace of conspiracy and corruption, the specter of "masso-Mafia" suggests that this particular target of criminalization is a more persevering, intimate, contemporaneous, and similar counterpart to the kinshipping hinge of political legitimacy.

Notes

³ In Abrams's terms (Abrams 2006, 76): "The state, in sum, is a bid to elicit support for or tolerance of the insupportable and intolerable by presenting them as something other than themselves, namely, legitimate, disinterested domination." Compare this to Weber's second definition (Weber 1919, 78; quoted in Wagner-Pacifici 2008, 460): "Like the political institutions historically preceding it, the state is a relation of men dominating men, a relation supported by means of legitimate (i.e. considered to be legitimate) violence."

⁴ This was not the case for Mauss in his work on the gift, where chapter 3 is dedicated to exploring possible histories of transformation (Hughes et al. 2021).

⁵ Each meridian of relatedness could call for different rituals of expansion and frame its spun-off forms in different ways. Marriage in itself includes this expansion; ritual brotherhood requires complete ritualization and emulation; sponsorship straddles the line between the two.

⁶ "Transcending the barriers of social hierarchy, the bourgeois met here with the socially prestigious but politically uninfluential nobles as "common" human beings. [35] The decisive element was not so much the political equality of the members but their exclusiveness in relation to the political realm of absolutism as such: social equality was possible at first only as an equality outside the state" (Habermas 1989, 34–35; cited in Mahmud 2014, 8; cf. Koselleck 1989, 72).

References

- Abrams, Philip. 2006. "Notes on the Difficulty of Studying the State (1977)." *Journal of Historical Sociology* 1 (1): 58–89. https://doi.org/10.1111/j.1467-6443.1988.tb00004.x.
- Agamben, Giorgio. 2013. *The Highest Poverty: Monastic Rules and Form-of-Life*. Translated by Adam Kotsko. Meridian, Crossing Aesthetics. Stanford, California: Stanford University Press.
- Agulhon, Maurice. 1966. La Sociabilité Méridionale, Confréries et Associations Dans La Vie Collective En Provence Orientale à La Fin Du 18e Siècle .. Aix-en-Provence: la Pensée universitaire. https://babel.hathitrust.org/cgi/pt/search?q1=ma%C3%A7on&id=mdp.39015028780842 &view=1up&seq=13.
- Anderson, Benedict R.O.G. 1991. *Imagined Communities:* Reflections on the Origin and Spread of Nationalism. 2nd., Revised and Extended. London; New York: Verso.
- Andreas, Peter, and Ethan Avram Nadelmann. 2006. *Policing the Globe: Criminalization and Crime Control in International Relations*. Electronic resource. Oxford : New York: Oxford University Press. http://www.columbia.edu/cgi-bin/cul/resolve?clio14149852.
- Bear, Laura, Karen Ho, Anna Lowenhaupt Tsing, and Sylvia Yanagisako. 2015. "Gens: A Feminist Manifesto for the Study of Capitalism." *Theorizing the Contemporary, Fieldsights* (blog). March 30, 2015. https://culanth.org/fieldsights/gens-a-feminist-manifesto-for-the-study-ofcapitalism.
- Beidelman, T. O. 1963. "The Blood Covenant and the Concept of Blood in Ukaguru." *Africa: Journal of the International African Institute* 33 (4): 321–42. https://doi.org/10.2307/1158078.
- Benigno, Francesco. 2015. La Mala Setta: Alle Origini Di Mafia e Camorra, 1859-1878. Torino: Giulio Einaudi editore.
- Black, Christopher. 2000. "The Development of Conferaternity Studies over the Past Thirty Years." In *The Politics of Ritual Kinship: Confraternities and Social Order in Early Modern Italy*, edited by Nicholas Terpstra, 9–29. Cambridge Studies in Italian History and Culture. Cambridge ; New York: Cambridge University.
- Bossy, John. 1985. *Christianity in the West, 1400-1700.* OPUS. Oxford [Oxfordshire] ; New York: Oxford University Press.

¹ See earlier cases, e.g. confraternities in Enlightenment Florence (Eisenbichler 2000).

² We should assume that such attempts can take place in legislation as well as in investigation, prosecution, and adjudication (Duff et al. 2014). Rather than variations on a theme of criminalization as a function of power, I suggest that we view such attempts as moments in a process, of which legal things and actions form only one, partly autonomous dimension.

- Burke, Janet M., and Margaret C. Jacob. 1996. "French Freemasonry, Women, and Feminist Scholarship." *The Journal of Modern History* 68 (3): 513–49.
- Catino, Maurizio. 2019. *Mafia Organizations: The Visible Hand of Criminal Enterprise*. 1st ed. Cambridge University Press. https://doi.org/10.1017/9781108567183.
- Conti, Fulvio. 2003. Storia Della Massoneria Italiana : Dal Risorgimento al Fascismo. Bologna: Mulino.
- Da Re, M. Gabriella. 1993. "Gli Eredi Della Santa Una Festa Di Parenti a Baunei (Sardegna)." La Ricerca Folklorica, no. 27: 43–51. https://doi.org/10.2307/1479749.
- Delille, Gérard. 2011. "Evolution Withing Sibling Groups from One Kinship System to Another (Sixteenth to Nineteenth Centuries)." In Sibling Relations and the Transformations of European Kinship, 1300-1900, edited by Christopher H Johnson and David Warren Sabean, 145–63. New York: Berghahn Books.
- Derrida, Jacques. 2005. Politics of Friendship. Translated by George Collins. London: Verso.
- Dresch, Paul. 1986. "The Significance of the Course Events Take in Segmentary Systems." *American Ethnologist* 13 (2): 309–24.
- Dua, Jatin. 2019a. *Captured at Sea: Piracy and Protection in the Indian Ocean*. Atelier: Ethnographic Inquiry in the Twenty First Century; 3. Oakland, California: University Of California Press. {"https://www.jstor.org/stable/10.2307/j.ctvp2n2sr":["www.jstor.org"]}.
- ———. 2019b. "Hijacked: Piracy and Economies of Protection in the Western Indian Ocean." Comparative Studies in Society and History 61 (3): 479–507. https://doi.org/10.1017/S0010417519000215.
- Duff, R. A., Lindsay Farmer, S. E. Marshall, Massimo Renzo, and Victor Tadros. 2014.
 "Introduction: Towards a Theory of Criminalization?" In *Criminalization: The Political Morality* of the Criminal Law, edited by R. A. Duff, Lindsay Farmer, S. E. Marshall, Massimo Renzo, and Victor Tadros, 1–53. Oxford University Press. https://oxford.universitypressscholarship.com/view/10.1093/acprof:oso/9780198726357.0 01.0001/acprof-9780198726357-chapter-1.
- Eisenbichler, Konrad. 2000. "The Suppression of Confraternities in Enlightenment Florence." In *The Politics of Ritual Kinship: Confraternities and Social Order in Early Modern Italy*, edited by Nicholas Terpstra, 262–78. Cambridge Studies in Italian History and Culture. Cambridge ; New York: Cambridge University.
- Evans-Pritchard, E. E. 1933. "Zande Blood-Brotherhood." *Africa: Journal of the International African Institute* 6 (4): 369–401. https://doi.org/10.2307/1155555.
- Galt, Anthony H. 1994. "The Good Cousins' Domain of Belonging: Tropes in Southern Italian Secret Society Symbol and Ritual, 1810-1821." *Man* 29 (4): 785–807. https://doi.org/10.2307/3033969.
- Garrioch, David. 2009. "From Christian Friendship to Secular Sentimentality: Enlightenment Re-Evaluations." In *Friendship: A History*, edited by Barbara Caine, 165–214. Critical Histories of Subjectivity and Culture. London; Oakville, CT: Equinox Pub.
- ———. 2010. "From Religious to Secular Sociability: Confraternities and Freemasonry in Eighteenth-Century Paris." In *Sociability and Its Discontents*, 1:313–26. Early European Research 1. Brepols Publishers. https://doi.org/10.1484/M.EER-EB.3.1708.
- Goody, Jack. 1983. The Development of the Family and Marriage in Europe. Past and Present Publications. Cambridge [Cambridgeshire]; New York: Cambridge University Press.
- Habermas, Jürgen. 1989. The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society. Translated by Thomas Burger and Frederick Lawrence. Cambridge, Mass.: MIT Press.

Herzfeld, Michael. 2021. Subversive Archaism: Troubling Traditionalists and the Politics of National Heritage. Subversive Archaism. Duke University Press.

https://www.degruyter.com/document/isbn/9781478022244/html.

- Hughes, Geoffrey, Naor Ben-Yehoyada, Judith Scheele, and Jatin Dua. 2021. "Forum: Piracy, Protection, and the Anthropology of Law at Sea." *Journal of Legal Anthropology* 1 (aop): 1–21. https://doi.org/10.3167/jla.2021.0501OF.
- Jacob, Margaret C. 1991. Living the Enlightenment: Freemasonry and Politics in Eighteenth-Century Europe. New York: Oxford University Press.
- Koselleck, Reinhart. 1989. "Social History and Conceptual History." International Journal of Politics, Culture, and Society 2 (3): 308–25. https://doi.org/10.1007/BF01384827.
- Lagalisse, Erica. 2019. Occult Features of Anarchism: With Attention to the Conspiracy of Kings and the Conspiracy of the Peoples. PM Press.
- Leccese, Andrea. 2018. Massomafia: Sui Rapporti Tra Mafia e Massoneria Deviata. Roma: Castelvecchi.
- Lévi-Strauss, Claude. 1969. *The Elementary Structures of Kinship*. Edited by Rodney Needham. Translated by James Harle Bell and John Richard von Sturmer. Revised. Boston,: Beacon Press.
- Li, Darryl. 2020. The Universal Enemy: Jihad, Empire, and the Challenge of Solidarity. Stanford Studies in Middle Eastern and Islamic Societies and Cultures. Stanford, California: Stanford University Press.
- Loiselle, Kenneth. 2014. Brotherly Love: Freemasonry and Male Friendship in Enlightenment France. Ithaca: Cornell University Press.
- Lomnitz-Adler, Claudio. 2014. The Return of Comrade Ricardo Flores Magón. Brooklyn, NY: Zone Books.
- Lupo, Salvatore. 2018. La mafia: centosessant'anni di storia. Saggi. Storia e scienze sociali. Roma: Donzelli.
- Mahmud, Lilith. 2014. The Brotherhood of Freemason Sisters: Gender, Secrecy, and Fraternity in Italian Masonic Lodges. Chicago; London: The University of Chicago Press.
- Martin, Jeffrey T. 2020. "Weak Police, Strong Democracy: Civic Ritual and Performative Peace in Contemporary Taiwan." *Current Anthropology* 61 (6): 657–85. https://doi.org/10.1086/711997.
- McKinnon, Susan, and Fenella Cannell. 2013. "The Difference Kinship Makes." In Vital Relations: Modernity and the Persistent Life of Kinship, edited by Susan McKinnon and Fenella Cannell, 3– 38. Santa Fe, New Mexico: School for Advanced Research Press.
- Merry, Sally Engle. 1998. "The Criminalization of Everyday Life." In *Everyday Practices and Trouble Cases*, edited by Austin Sarat, 14–40. Northwestern University Press. https://nyuscholars.nyu.edu/en/publications/the-criminalization-of-everyday-life.
- Michelutti, Lucia, Ashraf Hoque, Nicolas Martin, David Picherit, Paul Rollier, Arild Engelsen Ruud, and Clarinda Still, eds. 2019. *Mafia Raj: The Rule of Bosses in South Asia*. South Asia in Motion. Stanford, California: Stanford University Press.
- Minicuci, Maria, and Berardino Palumbo. 2001. "Family and Ideology." In *L'anthropologie de La Méditerranée = Anthropology of the Mediterranean*, edited by Dionigi Albera, Anton Blok, and Christian Bromberger, 231–54. Collection L'atelier Méditerranéen. Paris: Maisonneuve et Larose.
- Mintz, Sidney W., and Eric R Wolf. 1950. "An Analysis of Ritual Co-Parenthood (Compadrazgo)." Southwestern Journal of Anthropology 6 (4): 341–68. https://doi.org/10.2307/3628562.
- Mitchell, Timothy. 1991. "The Limits of the State: Beyond Statist Approaches and Their Critics." *The American Political Science Review* 85 (1): 77–96. https://doi.org/10.2307/1962879.

- Moore, Sally Falk, 1924-. 1978. Law as Process: An Anthropological Approach. London ;Boston: Routledge & K. Paul.
- Muir, Sarah, and Akhil Gupta. 2018. "Rethinking the Anthropology of Corruption: An Introduction to Supplement 18." *Current Anthropology* 59 (S18): S4–15. https://doi.org/10.1086/696161.
- Parkes, Peter. 2006. "Celtic Fosterage: Adoptive Kinship and Clientage in Northwest Europe." *Comparative Studies in Society and History* 48 (2): 359–95. https://doi.org/10.2307/3879355.
- Pipyrou, Stavroula. 2014. "Altruism and Sacrifice: Mafia Free Gift Giving in South Italy." Anthropological Forum 24 (4): 412–26. https://doi.org/10.1080/00664677.2014.948379.
- Pitt-Rivers, Julian A. 1973. "The Kith and Teh Kin." In *The Character of Kinship*, edited by Jack Goody, 89–105. Cambridge [Eng.]: University Press.
- Puccio-Den, Deborah. 2008. "The Sicilian Mafia: transformation to a global evil." *Etnográfica. Revista do Centro em Rede de Investigação em Antropologia*, no. vol. 12 (2) (November): 377–86. https://doi.org/10.4000/etnografica.1763.
- . 2012. "Mafia : état de violence ou violence d'État ?" *Quaderni* n° 78 (2): 23-43.
 - ——. 2015. "La Costruzione Giuridica Della Prova Di Mafia, o La Storia Di Un Teorema." In Riconoscere Le Mafie: Cosa Sono, Come Funzionano, Come Si Muovono, edited by Marco Santoro, 47–68. Il Mulino.
 https://www.mulino.it/ishn/07888152530722formedLocale=it8sfbrofreeh=CANL_RE_ANL
 - https://www.mulino.it/isbn/9788815253972?forcedLocale=it&fbrefresh=CAN_BE_ANY THING.
- Recupero, Antonino. 1987. "La Sicilia all'opposizione (1848-1874)." In *La Sicilia*, edited by Maurice Aymard and Giuseppe Giarrizzo, 41–88. Storia d'Italia. Regioni dall'unità a oggi. Torino: Einaudi.
- Sahlins, Marshall. 2013. What Kinship Is and Is Not. Chicago: The University of Chicago Press.
- Schmitt, Carl. 1996. The Concept of the Political. Chicago: University of Chicago Press.
- Schneider, David M. 1977. "Kinship, Nationality, and Religion in American Culture: Toward a Definition of Kinship." In Symbolic Anthropology: A Reader in the Study of Symbols and Meanings, edited by Janet L. Dolgin, David S. Kemnitzer, and David M Schneider, 63–71. New York: Columbia University Press.
- Schneider, Jane. 1990. "Spirits and the Spirit of Capitalism." In *Religious Orthodoxy and Popular Faith in European Society*, edited by Ellen Badone, 24–54. Princeton, N.J.: Princeton University Press.
 2018. "Fifty Years of Mafia Corruption and Anti-Mafia Reform." *Current Anthropology* 59
 - (S18): S16–27. https://doi.org/10.1086/695801.
- Schneider, Jane, and Peter Schneider. 2008. "The Anthropology of Crime and Criminalization." Annual Review of Anthropology 37: 351–73.
- Sciarrone, Rocco. 2002. "Le Mafie Dalla Società Locale All'economia Globale." *Meridiana*, no. 43 (January): 49–82.
- Shever, Elana. 2013. "I Am a Petruleum Product': Making Kinship Work on the Patagonian Frontier." In Vital Relations: Modernity and the Persistent Life of Kinship, edited by Fenella Cannell and Susan McKinnon, 85–107. Santa Fe, New Mexico: School for Advanced Research Press.
- Shryock, Andrew. 1997. Nationalism and the Genealogical Imagination : Oral History and Textual Authority in Tribal Jordan. Comparative Studies on Muslim Societies ; 23. Berkeley: University of California Press.
- ———. 2013. "It's This, Not That: How Marshall Sahlins Solves Kinship." *HAU: Journal of Ethnographic Theory* 3 (2): 271–79. https://doi.org/10.14318/hau3.2.016.
- Shryock, Andrew, Thomas R. Trautmann, and Clive Gamble. 2011. "Imagining the Human in Deep Time." In *Deep History: The Architecture of Past and Present*, edited by Daniel Lord Smail and Andrew Shryock, 21–52. Berkeley: University of California Press.

- Smith, Daniel Jordan. 2018. "Corruption and 'Culture' in Anthropology and in Nigeria." *Current Anthropology* 59 (S18): S83–91. https://doi.org/10.1086/695714.
- Strathern, Marilyn. 2020. Relations: An Anthropological Account. Durham: Duke University Press.
- Ticktin, Miriam. 2017. "A World without Innocence." *American Ethnologist* 44 (4): 577–90. https://doi.org/10.1111/amet.12558.
- Torre, Angelo. 2019. Production of Locality in the Early Modern and Modern Age : Places. New York, NY: Routledge.
- Velasco, Jesús R. 2010. Order and Chivalry: Knighthood and Citizenship in Late Medieval Castile. English ed. The Middle Ages Series. Philadelphia: University of Pennsylvania Press.
 - ------. 2019. Dead Voice: Law, Philosophy, and Fiction in the Iberian Middle Ages. Dead Voice. University of Pennsylvania Press. https://www.degruyter.com/penn/view/title/566288.
- Wagner-Pacifici, Robin. 2008. "The Innocuousness of State Lethality in an Age of National Security." South Atlantic Quarterly 107 (3): 459–83. https://doi.org/10.1215/00382876-2008-002.
- Weber, Max. 1919. "Politics as Vocation." In From Max Weber: Essays in Sociology, by Max Weber, edited by H. H. Gerth and C. Wright Mills, 77–128. Routledge. https://doi.org/10.4324/9780203759240.
- Yanagisako, Sylvia, and Carol Delaney, eds. 2013. *Naturalizing Power: Essays in Feminist Cultural Analysis.* Hoboken: Taylor and Francis. https://public.ebookcentral.proquest.com/choice/publicfullrecord.aspx?p=1542832.