

Part Four

Mafia Returns to Italy

THE ONLY THING ITALIAN IN ITALIAN AMERICAN GANGSTERS IS THE NAMES

Under President Harry Truman the United States Attorney General James McGranery [sic]¹ started the implementation of a policy whereby foreign citizens or naturalized American citizens who had distinguished themselves in criminal activities would be expelled and returned to their respective countries of origin. Political and subversive activities were also included in this category. In the past the deportation process had been used rarely and mostly for political reasons rather than for law-and-order purposes. After Eisenhower's election in 1952, the attorney general started applying much stricter enforcement and compiled a list of hundreds of people targeted for expulsion. The list contained the names of people from all sorts of countries: Stromberg is Russian; Volter, Romanian; Chaplin² (not exactly a criminal, but nevertheless undesirable because of his unpleasant political views), British. Not surprisingly, several of the undesirable guests on the list were born in Italy and have Italian names but I question whether they can be properly classified as *Italiani*. As I have often reported in the past, these individuals were brought here as little children and have never even learned a word of decent Italian. They grew up in the mean streets of American cities where they received a basic criminal education; then moved up to middle school in juvenile detention centers and finally graduated from the penitentiaries of higher learning such as Sing Sing and other infamous places. Legally, some of these people are still Italian citizens because they never bothered or forgot to request American citizenship. Others, before they could be deported, had to be stripped of American citizenship first. In some cases this process took years: with the help of smart defense lawyers they were able to

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1 Harry Truman (1874-1972). President of the United States from 1945 to 1953.

• James McGranery (1895-1962). U.S. attorney general in the Truman administration 1952-1953.

2 Charlie Chaplin (1889-1997). British actor, co-founder of United Artists. Accused of being a communist sympathizer after an FBI investigation, he left the U.S. in 1952 to attend the opening of a new film in London. The next day his re-entry visa was revoked.

drag on the legal procedure for cons. In the meantime they would get arrested for other crimes, released on bail, re-arrested and re-released many times. Expelling the big fish takes longer than dispatching the small fish, obviously. The rich and powerful can afford to spend huge amounts of money on lawyers, thus forcing the government to also invest large sums into the process to prove that the citizenship is invalid because of lies on the naturalization applications. For the suspects of politically subversive activities, usually the lie involves denied having been part, either abroad or in the United States, of any organization whose goal is the overthrow of the government itself.³ For criminal elements, the pretext is lies about previous convictions in the country of origin or a fake date or place of birth. Everybody knows that in the United States it is extremely easy to forge or fabricate identification documents. On the other hand, the punishment for such an act is extremely harsh. If someone wants to get a second wife, all he needs to do is swear that he is not married, but in case the law finds out the consequences are rather severe.

We should also add that in many circumstances Italian criminals had questionable papers not due to forgery or outright cheating but simply because their parents were either ignorant or sloppy. In many cases when they arrived to America they didn't even think about bringing documents for their children. Once they had settled, rather than starting the long process of requesting birth certificates from the hometown, they quickly learned that all they had to do was find a couple of witnesses willing to give sworn statements about the children's date and place of birth. Frank Costello's parents most likely never imagined he would have such a brilliant career in the Neapolitan *camorra*,⁴ at least not at the time when they procured a birth certificate that declared he was born in the United States, which, unfortunately, contradicted another much more reliable birth certificate issued in Italy that showed that he was Italian by birth. For this reason he is now a

³ The most common charge was membership in communist or communist-leaning organizations in the home country, labor unions included.

⁴ *Camorra*. Criminal organization with origins in Naples. It is often compared to the Sicilian Mafia. The word *camorra* is also used generically in vernacular to indicate a state of diffuse illegality, corruption of institutions and racketeering.

target for deportation and he is in prison in the U.S., where he would prefer to stay rather than being forced back to Italy. Since the order of deportation is a police act, not a judicial one, it means that the deportation is an administrative decision and is not determined by a trial by jury. Many deportees appeal the measure and the fight can drag on for years. However, some of those who are facing long sentences in the United States accept immediate deportation in exchange for a pardon that allows them to get out of prison. This is the case of Lucky Luciano whose sentence was commuted by the governor of New York⁵ in mysterious circumstances and went straight from a prison cell to the ship that took him to Italy.

The United States was unable to get rid of a certain Iccardi [sic],⁶ accused in Italy of murdering for political reasons and then robbing a U.S. Army major who, during World War II, worked as intelligence agent and liaison with the Italian Resistance movement. Iccardi is an American citizen and legally cannot be tried in Italy because he was⁷ under American jurisdiction when the crime was committed. He also cannot be prosecuted in America because the crime was committed in Italy. In this case the Italian government requested his extradition but the request was denied. Many of these complications stem from the fact that there is no bilateral treaty between the United States and Italy about circumstances of this kind.

In addition to Lucky Luciano, other criminals of Italian descent were deported back to Italy: Frank “the Cripple” Coppola,⁸ Joe “Pachy”

⁵ Governor Thomas Dewey. As attorney general he prosecuted Luciano and succeeded in having him convicted.

⁶ Aldo Icardi (1921-2011). Second Lieutenant in the U.S. Army, he served in the Office of Strategic Services (OSS). He was parachuted behind enemy lines in northern Italy in 1944 to help partisan fighters. He was accused of the murder of Major William Holohan.

⁷ In the original text: “[P]erché Iccardi è suddito americano legalmente non può essere giudicato in Italia, perché non era sotto la giurisdizione americana.” (Emphasis mine.) I edited this passage deleting the negative *non*. Most likely the original text contains an error and should read: “perché non era sotto giurisdizione americana.” It would be otherwise impossible to comprehend the legal argument and the causal relations. Iccardi was an American citizen and a soldier in the U.S. Army when he committed the murder; therefore he was under American jurisdiction.

⁸ Frank Coppola (1899-1982). Nicknamed “Frank Three Fingers,” he was

Pici, Carmine Tufarelli and a few personal friends of Luciano, such as Gaetano Chiofalo, Nicola Gentile and Raffaele Liguori. Common wisdom in the media and the opinion of the Kefauver commission is that Luciano and the rest of his gang continue to maintain close working relations with the New York Mafia. It has been even hypothesized that they are actually still running the New York operations where suspicions and allegations of their involvement in the traffic of narcotics are rampant. To this regard, the murder of Eugenio Giannini⁹ is at least mysterious. A common criminal, while he was held in Rome's prison he gave information to American authorities about the international drug traffic. It is rather obscure how he managed to come back to New York despite the fact that he was supposed to be still in prison in Italy and, on top of it, at a time when there were active investigations about him in New York. None of the newspapers I read had an explanation. All we know is that he was found dead, killed in typical execution style, with a bullet to the back of his head.

All the deportees tried to fight deportation orders and now are not particularly happy living in Italy where they feel like—and they are—foreigners. They had never been there, they don't speak the language and they don't know the customs. In America they appear to be Italian imports but in reality they are the products of America's tolerance toward immigrants. There is a funny story that illustrates the true feelings of deportees forced to return to Italy: In August 1953 a deportee, Michele Spinella, expelled at age 59, wrote a letter on the stationery of the Igtea Grand Hotel in Palermo to the state attorney general who prosecuted him. He mentioned he was thrilled that the officer's daughter had fallen and broken a leg. "Too bad it happened to her and not to you" he said, and continued warning the father that "those who did me wrong will be punished. Wait and see."

After conducting many interviews with the deportees, a correspondent of the *Herald Tribune* observed that the deportations didn't make anybody happy. The Italian authorities are extremely irritated; public opinion is also irritated and in some cases has even

deported to Italy in 1948.

9 Eugenio Giannini (1906-1952). Soldier in the Lucchese crime family, he became a Narcotic Bureau's informer.

shown sympathy for the deportees; and the deportees are depressed and dream of returning to the United States—even at the cost of ending up in prison to finish their sentences. One of the reasons Giannini cooperated with the American authorities, supposedly, was the filth and the rats he encountered in Rome's prison. He liked American prisons better.

Giuseppe Lo Curro, who, according to American police was a close friend of Luciano and was deported with him in 1946, returned to America in 1952 and was caught in May of the following year while he was watching television with his friend Muriel McCormack. Found guilty of killing two police officers, his sentence was commuted and he was deported to Italy again in 1964. After his last arrest he admitted he had already come back to the United States three times.

And here comes the question: how did he manage to get back and forth three times? Any honest Italian gentleman gets the chills just thinking about the procedure to get permission to travel America.

First, one must obtain a passport from Italian authorities; then comes the application for a visa that entails an investigation by the American consulate, medical records, vaccinations and financial and criminal records. The last step is the interrogation by immigration officials on the ship and more interrogations at the port of arrival. To top it all, there are all sorts of physical barriers, uniformed inspectors, precautions, security measures, documents and translated certificates. Yet, a convicted felon sentenced to life in prison came and went three times. As if this were not enough, he was only caught because someone passed information to the police about his whereabouts in New York. It must be true what they say: laws are made to bother honest people and to sharpen the intelligence of scoundrels.

New York, September 23, 1953

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ITALY AND THE RENDITION OF CRIMINALS

In the last few months, almost all Italian newspapers of all political inclinations, from left to right, have published strongly-worded editorials against the United States, accusing it of dumping a bunch of common criminals and other undesirables onto the peninsula's shores as if throwing trash overboard. The issue is causing a lot of worries to people interested in preserving good relations between the two countries, and, naturally, it raises concerns inside the respective governments. To this end, I thought it would be useful to investigate the facts by digging into official documents. I am not at liberty to disclose the sources of my information for I am bound by the promise that I would protect the privacy of the people who helped me. I also promised I would not reveal their positions. However, I want to assure my readers that the information in my possession comes from credible functionaries of both countries at all levels, from high to low. The only people I did not consult with are the deportees themselves—for obvious reasons. I spoke, however, with their defense attorneys.

For this article I followed an uncommon approach: first I formulated the kind of questions and doubts that any Italian citizen would like to ask, and then I tried to give answers from the point of view of an American citizen. It's a straightforward method that takes away biases and has the advantage of clarity. Here is the imaginary dialogue between an Italian (I) and an American (A).

I: *Is it true that American citizens are deported from America just because they are criminals?*

A: Untrue. It would be impossible to deport an American citizen from the United States. The Constitution doesn't allow it. Exile as a form of punishment does not exist in American jurisprudence.

I: *How come, then, even Prezzolini calls them "exiled"?*

A: It's just a metaphor, not a legal term. The term refers to a moral condition, not a legal one. Many of these deportees haven't lived in Italy since they were children and when they are brought back there they are totally lost: they feel like foreigners.

I: *Why does the American government send them to Italy?*

A: Because, based on a strictly legal argument, they are Italian

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citizens. Some never acquired American citizenship. Others, who were naturalized, have been accused of using fraudulent means to obtain U.S. citizenship and, therefore, were not entitled to it. The decision is made by a judge after a regular court hearing. The American government claims that the moment they lost their American citizenship they reverted back to the status of Italian citizens and they must return to their homeland. The Italian government often does not agree with these legal arguments. Thus far, all the people who have returned have done so either voluntarily or with the approval of the Italian government.

I: *Is it unusual for a modern state to expel or deport foreigners, or people that are considered foreigners?*

A: Not at all. Indeed, it is a very common practice. Every country has the right to expel from its soil foreigners that are considered undesirable. In some countries, for instance in France, all is needed is a police order. France has used it against journalists who, according to the French government, did not "tell the truth" and did not contribute to good relations between the two states [sic].¹

I: *What are the conditions of these deportations? Are they brutal and rough?*

A: Deportation is always brutal and taxing for anyone. In legal terms, deportation is a punishment. In many cases it really is one of the most severe punishments that can be imposed. People who live in a country for a long time create human relationships and often have a family. They speak the language of the country, know the customs and are comfortable with their lives. And then, suddenly, they are thrown out. The punishment is so brutal that people often choose to serve a prison sentence rather than being deported so that, after they are released from prison, at least they can go back to their families and their lives. The circumstances vary greatly by country. Some countries implement much more cruel measures than the United States. Argentina, for instance, gives a deportee three days to get out. New Zealand—which is a very democratic and progressive country—gives them twenty eight days. In France the waiting period is very short. In the United States the term is six months. Moreover, in America the law is tilted in favor of the accused and a good lawyer can drag

¹ France and, presumably, the home country of the offending journalist.

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on the process for years.

I: *While they await the final disposition of the case, are the deportees kept in prison?*

A: Very few of them are. Legally they are under arrest. However, they can be free on bail and go about their business until the deportation order is finalized. For instance, as of January 31, 1951, the total number of people awaiting deportation was 39,743: only 1,545 were in prison; 5,742 were out on bail; 28,919 were out on their own reconnaissance and 3,537 were in hiding and considered fugitive from the law. These figures demonstrate a rather lax attitude, reinforced by the number of people at large. Of course, if the people who decided to go into hiding were caught, they would end up back in prison with no chance of bail. In France, to the contrary, there was a case of a deportee who was kept in prison for nine years eight months and twenty one days (from a report published by the United Nations).

I: *What are the reasons that can trigger expulsion from the United States?*

A: More or less the same reasons apply all over the world. The main, generic but fundamental reason is the interest of the “public good.” This term can cover a lot of legal areas: it may refer to security, public safety, the economy etc. In some cases the laws are more specific. In some countries panhandling and vagrancy are enough to warrant an expulsion. Other common reasons are illegal possession of firearms, traffic of narcotics, abuse of minors, homosexuality, prostitution and smuggling. In Argentina all is needed is “offenses” to foreign heads of states, or offenses against a foreign flag, or even the dissemination of information that could damage good relations with other countries. The last one is the kind of clause that makes it almost impossible to be a foreign correspondent in Argentina. The United States doesn’t have that long a list. Only recently, with the passage of the McCarran law,² the enforcement has become more active. For instance, the United

² *Immigration and Nationality Act*. Also known as McCarran-Walter Act (1952), the law was meant to prevent certain individuals from immigrating to the United States. One of the innovations was a strict policy against individuals who were in any way connected to communist organizations.

States honors the recent international Brussels Convention³ and does not expel foreigners just for being indigent, as long as the person is not a criminal. This has never happened, not even during the Great Depression.

I: Is the number of Italians that have been deported really significant? Is it one of the biggest groups ever deported from the United States?

A: In 1953–1954 the total number of deportees from the United States was 26,951. Of these, 351 were rendered back to Italy. The number is not very high and it certainly is not the largest group by nationality. Moreover, it is rather small compared to the overall population of Italian descent living in the United States.

I: What about the other deportees? For the sake of information and also for comparison purposes, what were their countries of origin?

A: Illegal entries into the United States are much easier by land than by air or sea, obviously. Of the total number of deportees, 22,628 were Mexican and 1,296 were Canadian.

I: Many in Italy contend that Americans are much more lenient with political allies and so-called blood relatives, particularly the British. Is it so?

A: It doesn't look that way. The number of British subjects expelled was 299 against 351 Italians. One should remember that the overall size of the British population in the United States is much, much smaller than the Italian. When we compare the treatment of Italians to that of citizens of other countries, the gap is even wider: 200 people from Greece were deported although the Greek population in the United States is one tenth of the Italian. At the same ratio, the Italian deportees should have been over two thousand.

I: Why does America worries so much about such a tiny amount of undesirable foreigners? Yours is a big country: why do you get caught up in such small things?

A: Italians cannot fully appreciate the enormity of problems that are caused by the influx of foreigners, useful and useless, honest and dishonest, suitable for integration and indigestible. Just think what it would mean if Italy had to educate fifteen million people of foreign origin in the national language for at least two generations before they

³ *International Convention for the unification of certain rules relating to Arrest of Sea-going Ships*, Brussels, 1952.

could become fully functional citizens. Starting from 1892, skipping the first hundred years of the Republic, the total number of people expelled from the United States to this day is 5,416,313—or five and half million. Of these, 443,210—almost half a million—had to be forcibly expelled, or deported. In addition to six thousand miles of border with Mexico and Canada, there are thousands and thousands of miles of coast where it's easy to get ashore. Only in 1953 the border police inspected 45,000 ships and 85,000 airplanes. Over two million sailors were processed with temporary permits lasting from a few hours to a few days. Inspections were conducted on more than 2,000 diplomats and 10,000 consular or other officials from overseas.

I: *Why is surveillance necessary at all?*

A: First of all, these are common measures. In Italy, by the way, if the police were to follow to the letter the exact provisions of the law the screening process would be even more intrusive and unforgiving. Immigration is a real headache for the United States. In the past the doors were open to all ~~but~~ that policy created problems, social unrest and political fights. The first legislative initiative to defend America from foreign invasions dates back to 1789 [sic],⁴ a few years after the foundation of the Republic. Americans are rather liberal and tolerant by nature, tradition and law. But these virtues are not common to all the humans who were dumped onto these shores. As a consequence some illiberal and intolerant corrections had to be introduced. America is founded on principles, some of which so absurd that once in a while they need to be modified with common-sense corrections and a few hypocritical patches, all the while without ever denying the principles themselves. As Americans have become richer and more powerful, the immigration pressure from all over the world has increased and applications to migrate now arrive from all corners of the globe. It's hard to believe that George Washington would have imagined that Chinese would migrate to the United States by the tens of thousands

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⁴ *Naturalization Act (An act to establish an uniform rule of naturalization)*. Sec. 11.

Chap. 3: 1 stat 103, First Congress, March 26, 1790. The original title reported by the Library of Congress uses the indefinite article *an* in front of *uniform* (Philadelphia: Printed by Francis Childs, 1795).

and that it would be necessary to make a special law to keep them out.⁵ It was a law that contradicted basic principles and values. Nevertheless, it was an essential law that saved America from the deluge of people who, otherwise, would have flooded the country, wiping out all the efforts to create a rich, independent and modern nation. Moreover, despite the racial laws and the provision to sift through the immigrants, the United States has taken in forty million people. Consider that every year thousands of individuals try to enter the country illegally. A Senate inquiry has determined that there are already millions of illegal residents. New York alone has about 200,000. Immigration experts estimate that in some Brooklyn neighborhoods the percentage of illegal residents is as high as ten percent of the population.

The number of career criminals among Italians deportees is rather low. In 1953-1954 there were forty-four criminals: four were accused of crimes against morality; six were drug traffickers; one was mentally ill and four were subversives. The large majority, 218 cases, were people without legal papers. A curiosity is the number of sailors who ended up being deported because they overstayed the terms of their visas. In 1953-1954 the total was 295, 130 of which Italian. Probably they were staying with relatives or a girlfriend... Inevitably, in this huge mass of cases, some injustices and unnecessary harshness have been committed.

1: *How is it that the data for deportees are so small, while those for the expulsions are so large?*

A: There is a rather simple explanation. The primary reason for being expelled from this country is lack of official papers. These people normally don't fight the system and reluctantly return to their home countries. Deportees are those who refused to leave voluntarily and decided to fight the expulsion decrees in court. Often in this category are individuals who defend personal as well as group interests. A Senate investigation revealed that their legal expenses are often paid for by criminal organizations that want to keep their members in the

⁵ It probably refers to the 1882 so-called *Chinese Exclusion Act (An act to inaugurate certain treaty stipulations relating to Chinese)*. Previously, Congress had passed another law targeting Chinese nationals, the 1862 *Anti-coolie law (An act to prohibit the "coolie trade" by American citizens in American vessels)*.

country, such as in the [Francesco] Brancato case.⁶ At times the trials drag on for years at very high cost.

I: But there are cases when the law is truly inhumane.

A: True. Although even the McCarran law asks for some leniency when the deportation results in the separation of family members, cases of inhumanity do occur. Maybe this has to do with the insensitivity of individual police officers and immigration agents who get progressively de-sensitized after dealing with so many cases of deceptive practices, trickery, lawlessness and outright criminal behavior.

I: Is it possible to appeal to a higher court?

A: The only possibility is to have a member of congress introduce legislation dealing with that specific case granting citizenship to an individual. It is a very unusual case but it does happen: every year about a thousand such laws are proposed, but only two hundred are approved.

I: What happens to those foreigners who, if they were sent back, would face political persecution, like in Russia or Poland, for instance? How would they be treated if one tried to flee illegally to the United States?

A: These cases follow a different process. In 1953 the Commissioner received 110 requests.⁷ Eighty-four were rejected, eight were accepted and thirty-four are still under consideration. It is not a very reassuring outcome. However, it is not hard to see how a Romanian or a Polish would be willing to make up lots of stories in order to stay in the United States. One should not forget the cases of communists who feigned being victims of communism in order to penetrate the United States and work as spies. Now another phenomenon is under way: representatives of communist countries are trying to persuade some of the fugitives to return home promising them a normal life, even better than in America. But this would take another long conversation, and I think this is already long enough as it is.

New York, July 5, 1956

⁶ Documents from the legal case about Francesco Brancato are published online at the following URL: <https://www.courtlistener.com/opinion/241028/united-states-of-america-ex-rel-francesco-brancato-v-john-m-lehmann/>.

⁷ Presumably these are petitions for political asylum.

ITALY SHOULD REJECT CRIMINALS FROM FOREIGN COUNTRIES

The United States wants to deport to Italy a certain Carlos Marcello¹ whose name also appears in criminal records with the aliases Calogero Minacari or Minacore. He was born in Tunis, Tunisia,² on the sixth or tenth of February 1910 and never set foot on Italian soil. He considers himself a French citizen and asked to be deported to France. The French government, however, rejected his claim stating that his French citizenship has never been proven in the United States. Thus, the United States proposed to deport him to Italy. Will Italy be able to resist the pressure? Carlos's father, Giuseppe Minacore, was born in Ravenna, in the province of Agrigento, Sicily, in 1892. When he was eight years old his family moved to Tunis. In 1910, at age eighteen, he immigrated to the United States but the same year he returned to Tunis to marry Luigia Ferrugia (or Ferruggia), born in Roccamena, Sicily, in 1893. Luigia's father had moved the family to Tunis when she was nine months old. In October 1910 she gave birth to Carlos and later joined her husband in America, more precisely in New Orleans. She has been living there ever since while her entire family still lives in Tunis and some of her brothers served in the French army.

Carlos Marcello is therefore the son of parents born in Italy who emigrated to Tunisia with their respective families when they were still children. He never even visited Italy and has always lived in Louisiana. Starting in the 1930s, Marcello was found guilty of a series of crimes, from armed robbery to trafficking in narcotics. He has also been under investigation for a long list of other crimes for which he could not be tried for lack of witnesses. American federal authorities maintain that he is one of the most powerful and dangerous Mafia bosses in the United States and, therefore, nobody dares testify against him.

Marcello does not have American citizenship. He is legally a foreign resident and, as such, the United States does have the right to expel

¹ Carlos Marcello (1910-1993). Head of the New Orleans Mafia. He was suspected by some of having played a major role in the assassination of President Kennedy.

² Tunisia in that period was officially a French protectorate, but a de-facto colony.

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him. However, there is no proof that it has the right to deport him to Italy. First of all, there is no proof that he has maintained Italian citizenship even in the case that, by mistake, some consular authority might have issued an Italian passport. Moreover, the reason for his expulsion is drug trafficking, an offense that has been added to the statutes by the new McCarran law but was not in existence at the time he committed the crime. Technically, however, the McCarran law is applicable retroactively and can be used to punish people for acts that were not previously considered unlawful.

Researches conducted in Tunisia on Marcello's nationality have not yielded any results. There is no definitive proof that he is a French citizen, just as there is no proof that he is Italian. Moreover, Italy cannot demonstrate that this less-than-desirable individual lost Italian citizenship any more than can the United States demonstrate that he acquired French citizenship. The McCarran law is an American law, but it is not part of international law nor is it accepted by Italy. The law gives the American government the power to expel from its territory criminals convicted of certain crimes; however, in order to ship these individuals to another country, it goes without saying that U.S. authorities need the approval of the receiving country (in this case, Italy). The same law also contemplates the possibility that the country of citizenship may reject the deportation order. The law, then, has provisions that list alternative countries where criminals may be deported, such as the country from which the persons last embarked for the United States. For Marcello, the country was Tunisia, at that time a French protectorate. It is also possible to deport a person to other countries that are willing to accept the deportees—with the exception of bordering neighbors Mexico and Canada. Obviously, no country will volunteer to take in a character of the likes of Marcello. Finally, if all this weren't enough, Marcello does not want to go to Italy! He doesn't feel Italian. He was educated in French-language schools in Tunisia and graduated from Crime College in America. Why should he go back to elementary school in Italy?

From this point of view, the Marcello case exemplifies one of the aspects that have most affected both Italian and American public opinions from a moral perspective. As I mentioned in the previous

chapter, Italy has only received a small number of deportees. However, many of them had a very large resonance in that they were top racketeers, born in Italy or of Italian descent.

After Lucky Luciano, the United States would now like to deport to Italy Joe Adonis,³ Frank Costello, who is considered the ringleader of Murder, Inc.; Albert Anastasia, the boss of the New York piers; Sam Accardi,⁴ who, according to American authorities, is one of the bosses of the international drugs trade; Nicolò Imposato [sic],⁵ one of the Kansas City's bosses; and Nicola Amaruza, boss of illegal gambling in New Jersey. In addition to these big names there is a whole another list of individuals involved in organized crime. Many have already been sent back to Italy with the consent of the Italian government and with rather dismal results. The deportees have found themselves without means of support in a society they didn't know, much poorer than America, less favorable in terms of their usual trade and also more resistant to crime, at least in individual terms. They ended up confined to villages or small towns where there is nothing to steal except chickens and where gambling is limited to church *tombola*⁶ and state-run lotteries. These masters of major operations are starving, like surgeons exiled among the Eskimos. I read somewhere that they wanted to organize a march on the American embassy in Rome to demand financial aid, maybe because the only language they can speak is American. In fact, even though legally they are Italian citizens, in reality they are and remain American. Marcello clearly belongs to this category. Here is, therefore, the perfect opportunity for the Italian government to take an official stand and present the question to the public opinion.

Some argue that these criminals are the product of the American environment, therefore, deportation for crimes they committed in America after they grew up in the American society is equivalent to

³ He accepted deportation to Italy in 1956. In Italy he was subjected to internal exile (*confino di polizia*) for his suspected connection with the Mafia.

⁴ Sertimo Accardi (1902-1977). He fled to Italy in 1955. Extradited to the U.S. in 1964, he was sentenced to 15 years in prison.

⁵ Nicola Impastato (1906-1979). He left Italy during the Mussolini anti-Mafia repression campaign and became a major crime figure in Kansas City, Mo.

⁶ *Tombola*. A game similar to bingo.

declaring that they harbor some kind of race-based criminal disposition. I beg to differ. I never shared the horror and scorn cast on Italian criminals in America. In my opinion in many cases these are very remarkable individuals in terms of intelligence, cleverness, political savvy and courage. After being abandoned by their country of origin and being taken in with disdain by a new country, they were able to adapt to the new environment, thrive and achieve excellence. Some even took care of social needs and performed historically useful functions, as during Prohibition. Presently they are doing the same with regard to gambling. Without the support—either willing or unaware—of a large part of American society, they could have never created the kind of powerful organizations that shows how useless and pernicious those laws were and are. Of course, these individuals are violating the laws of the land, therefore they must be prosecuted. But why should we deny that their activities reveal the natural talents of many Italians who, neglected, exploited and oppressed by tyrannical governments for centuries, developed and brought to the new country the great talent of creating a state inside the state?

My point is that here they found the most propitious conditions for their natural genius to blossom and prosper. The fact that these developments are considered criminal by American laws is not the fault of their country of origin: the fault resides with the country that did not know how to take advantage of their intelligence in order to turn them into functionaries, captains of industry or courageous soldiers. These were exceptional individuals who had to find an outlet for their dynamism and found it in crime and criminal organizations. In this sense, yes, they were made by America and America should not send them back to the country of their *biological* origin, which is not the country of their *moral* origin.

Italy is under no obligation to accept criminals who are clearly not Italian citizens. Unfortunately, the absence of a treaty between the two countries on this issue has created misunderstandings and confusion for over a hundred years. Italy also has contributed to this confusion with its military draft laws: American-born children of Italian citizens born in Italy who visited Italy with an American passport often discovered

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they were wanted by Italian *cambiniere* as military draft dodgers. There remains the fact, however, that the Italian government has no obligation, either domestic or international, to take back Marcello or any other individual of Italian origin whose nationality is uncertain. The Italian constitution,⁸ by the way, contains an article that refers to the heirs of the former Italian royal house of Savoy. This article spells out that Italy is under no obligation to readmit all of her citizens, even when their citizenship is not in question. The members of the house of Savoy, in fact, are Italian citizens; however, the constitution bans them from Italian territory.⁹

Some functionaries of the Italian government are clearly worried that the McCarran law may provide an excuse for potential reprisals. If Italy refuses to take back its citizens after they are expelled, the United States may deny entry visas to all Italian citizens. The functionaries that have reluctantly already accepted some undesirable criminal champions are right to argue that they had no choice if they wanted to avoid reprisals. However, they should have also evaluated that the United States would be very careful in applying this kind of sanctions (I am not aware that there have been any such threats.) Moreover, in the Marcello case, Italian authorities should have cited a precedent with France that did not result in the suspension of entry visas for French citizens. According to the 1947 Peace Treaty,¹⁰ Italy enjoys the status of most preferred country concerning immigration. It is

7 *Cambiniere* are one of Italy's national police forces. *Cambiniere* are part of the ministry of defense. The major duties are law enforcement and public order, with a capillary network of stations that covers the entire Italian territory. Their mandate includes a role as military police.

8 The constitution of the Italian Republic, promulgated on December 27, 1947, came into force January 1, 1948.

9 In 2002 the Italian parliament approved a law that rescinded the prohibition for members of the direct descendants of the last king to enter Italian territory. They were allowed to enter Italy effective November 10 of the same year. The law encountered fierce opposition from several segments of Italian society of all political orientations.

10 The Peace Treaty with Italy was one of the Paris Peace Treaties signed in February 1947 by the participants in World War II. It was ratified by the U.S. Senate in June 1947.

therefore clear that the rules that were not applied to France cannot be applied to Italy.

The tone of the relationship between the Italy and the United States is such that problems of this kind should be easily solved without reprisals. The Italian government should find an agreement with the United States and establish some principles concerning the treatment of Italian citizens who were accepted by the United States and grew up there. It is the responsibility of the United States to deal with them. First of all, these people were accepted after going through an extensive screening process that included questionnaires, interviews, documentation etc. Second, they became criminals and a danger to society, instead of model citizens, because of the way they were treated by society, the schools, the streets and the press; and because of the examples they grew up with.

In the past the attitude of the Italian government was too lax for opposite reasons. During Fascism emigrants were encouraged to return to Italy and during the military occupation after World War II, after the peace treaty was signed, Italy was rather accommodating toward America, which was providing crucial financial aid in the years of reconstruction. This submissive attitude depended on the circumstances of the moment but is no longer sustainable. Many diplomats, members of parliament, ministers and even Italian presidents have visited the United States. Why didn't anyone bring up the issue and get concrete results? I don't recall reading anything about this problem in the memoirs of former Ambassador Alberto Tarchiani.¹¹ Let's hope we will find something in the future memoirs of Manlio Brosio.

New York, July 8, 1956

¹¹ Alberto Tarchiani (1885-1964). Journalist and diplomat. He was ambassador to the United States from 1945 to 1955.