



**Università
degli Studi
di Ferrara**

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Organized Crime and Terrorism

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General Program

§ 1 – Introduction: empirical approach

- 0. The social, political and criminal law problem
- A. Definitions: (ordinary) organized crime and terrorism
- B. Historical evolution: organized crime and terrorism
- C. Conclusion: some common features of the current phenomenon

§ 2 – Introduction: normative approach

- 0. Legislation and case law in the West: history and an instant photograph
- A. Legislation: historical review: organized crime and terrorism
- B. International and supranational inputs: the UN Convention and the UE FD 2008 (OC); various instruments and EU Directive 541/2017 (T)
- C. Context: criminal legislation in the “enemy criminal law”/overcriminalization era

§ 3 – General Part: wrongfulness of organization offenses

- A. Different approaches since the 19. Century in civil law jurisdictions
- B. Wrongfulness between danger and meaning: inventory
 - 1. abuse of the right to association
 - 2. anticipation theory
 - 3. collective legal good
 - 4. threat wrongfulness
- C. Usurpation of organization areas and political meaning
 - 1. critique of the preexisting approaches
 - a) risk perspective
 - b) collective legal good and social impact
 - 2. usurpation of political organization
 - a) starting points
 - b) collective and member: status offense?
 - c) usurpation of the state’s monopoly of violence
- D. Conclusions

§ 4 - General Part: legal definition of “organization” and of “terrorism”

A. Organization

1. Introduction
2. Collective structures
 - a) Regulations
 - b) Organization: legal concept

B. Organized group, structured group and the association de malfaiteurs

C. Legal definition of terrorism

1. An expansive definition: UE harmonization
2. Material concept: massive political violence
 - a) organization and mass intimidation
 - aa) mass intimidation
 - bb) serious violence
 - cc) peripheral groups
 - b) strategic projection
 - aa) political goals
 - bb) politics as collective programme
 - cc) Elements
 - dd) State terrorism?

§ 5 - Special Part: membership and collaboration

§ 6 - Precursor crimes of terrorism