

TOPIC: CURRENT ATTITUDE	TITLE: - Human Rights. The Denial of Human Rights: the Mafia Men against the Mafia: Giovanni Falcone
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INTRODUCTION

<p>age</p> <p>Secondary School students (16 – 18 years old)</p> <p>duration</p> <p>3 periods (60 minutes each)</p>	<p><i>The Declaration of Human rights: authenticity and universality</i></p>  <p>THE UNIVERSAL DECLARATION OF HUMAN RIGHTS</p> <p><small>WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world;</small></p> <p><small>WHEREAS disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from want and have been proclaimed as the highest aspiration of the common people;</small></p> <p><small>WHEREAS it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law;</small></p> <p><small>WHEREAS it is essential to promote the development of friendly relations between nations;</small></p> <p><small>WHEREAS the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the individual, and in the equal rights of men and women and of nations large and small;</small></p> <p><small>WHEREAS the Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms;</small></p> <p><small>WHEREAS a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,</small></p> <p><small>NOW, THEREFORE, THE GENERAL ASSEMBLY</small></p> <p><small>Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all people and all nations, to the end that every individual and every community may be able to achieve the maximum measure of participation in, and contribution to, international activity in accordance with the principles of the Charter;</small></p> <p><small>ARTICLE 1 (1) Everyone has the right to work, and to receive in equal conditions social protection. (2) The right to work may be exercised in the case of prosecution generally arising from non-political offence or from acts contrary to the purposes and principles of the United Nations.</small></p> <p><small>ARTICLE 12 (1) Everyone has the right to a nationality. (2) No one shall be deprived of his nationality nor denied the right to change his nationality.</small></p> <p><small>ARTICLE 16 (1) Everyone has the right to marry, either with the consent of his parents or with that of the public authority, and to found a family. They are entitled to equal rights in marriage, during marriage and at its dissolution. (2) Marriage shall be entered into only with the free and full consent of the intending spouses. (3) The family shall be protected by law. (4) Parents have the right to ensure that their children receive appropriate education and care. (5) The family is entitled to receive adequate social protection.</small></p> <p><small>ARTICLE 17 (1) Everyone has the right to own property alone as well as in association with others. (2) No one shall be arbitrarily deprived of his property.</small></p> <p><small>ARTICLE 18 (1) Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, subject only to necessary restrictions which do not contravene a penal offence, under national or international law, or to the public order or the morals of the country. It is particularly important that the one that was applicable at the time the penal offence was committed.</small></p> <p><small>ARTICLE 19 (1) Everyone has the right to an effective remedy by the competent national tribunals and/or by the competent international tribunals for any violation of his fundamental rights which are recognized and declared by the constitution or by law.</small></p> <p><small>ARTICLE 21 (1) No one shall be subjected to arbitrary arrest, detention or exile.</small></p> <p><small>ARTICLE 21 (1) Everyone is entitled, as far as possible, to a fair and public hearing by an independent and impartial tribunal, without undue delay and in accordance with the law in force at the time when the criminal offence was committed, unless otherwise provided by law.</small></p> <p><small>ARTICLE 22 (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to established law in the trial which he had the all guarantees necessary for his defense. (2) No one shall be held guilty of any offence without having been previously informed of the nature of the charge, being given sufficient time and facilities for the preparation of his defense and, if he so desires, being granted his right to be assisted by an attorney, unless he has the right to defend himself in person.</small></p> <p><small>ARTICLE 23 (1) Everyone has the right to freedom of movement and residence within the borders of each State. (2) Everyone has the right to leave any country, including his own, and to return to his country.</small></p> <p><small>ARTICLE 21 (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. (2) Everyone has the right to participate in the organization and management of his economic and social life according to the principles which shall be universal and equal suffrage and shall be held by secret ballot.</small></p> <p><small>ARTICLE 22 (1) Everyone, as a member of society, has the right to social security and is entitled to realize, through national effort and international cooperation and in accordance with the organization and management of his country, the economic, social and cultural life of his personality independently of his race and of the place and time of his personal development.</small></p> <p><small>ARTICLE 23 (1) Everyone has the right to work, to free choice of employment, to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and to protection against unemployment. (2) Everyone, whether by discrimination, has the right to equal pay for equal work. (3) Everyone who works has the right to rest and favourable remuneration ensuring for himself and his family an existence worthy of human dignity.</small></p> <p><small>ARTICLE 24 (1) Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms mentioned herein, or to incite such destruction.</small></p> <p><small>ARTICLE 25 (1) Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, subject only to necessary restrictions which do not contravene a penal offence, under national or international law, or to the public order or the morals of the country. (2) No one shall be compelled to belong to a religious community or to declare a belief in, practice, worship and observe</small></p>
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Sources

The Declaration of Human Rights, approved by UNO on the 10th of December 1948, is constituted by an Introduction and 30 articles.

The Introduction, in particular, relates the lack of respect for Human Rights to the inhumanities that offend people's conscience“, referring to the events of the Second World War (but also to nowadays' attitudes). It sees in the respect of Human Rights the only way to peace and freedom in the future.

	<p><i>Human Rights are not an abstract idea, they concern anybody's everyday life: men's, women's and children's.</i></p> <p><i>Moral destruction was even bigger than material destruction at the end of WWII. Violence to individuals and peoples was evident. In 1945 the UNO statute was established in a spirit of reconstruction and recovery of human dignity, the Declaration of Human Rights was drawn up after three years of long discussions. Its moral authority was very high and it inspired international treaties, constitutions and internal laws in each country. Its articles can comply with different cultures and traditions, they should grant the respect and the full development of each person, a true „rulebook for 5 billion people (Antonio Cassese).</i></p> <p><i>We are living a time of recession and social crisis, above all a lack of values, the same values and human rights that the Declaration promoted and should increase. Hard times for Human Rights that are constantly disregarded and cancelled by every kind of violence. In our country the mafia phenomenon particularly still denies and steps on basic rights: to life, to work, to freedom, to personal safety, to property, to education and to well-being in general and that's why we asked ourselves: „Can we fight against such a brutish and violent phenomenon without becoming ourselves brute and violent? Can we defend and promote legality together with the safeguard of Human Rights? The answer is yes, sure... and we have found many, many experiences, events and biographies Photos, posters, books, videos, quotations, film, Universal declaration of Human Rights(Original Text)pictures</i></p>
biography rationale	Giovanni Falcone's Biography
aims	<p>OBJECTIVES AND PURPOSES</p> <ol style="list-style-type: none"> 1. Defining the historical context in which the Declaration of Human Rights was drawn up. 2. Inviting the youngest to reflect on the fact that Human Rights concern everybody. 3. Understanding how the moral disaster at the end of WWII had created the need of recovering human dignity. 4. Learning the route which brought to issue the Declaration, since its Statute in 1945 by UNO. 5. Connecting the denial of human rights to nowadays violence, abuse of power, threat, considering particularly the Italian Mafia.

	<p>6. Learning the historical background of the Italian Mafia</p> <p>7. Reading Giovanni Falcone's biography and reflecting on his choices and his deeds.</p> <p>8. Finding, through the analysis of the material submitted, some starting points for seeking out truth, focusing on the respect of human rights in everyday life.</p> <p>The Students should</p> <p>Learn the historical events which brought to the Universal Declaration of human rights.</p> <p>Read the articles of the Declaration which are fundamental to the comprehension of the Lesson Plan Topic.</p> <p>Learn the general features of the development of the Mafia phenomenon in Sicily and elsewhere.</p> <p>Read Giovanni Falcone's biography</p>	
other aspects	classroom arrangements	Ordinary classroom or in Labs for the videos, the posters, and the photos produced.
	groups	Class group. The whole class works on texts, newspapers, magazines, documentaries (indoors)
	equipment	Handouts of texts and photos. Projector, computer, Internet connection and LIM.

DEVELOPMENT

historical background	<p>The Declaration of Human Rights, approved by the Assembly of the United Nations Organization on the 10th of December 1948, is composed of an Introduction and 30 articles. The events of Second World War had made people understand the importance of Human Rights for the future, the future which could exist only under these conditions. But everyday life has shown us how human rights are ignored and betrayed. We have seen in the mafia phenomenon the denial of the Human Rights strongly declared by the UNO. The Mafia has its roots in southern Italy, in the XIXth century and it has characterised Italian history. The Mafia is mainly opposed to the following important articles:</p> <p>Art.3</p> <p>Everyone has the right to life, liberty and security of person;</p> <p>Art. 12</p> <p>No one shall be subjected to arbitrary interference with his privacy, family, home or</p>
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correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks

Art.17

Everyone has the right to own property alone as well as in association with others.(2) No one shall be arbitrarily deprived of his property

Art.23

Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

The Mafia rejects and denies all these rights. A lot of people and associations are fighting against it. For example the **Association Libera**, founded in March 1995 by **don Luigi Ciotti**, a priest who tries to promote the rights to citizenship, to legality, to justice, to peace, to solidarity. They try to give value to the memory of the mafia's victims, not to forget people actively involved in building justice peacefully, going against the Mafia's territorial dominion.

Rationale for choosing the topic:

a) Didactic motivations

Understanding the characteristics of Collaboration and distinguishing between historical/ political Collaboration (R.S.I. Italian Social Republic, which was born in 1943 with Mussolini) and its attendance, understanding Italian people's choices (after the 8th of September 1943), they were often conflicting choices, in contrast with people's common feelings.

b) Ethical motivation

Pointing out the ethical responsibility of the choice in a tragic time of historical, human, emotional and civil opposition. (Partisans / Republicans / Indifferent people).

At the end of the XXth centuries, in Palermo and all Sicily, great men like the magistrates Giovanni Falcone and Paolo Borsellino, police detectives like Nini Cassarà... were the protagonists of a long period of time which was called "The Renaissance in Palermo" because it shows and tells about the choices made by people, by associations, by institutions by the Education system, by media, by the Church, all together: Fighting against Mafia. The best way was promoting culture and education but, first of all, rebelling to criminality by safeguarding individuals and their human rights. We have chosen Giovanni Falcone as the main biography because he is the most representative and the best known figure. He had worked in the name of legality all his life long in his land, Sicily, a land rich in traditions, culture and honour and he died for honour and with honour, killed by the Sicilian Mafia.



The Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages.

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress

and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

Everyone has the right to life, liberty and security of person.

Article 4.

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

Everyone has the right to recognition everywhere as a person before the law.

Article 7.

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.

(1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.

(1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

(1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21.

(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.

(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

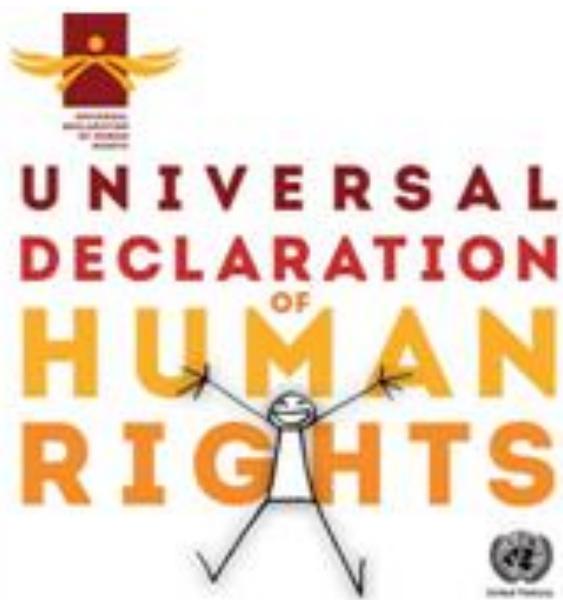
(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.



Mafia's definition

The Mafia, a network of organized-crime groups based in Italy and America, evolved over centuries in Sicily, an island ruled until the mid-19th century by a long line of foreign invaders. Sicilians banded together in groups to protect themselves and carry out their own justice. In Sicily, the term “mafioso,” or Mafia member, initially had no criminal connotations and was used to refer to a person who was suspicious of central authority. By the 19th century, some of these groups emerged as private armies, or “mafie,” who extorted protection money from landowners and eventually became the violent criminal organization known today as the Sicilian Mafia. The American Mafia, which rose to power in the 1920s, is a separate entity from the Mafia in Italy, although they share such traditions as “omertà”, a code of conduct and loyalty.

The mafia's roots

For centuries, Sicily, an island in the Mediterranean Sea between North Africa and the Italian mainland, was ruled by a long line of foreign invaders, including the Phoenicians, Romans, Arabs, French and Spanish. The residents of this island, which measures almost 10,000 square feet, formed groups to protect themselves from the often-hostile occupying forces, as well as from other regional groups of Sicilians. These groups, which later became known as clans or families, developed their own system for justice and retribution, carrying out their actions in secret. By

the 19th century, small private armies known as “mafie” took advantage of the frequently violent, chaotic conditions in Sicily and extorted protection money from landowners. From this history, the Sicilian Mafia emerged as a collection of criminal clans or families.

The Sicilian Mafia is one of four major criminal networks currently based in Italy; the other three are the Camorra of Naples, the Ndrangheta of Calabria and the Sacra Corona Unita of Puglia.

Although its precise origins are unknown, the term Mafia came from a Sicilian-Arabic slang expression that means “acting as a protector against the arrogance of the powerful,” according to Selwyn Raab, author of “Five Families: The Rise, Decline, and Resurgence of America’s Most Powerful Mafia Empires.” Raab notes that until the 19th century, the word “mafioso” did not refer to someone who was a criminal, but rather a person who was suspicious of central authority. In the 1860s, a play called “I Mafiusi della Vicaria” (“Heroes of the Penitentiary”), about a group of inmates at a Sicilian prison who maintained their own hierarchy and rituals, toured Italy and helped popularize the term Mafia in the Italian language.

The mafia in Italy

In 1861, Sicily became a province of recently unified Italy. However, chaos and crime reigned across the island as the fledgling Italian government tried to establish itself. In the 1870s, Roman officials even asked Sicilian Mafia clans to help them by going after dangerous, independent criminal bands; in exchange, officials would look the other way as the Mafia continued its protection shakedowns of landowners. The government believed this arrangement would be temporary, lasting just long enough for Rome to gain control; instead, the Mafia clans expanded their criminal activities and further entrenched themselves in Sicilian politics and the economy. The Mafia became adept at political corruption and intimidated people to vote for certain candidates, who were in turn beholden to the Mafia. Even the Catholic Church was involved with Mafia clans during this period, according to Raab, who notes that the church relied on Mafiosi to monitor its massive property holdings in Sicily and keep tenant farmers in line.

In order to further strengthen themselves, Sicilian clans began conducting initiation ceremonies in which new members pledged secret oaths of loyalty. Of chief importance to the clans was “omertà”, an all-important code of conduct reflecting the ancient Sicilian belief that a person should never go to government authorities to seek justice for a crime and never cooperate with authorities investigating any wrongdoing.

The mafia in the 20th century and nowadays

The Mafia's influence in Sicily grew until the 1920s, when Prime Minister Benito Mussolini came to power and launched a brutal crackdown on mobsters, who he viewed as a threat to his Fascist regime. However, in the 1950s, the Mafia rose again when mob-backed construction companies dominated the post-World War II building boom in Sicily. Over the next few decades, the Sicilian Mafia flourished, expanding its criminal empire and becoming, by the 1970s, a major player in international narcotics trafficking.

The American Mafia, a separate entity from the Mafia in Sicily, came to power in the 1920s Prohibition era after the success of Italian-American neighborhood gangs in the booming bootleg liquor business. By the 1950s, the Mafia (also known as "Cosa Nostra", Italian for "Our Thing") had become the preeminent organized-crime network in the United States and was involved in a range of underworld activities, from loan-sharking to prostitution, while also infiltrating labour unions and legitimate industries such as construction and New York's garment industry. Like the Sicilian Mafia, American Mafia families were able to maintain their secrecy and success because of their code of "omertà", as well as their ability to bribe and intimidate public officials, business leaders, witnesses and juries. For these reasons, law-enforcement agencies were largely ineffective at stopping the Mafia during the first part of the 20th century. However, during the 1980s and 1990s, prosecutors in America and Italy began successfully employing tough anti-racketeering laws to convict top-ranking mobsters. Additionally, some Mafiosi, in order to avoid long prison terms, began breaking the once-sacred code of "omertà" and testified against fellow mob members. By the start of the 21st century, after hundreds of high-profile arrests over the course of several decades, the Mafia continues constantly stepping on people's human rights.

Literary text, Leonardo Sciascia

"I" went on Mariano, "have a certain experience of the world; and what we call humanity - all hot air, that word – I divide into five categories: men, half-men, pygmies, arse crawlers – if you excuse the expression – and quackers . Men are very few indie; half-men few, and I'd be content if humanity finished with them... *But no, it sinks even lower, to the pygmies who're like children trying to be grown-ups, monkeys going through the motions of their elders...* Then down even lower we go, *to the arse-crawlers who're legion...And, finally to the quackers; they ought to just exist like ducks in a pond. Their lives have no more point or meaning...But you, even if you nail me to these documents like Christ to His Cross, you're a Man"*



Leonardo Sciascia, “The Day of the Owl”



Leonardo Sciascia



biography

Giovanni Falcone

Giovanni Falcone (18 May 1939 – 23 May 1992) was an Italian judge and prosecuting magistrate. From his office in the Palace of Justice in Palermo (Sicily), he spent most of his professional life trying to overthrow the power of the Sicilian Mafia. After a long and distinguished career, culminating in the famous Maxi Trial in 1986-1987, he was killed by the Corleonesi Mafia in May 1992, on the A29 motorway near the town of Capaci.

His life parallels that of his close friend Paolo Borsellino. They both spent their early years in the same neighbourhood in Palermo. And though many of their childhood friends grew up in the Mafia background, both men fought on the other side of the war as prosecuting magistrates. They were both killed in 1992, a few months apart. In recognition of their tireless effort and sacrifice during the anti-mafia trials, they were both awarded the Italian "Medaglia d'oro al valore civile" (Gold medal for civil valour).

Early life

Falcone was born in 1939 to a middle-class family in the Via Castrofilippo near the seaport district La Kalsa, a neighborhood of central Palermo that suffered extensive destruction by aerial attacks during the Allied invasion of Sicily in 1943. His father, Arturo Falcone, the director of a provincial chemical laboratory, was married to Luisa Bentivegna. Giovanni had two elder sisters, Anna and Maria. Falcone's parents emphasised the importance of hard work, bravery and patriotism; he later said they 'expected the maximum' from him. At school Falcone would get into fights with older children if he thought his friends were being picked on.

The Mafia was present in the area but quiescent; Tommaso Spadaro, a boy with whom he played ping-pong in the neighborhood Catholic Action recreation centre, would later become a notorious Mafia smuggler and killer, but mafiosi were not a major presence in his childhood. As boys, Falcone and Borsellino, who were born in the same neighbourhood, played soccer together on the Piazza Magione. Both had classmates who ended up as mafiosi. Falcone grew up at a time when Sicilians did not acknowledge the existence of the Mafia as a coherent organised group; assertions to the contrary by other Italians were often seen as 'attacks from the north'.

After a classical education, Giovanni studied law at the University of Palermo following a brief period of study at Livorno's naval academy. Falcone and Borsellino met again at Palermo University. While Falcone drifted away from his parents' middle-class conservative Catholicism towards Communism, Borsellino was religious and conservative; in his youth he had been a member of the Fronte Universitario d'Azione Nazionale (FUAN), a right-wing university organization affiliated with the neo-fascist Movimento Sociale Italiano. However, neither ever joined a political party, and although the ideologies of their political movements were diametrically opposed, they shared a history of opposing the Mafia. Their different political leanings did not spoil their friendship. Falcone wanted a naval career but his father thought him too independent-minded for the armed forces, and sent him to study law.

Graduating in 1961, Falcone began to practice law before being appointed a judge in 1964. Falcone eventually gravitated towards penal law after serving as a district magistrate. He was assigned to the prosecutor's office in Trapani and Marsala, and then in 1978 to the bankruptcy court in Palermo.

First trial against the Mafia

In early 1980, Falcone joined the 'Office of Instruction' (Ufficio istruzione), the investigative branch of the Prosecution Office of Palermo. He started to work at a particular moment. Judge Cesare Terranova, a former parliamentary deputy and Antimafia reformer who had been the main prosecutor of the Mafia in the 1960s, was to have headed this office, but he was killed on September 25, 1979. Only two months earlier, on July 21, 1979, Boris Giuliano had been assassinated; he headed the police investigation squad investigating heroin trafficking by the Mafia headed by Rosario Spatola and Salvatore Inzerillo. Taking Terranova's place was Rocco Chinnici, who was murdered by the Mafia in 1983.

On May 5, 1980, Giuliano's successor in investigating the heroin network, Carabinieri captain Emanuele Basile, was killed. The next day, the prosecuting judge Gaetano Costa (it) signed 55 arrest warrants against the heroin-trafficking network of the Spatola-Inzerillo-Gambino clan. From Sicily heroin was moved to the Gambino crime family in New York, who were related to the Inzerillos. Chinnici appointed Falcone to investigate the case, one of the biggest Antimafia operations in more than a decade. Costa signed the indictments after virtually all of the other prosecutors in his office had declined to do so – a fact that leaked out of the office and eventually cost him his life. He was murdered on 6 August 1980, on the orders of Inzerillo. Falcone was given bodyguards the next day.

In this tense atmosphere, Falcone introduced an innovative investigative technique in the Spatola investigation, seizing bank records to follow "the money trail" created by heroin deals to build his case, applying the skills he had learned unraveling bankruptcies. He was probably among the first Sicilian magistrates to establish working relationships with colleagues from other countries, thus developing an early understanding of the global dimensions of heroin trafficking, while enhancing the ridiculously meager investigative resources of his office. A colleague was astonished to discover that Falcone, who had no computers at his disposal, was personally recording the details listed on printouts of transactions that he had requisitioned from every bank in Palermo province.

He learned that the chemists of the French Connection had moved clandestine labs for refining heroin from Marseilles to Sicily. At the end of 1980 he visited the United States and started to work with the U.S. Justice Department, resulting in "some of

the biggest international law enforcement operations in history" such as the Pizza Connection. The inquiries extended to Turkey, an important stopover on the route of morphine base; to Switzerland, where bank secrecy laws facilitated money laundering; and to Naples where cigarette smuggling rings were being reconfigured as heroin operations. At the end of 1981, he finalized the Spatola case for trial, which enabled the prosecution to win 74 convictions, based on Falcone's "web of solid evidence, bank and travel records, seized heroin shipments, fingerprint and handwriting analyses, wiretapped conversations and firsthand testimony" that proved that "Sicily had replaced France as the principal gateway for refining and exporting heroin to the United States".

Antimafia pool

(Giovanni Falcone (on the left) and Paolo Borsellino. The picture of both assassinated judges became an iconic symbol of the struggle against Cosa Nostra. It is often used on posters and articles commemorating the fight against the Mafia.

Sheets exposed in solidarity with Giovanni Falcone and Paolo Borsellino. They read: "You did not kill them: their ideas walk on our legs".)

Falcone was plagued by a chronic lack of resources in his capacity as magistrate. A law to create a new offence of Mafia conspiracy, and confiscate Mafia assets was introduced by Pio La Torre but it had been stalled in parliament for two years, La Torre was murdered April 30, 1982. In May 1982, the Italian government sent Carlo Alberto Dalla Chiesa, a general of the Italian Carabinieri, to Sicily with orders to crush the Mafia. However, not long after arriving, on 3 September 1982, the General was gunned down in the city centre, his young wife by his side. Sicilians rose up in outrage. Outside the church, the politicians who attended were jeered and spat on, and blamed by Sicilians for tolerating the Mafia for so long. In response, the Italian government finally offered investigators the backing they needed, and Pio La Torre's law was passed 10 days later.

Falcone's responsibilities as a magistrate put tremendous strain on his personal life. When he married his fiancée, Francesca Morvillo, Falcone had Mayor Leoluca Orlando himself conduct the ceremony. It was held in total secrecy late on a Saturday evening to the astonishment of Orlando's secretary. Neither family members nor friends were present, no photos were taken.

He became part of Palermo's informal Antimafia Pool, created by Judge Rocco Chinnici. This was a group of investigating magistrates who closely worked together sharing information and developing new investigative and prosecutorial strategies. Most important, they assumed collective responsibility for carrying Mafia prosecutions forward: all the members of the pool signed prosecutorial orders to

avoid exposing any one of them to particular risk, such as the one that had cost judge Gaetano Costa his life. Next to Falcone, the group included Paolo Borsellino, Giuseppe Di Lell and Leonardo Guarnotta .

Maxi Trial

The Antimafia pool laid the groundwork for the Maxi Trial against the Sicilian Mafia at the preliminary investigative phase. Following Chinnici's murder in July 1983, Antonino Caponnetto headed the pool. Apparently Salvatore "Toto" Riina ordered the murder of Falcone; however, this decision was reconsidered in response to an objection by Ignazio Salvo, who argued that Falcone was best neutralized through political machinations. Falcone's friend Antonio Cassara (who headed the police squad hunting fugitives) was murdered in 1985. Falcone led the prosecution for the trial, which began on 10 February 1986, and ended on 16 December 1987. Of the 474 Mafiosi members originally charged, 360 were convicted of serious crimes, including 119 in absentia.

One of the most important factors in the trial was the testimony of Tommaso Buscetta, the first ever Sicilian Mafiosi boss to become an informant (pentito). His assertion that the Mafia was not a collection of separate gangs but a single organisation led some magistrates and detectives to question his credibility. After an interview, Falcone became convinced that Buscetta was genuine and treated him with respect. Buscetta's key revelation was that a governing council, known as the Commission or Cupula headed a collective structure, thereby establishing that the top tier of Mafia members were complicit in all the organisation's crimes. This premise became known as the Buscetta theorem.

Setback

When Falcone's record of success and high-profile led to resentment from some quarters, he was not given the job he coveted as chief prosecutor in Palermo. The new incumbent did not accept that the hierarchical Mafia structure revealed by the Maxi Trial actually existed, and he attempted to force Falcone to work on cases of wife beating and car theft. Falcone became so frustrated that he spoke of resigning. During 1988 Falcone collaborated with Rudolph Giuliani, at the time U.S. Attorney for the Southern District of New York, in operations against the Gambino and Inzerillo families. Rumours impugning his integrity deeply troubled Falcone during this period.

On 20 June 1989, a sack filled with dynamite sticks was discovered near a beach house Falcone had rented in the town of Addaura by policeman Nino Agostino. Although Falcone had been threatened before, this failed attempt bothered him in the extreme because it had all the signs of an inside job. At the time, he was

meeting Swiss prosecutors Carla Del Ponte and Claudio Lehman from Lugano who were helping to investigate the Mafia's financial holdings in Switzerland. Falcone believed that the assassination attempt not only involved the Mafia but some people in government as well. During the investigations into the money laundering networks of the Mafia, it became clear that former Palermo police chief Bruno Contrada who had moved to the intelligence service SISDE had warned a suspect about his impending arrest so that he could escape in time.

Falcone received an effusive congratulatory phone call from Giulio Andreotti after the narrow escape. Falcone privately thought it odd that Andreotti, who he had never spoken to, would suddenly contact him, and he mused about the significance of the incident to a friend. Unknown to Falcone the efforts to kill him were suspended while the Maxi trial verdicts went through the appeals process that had often set convicted Mafia members free. Later investigations into the murders of two police officers, Antonino Agostino and Emanuele Piazza, who worked for the secret service, revealed that they had secretly defused the bombs that had been placed by a Mafia commando aided by other secret service men. Agostino and his wife were killed on 5 August 1989 outside their home, and Piazza on 15 March 1990.

Falcone's move to Rome

Exhausted and frustrated by the antagonism in Palermo, Falcone accepted a post in the Ministry of Justice in Rome offered to him by Claudio Martelli, the new minister of Justice in a new government of Giulio Andreotti in March 1991. The transfer was initially seen as a capitulation by Falcone, but he himself thought of it as a tactical move to better fight the Mafia. His first action was to prepare a decree to repair the disastrous sentence by Supreme Court judge Corrado Carnevale, known as the "sentence-killer", that allowed most of the remaining defendants of the Maxi Trial to walk free from prison. The Martelli decree led to the immediate re-arrest of the Mafia bosses.

While in Rome he started to restructure the Italian prosecution system, creating district offices to fight the Mafia and a national office to fight organized crime. Next was his move to prevent Carnevale from reviewing the sentence of the Maxi Trial. In a blow to the Mafia, the Maxi Trial convictions were upheld by the Supreme Court in January 1992. To the surprise of many, Falcone's move to Rome was very successful. He achieved a genuine revolution in the judiciary. The Mafia began to understand that Falcone was even more dangerous in Rome than he had been in Palermo.

Death

(Robert Mueller presents Maria Falcone with a smaller version of a plaque that honors the life of her brother and will hang in the newly dedicated Giovanni Falcone Gallery at FBI Headquarters.)

The Maxi trial sentences being upheld by the Supreme Court were a blow to the Mafia's prestige. The council of top bosses headed by Riina reacted by ordering the assassination of Salvatore Lima (on the grounds that he was an ally of Giulio Andreotti), and Falcone. Lima was shot dead on 12 March 1992.

Giovanni Brusca was tasked with killing Falcone. Riina wanted the murder carried out in Sicily in a demonstration of Mafia power; he instructed that the attack should be on the A29 coastal motorway Falcone had to use to get from the airport to his home on his weekly visits. A half-ton of explosives was placed in a culvert under the motorway between Palermo International Airport and the town. Brusca's men carried out test drives, using flashbulbs to simulate detonating the blast on a speeding car, and a concrete structure was specially created and destroyed in an experimental explosion to see if the bomb would be powerful enough. Leoluca Bagarella assisted at the scene during preparations.

Brusca detonated the device by remote control from a small outbuilding on a hill to the right of the highway on 23 May 1992. Giovanni Falcone, his wife Francesca Morvillo and police officers Rocco Dicillo, Antonio Montinaro and Vito Schifani were killed in the blast. The explosion was so powerful that it registered on local earthquake monitors. Riina reportedly threw a party, toasting Falcone's death with champagne, according to the pentito Salvatore Cancemi.

Thousands gathered at the Church of Saint Dominic for the funerals which were broadcast live on national TV. All regular television programs were suspended. Parliament declared a day of mourning. Fifty-seven days later, his colleague Paolo Borsellino was killed in another bombing, along with five police officers: Agostino Catalano, Walter Cosina, Emanuela Loi, Vincenzo Li Muli, and Claudio Traina.

In the major crackdown against the Mafia following Falcone and Borsellino's deaths, Riina was arrested on 15 January 1993, and is now serving a life sentence for sanctioning the murders of both magistrates as well as many other crimes. Another Mafioso convicted of the murder of Falcone is Giovanni Brusca, also known as lo "scannacristiani" (the people slaughterer). He was one of Riina's associates, who admitted to being the one who detonated the explosives.

Palermo International Airport has been named Falcone-Borsellino Airport in honour of the two judges and hosts a memorial of the pair by the local sculptor Tommaso Geraci. Falcone was posthumously awarded the Train Foundation's Civil Courage

	<p>Prize, which recognizes "extraordinary heroes of conscience". A monument to Falcone stands also at the FBI's National Academy in Virginia to honour his contributions to the "Pizza Connection" case.</p>  <p>Falcone and Francesca Morvillo</p>  <p>Falcone and Borsellino</p>
activities	<p>1 The teacher introduces the topic "Human rights": introductory lesson about human rights: the historical context when they were issued by UNO</p> <p>2 Reading the text of the Declaration and the articles which facilitate the reflection on the rights denied by the Mafia (article 3, 12, 17, 19, 23, 26, 29 e 30) Appendix 1; photos Appendix 2). Reading of some excerpts from Sciascia's "The Day of the Owl"; (Appendix 3)</p> <p>3 Analysis of the Mafia's historical background in Sicily; and vision of some extracts from the film "In the sunlight" by Faenza (Appendix 4) Analysis of Falcone's biography (his life and most meaningful quotations)</p> <p>4 Reading and analysis of some testimonies about Falcone's personality and about the Mafia in general</p> <p>5 Guided brainstorming: reflection on the characters and on the motivations of their actions</p> <p>6 Preparing questions about the reflection to be shared Questions for Discussion: Which is the historical context in which the UNO formulated the Declaration of Human Rights?</p>

	<p>Which rights do you think have been stepped on from the pictures that point out the lack of respect of human rights?</p> <p>How can you define the “Mafia”phenomenon?</p> <p>Which relationships did the Mafia develop on in the second half of the XIXth century?</p> <p>Did the WWII events influence the transformation of the Mafia phenomenon?</p> <p>What difference can you see between the Mafia’s traditional ways of acting and the new strategies adopted by the modern different kinds of Mafia ?</p> <p>Which new methods of investigation did the magistrate Giovanni Falcone introduce?</p> <p>What does the phenomenon of “pentitismo”, the practice of turning informer, mean?</p> <p>Which reflections does Giovanni Falcone’s tragical death suggest you?</p>
7	<p>Read the following quotations and use them to open and develop a debate on legality and the violation of human rights.</p>  <p>You didn’t kill them: their ideas are still walking on our legs</p> <p><i>“The most important thing is not deciding if you are afraid or not but learning to live together with your fear and not to be influenced by it. This is courage, otherwise it’s a careless act” G. Falcone</i></p> <p><i>“You generally die because you are alone or because you are playing a too big game. You often die because you haven’t got the right protection or you are without a support. In Sicily the Mafia hits the state servants that</i></p>

	<p><i>the state wasn't able to protect "G. Falcone, Things of „Cosa Nostra“</i></p> <p><i>“ Men of honour are not diabolic nor schizophrenic. They wouldn't kill their fathers and their mothers for a few grammes of heroin. They are the same men as we are“ G.Falcone, Things of „Cosa Nostra”</i></p> <p><i>I can affirm that the best result obtained from the inquiries in Palermo in the last ten years consist in having deprived the Mafia of its nonpunishable and invincible air...the „mafiosi“ are men like the others, criminals like the others, and...they can be defeated with a strong repression“.</i></p> <p>(G.Falcone: Things of „Cosa Nostra“)</p> <p><i>'Giovanni [Falcone] used to say that the mafia, being a cultural fact, would be defeated when society changed, and, with this aim, the youngsters had to be pushed to reject all the typical attitudes of the mafia“.</i></p> <p>(M.Falcone: "Giovanni Falcone a lonely hero")</p>
8	 <p>Associations, names and numbers AGAINST THE MAFIAS</p> <p><i>Those who don't speak and bend their head die every time they do this, those who speak and walk with their head held high die only once". (G. Falcone, Things of „Cosa nostra“, op cit.)</i></p>
9	Final debate
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CONCLUSION

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