THE PHENOMENON OF GANGSTERISM IN THE CONTEXT OF MOTORCYCLE GANGS

Introduction to gang-related issues

The term “gang” is used in criminological literature in various semantic contexts. Therefore, it will be appropriate to precede the reflections on contemporary gangsterism with general observations on the origin of this quite specific social and criminal phenomenon. Due to the lack of one comprehensive definition of this phenomenon, it is also advisable to present an extremely rich catalogue of destructive behaviours defined in the literature as a gang.

A relatively clear systematisation of gang-related issues is only possible using different criteria. One of them is undoubtedly gender. Based on this classification element, there are female gangs and girl gangs. Age is decisive for distinguishing this kind of gangster activity. Another most frequently used criterion is the manner of committing a crime (modus operandi), which allows to distinguish such structures as gangs of pickpockets, smugglers, burglars, forgers of works of art or beggars. Another exceptionally capacious criminological category will also be gangs differentiated in terms of the place of their criminal activity. These include, among others: city, street, prison, school, forest and railway gangs.

Currently, airport security services are also increasingly reporting crimes committed by gangs operating at airports. These are mainly thefts.

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5 Ibidem, p. 18.
involving the transfer of travellers’ baggage at different stages of the journey. This procedure, initially considered marginal, has now become a major international problem. It should be noted that the so-called airport gangs involve not only staff of cargo handling teams, but also those responsible for baggage control and passenger security\(^6\). Also in the area of environmental crime, various types of criminal structures appear, which are often referred to as gangs. These will mainly be poaching and smuggling gangs. Among them there are even more specialised organisations, such as the so-called bird gangs, whose members are involved in capturing valuable protected avifauna species\(^7\).

Also the scope of criminal activity is often an important element distinguishing individual gangster organisations. Examples of such a classification include, *inter alia*, drug gangs, human trafficking gangs, car gangs, fuel gangs, kidnapping gangs and bicycle gangs\(^8\).

As an eligibility criterion in the criminological literature, the profession or specific characteristics of perpetrators themselves are also distinguished. Therefore, one can find such terms as police gangs, developer gangs, poaching gangs, pimps and even ‘white collar gangs’\(^9\).

The term gang is also used to refer to activities of national or ethnic criminal groups. This fact is confirmed by the following terms: Russian-speaking gangs, Latin American gangs (Puerto Rican, Mexican, Colombian, Jamaican), Asian gangs (Vietnamese, Chinese), Somali gangs, Nigerian gangs, Chechen gangs, Roma gangs, Albanian gangs, etc.\(^10\)

The adjective accompanying the term gang may also indicate additional, apart from criminal, interests of members of that structure. As an example of such a distinction, gangs of pseudo-fans can be indicated\(^11\).

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\(^10\) Pływaczewski W, Gangi motocyklowe. Od wydarzeń w Hollister..., *op. cit.*, p. 20.

This category also includes criminal organisations which are the main focus of this consideration, namely motorcycle gangs. In both cases, sports or recreational interests are an important part of the activities of these structures. Moreover, they are commonly used by gangs as a kind of camouflage.

However, it should be noted that none of the criminal categories mentioned above and their classification characteristics are in pure form. Each of them may raise numerous objections, both substantive and methodological. Examples of these deficiencies can be car gangs. It would be better to describe them as gangs specialising in car theft. This term is extremely capacious and therefore contains a number of misunderstandings.

The term doping gangs also has a wide range of meanings. Until recently, these structures were associated with loose “criminal networks” or “underground markets”. In turn, currently various forms of agreements related to the production of doping substances, their distribution, or techniques of camouflaging the use of prohibited substances by athletes are beginning to evolve into a typical gangsterism, and often become similar to organised forms of crime.

On many occasions gang names refer to places where these structures developed their activities. For example, the adjectival characteristics of native gangs functioning in the social consciousness, relating, among other things, to the criminal structures operating in the 1990s on the outskirts of Warsaw, referred directly to the towns that constituted the logistical background for these organisations. This is how such terms as the Pruszków gang and the Wołomin gang became established. Also in the United States, terms such as New York gangs and Chicago gangs permanently entered the American reality, while becoming the subject of in-depth research by criminologists. This observation can also be confirmed by

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Russian gangs, such as Solntsevskaya Bratva and the Tambov gang\textsuperscript{20}. Gangs can also be distinguished by the names of their leaders. For example, in the United Kingdom in the 1960s there were such gang names as Jack Spot’s gang, Billy Hill’s gang or the Kray brothers’ gang. At present, gang names usually include nicknames of their leaders. An example of such criminal organisations can be the gang of “Krakowiak”, “Pershing”, “Nikoś” or “Suchy”\textsuperscript{21}.

However, it should be noted that many of the presented gang terms intersect or overlap. For example, the street gang mentioned earlier may be a structure composed exclusively of minors, but also of women, men, fraudsters, beggars, etc. It means that there is no reliable classification tool in either criminology or normative sciences that can clearly define the strict framework of the concept of a gang.

The American criminology literature is dominated by a two-fold gang division: adult gangs and youth gangs\textsuperscript{22}. The former often fall under the concept of organised crime. So far, it was assumed that youth gangs — associated more with the subculture of violence — rarely transform into organised structures. Currently, this view would be difficult to defend, as these gangs started to resemble organised criminal structures quite quickly\textsuperscript{23}. It can therefore be concluded that this division now reflects the age structure of the gang rather than the actual level of criminal sophistication.

In the light of the presented considerations, it is reasonable to pose the following question: “Does the functioning of the gang concept in criminology and other sciences make it easier or more difficult to understand this social phenomenon?” It should be noted at the beginning, that the answer to this question is not easy. The diverse terminology is already firmly rooted in the public consciousness. On the other hand, however, it does not always promote a correct perception of this concept by the judiciary and

\textsuperscript{20} The names of both criminal organisations derive from the towns where their leader began his criminal career (Solntsevo — now a Moscow district, Tambov — a town in central Russia). See: Laskowska K, Rosyjskojęzyczna przestępczość zorganizowana. Studium kryminologiczne. Białystok, 2006, p. 263.


\textsuperscript{22} Michalska-Warias A, Przestępczość zorganizowana i prawnokarne formy jej przeciwdziałania. Lublin, 2006, pp. 53-54.

law enforcement agencies. Paradoxically, however, it is the representatives of these entities that often use the term gang to denote various forms of criminal activity. It is therefore incumbent on criminologists to clarify the concept of a gang and to confront its semantic scope with other forms of criminal activity, in particular those that fall within the definition of organised crime.

It is worth recalling at this point that in the field of criminology such terms as “stadium crime”, “corruption crime”, “Russian-speaking crime” and finally the previously mentioned “car crime” have been functioning for a long time. Initially, the representatives of normative sciences distanced themselves from the use of these terms, accusing them of a lack of clarity, but over time the new terms gained acceptance in both the theory and practice of criminal law. It should be noted that there are also separate police units within the structures of many entities involved in combating crime in the world which in their names have the word gang or mob. It should therefore be acknowledged that, despite their imperfections, the names, which are already established in science, police practice and public awareness, especially in the media space, make it considerably easier for the public to identify these phenomena. This is in part also due to criminological research, which allows to identify and define new forms of pathological behaviour fairly well, including through assigning specific designata to them. Therefore, a complete abandonment of the use of the aforementioned terms and an attempt to replace them with a single collective term would seem to be a rather risky move. There is no doubt that such a measure would cause even greater confusion in the existing terminology, which, despite the objections raised, has nevertheless gained the acceptance of representatives of many scientific fields and disciplines.

**Motorcycle gangs — genesis and manifestations of the phenomenon**

Understanding the essence of the phenomenon of motorcycle gangsterism requires getting to know the etiology of motorcycling itself, and especially comparing two key concepts: club and motorcycle gang. Both terms are undoubtedly linked by a passion for riding a motorcycle. It is understood not only as practising quite a specific sport discipline or fascination with motorcycle construction, but above all as a lifestyle. It is based on feeling the joy of riding a motorcycle and attachment to such values as: fraternity, mutual help, willingness to experience adventures together and love of freedom. At the same time, the aforementioned concepts cover extremely different phenomena. A motorcycle club, taking different names (association, union, league), is associated with this organizational

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24 The notion of a gang is included in the name of one of the major US government agencies. It is the National Gang Intelligence Center.

formula, whose members do not contest values commonly accepted by society and thus in principle do not conflict with the law. On the other hand, a motorcycle gang also includes those forms of activity of its members which are considered to be contrary to the current legal order.

In criminological studies, various definitions of a motorcycle gang can be found. Police practice has also developed a number of its own hints in this area. These include a proposal by Los Angeles police experts that describes motorcycle gangs as “(...) organisations whose members use their membership of motorcycle clubs as a base for criminal activity.” A much narrower definition is contained in the explanatory memorandum of one of the judgments of the Canadian court of Alberta province. It is based on a detailed description of a motorcycle gang, which includes the following characteristic elements of that organisation:

— functioning of the gang according to the organisational structure of Hells Angels MC,
— following rules that allow extreme violence in the interests of the gang and its members,
— establishing strict membership conditions requiring the candidate to prove himself/herself,
— having accomplices who provide services to the gang and facilitate contacts with other gangs,
— respect for the gang’s symbolism as a distinguishing feature of membership,
— use of fortified gang headquarters,
— gathering information about the enemies, i.e. rival gangs and the police,
— involvement in criminal activities that constitute the basis for the existence of gang members.

It should be stressed that in studies on motorcycle crime, the term club/gang is most often used as a halved term. Such a provision has a deeper historical justification. It is necessary to know that the history of motorcycling is extremely complicated. It appears that the legacy of this movement is referred to by both structures, clubs and typical gangs. The problem gets even more complicated when the activities of motorcycle organisations are presented after the break-up that occurred in motorcycly movement in 1947. A new quality was then formed by the clubs, which described themselves as “one percenter clubs”. As emphasised by T. Barker, this event initiated the development of clubs that fit into the definition of clubs functioning “outside the law”. In the first period of their activity, these organisations balanced between the rule of law and the desire to negate fundamental social values. In the following years, however, they began to move to confrontational positions. However, it should

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26 Pływaczewski W, Gangi motocyklowe. Od wydarzeń w Hollister..., op. cit., p. 32 ff.
28 Ibidem.
be noted that the problem of separating clearly between the gang and the motorcycle club remains a serious challenge to science and practice of criminal law. It must be remembered that some American gangs operate in different legal realities. For example, some branches of the Hells Angels MC (hereinafter: HAMC) — the organisation most often associated with gangsterism — operate legally in many countries, while only some of its structures (branches) are considered criminal organisations. Therefore, the use of the halved terminology of a club/gang, obviously in a strictly defined context, referring to those structures that carry out undercover criminal activities, has its merits.

It should be noted that in various areas of scientific interest, the term gang also appears alongside the term mob. Both of these terms are often given a similar meaning. They can therefore be considered to be identical, as confirmed by most authors trying to define and classify criminal groups. In Polish criminology this view is shared, among others, by B. Holyst. A concurrent standpoint is taken by J. Błachut, A. Gaberle and K. Krajewski. These authors believe that the term “gang” is a substitute for the term “mob” (Polish: banda) and is sometimes used to describe multi-member and hierarchical structures created to carry out continuous criminal activity. At the same time, they do not rule out the possibility that these organisations may, under certain conditions, take higher forms of organisation, resembling organised structures. Therefore, the term mafia is also used, but due to its incomparably broader semantic capacity and historical association with crime of Italian origin, it remains superior to the name gang/mob in relation to the name. The abovementioned authors point to another notion in the analysed research area, i.e. the term ring (Polish: szajka). However, one should share the view expressed by these authors, i.e. that the term is borrowed from the Russian language and is equivalent to the Polish word “banda” (gang/mob).

In the doctrine of criminal law, there are also isolated examples of the distinction between the two concepts of mob and gang. For example, A. Mergen believes that a mob is a lower form of criminal activity, while a gang is a real (authentic) community of criminals with a resilient organisation and set goals. In the area of criminal law, as well as criminology, there is another term that can to some extent be associated with the notion of gang/mob and gangsterism in the broadest sense of the term.

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31 The cited authors define a gang as: “a group whose members individually or collectively systematically violate the law, being supported in their anti-legal actions by the attitudes and views of the group” (Błachut J, Gaberle A, Krajewski K, Kryminologia. Gdańsk, 1999, p. 301).
33 Ibidem.
This is the expression: aggravated/violent crime. From the perspective of criminal law, it refers to three types of generic offences, namely assault and robbery (Article 280 of the Criminal Code), robbery with violence (Article 281 of the Criminal Code) and extortion (282 of the Criminal Code). The subject matter of this notion in criminology is much more extensive, as it includes a greater number of phenomenal forms of “aggravated criminal activity”. For example, some of them include the extremely capacious phenomenon of vandalism. In the light of the views presented, there is a lack of an unambiguous hint from the representatives of criminal science related to the resolution of the dilemma — what criminal structure can be called a gang/mob and what constitutes another form of criminal activity? The studies on this subject so far have highlighted such criteria that distinguish a gang in terms of its character, forms of activity, structure and function.

In the criminological literature, it is assumed that gang/mob members have a sense of belonging to a particular community. In practice, this means that they take part in making decisions on preparation and implementation of a criminal act and on the use of the proceeds. The author also stresses the importance of one more element that constructs the gang structure. This is the special position of the leader, which must be confirmed by his/her personal authority. In order to confirm this observation, reference can be made to the theory of the American criminologist Walter Miller. The author claimed that the crime of the lower classes results from cultural diversity. This class spontaneously created a kind of network of norms defined as points of focus. These points collide with the system of values commonly accepted by middle classes. Within the criminal structures associated with a gang/mob, having the qualities and aptitudes that fall within the criminological definition of points of focus strongly strengthens the position of a leader of a criminal group, in particular a leader of a motorcycle gang. It should be noted that the icons of modern motorcycling, including motorcycle gangs, are people who have exceptional charisma and leadership skills. These include Ralph “Sonny” Barger or the idol of Russian motorcyclists Alexander Zaldostanov “The Surgeon”. The catalogue of the aforementioned features proposed by W. Miller includes such attitudes as toughness, excitement, smartness and autonomy.

The discussion on the definition of a gang also highlights the importance of the area of criminal activity reserved by this structure. In the

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case of motorcycle gangs, territoriality plays an extremely important role. Its violation by competitive structures often becomes the main reason for gang conflicts. In the examples cited by the author, this very factor was the main cause of clashes between different gangs.

Among the elements distinguishing a gang/mob, one should also mention the duration of the criminal organisation’s functioning. In the case of a gang, this structure is assumed to be occasional. The duration of the gang’s activity often depends on the agreements (alliances) made, which in turn depend on plans accepted by the criminal community. In addition, criteria such as the age of the perpetrators, their gender, the number of members, the level of hierarchy, the division of roles, the level of links between members of the criminal organisation, their level of specialisation and professionalisation, and links with organised crime may be taken into account when establishing the definition framework for gang/mob.

Substantive support for the construction of gang/mob definitions can be found in the deliberations of numerous authors included in studies on, among others, classifications and typologies of contemporary criminal organisations. Their extensive review was presented, among others, by D. Southwell\textsuperscript{39}. This author also confirms that an attempt to unambiguously classify a gang and define it is extremely difficult.

The cited views of criminologists confirm that the problem of gangs is a fairly complex social phenomenon, as evidenced by the wealth of forms, their diversity and the mosaic of criminal interests of their members. All these elements make it impossible to create one fully satisfactory definition of a gang. For this reason, the phenomenological approach to this phenomenon may seem to be a compromise formula, as the indicated problem is presented in a clear way. Such were probably the intentions of the authors who attempted to classify gangs/mobs. C.I. Maxson and M.W. Klein, for example, list the following types: traditional, neotraditional, compressed, collective and specialty\textsuperscript{40}. Gangs included in the first group, \textit{i.e.} traditional, are characterised by a large number of members and their age diversity. In addition to adult members, there are also young perpetrators. This structure is characterised by a hierarchy, a close attachment to a specific territory and a permanent neighbourhood, treated as a kind of personnel base. On the other hand, neotraditional gangs are similar in terms of scope and range to traditional structures, but are much smaller, which confirms that the level of their conspiracy is much higher than in their traditional counterparts\textsuperscript{41}. The compressed gangs stand out with a stronger degree of professionalism and camouflage. They are small organisations with members of similar age. These structures are distinguished by their wide range of criminal interests. In criminological sciences, they are most often associated with street gangs, which appeared in many

\textsuperscript{39} Cf.: Southwell D, Historia przestępności zorganizowanej. Prawdziwe dzieje i tajemnice gangów całego świata. MAK Verlag, Bremen, 2009.


\textsuperscript{41} Ibidem.
American cities at the turn of the 19th and 20th century\(^\text{42}\). Another form of activity is collective gangs. This category includes medium-sized organisations with a rich criminal history and a loose structure. In terms of internal structure, these organisations are distinguished by their hierarchical subordination. The gang typology proposed by C.I. Maxson and M.W. Klein closes with specialty organisations. These are structures focused on specific crimes, characterised by strong territority, simple internal organisation and a similar distribution of the roles of its members.

It should also be noted that in criminological literature, as well as in journalism in the broadest sense of the term, another phrase appears, which to some extent corresponds to the previously presented definitions, \textit{i.e.} a clan\(^\text{43}\). This term is understood to mean a group of people closely related to each other by various interests. In primitive cultures, these ties were based primarily on kinship. Symptoms of these relationships can be seen in mafia structures identified with crime in the Southern Italian, Albanian, Chechen, Irish or Roma gangs. Although modern gangs do not, in principle, base their activities on blood ties, they often refer to values that permanently bind their members together. Therefore, membership of these structures can also be based on bonds relating to national, ancestral, religious or racial community. The existence of such relations is confirmed by African-American, Chechen, Roma, Albanian, Latin American or Arabic gangs\(^\text{44}\).

## Conclusions

Motorcycle gangs are not a homogenous phenomenon. They are a conglomerate of three overlapping attitudes: a passion for motorcycle sports, criminal inclinations and identification with extreme ideology. Any attempt to evaluate motorcycle gangs must therefore take into account the aforementioned areas of activity of the members of these structures. Ultimately, they decide whether a given structure is a motorcycle club, an organisation loosely linked to criminal activity, or whether it meets the definition of a classic criminal association. Or perhaps, in a specific situation, it should be seen as an organised form of crime? Therefore, learning about the aetiology of gangsterism and the conceptual network related to this interesting social and criminal phenomenon is important not only from the perspective of criminology theory. There is no doubt that this knowledge is essential for those law enforcement representatives who, on the basis of their initial legal qualification, have to make important decisions on the initiation of specific legal proceedings. As confirmed by the criminal


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proceedings initiated so far against members of motorcycle clubs/gangs, many of them unfortunately end up in a failure of the prosecutor’s office, among others because of ignorance of the specifics of motorcycle gangsterism. The following study is therefore an attempt to bring it closer and at the same time show gangs, especially motorcycle gangs, as extremely dangerous and at the same time constantly changing criminal forms.

References


Keywords: gang definition, gang classifications and typologies, gang distinguishing criteria, motorcycle gangs — genesis and manifestations

Summary: The study concerns the phenomenon of gangsterism. The author presents the problem from the social and criminological perspective. The article includes, among others, a review of gang definitions and twin concepts, as well as typologies and classifications of the analysed criminal forms. The considerations in the article refer to the phenomenon of motorcycle clubs/gangs. The author signals a number of practical problems connected with distinguishing the above mentioned structures and stresses the importance of knowledge of the aetiology of the phenomenon for a proper legal assessment of behaviours associated with the concept of a motorcycle gang.