INTERNATIONAL PERSPECTIVES ON INSTITUTIONAL AND POLICE CORRUPTION

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In the Eighth Annual Meeting of the International Police Executive Symposium, police practitioners, government officials, researchers and academics from 24 countries met in Szczytno, Poland in May 2001 to define and identify the forms and causes of institutional and police corruption, to describe and document the extent and effects of this corruption and to propose methods to deal with and reduce this problem. This article presents and analyzes the information provided and discussed at this meeting.

Keywords: Police corruption; Institutional

The Eighth Annual Meeting of the International Police Executive Symposium was held in Szczytno, Poland from May 27 through May 30 2001 under the auspices of the Minister of Internal Affairs and Administration of the Polish Republic. The theme of the meeting was ‘Corruption: A Threat to World Order.’ During the meeting, police practitioners, government officials, academics and researchers from 24 countries: from Africa, Asia, Australia, Europe, North America and South America, made presentations at the sessions and took part in formal and informal discussions. The presentations covered the general themes of the definitions of corruption (types of actions identified as corruption), the documented and possible extent of corruption in the countries represented, the forms and causes of corruption, the effects corruption has on social and economic development, the reasons why it is difficult to eliminate corruption, and suggested ways to reduce or eliminate corruption.

DEFINITIONS OF CORRUPTION

The legal definitions of corruption varied from country to country, but most of them focused on inappropriate behavior or abuse of authority for personal advantage by public officials or by the police (Matsoso, 2001; Nalla and Kumar 2001; Warsame 2001). Da Silva (2001) noted that the Brazilian penal code distinguishes between passive and active corruption with passive corruption involving use of one’s post for personal gain or to benefit someone else, and active corruption defined as offering of bribes to a public employee to persuade him/her to perform, omit, or delay an official act.
Police corruption, as defined and discussed by Becker and Becker (2001), French (2001) and Ivkovich et al. (2001), included abuse of or overstepping the limits of official authority, failing to perform official duties, acceptance of bribes, kickbacks, gifts, or other benefits, protection of illegal activities, ‘fixing’ or destroying tickets or police records, stealing from those arrested or from crime scenes, ‘planting’ evidence, or cooperation with or involvement in direct criminal activities, using information gathered through the police position.

Corruption in the broad political sphere was defined as including government, business and corporate wrongdoing and inappropriate actions by high-level public officials, who used their positions of power for personal gain or to assist others who had no right to benefit from their activities. Gilinskiy (2001), commenting on the institutionalization of corruption in Russia, stated that corruption is an element of the system of management and government. It simplifies and accelerates administrative decisions, operates under a set of established rules, and has its own set of terms and symbols.

The forms of corruption that fit this definition included bribery, showing favoritism in selecting persons for government positions, awarding contracts for public works or supplies without bids, theft through illegal distribution of public funds, and giving salaries to persons who were not providing work or service (Kumar, 2001). In his definition of political corruption, Ebbe (2001) included such practices as taking bribes or kickbacks before a contract is awarded or before a position is filled, converting national funds into one’s personal, private accounts, embezzling state property, committing graft, or requesting sexual favors to give a person a job or a contract.

International crimes that were defined as corruption involved illegal activity by government or police officials or corporate groups, including money laundering; illegal immigration; smuggling; and trafficking in drugs, human beings, or body parts. French (2001) noted that the drug trade at the border between the United States and Mexico presents a tremendous challenge to police ethics because of the enormous amounts of money involved.

Ostrov (2001) observed that, in China, anti-smuggling campaigns serve the function of showing the public that something is being done, but they do not seriously attempt to eliminate the problem.

Distinctions were also made between large-scale corruption (involving millions of dollars) and small-scale corruption (police officers receiving free meals or civil servants accepting bribes when issuing licenses, for example). It was observed that investigations of corruption frequently focus on small-scale rather than large-scale corruption and much of the large-scale corruption is never detected. In some countries the corrupt activities are highly organized and involve a variety of government officials and public service workers, including the police and members of the judiciary. Edelbacher (2001) commented that investigating such corruption cases can be very difficult, because, if legal authorities (prosecutors or judges) do not support anti-corruption probes, ways can be found to stop such investigations. In Zambia, the Anti-Corruption Commission developed 65 cases against Ministers and members of Parliament between 1996 and 2000, but none have been taken to court. The reasons for this included the fact that high profile cases usually involve witnesses from other jurisdictions. Assistance from other jurisdictions is very slow in coming, there is a lack of resources to travel to other jurisdictions for investigations and some witnesses who were interviewed declined to give evidence in court (Nglandu et al., and Zambia Police Service and the Anti-Corruption Commission 2001).
EFFECTS OF CORRUPTION

For developing countries (new and emerging democracies), the effects of corruption included reductions in the possibilities for economic development and alleviation of poverty, undermining of the social fabric of the culture (poor infrastructure, sanitation, housing, health facilities), social unrest, lawlessness and insecurity, lack of funds for police training and salaries, creation of a corrupt political environment, non-efficient use of available resources and development grants from other countries, difficulty in procuring development funds from foreign investors, and citizens’ distrust of the government and of the police (Camara, 2001; Mutonyi and Livingstone, 2001; Plywaczewski and Plywaczewski, 2001; Warsame 2001). It was mentioned that in some developing countries corruption might initially have some positive effects. For example, foreigners may be enticed to invest resources in a country if corrupt politicians give them special consideration or if laws pertaining to the regulation of commerce are overlooked. However, the negative effects of such corrupt activities quickly out-weight such short-term positive effects, particularly if the corruption becomes entrenched and eventually institutionalized. According to Ogutcu (2001), corruption and abuse of public authority occur mostly in countries where the rule of law institutions are weak or non-existent, where independent professional media and civil society agencies are absent, and where there is no independent judiciary or oversight.

For longer-existing democracies, the effects of corruption included distrust of police and politicians, susceptibility to the influence of organized crime, loss of tax and other revenues, resulting in economic losses, a climate of cynicism and a general disregard for standards of ethical behavior, suppression of or unfair treatment of minority groups or the less-privileged persons in the society, and inadequate or inappropriate performance of their duties by police and government officials. In some countries that have established rigid, highly structured government bureaucracies, pay-offs to corrupt government officials and public service workers often becomes routine because it is considered to be necessary if any action by these persons is to occur. For example, payment of bribes or offering some other type of special benefit to the officials responsible for issuing permits or licenses generally guarantees that the needed documents or services will be provided much more quickly than if they are requested through ordinary channels.

CAUSES OF CORRUPTION

Some corruption exists in every society and it is unlikely that it can be totally eliminated from any society. However, the amount of corruption and the degree to which it is ingrained in the culture of a society varies greatly. The causes of corruption are related to the history, culture and political system of each country.

In the cases of Africa and South America, the origins of the well-established procedures surrounding the corruption of government officials and the police establishment can be traced back to the periods when their countries were under colonial rule (Dellasoppa, 2001; Ebbe, 2001).

During this period of their histories, local officials were offered bribes as a matter of routine in return for their cooperation and willingness to assist in maintaining order.
As a result, the colonial rulers were free to exploit the resources of the country without having to worry about interference from the indigenous population. For many countries, the institutionalized system of corruption that existed before independence continued after independence was achieved, with the only real difference being that a new set of players was involved in the corrupt activities.

For many of the Eastern European countries, the current problems of government and police corruption could be traced to the elaborate and extensive system of corruption that existed in these countries during the period when they were under a socialistic form of government (Stojanovski, 2001). During the initial phases of the transition from socialism to capitalism, the economies of these countries declined, consumer goods were in short supply, crime increased, and living conditions were more difficult than they had been under the old regime. Those who were experienced in corrupting the old system found that their services were still in great demand under the new system.

Other speakers (Amir, 2001; Montoya and Livingstone, 2001) attributed the problems of corruption in their countries primarily to the situations created when the criminal element of their countries obtained considerable power and wealth. In those countries in which organized crime is entrenched, particularly those where powerful drug cartels operate, government officials and the police are viewed by the criminal element as entities that can either be bought out, intimidated or eliminated if they are not cooperative.

SUGGESTED WAYS TO REDUCE AND CONTROL CORRUPTION

Methods to reduce and control corruption suggested by the presenters included:

- New legislation that describes inappropriate political or police actions and/or development of an independent oversight agency to identify and prosecute those involved in corruption.
- Development of accurate measurements of corruption and methods to discover corruption, making comparisons and sharing information with other countries, making use of Transparency International to develop total exposure policies for political contracts and government grants, and publicizing the amount and nature of corruption and what is being done about it (Plywaczewski and Plywaczewski, 2001; Puonti, 2001).
- Development of international agreements whereby members of organized crime and other criminal elements cannot find a safe haven for their corrupt activities.
- Establishment of firm codes of conduct for police officers, with strong penalties for non-compliance.
- Periodic rotation of customs personnel assignments.
- Involvement of the mass media in investigative reports on corruption at all levels to make the public aware of the problem and bring public shame to corrupt officials.
- Providing developing nations with assistance in gaining the technical expertise to identify and control corruption.
- Getting citizens involved in anti-corruption activism through education campaigns.
- Development of better selection processes and training for police at all levels, with selection based on merit.
• Provision of appropriate salaries for police and civil servants to reduce the temptation to seek corrupt means of attaining money.
• Publicizing the costs and negative effects of corruption on the country.

Elimination of institutionalized corruption that operates on an international scale will require cooperative action by the countries threatened by organized criminal activity that thrives on this corruption. Organizations such as INTERPOL and EUROPOL already collect and share information on such activity, but reduction or elimination of corruption may require strengthening agreements between countries on extradition and prosecution of those who carry on corrupt practices across borders or who use certain countries as the trade routes for movement of drugs or other contraband, employing corrupt practices to protect their activities. Those who seek to eliminate corruption must become as committed to this task as those who thrive on corruption are to their own welfare and profit.

SUMMARY

The presenters at this meeting, who represented a very broad spectrum of international experience in identifying and seeking to control corruption, described many situations in which government or police corruption had highly detrimental effects on the economic, cultural, and social development of their countries. Within police organizations, a ‘code of silence’ frequently exists, and officers who know about corrupt practices are very reluctant to report those involved or act to stop them, because of a sense of loyalty or fear of reprisals (Skolnick, 2001).

When high-level corruption occurs, it is very difficult for those in lower positions to stop it or to act effectively against it. Those in power, who may be corrupt, have the resources to control or even stop investigations. In some countries, there is a lack of the sophisticated communications and technical equipment needed to detect and investigate many forms of corruption, particularly in the areas of bank fraud and money laundering.

Faced with these formidable problems, the participants offered a variety of avenues that might be followed to reduce corruption. More accountability on all levels and involvement of more persons in decision-making was suggested. Legislation that sets specific procedures and provides for outside review of contract awards and other government activity was proposed, and use of Transparency International to provide total exposure for political contracts and government grants was urged. Making the public aware of the extent and detrimental effects of existing corruption through mass media reports and investigations and encouraging citizen activism against corruption was regarded as very important. Selection of persons of strong moral character and commitment for police, government, and public service positions was seen as the most important factor in reducing and controlling corruption.

References


