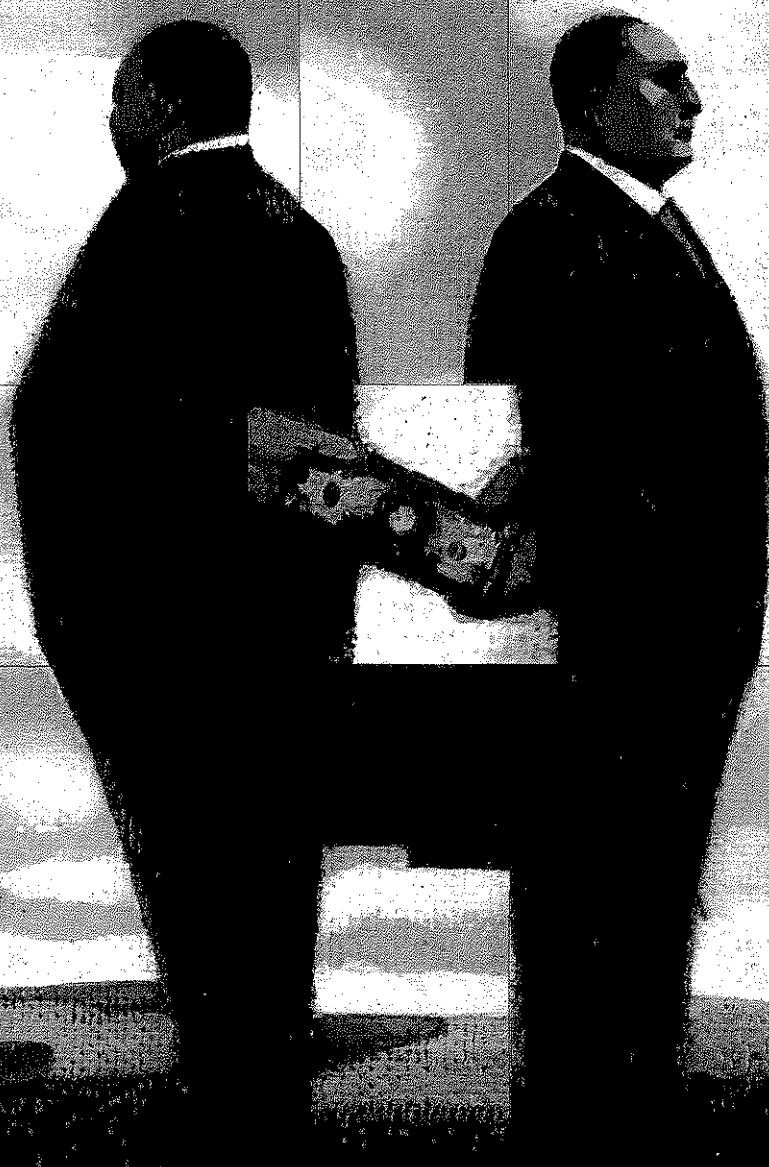


ENCYCLOPEDIA OF WHITE-COLLAR CRIME



EDITED BY JURG GERBER AND ERIC L. JENSEN

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POLITICAL CORRUPTION. Political corruption is a phenomenon that transcends national borders. It can jeopardize democracies and the stability and security of societies as well as the legitimacy of public institutions. Political corruption has been broadly defined as the use of public power for personal gain. According to the World Bank, corruption constitutes the "missing link" between first- and second-generation economic reforms, because budget deviation and corrupt practices have an adverse effect on the delivery of services to the poorest people as well as on economic growth and the democratic stability of states.

Definition. It has been a challenge for academics and practitioners to define political corruption. By and large, political corruption has been defined in three different ways. First, several definitions focus on the public office. From this point of view, political corruption occurs when the acts of public servants in the conduct of their public duties deviate from certain norms. Second, political corruption can be defined using the theory of the market. Here, political corruption occurs when public officials use their power and influence to maximize the income from their offices, which are viewed as a place of business. Third, political corruption can be explained on the basis of the public-interest. This is the case when acts of political corruption go against the public interest.

The public-office definition and the market-oriented definition emphasize the concept of norms and legality, whereas the public interest-centered definition stresses the public benefit to society in general. Although these explanations provide a framework for understanding political corruption, there are several uncertainties. It is not clear which norms regulate the behavior of public officials, because there are a large number of regulations in each country, branch of government, and public office in general. Moreover, it is not noticeable that public offices participate in free market operations, because they are mostly regulatory agents of the market rather than service providers. In addition, there is often some ambiguity as to which public interests government officials are to preserve, because it has not been explicitly defined in norms and regulations.

Various international organizations responsible for fighting corruption have taken the public office-centered definition as the basis for their technical assistance orientation. In this respect, the World Bank defines corruption as the abuse of public office for private gain. Transparency International considers corruption as the misuse of entrusted power for private benefit. The UN's Global Programme against Corruption defines corruption as the abuse of power for private gain. Although the differences among these three definitions appear slight, they are nonetheless important. It should be noted that both the UN and Transparency International focus their definitions on the problems of both public and private corruption, whereas the World Bank centers its description exclusively on governmental offices.

Regarding the international legislation, it is worth mentioning that during the negotiation of the United Nations Convention against Corruption, which was adopted in October 2003, national representatives and field experts agreed not to define corruption in the convention, because the use of a single definition can produce legal, criminological, and political problems. Therefore, in the UN Convention, corruption is presented only in terms of offenders and offenses.

According to the UN Convention, offenders can be any public servants, whether elected or appointed to permanent or temporary offices, with paid or unpaid jobs, who hold a legislative, executive, judicial, or administrative office. In the convention eight transgressions are established as offenses: bribery, embezzlement, the trading of influence, abuses of functions,

Table 1 Political C

Criminal Offense

1. Bribery of national
foreign public offici
2. Embezzlement
3. Trading in influence
4. Abuse of functions
5. Illicit enrichment
6. Laundering of proce
of corruption
7. Concealment
8. Obstruction of justic

Source: Adapted from U

illicit enrichment, lau
justice. Definitions of
Political Corruption
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Table 1 Political Corruption Offenses

Criminal Offense	Definition
1. Bribery of national or foreign public official	The <i>promise, offering or giving</i> as well as the <i>solicitation or acceptance</i> , directly or indirectly, of an undue advantage in order that the official act or refrain from acting in the exercise of duties
2. Embezzlement	Misappropriation or other diversion by a public official, for his or her own benefit or for the benefit of another person or entity, by virtue of position
3. Trading in influence	The <i>promise, offering or giving</i> as well as the <i>solicitation or acceptance</i> , directly or indirectly, of an undue advantage in order that the official provide an undue advantage for the original instigator of the act or for any other person
4. Abuse of functions	The performance of or failure to perform an act, in violation of laws, by a public official in the discharge of his or her functions, for the purpose of obtaining an undue advantage
5. Illicit enrichment	A significant increase in the assets of a public official that cannot be reasonably explained in relation to his or her lawful income
6. Laundering of proceeds of corruption	The conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of the property or of helping any person who is involved in the commission of the predicate offense to evade the legal consequences of his or her action
7. Concealment	Persistence in the retention of property that results from the commission of any of the previous offenses, without having participated in such offenses
8. Obstruction of justice	The use of physical force, threats or intimidations or the promise, offering or giving of an undue advantage to induce false testimony or to interfere in the giving of testimony or the production of evidence in a proceeding in relation to the commission of any of the previous offenses

Source: Adapted from United Nations Convention against Corruption.

illicit enrichment, laundering of the proceeds of corruption, concealment, and obstruction of justice. Definitions of these forms appear in Table 1.

Political Corruption from Different Perspectives. Corruption has been studied by scholars from many disciplines. Among political scientists there is a discussion of the functionality and nonfunctionality of corruption in democracies. Among economists, the discussion about corruption has focused on its impacts on investment and economic growth and its presence as a result of institutional problems. Among criminologists, there is debate about whether political corruption constitutes a form of occupational crime or of organized-crime committed by state officials while carrying out their duties.

As regards political science, early theorists on corruption, led by Samuel Huntington, argued that corruption is functional for maintaining the political system. According to

POLITICAL CORRUPTION

Valdimir Key, corruption is necessary for politics. Jeanne Becquart considered corruption to have a redistributive effect and to be functional for direct participation in power. However, more recent political scientists consider corruption to be dysfunctional for democracy. For instance, according to Susan Rose-Ackerman, corrupt officials distort public sector choices to produce inefficient public policies. Donatella Della Porta and Alberto Vannucci argue that corruption reduces confidence in a government's capacity to address citizens' demands.

Regarding the economic perspective, Paulo Mauro has demonstrated that high levels of corruption are associated with lower levels of investment. Alberto Ades and Rafael Di Tella have suggested that in the presence of corruption, the positive impact of industrial investment is halved. Tanzi Vito and Hamid Davoodi have concluded that corruption makes public investment and economic growth unsustainable.

In the field of criminology, Marshall Clinard and Robert Quinney have suggested that political crime is a form of occupational crime, because politicians are at risk of committing these types of offenses. For these individuals, politics is a criminogenic occupation. In the same vein, David Nelken and Michael Levi have stated that corruption constitutes a tactical device to obtain power. Stephen Schafer has argued that politicians are convictional criminals because they are convinced of their correctness and they believe that there is nothing wrong with their behavior. William Chambliss has radicalized the debate by pointing out that public servants who commit crime while carrying out their duties should be considered state-organized criminals. This theory has not received much support among analysts, policy makers, and scholars because it cannot be proved that the state has criminal goals. On the contrary, it has been demonstrated by Edgardo Buscaglia and Jan van Dijk that the state is used by politicians and serious criminals looking for personal gain and protection while committing crime.

Curbing Corruption. The first efforts of the international community to curb corruption have focused on developing an international legal framework and providing technical assistance to the most affected countries. Usually the technical assistance provided focuses on creating an integrated strategy. International organizations such as the United Nations and Transparency International are agreed on the adoption of a *national integrity system*, which takes action to address the problem.

The national integrity system is based on strengthening public awareness and societal values to curb corruption. In addition, it requires actions to enhance public institutions such as the legislative, executive, and judicial branches of government, the audit office, the ombudsman, watchdog agencies, and the civil service. The participation of civil society, the media, the private sector, and international actors is focused on providing support for the implementation of programs in the aforementioned public agencies. Specific actions include the adoption of preventive measures, as well as actions focused on sanctioning.

As regards preventive actions, the aim of the national integrity system is to make the state work to serve the public, which implies that the state has to guarantee a good quality of life, promote sustainable development, and respect the rule of law. The recommendations proposed to achieve this aim are focused on two main areas of action: first, strengthening the judiciary by promoting its independence and efficiency; second, strengthening local government by adopting good governance practices and transparent decision-making mechanisms that should be open to citizen participation. These reforms should be accomplished by adopting reforms in the civil service, a code of conduct for public officials, and anti-corruption plans. Social

preventive measures
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See also: State-Cr

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POLYCHLORINATED BIPHENYLS (PCBs) were synthesized in 1881, polychlorinated biphenyls (PCBs) are synthesized from benzene and chlorine. The mixture was widely used as a lubricating and cooling fluid. In 1933, when nearly 90% of the world's PCB production was in the United States, the first PCB-related health problems, such as blackheads, acne, and

preventive measures should be focused on increasing citizens' public awareness and promoting citizens' access to public information, investigative journalism, social control mechanisms, public complaints mechanisms, citizens', charters and service delivery surveys.

As regards actions focused on sanctioning, the United Nations recommendations involve: the promotion of financial investigation and the monitoring of assets, the introduction of electronic surveillance and integrity tests for public officials, the adoption of transnational instruments, the prevention of money laundering, the protection of whistleblowers, the extradition of those accused or convicted of a crime, the recovery of illegally obtained funds, and the promotion of international cooperation in the prosecution of cases.

See also: State-Corporate Crime

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NUBIA EVERTSSON

POLYCHLORINATED BIPHENYLS (PCBs). Initially discovered in 1865 and later synthesized in 1881, polychlorinated biphenyls (PCBs) are 209 chlorinated organic compounds that are synthesized as a mixture and therefore are commonly referred to as *congeners*. The mixture was widely used in electrical transformers, lighting ballasts, and industrial machinery as a lubricating and cooling fluid from 1927 through 1977.

Worker Health Risks. Adverse health effects posed by PCBs were first documented in 1933, when nearly 96 percent of the workers at the Swann Chemical Company contracted blackheads, acne, and other forms of chemically induced skin lesions. Other symptoms of