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Causes and Consequences of Corruption

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Corruption = Covert Privatization of Government Functions

Despite never-ending debates on the definition of corruption, we can all agree that it essentially comes down to the abuse of power, the abuse of public office for direct or indirect personal gain. "Indirect personal gain" includes benefits that someone secures improperly for his/her organization (e.g., government agency, political party or company). In order to avoid culture-bound conceptions, we can look at specific acts which are outlawed in various countries. For example, commonly subject to incrimination are domestic and international bribery, illicit political contributions, other illicit payments, fraud, buying and delivering of votes, abuse of power and breach of trust, misappropriation of public funds, and conflict of interest. Other offenses play a supportive role in the sense that they facilitate the commission of malpractices, the processing of illegal proceeds, or constitute a cover-up of the initial crime. These offenses include the maintenance and use of slush funds, aiding and abetting, conspiracy, accounting offenses, falsification or forgery of documents, and the laundering of illicit proceeds.

From the perspective of the corruptor, the purpose of corrupt practices is to inappropriately shape an enterprise's "task environment". That is, illicit payments are made in order to influence societal actions that affect competition, clients and official controls. Whether the enterprise is legal or illegal does not make any difference for analytical purposes. The objective is to promote desired government policies, to avoid unwanted government interference and to reduce the cost of doing business, legal or criminal. These objectives are pursued at the political and regulatory levels.

At the political level, the aim is to thwart regulations and policies with negative impact and to promote those which are expected to benefit one's business. This can be achieved by a variety of methods ranging from the legal to the absolutely corrupt. For example, many countries accept and regulate the practice of lobbying. In many jurisdictions, this is seen as an important avenue connecting representatives with their constituents. In other countries, however, lobbying is seen as just an institutionalised corrupt and anti-democratic practice. There are other legal forms of exercising influence on political and lawmaking decisions, such as monetary contributions to political campaigns or open letters published in the press. Both of these practices lead to loopholes in regulations with criminogenic effects.

Even more opportunities for illicit influence are allowed by the "revolving door" between public office and the private sector. A whole array of conflicts of interest are possible and often unresolved in many countries where the "switch" is permitted within very short periods of time or even immediately. Similar conflicts of interest are also often left unresolved when public officials or Members of Parliament are allowed to act as directors or stockholders of companies whose interests are being affected by their administrative or legislative acts.

Next in the continuum of licit and illicit influence comes the participation in cover-ups of detected corruption on the grounds of the "public or national interest". In such cases, the argument is made that preventing justice is the lesser evil as it helps avoid a crisis of legitimacy or destabilization of the government. In other cases, the cover up takes place to shield one's friends or to conceal one's own misconduct.

Finally, we have the outright receipt of bribes, which may take place only rarely or quite systematically. In the worst cases, public officials directly participate in and benefit from the operation of illegal markets.

At the control level, corrupt practices are geared towards the containment of regulatory action. Corruptors seek to protect

themselves against law enforcement. In other cases, they attempt to use police agencies in their competitive struggle against other illegal entrepreneurs. To do so, they offer information on their competitors who are then targeted by law enforcement. Again, corruption and illicit payments may range from an opportunistic acceptance of a bribe to full-scale participation in illegal enterprises. Corruption here is an effort to "control the social control" mechanisms.

Both at the policy-making and the law-enforcement levels corrupt practices involve public officials acting in the best interest of private concerns (including their own) regardless of, or against the public interest. Therefore, corruption can be conceptualized as the covert privatization of government functions. Such privatization may be partial and ephemeral or complete and long-lasting. An advantage of this conceptualization is that it draws attention not only to the operations of the stereo-typed "organized crime" but also to the illicit practices of legitimate enterprises.

In order to combat corruption effectively, we need to gain a good understanding of the problem. In this essay, my main argument is that the root causes can be traced to criminogenic asymmetries which fuel illegal markets, reduce transparency and prevent accountability. I examine the causes and consequences of corruption, the reasons for official interest in corruption and policy measures we need to adopt.

Criminogenic Asymmetries and Corruption

Criminogenic asymmetries are structural disjunctions, mismatches and inequalities in the spheres of politics, culture, the economy and the law. Asymmetries are criminogenic in that 1) they generate or strengthen the demand for illegal goods and services; 2) they generate incentives for particular actors to participate in illegal transactions; and 3) they reduce the ability of authorities to control illegal activities. Although these are either domestic or international, the latter are more consequential in a global community. Asymmetries are conducive to corruption both directly and indirectly through the creation of illegal markets that operate best with the collusion of authorities.

Examples of problematic legal asymmetries can be found in banking and tax regimes of different countries. This asymmetry invites many individuals and corporations to seek the most convenient jurisdiction to engage in certain transactions, even if that constitutes a violation of their domestic laws. It also provides a shield against the discovery of corrupt practices. Another example is the differential treatment of bribes paid to foreign officials. It is a serious crime in some countries, but a tax-deductible business expense in many others. This makes it easy for people to rationalize their corrupt practices as "technical violations".

Administrative asymmetries fuel the payment of speed money as well as clientelist and patronage systems. When some administrations function better and faster than others, bottlenecks and frustrations generate motives and rationalizations for illicit payments to "get the job done" or to avoid unnecessary costs and delays. Companies operating in countries with slow and inefficient administrations will be tempted to pay "speed money" in order to "get the job done". In other cases, a company may lose contracts, if it is squeamish about matching the bribes offered by other companies. The more non-meritocratic and unequal societies are, the higher the preparedness of individuals to pay bribes in order to secure a job or other favors. In that process, controls are weakened: widespread rationalizations of bribery as a necessary evil ease the minds of corporate managers.

Cultural asymmetries we find for example between art-rich and art-collecting nations. As a result, we have illicit transfers of national treasures from their original site to artificial contexts and museums or galleries. The social organization of art theft is quite complex and includes public officials in the country of origin as well as that of final destination (Conklin, 1994). A combination of legal and cultural asymmetries leads to the cleansing of stolen art through countries with lax laws on this matter, in a way reminiscent of money laundering. Another type of cultural asymmetry that facilitates corruption results from diverse interpretations of the public or national interest. What signifies a patriotic act in one context constitutes corrupt practices in another.

Economic and political asymmetries can produce systematic frustrations in large parts of the population. They underlie and fuel capital flight, corruption as people try to pay themselves out of misery and into employment, and the smuggling of aliens into countries where a better future appears possible. In another way, such asymmetries foster attitudes justifying corruption as functional to local economies and as a way of redistributing wealth. Examples of this can be found in some underdeveloped regions of the EU, where the fight against EU fraud and money coming from Brussels is not a very high priority (Passas, 1994). In the end, the more generalized a clientelist system is, the less participants feel that they are doing something objectionable. Another way such asymmetries facilitate corruption was revealed when government ministers openly stated that certain conflicts between Middle Eastern States (Iran-Iraq) were judged to be in the interest of Western states (on corrupt practices in the international trade of technology and other materiel, see Phythian, 1996).

Further problems are caused by monopolistic or oligopolistic situations, in which one or a handful of companies control a given market. The State may wish to engage private companies to perform specific tasks or provide services or public works. To the extent that only a very small number of companies can practically carry out the work, the ground is fertile for corrupt practices (e.g., over-charging, providing low quality work, delivering the work late, etc.). Such a condition obtains, for example, in the field of defense projects. Indeed, in this field, oligopolistic conditions may be desired: no one wishes proliferation of certain types of weapons or technology that affect both national and international security. In this field, then, it is warranted to devote special attention and have special bodies overseeing the transactions. In other cases, oligopolies may be created by rules requiring specific conditions that companies must meet for eligibility. In other cases, oligopolies are introduced by rules dictating preferential treatment for some companies (e.g., domestic versus foreign). Analytically, the same type of situation

arises when a party or regime monopolizes" power and decision-making for very long periods.

Economic asymmetries are generated also by state intervention in the market. The Common Agricultural Policy (CAP) and other protectionist programmes create or perpetuate demand and supply asymmetries, price asymmetries for the same goods, unequal economic exchanges (something-for-nothing transactions), and enhance inequalities or reinforce dependencies in the Third World (Passas, 1994; Roarty, 1987).

Nevertheless, the abolition of protectionism would not bring about the elimination of opportunities or motives for corruption. "Free markets", which are more of a theoretical construction than an empirical reality, have repeatedly and frequently demonstrated the immense scope for corruption. Scandals involving Lockheed, Exxon, the Malaysia dam, Iraqgate, the Savings and Loan industry in the USA, procurement fraud in US Department of Defense projects, *inter alia*, remind us of the criminogenic asymmetries we find in the very countries that promote liberalization of economic markets. In addition, the International Monetary Fund and the World Bank, the free market promoters of the West, have been seen as promoters of their own or Western corporate interests first, while demanding lower corruption in the 3rd World. Such double standards, especially when publicly exposed, undermine the legitimacy of international norms and order, introduce further asymmetries or activate the criminogenic potential of existing asymmetries.

Demand-supply asymmetries are necessary conditions for all sorts of smuggling, price gouging or other acts of exploitation (e.g., the black markets that develop during war and prolonged regional conflicts). Asymmetries generate the demand for goods that are illegal, unethical or embarrassing. Illegal markets follow the rules of supply and demand, sometimes even more strictly than legitimate markets - because the latter often enjoy protective measures introduced by nation states or groups of states. Whenever there is a gap between local demand and supply, cross border trade is likely to develop. If the goods or services happen to be outlawed, then illegal enterprises will emerge to meet the demand.

Criminogenic demand-supply asymmetries are also produced when States fail to reduce the demand for illegal goods and services. For example, successes in the war on drugs and interdiction may lead to higher prices for drugs and more secondary crime to obtain the substance daily. In addition, lower supply and unmet demand will increase the number of deprived addicts. The cost of doing business in this market also increases due to stiffer penalties, higher risk of apprehension, etc. The need for corruption and the purchase of blind eyes becomes paramount. Therefore, the cost of corruption goes up, making it much more tempting for officials or controllers to participate. In this sense, public policies can have the undesirable effect of introducing powerful incentives for better Organisation of crime and more official corruption.

Power asymmetries add to our problems. Very wide discretionary powers in the hands of individuals or organizations can generate temptations and motives for corrupt practices. Whenever there are few or no mechanisms of "checks and balances", people will have plenty of opportunities to take undue advantage of their power. Examples of this "corrupto-genic" situation are found in authoritarian regimes where powers are concentrated in the hands of very few persons. Another example is the power conferred to people with extremely specialized skills and knowledge. By definition, there are not too many of them and therefore their powers are to a large extent unchecked. Again, the defense industry may be a concrete illustration of this situation. Additional examples of such risk can be found in the fields of physics, medicine, etc.

The lack of transparency, which reduces the ability to control those in positions of authority, may be caused by factors ranging from the secrecy in banking to dictatorial regimes disallowing the questioning of authority. The same problem arises as a result of rare and specialized skills and knowledge. If a given public work or a special warship entails such complex and incomprehensible details that only a few individuals can understand the whole project, transparency is effectively lacking. Whenever regulations of a particular sector are unclear, ambiguous and technically complicated, reporters, the public and laypeople may be completely unable to exercise effective controls. The regulation of agricultural subsidies, price supports and loan guarantees in many countries provides a good example of this problem (on the EU Common Agricultural Policy, see Passas, 1994; on the use of loan guarantees for the promotion of USA farm produce and the anning of Iraq, see Mantius, 1995).

Why Interest in Corruption is Rising

The globalization and liberalization processes of this decade have increased the number and types of such asymmetries or they have generated more awareness of their existence (Passas, 1997). Therefore, the criminogenic effect can be expected to be higher in the 1990s than before. The German unification, for instance has been accompanied by a high demand for goods and a parallel shortage of foreign currency (Sprenkel, 1995). Law enforcement asymmetries are also increased, at least temporarily, as borders are being redefined or renegotiated in different parts of the world. Lofty expectations in former socialist countries are met with disappointment and disillusionment. The wave of privatization processes offer huge opportunities for misconduct and corruption (Glinkina, 1994; Saba and Manzetti, 1996/97). Technological advances have made the contact between different countries easier and faster; this increases the possibility of clashes of traditions or lifestyles as well as the feelings of relative deprivation (Passas, 1997b). All these reasons suggest that the problem of corruption may indeed be greater now than before.

At the same time, the end of the Cold War has eliminated an important adversary in Western societies: communism. The conduct of those who used to fight this adversary is more subject to scrutiny now than before. Resources devoted to anti-communist projects are shifted towards law enforcement. Intelligence agencies redefine their role as fighters of a new security risk: the international organized crime and corruption (Naylor, 1995; Williams, 1994). This means that it is in their interest to publicly discuss and reveal the extent of such problems more than before. These developments result to more

detected and sanctioned corruption. This leads to perceptions that the problem is growing much more than it actually does.

Finally, the momentum of democratization and economic liberalization processes fosters attitudes strongly opposed to discrimination and market distortions caused by corruption. Higher awareness of the problem and lower tolerance, combined with expected increases in the incidence of corruption, account for the intensity of debates and the large number of initiatives against this scourge. As a result, a number of international initiatives have been taken in the fight against corruption (for an outline of all such initiatives, see Passas, 1997a). Large numbers of people have come to realize the real extent of its negative consequences.

The Consequences of Corruption

Analyses of the overall balance of various consequences of corruption show that its effects are negative. Yet, there are certain mixed or even positive effects that policy makers need to be aware of as they seek to stamp out corruption.

Violence in illegal markets is a mechanism of dispute resolution. High rates of violence suggest that given markets are in turmoil, competition is tough and leaders are not clearly recognized. Well-organized corrupt businesses and smoothly operating illegal markets, on the other hand, do not require the resort to violence. Disputes may be managed through corrupt law enforcers who take out of business those who fall out of line. So, the best organized crimes are those we do not know about because corruption reduced the need to use violence, which captures the media and public attention. We have seen how murders of magistrates in Italy took place when crime got more disorganized and came under attack. If the main allegations against former Prime Ministers in Italy are true, the lack of violence at the time they were running the country confirms the view that the best organized crime is characterized by absence of violence and public knowledge about it.

Regulation and law enforcement represent costs to the operation of illegal enterprises. reduces cost of illegal enterprise. The more aggressive and effective law enforcement is, the lower the profits from such enterprises. Through corruption, criminal entrepreneurs are able to neutralize these functions of the government or even turn them to their advantage, if they turn police against their competitors through tips and informants. In this way, police agencies continue to produce results showing to the public that they are successful against criminal markets and corruption, while the most efficient and organized criminals operate discreetly and control a wider share of the illegal market.

Many have argued that weak and relatively disorganized states are more prone to suffer from corrupt practices. This appears to hold against evidence that Southern countries with weak governments have been plagued by corruption. However, my analysis points to a more disturbing possibility; that the worst problems may be exactly where we think we are problem-free. Given the function of corruption, criminal entrepreneurs would have too high costs in dealing with ineffective and disorganized administrations. That is so because they would have to pay too many different people in order to ensure that their enterprises will be 'protected'. In better organized, more stable, efficient and centralized administrations, the cost to corrupters is much lower. They will be able to get much better "value for money" by transacting with key people, who will more efficiently see that criminal operations are allowed to go on. The lower costs and higher certainty that criminal entrepreneurs can achieve in Northern countries will make them far more competitive than their Southern counterparts. Given the higher amounts of trade in goods and services that takes place in the North, there is more opportunity to participate in illegal markets too. Finally, in the context of globalization of both legal and illegal businesses, those who can gain most advantages and maximize profits in some parts of the globe will outperform and overtake their competitors elsewhere.

In this light, we can expect, more "quiet", effective and well organized illegal markets and corrupt practices in exactly those countries that are conventionally regarded as virtually corruption-free. Whenever outlawed commodities or illegal services are in high demand and whenever we have criminogenic asymmetries at play, relatively stable and strong governments are fertile ground for corrupt practices facilitating the most sophisticated and best organized of crimes. Recent scandals and embarrassing revelations in many Northern and Western countries provide substantial support for this analysis (Chambliss, 1988; della Porta and Meny, 1995; Economist, 1992a, 1992b; Jamieson, 1996; Ridley and Doig, 1996).

Further, by shielding those who engage in serious misconduct, corrupt practices hinder the creation of scandals (which occur when public misconduct is revealed). In this sense, corruption may reduce the risk of widespread demoralization, cynicism towards political class, and legitimization crises. One can rightly argue that corruption is the cause of scandals. The irony, however, is that the better oiled a corrupt machine operates the less likely it is that information will leak to the public domain. Again, there is a possibility that the most serious of corruption takes place where we suspect it least.

From a different perspective, some argue that corruption has the beneficial effect of redistributing wealth. In areas with clientelistic traditions, bribes and illicit gifts may help some people solve problems they face. This argument, however, does not stand closer scrutiny. Corruption is a conservative force as it preserves inequalities of power (i.e., criminogenic power asymmetries). The status quo remains stable as people get help not justice and become more dependent and indebted to their 'benefactors' (Johnston, 1989). Corruption contradicts the very notion of one person-one vote democratic government.

In the Third World, it has hampered national, social, economic and political progress. As it involves the transfer of funds to the West, corruption undermines economic development. This, in turn, leads to political instability as well as poor infrastructure, education, health and other services. Public resources are allocated inefficiently, competent and honest citizens feel frustrated, and the general population's level of distrust rises. As a consequence, a lot of foreign aid disappears, projects are left incomplete, productive capacity is weakened, administrative efficiency is reduced and the legitimacy of political order is undermined (Klitgaard, 1988; Ward, 1989).

Similar effects we find in industrialized countries (Heidenheimer et al. 1989; Possamai, 1995). Individuals who wish to conduct their affairs fairly and honestly are demoralized and lose faith in the rule of law. Corruption breeds distrust of public institutions, undermines ethical principles by rewarding those willing and able to pay bribes, and perpetuates inequality. Economic competition is distorted and public funds are squandered. As institutional and market reforms may lose credibility in the eyes of the public, processes of democratization (which should eventually reduce inequalities and improve transparency and accountability) lose momentum. Italy has highlighted how the illicit relationships between Mafia and public officials has seriously damaged the socio-economic structure of Southern parts of Italy, "which now rank last nationally in income, employment and investments" (Arlacchi, 1995: 246).

Because of the very substantial amounts that are involved in corrupt practices every year, the international financial system is also affected. The amounts generated by corruption are by no means negligible and whet the appetite of any financial system. The risks we run in this development include "competitive deregulation" (Dale, 1984), whereby jurisdictions seeking to attract these proceeds relax their regulations and enhance secrecy provisions. Money laundering becomes an even more lucrative business with a potential corruptive effect and with increased dependency on such funds. International conflicts and tensions are another risk, as countries attempt to repatriate some of these funds, institute extraterritorial investigations that may injure national pride or violate other countries' sovereignty, while others may exert unconventional pressures on some countries to amend their legislation and provide mutual assistance in corruption cases. The global risks are even higher when links between corruption and "organized crime" become clearer (e.g., Observatoire G6opolitique des Drogues, 1996).

Policy Implications

The above analysis of the phenomenon of corruption has several policy implications. Before embarking on policy construction, one needs to take into account structural factors and problems and also to employ a good measure of common sense. For instance, many observers point out that allowing staff members to spend long time periods in the same post may increase opportunities for corruption. They go on to recommend the frequent rotation of officials in order to reduce this risk. Structural analysts may agree with this recommendation, but only on the condition that there are enough well qualified staff members to perform the same tasks. Else, we may be reducing losses due to corruption but will be simultaneously increasing them due to incompetence and ineptness. This can be an important issue with respect to the control of complex and not-easily-comprehensible regimes. Cost-benefit analyses, therefore, must be done carefully and in view of the total picture.

A detailed discussion of policy issues is beyond the scope of the present paper. The main general policies that flow from the foregoing analysis are the following (for a range of practical, concrete and short-term measures, see Passas, 1997a). First of all, measures must be taken to ensure that legal practices do not furnish illicit opportunities. The temptations of favoritism resulting from the revolving door between public office and the private sector must be minimized. There should be a certain, relatively long, period of ineligibility for designated positions or activities after leaving an official post.

The lobbying process must be made very transparent and democratized, so that more interests and groups can be heard both by Eurocrats and national legislators. Transparency is essential in all aspects of public administration, but care must be taken to avoid the problem of institutionalization of conflicts of interests (Passas, 1996). For instance, when practices or conflicts of interests are simply declared and recorded, they should not be considered resolved. Legislators and decision makers need to ensure that anti-corruption measures do not do more harm than good. Draconian measures may be more effective, but they should neither threaten civil rights nor undermine democratic processes.

All of the above problems must be addressed at the same time. Attention must be devoted to the risk of increased violence in illegal markets, even before anti-corruption policies become successful. The cases of Italy, Colombia, USA and other countries show that when a determined effort to curb corruption and organized crimes is made, violence rates rise. Authorities must be prepared for this eventuality.

Agencies keen to counteract and punish corruption may act proactively for illicit practices in areas of criminogenic asymmetries, where illegal markets can be expected. Concerted action is urgently needed at the international level towards a convergence of legal provisions, measures and policies. In the shorter term legal and cultural asymmetries raising obstacles to the work of law enforcers must be reduced. Criminal procedures, the collection and admissibility of evidence, and jurisdiction issues must be addressed through multilateral treaties.

Finally, and most importantly, the most effective long-term objective has to be the decline and elimination of criminogenic asymmetries. The effect of such asymmetries is more threatening and dangerous in the context of globalization, but remedies are available and ought to be carefully considered (Passas, 1997). Unless the source of the problem is attacked, illegal markets and corruption cases will continue to emerge.

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