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1 Corruption and globalisation: towards an interdisciplinary scientific understanding of corruption as a global crime

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Corruption as a global crime: an introduction

Corruption is undoubtedly a global crime. Not only in the sense that it is globally widespread – that is, different corrupt behaviours are perpetrated in every country – but especially in the sense that the developments of globalisation are increasingly globalising the causes, the means, the forms of perpetration and the effects of corruption. Global interconnectedness and the neoliberal discourses of economic growth, free markets, individualism, consumerism, privatisation and deregulation have created new needs, desires and fashions, but legitimate and adequate means to pursue them are not equally available worldwide (Passas, 2000), in a state which Durkheim would define ‘chronic anomie’ (Durkheim, 1897). At the same time, the rapid technological advances and the mobility of people, assets and knowledge typical of globalisation affords new opportunities to pursue such materialistic goals through corrupt and fraudulent schemes and to do so across different countries. Current failures and shortcomings of national anti-corruption measures and legislation – physiologically incapable to cope with globalised offences – and the lack of an efficient and truly global system to prevent them, investigate them and prosecute its authors provide motivations and opportunities for the development of transnational corrupt schemes. The harm caused by corrupt practices is not anymore limited to one jurisdiction, but it increasingly often affects more than one country, international organisations or even the whole international community. Recent examples, such as the Petrobras case in Brazil, the investigations on the possible influence of Russia on the United States (US) presidential elections, the FIFA corruption scandals, and some of the practices revealed by the leaking of the Panama Papers, as well as evidence of systemic corruption in developing countries, such as Global Witness’s findings on the Uganda mining sector (Global Witness, 2017), are clear evidence of this. International initiatives such as the global Anti-Corruption Summit held in London on the 12 May 2016 or, with particular regard to the European context, the project to establish an EU Integrity network launched in Vienna in May 2018 show that policymakers are aware of the globalisation of corruption and its potentially destructive consequences.

In such a context, gaining an increasingly comprehensive and in-depth knowledge of corruption as a globalising phenomenon is essential. Besides, a solid knowledge of the forms of manifestations of such a phenomenon, its sources and its causes is a necessary condition for the adoption of appropriate policies and regulation to contrast it. The literature on corruption is relatively young and evidence on the extent and the dynamics of corrupt schemes is difficult to gather due to the usual secrecy of such practices. While public and academic interest in corruption is gradually increasing, also thanks to the work of non-governmental organisations (NGOs), such as Transparency International or Global Witness, more efforts are required to keep our knowledge up to date with the rapidly evolving features of corruption. Particularly, the observation of the global dimensions of corruption exposes some of its characters which

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are still understudied and suggests the approach to be taken in order to fill this gap. This book aims at filling, at least partially, such gap by contributing to a better understanding of corruption in the global context and at advancing the academic and public debate on corruption. This project originates from the collaborative research activities of the Financial Crime Research Network at the University of the West of England and the Integrity Research Group at Kingston University London, which allowed us to study some of the emerging and globalising features of corruption calling for more investigation. In the following paragraphs, we will illustrate some of these features and the research methods required to analyse them, which the authors of the various essays included in this book have endeavoured to adopt. In doing so, we will also anticipate some of the contents of the following chapters and highlight the important relations between them.

Defining corruption

Before undertaking any study, it is appropriate to define its subject. We shall endeavour here to define corruption as the object of our analysis. Defining corruption is not a straightforward task and requires the solution of some problematic issues. Here we will provide a preliminary working definition based on the findings of the studies collected in this volume and of previous research. The following chapters will shed light on specific defining traits of corruption, which will contribute to its fuller understanding.

Corruption as a social phenomenon and as a legal construct

Corruption can be studied either as a social phenomenon – that is, corruption as concretely manifested and observed in a series of social practices, relationships and networks – or, as Ian Robinson suggests in his chapter, as a legal construct – that is, corruption as a set of behaviours defined and qualified as corrupt (and therefore criminal and illegal) by the law. This book is especially concerned with the study of corruption as a social phenomenon. There are various reasons for this.

First, quite obviously, any phenomenon is a logical antecedent to its legal regulation. Or, in other words, the law should be based on an appropriate knowledge of the phenomena it seeks to regulate: studying the phenomenon is necessary to plan, design, criticise and reform the law. This observation could sound like a platitude, if only there weren't so many examples around the world of laws which do not reflect an appropriate knowledge of their subject. Anti-corruption laws make no exception and some legal definitions of corruption are a good example of this. Recent studies demonstrate that in the United Kingdom (UK) questionable practices that are perceived by the public as corrupt, such as revolving door appointments, are perfectly legal (Whyte, 2015; Beetham, 2015; Ellis and Whyte, 2016). While there might be good policy and legal reasons to avoid the criminalisation or prohibition of every behaviour which could be perceived as 'corrupt', these studies raise questions about the adequacy of the existing legal definitions to capture the many and evolving aspects of corruption and the consequent ability of the law to address them. Moreover, legal definitions of corruption, both at a national and at an international level, tend to define 'corruption' as a limited set of criminalised conducts, such as active and passive bribery in both the public and private sector, trading in influence, embezzlement, abuse of functions. The United Nations Convention against Corruption

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(UNCAC) and the Council of Europe (CoE) Criminal Law Convention on corruption are clear examples of this (the word ‘corruption’ is mentioned only once in Chapter II of the CoE Convention dedicated to the criminalization of corruption offences and it is not even mentioned in the equivalent Part III of the UNCAC). But corruption is more than this. Scholars from different disciplines agree that, as a phenomenon, corruption is not confined to bribery and other criminal offences, but it encompasses and feeds upon a set of collusive relationships, influences, and arrangements which, while not being necessarily criminal, can still lead to abuses of power and trust for personal interests (cf. Grasso, 2017; Huisman Vande Walle, 2010; Gray, 2013; Johnston, 2005; Doig and Theobald, 2000). In some jurisdictions some of these practices, however questionable, might not even be illegal, but merely unethical. The notions of corruption as a social fact and corruption as a legal construct, therefore, do not necessarily coincide. An in-depth knowledge of the former is required in order to assess and, if need be, adjust the latter accordingly.

A second reason to focus on corruption as a phenomenon rather than as a legal construct resides in our ambition to understand it as a global issue. Legal definitions of corruption vary from jurisdiction to jurisdiction. Behaviours which are unequivocally against the law in certain jurisdiction, might not be such in other ones. Button, Shepherd and Blackburn remind us that in some of the United States receiving a commercial bribe is always lawful, whilst giving a bribe is only illegal in other states if it is given without the consent of the customer’s senior management. Interestingly enough, such differences occur also when the international law provides some level of harmonisation, since, eventually, the implementation of international norms is still depending on national lawmakers. The offence of trading of influences (so-called “peddling”), as such, is not an offence in the UK trading in influence, but it is a crime in other countries, such as France (article 432-11 of the *Code pénal*) or Italy (article 346-*bis* of the *codice penale*), as a result of the obligation of criminalisation imposed by both the UNCAC and the Council of Europe’s (CoE) Criminal Law Convention on Corruption. If we wish to capture the globalising elements of corruption we must, therefore, transcend from localised legal definitions.

Corruption beyond illegality

What we have been saying so far makes it clear that, as a social phenomenon, corruption not only is not limited to bribery, but can even go beyond criminal or illegal behaviours to encompass also unethical behaviours which might be technically legal. This is a starting point already, which gives an account of the possible breadth of corruption. We must refrain, however, from providing a definition of corruption which is so broad to encompass any sort of unethical behaviour, thus becoming entirely useless. We need, therefore, to identify the qualifying element of the practices we consider constitutive of corruption.

The Latin etymology of the word ‘corruption’ (*cum + rumpere*: break in many parts) indicates decay, decomposition, disintegration. The same is true in other languages. He Jiahong (Chapter 3) reminds us that the biological etymology of the Chinese word for corruption, *fubai*, has exactly the same meaning. Corruption is, therefore, not just illegality or immorality, but, specifically, a breach of integrity. Like corruption, integrity is a very elusive expression. It clearly implies, however, the idea of the wholeness of a particular substance. We can define it as the internal coherence of a certain system not only with its own original ethos but also with its physiological functions (aimed at implementing the values and interests constitutive of that

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ethos). Corruption is precisely the ‘subversion’ of such functions, to use Stephen Cairns’s expression (Chapter 2) or their ‘deviation’ from public expectations of honesty (the ethos), to say it with Paolo Moro (Chapter 16). In other words, corruption is a ‘betrayal’ (Roux, Chapter 7). This idea implies the abuse – that is the manipulative or distortive employment – of powers, prerogatives or instruments to pursue purposes and interests different from those which they are intended to fulfil. It’s this abusive element that distinguishes corruption from other illegal or unethical behaviours. This is why the well-known definition of corruption as abuse of entrusted power for private gain is so successful – and, indeed, it is adopted by many of the authors of this book (see, for instance, Roux, Robinson, Mennini, Cairns, Moro). Brian Cathcart’s account of the developments which led to halting the second Leveson inquiry on the British press provides examples of collusion between politics and the press which, while not being necessarily (or obviously) illegal, still deserve to be considered corrupt insofar as they result into the abuse of public power and influences contrary to public interest. It must be clarified, however, that it is not only public power that can be corrupted for private interests. Prerogatives entrusted to private bodies, such as corporations or banks, can be equally abused to satisfy interests different than those they are meant to serve, as some of the cases illustrated by Ian Robinson, Demelza Hall and Stephen Cairns make clear in their chapters. Incidentally, this feature is well captured by legislators around the world. The UK Bribery Act 2010, for instance, considers the ‘improper performance of a relevant function or activity’ is one constitutive element of the offence of bribery. In China, as He Jiahong reminds us (Chapter 3), many corrupt practices are criminalised as ‘duty crimes’ or ‘official occupational crimes’ (zhiwu fanzui) which, according to the Chinese Criminal Code, are acts characterised by the private use of the privileges of position in national agencies, national companies, business or enterprise work units, or people’s organizations, for the purposes of embezzlement, bribery, favoritism, dereliction of duty, or violation of a citizen’s personal and democratic rights.

Despite the apparent clarity of such definition, in practice determining what is corrupt – that is, what is in effect a breach of integrity – and what is not can be very difficult. In his chapter, aptly titled ‘The Grey Zone’, Ian Robinson explores the uncertain boundaries between deliberate misselling and misrepresentation of financial products and financial practices which are rather the fruit of incompetence or of the inability to predict events that are outside the previously experienced range of outcomes in the complexity of financial systems. Similarly, Stephen Cairns (Chapter 2) investigate the thin line between advantageous, but reasonable and proportionate corporate hospitality and lavish gifts which amount to proper bribes. An example of such practice is also provided by the *Dutchmed* case of bribery within the World Bank-funded Health Sector Reform Project in Romania examined by Costantino Grasso (Chapter 13). Studying such grey areas is fundamental to support policy- and lawmakers in the increasingly challenging endeavour to determine what should remain legal, what should become illegal, and what should be criminalised. Matt Hall’s chapter, for instance, discusses the opportunity of introducing a new offence of match-fixing in sports to distinguish it from bribery so as to strengthen deterrence and minimise the risk of interpretative confusion which might hinder prosecution and conviction.

The global means and ways of perpetration of corruption

As many other forms of crime, corruption is facilitated and often enabled by the many ways of interconnectedness opened by globalisation. Transportation and communication technologies,

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in particular, together with the deterritorialisation of markets and business, multiply the means, the motivations and the opportunities to perpetrate corrupt schemes across different states and foster the connections between corruption offences and other crimes. In other words, corruption is becoming transnational and transversal, in the terms we will explain below.

Transnationality

The abundance of corrupt practices perpetrated across different states exposed by the news and by NGOs makes the transnational character of corruption self-evident. It is, however, appropriate to give a more theoretical framing to such feature. Transnationality can concern either the modalities and means of perpetration of corrupt schemes or their effects. As for the ways and means of perpetration, corruption is transnational when: a) corrupt schemes are committed, prepared, planned, directed or controlled in more than one state; or b) corrupt schemes are committed in one state but involve groups or individuals who engage in corrupt activities in more than one state. As for the effects, corruption is transnational when: c) the interests harmed or endangered by corrupt schemes are shared by more than one state, if not by the entire international community; or d) it is committed in one state but has substantial effects in another state. Each of these four conditions alone is enough to make corruption transnational in nature (cf. Pasculli, 2012). This definition of transnationality is well-known with regard to organised crime and legally acknowledged by the UN Convention against Transnational Organized Crime signed in Palermo in 2000. In this paragraph, we will address specifically the transnationality of means and perpetration, while we will address the transnationality of the consequences later.

The research findings illustrated in the chapters of this book help clarify that the transnationality of corruption depends mostly on three factors: a) the interaction between individuals or entities from different countries; b) the employment of transportation, information or communication technologies to facilitate such interactions; c) the difficulties in preventing, investigating, prosecuting and convicting transnational offenders (lack of capable guardians).

The interaction between subjects from different countries is inevitable in the context of globalisation and even encouraged by the neoliberal discourse and by the globalising nature of business, finance and trade. Incidentally, it is precisely in these areas that money acts as a powerful motivator for corruption – as we shall see below. Some of the cases analysed by Stephen Cairns in his chapter on hospitality and bribery concern companies and bodies from different jurisdictions. In one instance, the London branch of UBS AG, the German municipal water company Kommunale Wasserwerke Leipzig (KWL), and the Swiss intermediary Value Partners Group AG have been the protagonists of a case of hospitality amounting to bribery also characterised by transnationality (the hospitality consisted in a safari trip in South Africa for the key principals of VAP, a stay in a luxury hotel in Dubai and a trip on Concorde). Another case involves the multimillion-dollar funding of training programmes at Columbia Business School by Rolls-Royce in favour of the majority state-owned Chinese airline CES. The decisions of the World Bank's Sanctions Board analysed by Costantino Grasso (Chapter 13) also the transnationalisation of bribery and other corrupt practices determined by the participation of foreign companies – especially multinational enterprises headquartered in an industrialised country – in projects funded by the World Bank to be carried out in other countries – especially developing countries, also taking advantage of local partners which

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become the contact points between government officials and foreign companies. Many other examples are provided by the chapters on corruption in the sport business. Matt Hall highlights that Europol investigations reveal that one ‘fixed’ game can involve as many as fifty persons spanning across ten different countries and legal jurisdictions, in what has been defined an ‘extensive criminal network’ (Europol, 2013). In 2013, Europol and authorities from 13 different countries uncovered what was described as ‘an extensive criminal network in football match-fixing which had generated over €8m in profits and €2m in corrupt payments’ to various stakeholders. Matches played in Asia, Africa, South and Central America were also deemed ‘suspicious’ by Europol. The risks of corruption are bound to increase when one of the parties in transnational transactions comes from a particularly corrupt culture. On the one hand, intuitively, she might seek to corrupt the other parties. On the one hand, he might become an easy target of unscrupulous individuals seeking to take advantage of such weakness. Some of the findings of Button, Shepherd and Blackburn’s study on the causes of bribery (Chapter 8) supports the idea, also explored by economists (Dimant et al., 2013; Dimant et al., 2014;), that corrupt mindsets can be exported to (and exploited in) other countries, thus increasing motivations and opportunities for corrupt practices (Pasculli, Chapter 11).

Needless to say, the above interactions would not be possible without modern communication, transportation and information technologies. More than that, sometimes they become a direct instrument for corrupt activities. Both Matt Hall and Luis Perez Triviño (Chapters 6 and 9) agree that the globalisation of sports gambling markets, as made possible by the Internet and betting-related technologies which now allow to bet at any time of the day and from any place in the world, have increased the risk of manipulation of sporting events and transformed illegal betting in a truly global issue. The study of the technological means of global corruption is fundamental also to find possible solutions, which might well be technology-based too. Flanagan explains that, in the effort to improve transparency, FIFA has implemented an electronic system of compulsory use for all international transfers, the Transfer Matching System (TMS), which requires clubs to upload players’ data, including the new salary, the transfer fee and payment details, into a central system. Of course, as Flanagan points out with regard to the TMS, even efficient technological preventive measures can be creatively circumvented and policy- and lawmakers must continuously monitor the evolutions of the unlawful means to circumvent them, so to minimise the risks of corrupt behaviours.

At a first sight, the difficulty in controlling (preventing and prosecuting) transnational corrupt schemes might appear a consequence, rather than a cause of such transnationality. In fact, the findings of the studies in this book seem to demonstrate that things are more complex than this and that the etiological relationship between transnational corruption and the lack of effective controls is rather circular. On the one hand, the complexity and elusiveness of transnational criminal networks and schemes is a considerable obstacle to their prevention and prosecution. Perez Triviño (Chapter 9) clarifies that one of the difficulties in detecting cases of transnational match-fixing in sports is the indifference or the incompetence of sporting organisations and a lack of understanding of the complexity of betting markets in the world of sports. On the other hand, the traditional territoriality of criminal jurisdictions and the still imperfect harmonisation and cooperation in criminal matters can act both as motivating factors – as they undermine the effectiveness of deterrence – and opportunities for expanding the scope of criminal activities abroad – as the lack of capable guardians facilitates access to targets. Matt Hall (Chapter 6) explains that the low risk of being caught is one of the attractions of internet-related betting and match-manipulation. Individuals who place bets in separate jurisdictions

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and financially benefit from a ‘fix’ made in Wales or England may never face prosecution either for jurisdictional reasons or for lack of resources – and they know it.

Transversality

The transversality of corruption consists of the interconnectedness between corrupt schemes and other criminal activities, which is particularly favoured transnationality (Pasculli, 2012). This dimension of global corruption is acknowledged by the State Parties to the UNCAC, which, in the Preamble, declare themselves concerned ‘about the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering’. The transversality of corruption is well exemplified by the links between Asian mafia or Italian criminal organisations and illegal bookmakers in sports illustrated by Perez Triviño (Chapter 9), by the instrumentality of illegal gambling to money laundering highlighted by Matt Hall (Chapter 6), by the links between corruption, tax crimes and drug trafficking exposed by Flanagan (Chapter 10), or by the connection between fraud and corruption in healthcare investigated by Mennini, Luciani and Gitto (Chapter 14).

What is less known and certainly understudied are the connections between corruption and forms of global criminality which do not fall within the category of white-collar or financial crimes. Fouladvand’s study on the relationships between corruption and human trafficking (Chapter 15) is an important contribution to the understanding of such connections also in view of finding concrete solutions. Her research illustrates the worrisome involvement of the most disparate subjects – including the police, the military, marriage and travel agencies, immigration officials, court officials including prosecutors and judges, NGOs and banks – in corrupt practices aimed at facilitating different stages of the processes of human trafficking and sexual exploitation. Such findings unmask the artificiality of the traditional conceptual boundaries between different types of offending and expose them as an impediment to a full understanding of the nature of the problem and therefore of the means to address it. The transversality of corruption, therefore, calls for unprecedented criminological approaches to perform a holistic exploration of the connections between different types of criminal activities which complement and sustain each other in a complex network of interrelationships.

The global effects of corruption

As we have anticipated, the transnational dimension of corruption can concern not only its means and ways of perpetration but also its consequences. In most cases, this translates into an amplification of the harmfulness of corrupt practices. Although, as we noted above, some transnational corrupt schemes might have substantial effects only in one particular state, many instances of transnational corruption can compromise the interest of more states and even of the whole international community or human society at large. To further our discussion, it will be convenient to keep in mind the distinction between direct and indirect effects.

Politics, democracy and the rule of law

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One of the most direct consequences of corruption is the erosion of democratic processes of governance and policymaking and the weakening of the rule of law and the institutions aimed at protecting it. Brian Cathcart's chapter explains how the collusive relationships between politics and the press can undermine the efforts of responsabilisation and ethicisation of one of the paramount instruments of democracy: the press. Lorenzo Pasculli's chapter on Brexit, integrity and corruption further suggests that the decay of the standards of political integrity and accountability witnessed in the United Kingdom during and after the Leave campaign and the following referendum can have transnational effects as well, as they can determine politicians in other countries to emulate dubious practices (such as overt misrepresentations) and foster nationalism and populism, which, in turn, undermine global development and human rights (a good example of indirect effects, as we shall see later on).

Interestingly, though, some authors suggest that a corruption could be beneficial to society. Fouladvand (Chapter 15) reviews some of the arguments in support of this view, such as the idea that corruption can favour modernisation (Gathii, 2009; Huntington, 1968), efficiency (Beck and Maher, 1986; Lien (1986) and development (Bardhan, 1997) or that corruption can be a remedy to the ill-functioning of bureaucracy (Leff, 1964; Huntington, 1968; Leys, 1965). Such views are well summarised by the pragmatic quote by Saudi Prince Bandar cited by Stephen Cairns (Chapter 2): 'If you tell me that building this whole country, and spending \$350bn out of \$400bn, that we misused or got corrupted with \$50bn, I'll tell you 'Yes'. But I'll take that any time' (Khalaf, 2002).

Markets and economy

Corruption can also have devastating transnational or global effects on markets, business and economy. Such effects can be considerable both in terms of geographical extension and in terms of financial magnitude. Through her rich legal historical excursus, Demelza Hall (Chapter 12) suggests that white-collar crime, which includes various corrupt practices – as Cairns reminds us, bribery has been defined the quintessential white-collar crime (Green, 2007) – is one of the causes of the three major financial crises of the last century: the Great Depression, the Savings and Loans crisis, and, especially, the 2007/2008 financial crisis, also known as the global financial crisis. Her findings corroborate and integrate the view, already advanced by Nicholas Ryder (2014 and 2016), white-collar crime is a significant factor that contributed toward the financial crisis of 2007/2008 (see also Ryder, 2018; Ryder, Turksen and Tucker, 2017; Turksen, Ryder and Hassler, 2015). Although the three crises addressed by Hall begun in the US and, the latter, also in the UK, their effect reverberated throughout the world. The financial crisis of 2007 and 2008, in particular, led to the Great Recession which threw many countries in a state of economic decline resulting in the collapse of the global financial sector. It is obviously the intrinsic openness and interdependence of global market which allow the spreading of the negative economic consequences of corrupt practices perpetrated in a particular country across the world markets. Another paradigmatic example is the impact of corrupt practices in World Bank-financed projects aimed at promoting development and equality and at reducing poverty. Such practices, as explained by Costantino Grasso, can undermine the meritorious aims of such projects and lead developing economies further into debt without providing any much-needed economic development. The geographical extent and financial magnitude of transnational corruption is evident also in the case of financial crimes committed in the sports markets, as explained by Flanagan and Matt Hall. Hall, particularly,

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recalls that the criminal network in football match-fixing discovered by Europol and authorities from thirteen countries in 2013 had generated over €8m in profits and €2m in corrupt payments to various stakeholders. The same openness and interdependence which favours the worldwide spreading of the consequences of corruption also fosters the spreading of corrupt behaviours themselves (and therefore the amplification of harmful effects) across different sectors of the economy and the markets. Perez Triviño observes that the ‘pandemic’ of match fixing does not only have negative effects as it spreads across different countries but also across different sports, such as basketball, cricket, horse racing, snooker, sumo wrestling and tennis (Chapter 9).

Human rights

Another harmful dimension of transnational corruption concern human rights. Fouladvand offers an overview of the studies that support the view that corruption can seriously undermine human rights (Pearson, 2001; Mauro, 1995; Brunetti and Weder; 1997; Mo, 2001), as well as the more critical literature which warns against the association between corruption and human rights as a product of ideology and a form of neo-imperialism (Rose-Sender and Goodwin, 2010). To avoid the risk of falling into either extreme, we can say that the analysis we have conducted so far, together with the research findings of this book, suggests that, while it is perhaps not so common for concrete corrupt practices to have a direct effect on human rights, it seems difficult to deny that at least the indirect effects of corruption on human rights can be considerable. These effects are indirect inasmuch as they are a derivative consequence of the most immediate effects of corruption, which can consist in the erosion of the socio-political conditions (civil participation to politics, democratic processes of representations, good governance, the rule of law...) which are essential to a full implementation of civil, political, social, economic and cultural rights and freedoms. One example is the impact that corruption, particularly when related to human trafficking, can have on women’s right, as Fouladvand explains (Chapter 15). Another example is the damage that corruption and fraud can cause to healthcare systems, as illustrated by Mennini, Luciani and Gitto (Chapter 12), with obvious negative implications for the individual rights to health and to access to healthcare.

The globalising causes of corruption

The causes of corruption are many and complex and still understudied, but they are not necessarily bound to be obscure and we do have scientific instruments to understand them. Indeed, some of such causes are common to other forms of globalised criminality and rooted in the same global developments. As a consequence, some of the theoretical explanations of crime at large can be employed to explain corruption as well. The complexity of corruption as a phenomenon suggests a mutual integration of such explanations, rather than the monolithic adoption of one individual model. Significantly, Button, Shepherd and Blackburn (Chapter 8), found that – despite some inevitable differences – broader criminological theories, such as anomie and strain theories, control theory, the theory of differential association, neutralisation or rationalisation theory, opportunity theory, can be applied, in an integrated approach, to bribery.

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Global situational causes

Situational causes for crime are generally identified in motivations and opportunities (cf. Cantor and Land, 1985; Coleman, 1987; Coleman, 1992; Clarke, 2016), whereas motivations are symbolic constructions defining certain goals and activities as desirable, and opportunities are circumstances that make certain behaviours possible or more tempting (Coleman, 1987; Clarke, 2016). Opportunities include, amongst others, the lack of adequate controls and access to suitable victims, often facilitated by the position of power of the perpetrator (Cohen and Felson, 1979; Graycar and Sidebottom, 2012; Graycar and Masters, 2018; Klitgaard, 1988). Button, Shepherd and Blackburn observe that, compared to street crimes, there are fewer situational opportunities for bribery – and, we can add, for many other corrupt practices – since bribery requires a peculiar coincidence of suitable situations and resources, typically accessible to a limited number of subjects (Chapter 8). Nevertheless, many developments of globalisation can strengthen motivations and multiply opportunities for transnational corrupt schemes. We have already examined how the lack of effective controls on transnational crimes can motivate corruption and how technology can provide new opportunities for corrupt practices, for instance by providing an easier access to money, accomplices and victims. Deeper socio-economic evolutions can also provide motivations and opportunities for corruption. Robinson's analysis, for instance, suggests that the complexity and the unpredictability of global markets can provide opportunities for dishonest practices in the financial sector taking advantage of the lack of understanding or information of clients (Chapter 4). Fouladvand discusses the relationship between corruption, human trafficking and social inequality, recalling the theories that consider human trafficking one of the most serious consequences of the inequality deriving from unequal global power relations (Barner, Okech and Camp, 2014), as traffickers prey on deeply impoverished migrants who move from poor countries to places of economic opportunity (Molland, 2010: p.834; Gallagher, 2006; Achilli, 2017; Campana, 2017).

Rationalisation, socialisation and institutionalisation

While opportunities and motivations are sufficient to explain many forms of crime, additional explanatory factors might be required to a full understanding of the causes of corruption. These are the mutually reinforcing processes of rationalisation, institutionalisation and socialisation, which together facilitate the normalisation of corrupt practices in institutions and organisations (Ashforth and Anand, 2003). Rationalisation was introduced by Donald Cressey, in his famous 'fraud triangle' (Cressey, 1953) and it consists in the neutralisation of the moral and the cognitive dissonances caused by the corrupt behaviour (cf. Sykes and Matza, 1957). Patterns of rationalisation include denial of responsibility ('everybody does it'), denial of injury ('it does not hurt anybody'), denial of victim ('they deserve it' or 'they agreed to it') and, significantly, the belief that the corrupt practice is not actually illegal ('if it is not prohibited by law, then it is permitted') or the denial of legitimacy of law and legal authorities ('the law is wrong' or 'they are all corrupt') (Ashforth and Anand, 2003). Institutionalisation is the embedding and routinizing of corrupt practices in organisational structures and processes. Socialisation is the inducement of newcomers to view corruption as permissible, if not

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desirable. Research confirms that corruption grows, spreads and regenerate through organizational learning processes (Prabowo, Sriyana and Syamsudin, 2018). The interconnectedness of people and the circulation of information across different regions of the world brought by globalisation facilitate these processes of normalisation also at a transnational level.

The research data illustrated in Chapter 8 by Button, Shepherd and Blackburn provide an empirical confirmation of the patterns of rationalisation and, to an extent, socialisation and institutionalisation as causes of corrupt practices (the ‘why’) and support the ‘pathogen model’ elaborated by the authors to explain the processes of bribery (the ‘how’). The combined reading of Perez Triviño’s and Moro’s chapters (9 and 16) reveals that the peculiar patterns of socialisation in sports contribute to the normalisation of corruption. Perez Triviño explains that the group culture of many sports can foster the development of ‘*omertá*’, the code of shared silence typical of mafia-type organisations. *Omertá* promotes collusion among members of the group and encourages them to cover for each other, rather than publicly exposing moral or legal infringements occurring within the group. This is an obvious distortion of cultural dynamics and values, such as those highlighted by Paolo Moro, that, in a sporting team, can be physiological or even necessary to the team spirit and to the protection of secret tactics or technological developments. As for institutionalisation, Flanagan (Chapter 10) illustrates that the rapid financial growth in football has outpaced the development of the governance of the game. As a consequence, its still ‘adolescent’ regulatory and governance system has allowed economic crime to become entrenched in football. Flanagan also explains that the lack of transparency of the player transfer market and the opaque offshore structures involved in third-party ownership make such market particularly vulnerable to financial crime and, particularly, tax evasion. The political and press misconduct highlighted by Cathcart (Chapter 5) with respect to the second Leveson inquiry and by Pasculli (Chapter 11) with respect to the Brexit referendum is another good example of the patterns of rationalisation, socialisation and institutionalisation of corrupt practices even in a country, such as the UK, which is generally considered to have a strong integrity. In a global perspective, Pasculli further suggests that debatable political practices adopted in the UK can easily be emulated by other countries and that the socialisation between businesses from different regions of the world can facilitate the spreading of transnational corruption.

Money and anomie

Globalisation seems to have aggravated the ‘chronic’ state of anomie initiated, according to Durkheim, by industrial development and the ‘almost infinite’ extension of the market (Durkheim, 1897). Anomie is a state in which, generally as a consequence of great changes, society fails to adjust the naturally unlimited desires of individuals to the new – higher or lower – standards brought about by change. According to Durkheim, the tendency to unlimited desires is embedded in the biological and psychological constitution of the human being (Durkheim, 1897). An excessive cultural emphasis on materialistic goals, accentuated by the commitment of every nation to industrial prosperity and the consequent subordination of the state to economic life, have liberated human desires of any restraining regulation, also fostering unlimited greed (Merton, 1938 and 1968). As Nikos Passas observes, globalism and neoliberalism accentuate such emphasis, promoting discourses of economic growth, free markets, individualism, consumerism, privatisation and deregulation and creating new needs,

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desires and fashions (Passas, 2000). The problem is that legitimate and effective means to achieve such goals are not always available (Merton, 1938 and 1968) and that the major social institutions fail to compensate the emphasis on materialistic goals of success with the promotion of alternative definitions of self-worth and achievement (Messner and Rosenfeld, 1997 and 2013; cf. also Chamlin and Cochran, 1995). These dynamics are accentuated by globalisation. International and national institutions fail to regulate goals of welfare and to provide equal legal means to pursue them across the globe. As ‘structural asymmetries’ in economy, law, politics and culture increase, the divergence between means and ends becomes wider and wider (Passas, 2000). The literature cited by Fouladvand (Chapter 15) also reveals that an incomplete and obstructed market is one of the causes of corruption, which could be prevented by fair exchange and equal competition (Jiang, 2017). The failure of achieving socially valued goals creates psychological strains which can induce some to resort to illegitimate means to achieve them (Agnew, 1990 and 1997). This theoretical framework operates on two levels: the macro-level of the social system and the socio-psychological level of the individual and her immediate environment.

As Button, Shepherd and Blackburn note, due to their focus on money and materialistic goals, anomie and strain theory seem particularly fitting to explain financial crimes and corruption (cf. Passas, 1990). Luis Perez Triviño reminds that besides corruption is an instrument or a tool that allows individuals to reach determined objectives which would otherwise be out of reach or more expensive (Chapter 9). Adrien Roux’s chapter in this book discusses precisely anomie and money in general as a cause of corruption. In particular, Roux attempts to support such a causal relation with the findings of some recent empirical studies, with a view to promoting further research to remedy the longstanding structural lack of hard data and empirical studies which has long impeded our capacity to confirm criminological theories and assess the precise effects of sociocultural centrality given to materialistic values on corruption. Some of the empirical findings of the research conducted by Button, Shepherd and Blackburn confirms that anomie and strain theory can be applied to bribery: one of the research participants admitted that, encouraged by the entrepreneurial spirit of ‘Thatcherism’, resorted to corruption to achieve his ‘American dream’ (Chapter 8). He Jiahong’s analysis on corruption in China (Chapter 3) also corroborates some of the fundamental tenets of anomie and strain theory, such as the idea of unlimited human desires purported by Durkheim (1897) and the influence of the transition of China to a materialistic society, accompanied by a moral decline and a loss of behavioural norms.

Further evidence of the validity of anomie and strain theory to explain corruption comes from the world of sports (cf. Hill, 2015). Flanagan illustrates the rampant materialism which has been characterising the football industry since the 1990s, to the extent that money has become inextricably linked with victory, and suggests that this, together with an extremely unequal distribution of the wealth in football, has fostered ‘rapacious behaviours’. Perez Triviño illustrates how the discontent of some Chicago White Sox players for the refusal of the team’s owner to reward them was exploited by a gambling syndicate who managed to persuade them to accept money to let the Cincinnati Reds win.

Law as a cause of corruption

Recent studies suggest that the law itself can be, often unintendedly, a cause of crime (Albrecht and Kilchling, 2002; Savona et al., 2006) and corruption (Hoppe, 2014; Pasculli, 2017)

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Kotchegura, 2018). This happens when counterproductive or short-sighted policies and poor lawmaking produce inaccessible, obscure, irrational, unfair, unnecessarily burdensome, ineffective or inefficacious laws and institutions. This can have a two-fold causal impact on corruption. On the one hand, such laws can act on a situational level and inadvertently create or increase motivations and opportunities to perpetrate specific corrupt practices (Albrecht and Kilchling, 2002; Savona, 2006). Morgan and Clarke (2006) have developed a number of legislative crime risk indicators, that is a set of normative situations which might have unintended criminogenic effects. Similar indicators are used in Eastern European countries to assess the risk of corruption carried by legislation (Hoppe, 2014). On the other hand, as suggested by psychological studies, inadequate and ineffective laws and institutions tend to be perceived as illegitimate by civil society. This undermines the general willingness to obey the law and strengthens the motivation to circumvent it (cf. Jackson et al., 2014; Jackson et al., 2012; Darley et al., 2004; Tyler, 2001; Tyler, 1990). Many of the contributions to this book seem to confirm such conclusions. Pasculli (Chapter 11) observes how the European Union (Withdrawal) Act and the regulation required in the UK to shape the post-Brexit relationships with the EU and other countries are likely to have criminogenic and corruptogenic effects. Costantino Grasso (Chapter 13) warns that the lack of transparency affecting the World Bank's regulatory framework in combating corruption might compromise its effectiveness and indirectly encourage corrupt practices and lead to unintended distortions in the functioning of the sanctions system, also allowing for instrumentalisations. Demelza Hall (Chapter 12) suggests that the gradual loosening of the savings and loan regulatory system from the 1960s onwards not only caused the savings and loan crisis, but inadvertently facilitated white-collar criminals. He Jiahong explains that failures both in the design and the operation of the regulatory (and social) system in China can lead to corruption. Design failures include the centralisation of power, excessive discretion and the lack of checks and balances, while operation failures include insufficient transparency, insufficient supervision, illegality and lack of enforcement. Perez Triviño (Chapter 9) explains that the rules regulating any sport can help to simulate corrupt behaviour, particularly when excessive discretion given to referees makes it simpler to disguise a criminally motivated decision as if it were legitimate (Malem, 2014) and that many loopholes in domestic civil and criminal law hamper the efforts of law enforcement agencies and judicial authorities to combat match-fixing at the national and the international level, allowing organised criminals to thrive. This is aggravated by a poor coordination between criminal enforcement agencies and sports governing bodies. Even more interesting, Perez Triviño highlights how the highly hierarchical management model of sporting institutions satisfies Klitgaard's corruption formula (monopoly plus discretion minus accountability) (Klitgaard, 1988) and facilitates corrupt practices.

Conclusions: towards an interdisciplinary scientific approach

The above framework on the globalising traits of corruption demonstrates that corruption is an extremely complex phenomenon, even more so when characterised by transnational and transversal features. Although there is an increasing interest in corruption, its investigation and, as a consequence, its understanding is still suffering from some major shortcomings. As a social phenomenon, corruption is exposed to perceptions and misconceptions. The lack of evidence on the causes and processes of corrupt practices – obviously depending on the physiological secrecy of such practices – undermines or, at least, slows down the development of a

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comprehensive understanding of corruption. The work of many NGOs, such as Transparency International and Global Witness, can be a precious source of information on corruption practices around the world, but such information should be then assessed and analysed by scholars and used to prove, disprove or formulate theoretical frameworks to support a better knowledge of the phenomenon according to the rigour and pluralism of scientific method. In other words, the understanding of corruption cannot be left to general intuitions or perceptions but should be built upon our best knowledge of the world and of the human being. To do so, scholars cannot afford to work in isolation. In the first place, corruption calls for highly interdisciplinary research. The developments of corruption in the global era are so complex that any scientific discipline, particularly social sciences such as sociology, criminology, psychology, law, should contribute to explain its many facets. Interdisciplinarity means dialogue, exchange and mutual verification in a constant dialogical process. Fouladvand's chapter shows how the reciprocal isolation of academic studies on criminal behaviours, such as corruption and human trafficking, that have been artificially categorised as separate offences, but that are highly interconnected in practice can hinder their understanding. Button, Shepherd and Blackburn's chapter demonstrates how different criminological approaches rather than excluding each other can all be integrated with each other in explaining corruption. This book attempts to make a further step towards interdisciplinarity in the study of corruption. Not only the studies collected here come from the most disparate disciplinary fields, including legal history (Demelza Hall), criminology (e.g. Fouladvand; Button, Shepherd and Blackburn), philosophy and ethics (e.g. Moro and Perez Triviño), economics (e.g. Mennini, Luciani and Gitto), business and finance (Robinson), law (e.g. Cairns; Flanagan; Grasso; Pasculli), journalism (Cathcart) but many of them adopt theories and approaches from different disciplines. Adrien Roux, for instance, brings together political theory (Arendt, Aristotle, Sophocles, Cicero, Simmel, Hirschman, Castoriadis, Lascaumes), sociology and criminology (Durkheim, Merton, Coleman, Sutherland) to explain the causal relationships between money and corruption. Pasculli applies economic theories on corruption and immigration (Dimant et al., 2013 and 2014), psychological theories on legitimacy (Jackson et al., 2014; Jackson et al., 2012; Darley et al., 2004; Tyler, 2001; Tyler, 1990) and criminological theories on the criminogenic effects of lawmaking (Albrecht and Kilchling, 2002; Savona et al., 2006; Hoppe, 2014; Kotchegura, 2018) to the post-Brexit developments. He Jiahong brings together philosophy and socio-legal analysis to study the roots of corruption in China.

Secondly, scholars from all relevant disciplinary areas should engage with NGOs, governmental agencies, professionals and any other relevant stakeholders. This would allow them to acquire first-hand information on corrupt practices, which could either corroborate or invalidate the reliability of previously gathered evidence and, therefore, prove or disprove theories old and new. This is why this book includes not only contributions from academics, but also from insiders which can help to cast light on the most shadowy forms of corruption. This is the case, for instance, of Ian Robinson's account of corruption in the financial sector as former Managing Director in an investment bank or of Brian Cathcart's insights on the UK national press, not only as a professor of journalism but also as a journalist and as a 'close observer and commentator' actively involved in the promotion of integrity in the British press (he was a founder of the Hacked Off campaign).

Finally, more empirical research is required to further our understanding of corruption. Insider insights such as those we have just mentioned can provide important observations. Empirical quantitative and qualitative studies can also be revealing, although, due to the already mentioned secrecy of corrupt practices, they are not necessarily easy to conduct.

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Button, Shepherd and Blackburn's empirical study on the data collected through interviews with seventeen individuals convicted of corruption offences during the course of their professional life is a precious and rare contribution to the development of a strong evidential basis for our knowledge of the causes and processes of corruption. It is also important, however, that theoretical or speculative research relies on empirical data on the most disparate issues collected by others perhaps from different disciplinary fields, as some of the authors of this book do. Adrien Roux uses recent empirical studies on exposure to money to support anomie theory, while Pasculli uses empirical studies to demystify commonplaces on immigration and corruption.

Understanding corruption in the global era is a choral and pluralistic endeavour: all voices should be heard and all evidence should be considered. Nevertheless, it should remain a scientific endeavour, which means that evidence and theories must be rigorously assessed and verified through continuous interdisciplinary discussion aimed at debunking mistaken intuitions, rectifying misconceptions, put perceptions in the right perspective and gradually establish a scientific understanding of corruption to serve as the most solid foundation for policy- and lawmaking.

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