

# CRIME AND CULTURE

by

Dr Dirk Tänzler, University of Konstanz<sup>1</sup>

The prevention policies that have been developed by the EU and implemented so far within individual member countries have in general been characterised by legislative, administrative and police force measures. These are based on a definition of corruption prevention developed in political and administrative institutions that, for its implementation, rely on a 'top-down' procedure. We believe that this concept of corruption is both in the theoretical as well as the practical sense insufficient. To optimise corruption prevention, we vote for widening the scope of how we define and approach the problem.

Our project proceeds from the assumption that the considerably variable perceptions of corruption, determined as they are by 'cultural dispositions', have significant influence on a country's respective awareness of the problem and thereby on the success of any preventative measures.

For this reason, the project purports to conduct not an inquiry into the nature of corruption 'as such', but rather into the perceptions of corruption held by political and administrative decision-makers in specific regions and cultures, those held by actors representing various institutions and authorities, and above all by the citizens and the media in European societies.

As a consequence, our research will have a dual focus: it operates both at the formal, institutional *and* at the informal, practical level. We will analyse the counter-corruption policies *and* the social-cultural contexts they work in. And we will investigate the 'fit' between 'institutionalised' prevention measures and how these are perceived in 'daily practice', as well as how EU candidate countries and EU member countries as a result handle the issue of corruption. In a final step, we intend to make specific recommendations for readjusting this 'fit' and to investigate which role the media play within this process in each individual country.

Media do not have only a 'passive' technical role in 'neutrally' transmitting information. In modern societies, media have substantial influence on the social patterns of perception and recognition, for example on the definition of problems like crime and corruption. Hence, another crucial goal of our research project is to demonstrate that the media must be recognized as a powerful instrument in combating corruption.

After this short sketch of our project, I now come to the first question:

## Why Culture?

Mr. Olli Rehn, the commissioner responsible for the EU-enlargement referring to Bulgaria and Romania has stated in an interview: "There are serious efforts of reform (...). Corruption also is a cultural phenomenon. To eliminate it will take a long time, and, well, this will never be achieved totally (FAZ from the 28.01.2006; Translation by the Author)."

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<sup>1</sup> Dr Dirk Tänzler is the Scientific Co-ordinator of the research project "Crime as a Cultural Problem. The Relevance of Perceptions of Corruption to Crime Prevention. A Comparative Cultural Study in the EU-Accession States Bulgaria and Romania, the EU-Candidate States Turkey and Croatia and the EU-States Germany, Greece and United Kingdom" supported within the Sixth Framework Programme of the European Commission.

Mr. Rehn's statement is an expression of realism. Corruption is a universal problem even in the modern states of the West. What Mr. Rehn also suggests is that corruption is a much bigger problem in some regions than in others. – But a problem for whom and of what kind? An example from another continent may help us to look at the subject of interest from another perspective:

One of the most recent prime ministers of the Philippines lost his office because he was too honest and avoided strictly all illegal behaviour. In the eyes of a Western observer, he incorporated all the liberal democratic principles modern citizens believe in as preconditions for 'good practice', if not, like Voltaire's *Candide*, for the "best of all possible worlds".

In the eyes of the Philippine people and voters, this honest man appeared incompetent and immoral because he proved himself unable to look after the members of his immediate and extended family and his friends. Why should people without personal relations to this prime minister have trusted him, seeig as he did not behave responsibly and loyally even to his intimate relatives and companions? In the Philippine case, the Western model of democratic institutions and political culture does not fit with the expectations and the social practice of the people in everyday-life. The conflict here results from the incompatibility between, on the one hand, the paternalistic habit in a traditional system of moral reciprocity combined with substantial benefits still alive in the popular imagination and, on the other, the individualistic habit of competitive actors in a modern, functionally differentiated system based on the anonymous principle of formal legal rights as represented by the unhappy prime minister. Not only the Philippines held nepotism and gift exchange for 'good practices'. What *we* subsume under the category 'corruption' may be a universal type of social practice, but it also holds different cultural meaning.

In the current process of enlargement and integration, the EU acts like the Philippine prime minister and then wonders why people so ungratefully persist in their bad practice. This misunderstanding is the starting point of our research; our task will be to reconstruct the motives and causes behind the conflict.

Efforts to prevent corruption within the EU and in the EU candidate countries generally consist of a set of administrative measures oriented to institutionalised values and goals, put into effect by experts "from the top down". The experts do their best. But, neither in the elementary definitions determining existing counter-corruption policies nor in their implementation are those everyday life orientations rooted in socio-cultural contexts and conducive to corrupt behaviour taken into account. Here, we see the structural causes of the limited effects of the counter-corruption policies currently being applied within the EU and its candidate states. They do not reach the 'bottom' at which corrupt behaviour and its social legitimation prosper and which is constituted by cultural modes of perception and reasoning on corruption. Therefore, countermeasures undertaken at a general societal level must rely on our knowledge of these modes of perception and reasoning. But we cannot develop an 'easy' solution where we 'add' some 'forgotten' aspects to the existing procedures because these new aspects conflict with the 'logic' of these procedures. If this is true, a practical consequence of our theoretical assumption on corruption as a cultural problem is that change in the current situation presupposes a preceding change of mind.

Experts must gain a better understanding of the social contexts they work in. Our cross-cultural comparison will deliver empirically grounded conclusions about the way corruption is socially perceived and valued. Its first goal is to examine specific countries and determine which patterns of everyday life perceptions of corruption are currently dominant.

In a further step, in co-operation with policy-makers in the field, our research aims to operationalise the knowledge gained through employing a "bottom-up" strategy. Putting our conclusions to discussion with experts from the EU, the NGOs, and the national agencies dealing with corruption raises the potential impact of expert knowledge on corruption in a twofold way:

On the one hand, it helps them gain retrospective insight into the specific shortcomings of current anti-corruption management. Indeed, it may be that aspects of corruption perception not susceptible or even resistant to administrative measures may to date not have been sufficiently taken into account.

On the other hand, it provides foundations for prospective, long-term action, as it supplements existing policies with regulatory strategies that incorporate the specific contexts of the perceptions of corruption in each individual country. Very often, the experts have informal insider information, but then the institutional programs hinder them from following their better knowledge. The revelation of this 'inner-organisational' conflict and the stimulation of a discussion about it among representatives of institutions and politics will be another crucial goal of our research project.

I have attempted to demonstrate the usefulness of a cultural approach to corruption. Doing this raises question two:

### **What is Culture?**

Although our research is empirically grounded and has definite practical goals, there is, obviously, some theory behind the research design. But we do not treat theory as a dogma and a set of eternally true axioms, but rather as a practical tool we use to answer empirical questions. What I want to demonstrate by the following considerations is that there is a strong link between our theoretical approach to culture and our empirical research method. In general, we do not consider 'culture' to be an additive factor, neither as an aspect nor a dimension or a subsystem of a society (as in the value-system in a Parsonian sense). Therefore, we will not define it methodologically as a specific variable. To the contrary, we understand 'culture' as a holistic entity that is at the same time relative in nature.

Culture defines the whole world an actor lives in, but this world varies among different societies and might differ historically within a single society. In other words: Culture as a 'whole' is not the sum of empirical phenomena, but, metaphorically speaking, the 'logic' or 'grammar' we use to perceive and conceptualise the world of phenomena. In former times, this was called the 'spirit of the social facts' manifested in a specific expressive 'style' of actors. Reality does not exist by itself 'out there' and 'ready-made' for my mind to perceive. Instead, it is constituted by the forms of perception and recognition and, on this basis, is constructed in the process of social interaction. With Thomas Luckmann, we can define culture as a store of knowledge shared by all those participating in a single social world. This knowledge does not *represent* the world, but – following William Issac Thomas' famous aperçu – *defines* problems and solutions, in other words it defines all the reality that is possible within this culture. As a tool to deal with practical problems, it serves to establish social order and security. In effect, it also guarantees cognitive reliability and affective confidence, as well as personal identity, and therefore enjoys high appreciation by individuals. From the perspective of the culture of another society, this cultural 'whole' is evidently limited, a restricted social construction of only relative truth. But what is true for each society is also true for the single individual. An individual does not only share a culture with other members of his society, made up of a stock of common knowledge stemming from experience handed down from earlier generations. Instead, an individual possesses a single life-world, as well, a private perspective on the reality that is constituted by his authentic experiences. Phenomenologists speak of the horizon of one's life-world as the world taken for granted. On the other side of the horizon exists an open world waiting for exploration. You can shift your horizon, but when you do, you leave a familiar home and start an adventure full of risks.

Cultures and life-worlds are different relevancy systems, but cultures and life-worlds also contain within them different relevancy systems, as well: people live in the reality of

everyday-life, but also in the realities of religious experience and faith, of science, dream and fancy, etc. Furthermore, even so-called common knowledge is distributed unequally between different social classes, milieus, generations, genders, professions, and other social categories.

One differentiation that is crucial for our research is that between experts and layman. This binary opposition distinguishes between two styles of perception and behaviour, characterised by monopolized, 'holy' special knowledge on one hand and 'profane' everyday knowledge on the other. Following Alfred Schutz, the perspectives of experts and laymen refer to different systems of relevance and perform different cognitive styles: these two groups act in different realities. What we will try to accomplish through our empirical research project is to identify the rationalities of these actors. We seek to see if they are compatible or not and, if they are not, then discuss how to bring them together.

In short: Culture is not a specific substance or aspect, but rather the *form* of social reality. It is the stock of knowledge people use to construct their reality. And what social scientists do is to reconstruct this knowledge from the data, which we see as cultural products, that is as manifestations of social interaction. Therefore, I must now say something more about our method.

### **How should we approach culture?**

We do not ask in a philosophical way *what* culture should be substantially and ideally. Instead we consider it sociologically, in other words *how* it 'really' works, *how* it is constructed by empirical actors under pragmatic conditions. We have already seen: on these grounds, our theory corresponds to our 'object'. We consider social reality as an effect of something like an applied 'everyday theory', and this theory is nothing other than a tool to solve the problems of the human beings involved. Hence, in analogy to the pluralism of scientific discourse; we conceptualise the social world as a pluralism of perspectives. In our project; we proceed from the observation that, not only in the context of EU enlargement and integration, official representatives of social institutions perceive corruption as a phenomenon that must be countered with legal sanctions.

This *top-down* perspective on corruption is not false per se. But it is only relatively true. Corruption is neither a universal phenomenon grounded in the dark side of human nature, nor is it an expression of pre-modern consciousness. It is, in the sense of Michel Foucault, the historical product of an expert discourse. From a legal perspective, corruption is a special kind of deviant, criminal behaviour. Seen sociologically, it is primarily a type of social relation that has specific meaning which differs from culture to culture. What is labelled as 'deviant', 'criminal', and 'unsocial' in one discourse is qualified as 'normal', 'moral', and 'social' in another. Phenomena such as nepotism, bribery, and even blood feud (vendetta) are, neutrally described, mechanisms for achieving solidarity within and between kinship groups. Social anthropologists see them as forms of social exchange and moral reciprocity (an eye for an eye, a tooth for a tooth).

A cultural definition of crime and corruption – I think that will be obvious – implies a relativist concept, relative to the different modes of perception and recognition of the phenomenon by different social actors from different societies. However, I do not mean that it is relative in the sense of diminishing the gravity of the problem. Trying to understand even bad things does not mean that we legitimise them and give up our own normative standards. To the contrary, such a cultural comparison might even help to clarify our own normative standards as well-founded and, in consequence, to enforce our own position. But this is an empirical, and not a theoretical question.

In general, we 'operationalise' culture in terms of perception and recognition. Culture in this sense stands for a conceptualisation of society from the subjective perspective of the social actors, from the intentions they try to realise in social action, and not from the so-called objective perspective of a theoretical observer.

The act of creating theory conceived as an explanation of phenomena by reducing these phenomena to general causes presupposes a hermeneutical interpretation of the meaning empirical actors attach to these phenomena. The empirical actors' subjective intentions 'as such' are entities that a single consciousness cannot reach. However, they are expressed and communicated through social interactions and therefore are manifested in signs and symbols which carry objective, because societally shared, meaning. But again, this objectivity is a social construction and, insofar, a cultural fact of relative relevance that must be interpreted by the researcher. Our research interest is, firstly, the manifest content through which determining interests are communicated, and, secondly, the latent structures of meaning contained within this communication structure. But the project will not follow an investigative procedure. It does not intend to uncover any 'hidden truth' and to represent unknown 'facts', but rather to reconstruct the strategies people use to define, legitimise, apologise for, criticise or damn corruption.

In the end, we are not interested in the facts, the stories, that is the content of what people tell us, but rather in the *form* of their narratives and argumentations. Facts, stories, personal or professional secrets, insider information etc., are used only as illustrations and examples to make manifest perception of and reasoning on corruption. These narrative forms could even be fictitious – or even a projection of the researcher – and they would still not diminish the usefulness of the given interview for our project. This has to do with the fact that our research is not conceived of as an impact analysis in the sense of a quantifiable target-performance comparison, but rather as a reconstruction of the *logic* of anti-corruption measures and the extent to which they are appropriate to the problem in light of the results of the empirical cross-cultural comparison. Our research will not collect data on a defined phenomenon, but instead definitions of the phenomenon we are investigating. These definitions of the phenomenon refer back to different relevancy systems, which we must reconstruct in a process of open coding. The project's empirical approach proceeds from the assumption that the '*bottom-up*' definitions held within 'everyday theories' of corruption are anchored in social patterns of perception that actors apply unconsciously. For this reason, they cannot be polled in the direct method commonly used in opinion research, but rather must be *reconstructed* from administrative and other official documents and protocolled statements of those persons interviewed. Building on this insight, all our data will be subjected to a qualitative content analysis according to the principles of *grounded theory* methodology as developed by Anselm Strauss.