

Law, Crime and Culture series



THE SOCIAL CONSTRUCTION OF CORRUPTION IN EUROPE

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Konstadinos Maras and
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The Social Construction of Corruption in Europe

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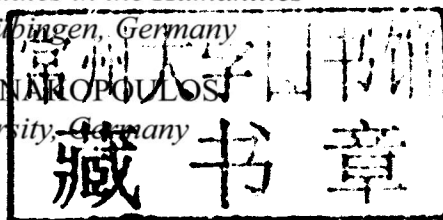
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THE SOCIAL CONSTRUCTION OF CORRUPTION IN EUROPE

Law, Crime and Culture

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The Law, Crime and Culture series explores an increasingly important and topical area of interdisciplinary research, covering a broad range of themes from understandings of social and legal order in individual cultures to intersections of criminological, legal and cultural inquiry. The series promotes cross-disciplinary and comparative research and the series editors actively welcome submissions on the many and varied topics related to crime, social control, and legal culture across the world.

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Introduction

Corruption is called a scourge of humanity. This general proposition disguises the fact that corruption has shown many faces in history and at different places. The present volume presents a first, but hopefully substantial, glimpse at the variety of the social construction of the phenomenon throughout Europe. The intention is not only to pour out the horn of plenty. The title of the book, *Social Construction of Corruption*, refers to a pragmatic understanding of corruption: from the perspective of the social actors in their concrete socio-historical situation, corruption is seen as problem-solving. Conceiving corruption this way is not the result of mere academic contemplation – although this is a view that is typical of sociologists, especially those of the species called ‘constructivists’. This approach offers more than an intellectual provocation of the common sense by offering a bizarre taxonomy of social maladies. In fact, it is a reaction to the ineffectiveness of recent anti-corruption practices in Europe in recent years.

The common understanding of corruption as the misuse of an office for private gain is too broad to explain the real functioning of corruption in specific situations. The same is true for legal or economic definitions that narrow the explanation to the negative consequences of the crime. Our argument does not reject such approaches, but ‘resets’ them as possible constructions among others. Their theoretical and practical validity is relative. Neither at all times nor everywhere is the phenomenon we use to call corruption designated as such; what we might condemn as corrupt practice is sometimes not even viewed as deviant behaviour or crime. To speak of corruption depends on cognitive assumptions and social conditions that are not universal but historical. The meaning of corruption changes over time and from place to place. Diverse forms of corrupt practice and various modes of the perception as well as the evaluation of corruption can be observed simultaneously in one society, in different social groups and even in the behaviour of one and the same actor in separate social contexts.

The first chapter of this volume sketches the concept of the social construction of corruption. The subsequent chapters present empirical case studies. These studies on corruption in European countries are organized in a cluster model of modernization pathways (Hall and Soskice 2001, Stark 1992). Following Max Weber’s (1978) emphasis on the fundamental functions of the mode of production and the mode of administration or power structure (market and state), this volume reconstructs and explains cross-national patterns of modernity generating specific forms and perceptions of corruption. Needless to say, the presumption of a convergent model of modernity, as was widespread in former days, is dropped in favour of the assumption of a multiplicity of modernities (Eisenstadt 2002).

The end of modernity has been frequently announced since the end of the nineteenth century, although the majority of mankind had not even entered the project. Irrespective of the question of the objectivity and heuristic efficiency of a concept of historical epochs, we stick to the idea of a 'project of modernity' (Habermas 1984, 1990) for at least two reasons: empirically, people (not only in Europe) still identify themselves as citizens of modern states; theoretically, other concepts like that of postmodernity (Lyotard 2005) or globalization (Robertson 1992, Albrow 1996) do not really indicate an epochal break, but seem to be mere 'consequences of modernity' (Giddens 1990).¹

To underline the heuristic function and empirical validity of the theoretical model, we speak of clusters and not of ideal types in the strong Weberian sense. The contributions to this volume are related to eleven countries that are grouped together in three clusters:²

1. disenchanted modern³ West European countries: Sweden, Great Britain, Germany, France and Italy;
2. post-socialist countries, which left the communist path to modernity and started a catch-up modernization:⁴ Poland, Romania and Bulgaria;
3. South-Eastern European countries characterized by semi-modernity: Portugal, Greece and Turkey.

At first sight, the classification might seem less convincing, because historically Germany was seen as a latecomer in comparison to England; France and Italy represent very different modernization pathways and Turkey is a partial copy of the European development, adopting elements like laicism or capitalism, but ignoring characteristics like liberalism or the separation of powers. The underlying idea of the analytic construction is to assemble those countries in a common cluster which start from similar structural conditions, but show fundamental differences in the way in which they deal with these conditions. Thus, a cluster is a unit on the one hand on the basis of similarity and on the other hand in contrast to different cases. Like Weber's ideal types, the parts represent transformational structures for heuristic use in empirical exploration rather than ontological entities. In principal, the 'project of modernity' is not finished anywhere. Wolfgang Zapf's (1991) phrase the 'modernization of modern societies' fits well with the idea of a multiple modernity, each manifestation of which is obviously incomplete and hybrid (Weber 1978, Latour 1997).

1 For further elaboration on this topic, see Chapter 1.

2 The tripartite scheme of the book reproduces this clustering.

3 Cf. Tiryakian 1985.

4 'Catch-up modernization' is a theoretical concept introduced by Wolfgang Zapf (1996). For a critical reconstruction, see Müller 1991, Tänzler 1998.