

Corruption in politics – a persistent, yet controllable phenomenon?

An interview with Dr Michael Koß

Which forms and manifestations of political corruption are prominent in Germany and the EU countries? What 'grey areas' exist? What should be changed with regards to party financing, lobbying, and politicians' secondary employment? Dr Michael Koß, political scientist at the Ludwig Maximilian University Munich, answers these questions in this written interview. Moreover, he discusses the role of (organised) civil society in preventing and combating political corruption in greater detail, and identifies effective strategies for tackling the dominant forms of corruption in politics.



In which – transnational – categories, forms and practices does corruption in politics manifest itself?

Generally speaking, it is considered political corruption when a person holding a political office or mandate illegally accepts donations with the objective of obtaining a benefit or avoiding costs. The requirement for this activity to be illegal leaves some leeway for 'grey' corruption. The key area, where it is beyond doubt that political corruption exists, involves 'kickbacks', i.e. payments made as consideration for a political advantage. The classical example would be advance payments or considerations for public contracts. This is why the construction and defence industries are frequently involved in political corruption. These industries heavily depend on public contracts. The infamous suitcases filled with cash are not quite as common as often imagined. Rather, indirect contributions are often employed: non-cash benefits – especially during election campaign – may include provision of staff, infrastructure (e.g. offices), a vehicle fleet, etc. Another major area of political corruption involves political actors unlawfully using state infrastructure for their own purposes; in particular, to obtain advantages in an election campaign, or with the objective of obtaining favours.

Which forms of political corruption are prominent in the EU countries and in Germany?

All of the above. The only thing that has changed is the intensity; at least, on national level. For instance, kickbacks from the construction industry used to be the main source of income for French parties up until the 1980s. In the 1950s and 1960s, certain civic associations in Germany, the 'Staatsbürgerliche Vereinigungen', concealed corporate donations to parties, while also making these donations tax-deductible based on their status as registered associations. In Western Europe, such systemic corruption appears to be a thing of the past. However, in countries like Romania, early 2017 saw people taking to the streets in their hundreds of thousands to limit such practices. And thus far, I have only addressed the national level. In Germany, the recent example of Regensburg shows that structural corruption still exists at a local level:

Apparently, a Regensburg construction firm has been paying kickbacks to the mayor for decades. The mayor from Germany's Social Democratic Party SPD elected in 2008 seems to have simply adopted the financial links with the construction industry from his predecessor from the Christian Social Union, and refined it.

In your opinion, which 'grey areas' need to be made transparent and regulated?

Two areas are particularly sensitive: First of all, clear lines have to be drawn between 'politics' and the 'economy'. Nobody should appear to conceive politics as a continuation of their economic activity, or conversely, to base their commercial competitiveness on their outstanding political connections. Then there is the field of lobbyism: There is no doubt the consultation of economic interests in the legislative process is crucial. However, it should be equally imperative to enable interested voters or media representatives to obtain a realistic picture of the parties who have exerted influence on a legislative project, and at what point.

What are effective strategies – best practices – for combating the prominent forms of corruption in politics?

Not to be misled. Combating political corruption takes time, because the corrupt person always is at an advantage in the short-term. Yet, comparison, both over time and on international level, shows that regulation usually wins in the long-term. Even for politicians, it is the better solution – as long as they can be confident that their competitors are also playing by the rules. A vigorous civil society and an independent judiciary are key. The first must consistently highlight misconduct; the latter must be able to punish it. Rules are not a deterrent for anyone.

Party financing, lobbyism, and politicians' secondary employment are frequently criticised – Which objectives and rules would need to be established to clarify these grey areas?

First of all, former office holders need to be held to certain periods of restriction. If a smooth change between politics and the economy is possible, channels for non-transparent entanglement are maintained. In Germany, this earned the euphemism of 'political landscape conservation'. A ceiling for donations to political parties should also be considered. Above a certain amount, I find it difficult to believe that someone would make such a donation without expecting something in return. After all, the upper limits for the identification of donors by name in the accountability reports are frequently far too high. Upper limits of 10,000 euros or more are really only an invitation to do wrong; for instance, by splitting donations. And then we have sponsorships, which are not even covered by a legal framework. Sponsorship income must be set at equal with income from donations, i.e. disclosed in a separate section of the accountability reports, naming the sponsors who have contributed any notable amounts. Finally, the 'legislative footprint' should be mentioned. This describes the obligation to document the development of a legislative project in full, including on part of the lobbyists who only gain access to political actors when these are willing to interact.

Which role does (organised) civil society play in preventing and combating political corruption? Can you provide an example?

A great deal has already been achieved if states are taking the initiative, and establish a monitoring regime. In this light, the Council of Europe's Group of States against Corruption (GRECO) is a very welcome initiative. The GRECO team's regular evaluations provide a basis for the comparison of the progress the individual member countries of the Council of Europe have made in combating political corruption in terms of formal regulation, as well as actual implementation – both over time, and on an international level. Of course, such

an initiative can only ever constitute a first step. The most impressive supporting argument is worth nothing if there are no civic actors to catch the ball and build up pressure on political decision-makers. Politicians are usually able to ride out mere expressions of discontent. A consistent and low-key organisation like Transparency International (TI) is much more helpful. TI is a global non-governmental organisation with a local presence through national, regional and often also subject-specific subdivisions. This has several advantages: On the one hand, it enables TI to specifically respond to the problem constellations at hand. On the other hand, it facilitates the establishment of a permanent relationship with political actors. This is an absolute prerequisite for persuading politicians that certain preventative measures offer long-term benefits. One example would party sponsorship in Germany. Despite scandals in the past, it has not been regulated to this day. As yet another scandal has surfaced, the Social Democrats have now submitted draft legislation stipulating both regulation of sponsorships, and a legislative footprint. It would take blind optimism to expect all other parties to simply adopt the draft in this form. But now it is on the table – and after fighting for this matter for many years, TI Germany now has additional leverage for admonishing the parties. It is simply a waiting game.

Dr Michael Koß

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This paper reflects the opinion of the author.

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