Integrity Violations, White-Collar Crime, and Violations of Human Rights: Revealing the Connection

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This article reviews the findings of three research projects—all performed by the author and companions—supporting the hypothesis that integrity violations comprise white-collar crime or human rights violations or can be an indicator of more serious crime in an organization. Two of these studies have not previously been published in journals. Two of the projects compare observed integrity violations and ethical leadership in the United States with those in the Netherlands, Serbia, and Montenegro. The third study explores the connection between integrity violations and human rights violations by drawing the topic closer to the concept of state crime. Bridging the gap between public administration and criminology with a reflection on contributory factors to unethical behavior in the sense of white-collar crime, the article concludes with some coherent observations derived from the research projects discussed and encourages investment in ethics and integrity management as an instrument to prevent and control organizational crime and human rights violations.

Keywords: human rights, integrity, police, state crime, white-collar crime

ETHICS AND WHITE-COLLAR CRIME

The link with white-collar or organizational crime is not the first thing that comes to mind when one thinks about ethics. Unethical behavior in organizations goes under many names, including organizational misbehavior, or OMB (Vardi & Weitz, 2004), counterproductive work behavior, or CWB (Paul, 2011), deviant workplace behavior (Robinson & Bennett, 1995), administrative and systemic evil (Adams & Balfour, 2004; Zimbardo, 2007), and indeed, crime (corruption, fraud, bribery). The label applied depends generally on the discipline from which the research originates. In the present article the focus is on the concept of integrity violations (detailed below), arguing that the majority of integrity violations can either be considered white-collar crime as such or act as a red flag for more serious crime in the organization. Following an introduction of the concepts used, this claim will be supported with the results of a number of empirical and comparative studies.

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Organizational Crime

In the Netherlands, interest in white-collar crime has grown significantly since the end of the 1970s, and has gradually come to be termed organizational crime, meaning crime that occurs in an organization (public or private) or profession or in another organizational context. Huisman and Vande Walle (2010) distinguish organizational crime from occupational crime, defining the former as crime committed by an organization or a member of an organization in the interest of that organization. Similarly, Van de Bunt (1992) describes it as crimes committed—individually or in groups—by members of respectable and reputable organizations in the context of their performance of organizational tasks (p. 6). The label thus refers not only to crimes committed solely for the personal gain of individual organization members (e.g., corruption, fraud, or theft that can damage the organization) but also to crime that benefits the organization itself, at least in the short term (see the discussion of noble-cause corruption below in this article).

That such crimes can also be committed by governmental organizations is amply demonstrated by two striking examples cited by the Dutch National Ombudsman at a 2011 symposium at the Open University Law Faculty. The first incident involved the Health Care Inspectorate’s attempt to cover up a major failure of the academic hospital in Groningen; the second, the felling of trees in a forest in the municipality of Onderbanken to clear a flight path for American AWACS aircraft at the Geilenkirchen air base just across the border in Germany. In this latter incident, the municipality did not want to cooperate but was overruled by the national government, using its authority under Article 4.4 of the Environmental Planning Act. Although the court eventually reversed the national government’s decision, by that time all the trees had been cut down. Crimes committed by the government or governmental organizations or agencies are often referred to as state crime—a type of crime where, by definition, rights of citizens are at stake.

State Crime

State crime was ignored for an extensive period in the criminological literature. In a 1990 publication Barak (1990) explores the potential of critical criminology to deal with state crime via investigation of such issues as state interventions, overlapping activities of criminal versus non-criminal organizations and the distinction between individual and state actors. The situation where the government commits crimes in some form of cooperation with private companies, is framed as state-corporate crime (Kramer, Michalowski, & Kauzlarich, 2002). Barak explores state crime via analysis of the activities of the CIA and FBI in the United States. These activities include methods of surveillance, wiretapping, mail tampering, and the use of agents provocateurs. Documented examples of this nature in the Netherlands can be found in the proceedings of the Parliamentary Inquiry Committee on (illegal) investigative methods by the police (Enquêtecommissie opsporingsmethoden, 1996). Barak argued that if criminologists did not begin to study and address these problems, they would be in the awkward position of aiding the criminalization of noncriminal populations across the world. Since then, things have moved quickly. Many publications on state crime have been released, but only a limited group of researchers has ventured to explore this theme. The British Journal of Criminology devoted a special issue to the topic in 2005, and in 2009 a group of prominent researchers in the field...
wrote an agenda for the future of state crime research (Rothe et al., 2009). Meanwhile, a stable
group of researchers working on the subject meets regularly at the annual conferences of the
European Society of Criminology and the American Society of Criminology. Further, several
online initiatives have been launched to facilitate researchers in the field of state crime to come
into contact with each other and exchange information.  

ETHICS AND INTEGRITY

The term “ethics” refers to the collection of values and norms, and of moral standards or
principles, that forms the foundation of integrity. In general, ethics is a set of principles, often
defined as a code of conduct, that is used as a framework for actions (Lawton, 1998, p. 16).
Whereas the moral nature of these principles refers to what is judged to be right, just, or good
(conduct), integrity or ethical behavior refers to much more than simply not being corrupt or
fraudulent. Rather, integrity is the quality, characteristic, or behavior of an individual or organi-
zation when acting in accordance with the moral values, standards, and rules accepted by the
organization’s members and society. Thus, integrity violations can be defined as violations
of these moral values and norms.

For empirical purposes, integrity is here defined as acting in agreement with the relevant
moral values, standards, norms, and rules, meaning that the focus is on manifestations of
behavior rather than intentions or underlying values. This focus conforms to the ethics triangle
of Bowman, West, Berman, and Van Wart (2004, p. 71), which recognizes the complementa-
rities and interdependence of the imperatives of thought—virtues, rules, and outcomes—in
different ethical schools.

To improve or safeguard organizational integrity, the boards of many profit and not-
for-profit organizations have developed policies whose bottom line is to minimize the extent
of unethical behavior in the organization. As Treviño, Weaver, Gibson, & Toffler (1999,
pp. 132—133) point out, “Effective ethics and compliance management should be associated
with less unethical and illegal behavior.” Hence, the starting point in our approach is unethical
employee behavior in an organization, which becomes visible in the incidence and prevalence
of integrity violations, defined as violations of social moral values and norms and the laws and
rules resulting from them.

Although the most prominent manifestations of integrity violations, perhaps, are corruption
and fraud—clearly examples of crimes regulated in criminal law—one should be aware that
discrimination, intimidation, and careless use of organizational property also fall under this
label (and sometimes also under the law). The research projects discussed in this article assume
this broader conceptual framework and use the classification of integrity violations by Huberts,
Pijl, & Steen (1999). This typology, derived from an analysis of the literature on (police) integ-
rity and corruption (Ahlf, 1997; Anechiarico & Jacobs, 1996; Heidenheimer, Johnston, &
Levine, 1989; Kleinig, 1996; Punch, 1985; Punch, Kolthoff, Van der Vijver, & Van Vliet,
1993; Roebuck & Barker, 1973; Sherman, 1974), and later validated by Lasthuizen, Huberts,
and Heres (2011), includes the following categories:

• corruption, including bribing, kickbacks (i.e., actions that benefit the individual,
  family, friends, or party);
• nepotism, cronyism, and patronage;
• fraud and theft of resources, including the manipulation of information to cover up fraud;
• conflict of (private and public) interest through promises, gifts, or discounts;
• conflict of interest through jobs and activities outside the organization (e.g., moonlighting);
• improper use of authority toward citizens;
• abuse and manipulation of information (unauthorized and improper use of confidential information, leaking confidential information);
• discrimination and (sexual) harassment, indecent treatment of colleagues or citizens;
• waste and abuse of organizational resources, including time; and
• misconduct at leisure (e.g., domestic violence, drunken driving, use of drugs).

THREE RESEARCH PROJECTS

Prior to the 1990s, only a handful of authors were engaged in organizational ethics research that involved systematic data collection and analysis, and their attempts were very limited compared to the effort invested in ethics theory. In fact, Menzel and Carson (1999) argue that the history of empirical research into public administration ethics in general, although vigorous, is very short. The 21st century, in contrast, seems to be breaking with this trend. Several research initiatives have resulted in a wealth of data and publications that provide new possibilities for comparative research. This section reports and discusses the findings of three research projects that focus on integrity violations and have particular relevance to white-collar crime and violations of human rights. The first two projects are situated in local government, the third in a police organization. The research projects were all conducted by the author, the comparative projects in close cooperation with colleagues in the participating countries.

Study 1: A Dutch-American Comparison

Before jumping into the first research project, it seems appropriate to spend a few words on the structure of governance and ethics in the Netherlands and the United States in order to provide a little context.

The Netherlands

In the Netherlands, although the Ministry of the Interior and Kingdom Relations is tasked with developing integrity policy for public administration, the subsequent implementation is decentralized, meaning that although policy documents, legislation, and regulations relate to all public administration, they are elaborated in more detail for various sectors, including municipalities and the police (Lamboo, 2005).

The current policy was initiated in the early 1990s, when the New Public Management pattern of thinking of the preceding decades had by then matured and no longer hindered the placement of integrity on the agenda (Kolthoff, 2007).
In 1999, individual organization responsibility was replaced by a proper balance between measures from below and steering from above (Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, 1999). In April 2003, in response to social interest in values and standards, as well as to a parliamentary inquiry into building and construction fraud, the ministry published the survey memorandum “Public Integrity Policy of the Public Service and the Police.” This policy document kept an organization’s own responsibility for integrity policy as the starting point, but accorded the ministry a more explicit coordinating role as initiator and stimulator. In February 2004, the 2003 original was augmented by an amendment to the Public Service Act and other laws relating to proper administrative conduct, proper employer conduct, and general rules governing integrity. The policy document and the bill together thus provide an overview of how integrity must be given substance. Through the revised Civil Service Act, which became effective on March 1, 2006, the minister presented a clear choice for a number of ex-officio obligations and made the code of conduct an important element of integrity policy. Continually at the forefront of such integrity protection is the Dutch police service, which as early as 1995 established internal investigation bureaus in all its forces with the responsibility for preventive tasks. The new Civil Service Act of 2006 resulted in the addition of similar articles to the Police Act.

The United States

The Constitution of the United States established a republican form of government in which political authority is shared and divided. The courts—particularly but not exclusively the Supreme Court—have delineated the shared and reserved powers that distinguish the authority of the states from federal authority. While this is not clearly defined by the Constitution, states have separate powers from the national government in many areas, such as the form of local governance and criminal law. Each state determines its authority in relation to local governance, and there is likely to be considerable variation in the form local governments adopt, such as commission, council-manager and mayor-council. The classic model of city-manager-led local government is the council-manager form of government. While other formats and structures have evolved since the creation of the council-manager form in the first two decades of the 20th century, the “form” is deeply imbedded in both the history and the ethos of the city management profession (Cox, 2004). According to the International City/County Management Association (ICMA), 49% of all municipal governments in the United States use the council-manager form or one of its variations. Elected representatives and a public administration that carries out legislative mandates are separate from the political process, but are influenced by it as they exercise the local community’s legislative power. While this form of decentralized governance provides for uncertainty, the tenets of democracy in the form of outcomes are equally considered when ethical decisions are made.

Comparing the United States and the Netherlands

To compare organizational ethics and ethical leadership in the Netherlands versus the United States, a quantitative analysis of survey data was chosen as the most appropriate analytical method (Kolthoff, Cox, & Johnson, 2009). To enhance reliability and validity, the survey instrument drew as much as possible on existing and already tested variables and scales; in particular, the KPMG Integrity Thermometer, a survey based on research by Kaptein (1998) and administered in many
public and private organizations in both the Netherlands and the United States. This instrument is especially suitable for gathering primary data (Huberts, Kaptein, & Lasthuizen, 2007; Kaptein, Huberts, Avelino, & Lasthuizen, 2005; Kaptein & Van Reenen, 2001).

The questionnaire developed for the comparative study, which comprises 150 items, designates a number of specific behaviors representing every type of integrity violation—for example, corruption or abuse of information (Kolthoff, 2007). It also frames 10 questions that measure the concept of ethical leadership (Treviño, Hartman, & Brown, 2000), as well as items that reflect Victor and Cullen’s (1987) ethical climate dimensions. In particular, the questionnaire asked respondents how frequently they have observed the following 27 integrity violations and how acceptable they find them:

1. Accepting bribes from external parties.
2. Selling confidential information to external parties.
3. Favoritism by managers within the organization.
4. Favoring friends or family outside the organization.
5. Taking business equipment home for private use.
6. Incorrect handling of or cheating on expense claims.
7. Excessive use of e-mail, Internet, and telephone facilities for private purposes.
8. Employee theft of business equipment.
9. Accepting gifts, favors, or entertainment (value less than €25) from external parties.
10. Accepting gifts, favors, or entertainment (value more than €25) from external parties.
11. Being active as a consultant after work hours.
12. Engaging in activities that pose a conflict of interest.
13. Concealing information from management or government.
14. Making false or misleading statements in reports or policy documents.
15. Deliberately slowing down decision-making processes.
16. Careless handling of confidential information.
17. Unauthorized use of colleagues’ passwords or access codes.
18. Discrimination based on gender, race, or sexual orientation.
19. Sexual intimidation/harassment.
20. Bullying (e.g., teasing, ignoring, or isolating individuals).
21. Gossiping about individuals.
22. Improperly approaching internal or external customers.
23. Falsely reporting in sick.
24. Insufficient employee effort.
25. Careless use of organizational property.
26. Setting a bad example during leisure time.
27. Excessive use of alcohol during leisure time.

After being pretested by the Dutch Office of Local Government Ethics in over 20 municipalities in the Netherlands, the survey was administered in 2006 to city managers in six midsize and small cities in the Netherlands and 74 midsize and small cities in the United States. A total of 105 respondents from the Netherlands and 85 respondents from the United States completed the questionnaire.

Figure 1 graphs the observed frequency of integrity violations in the two participating countries, designated on the horizontal axis by the number assigned to each violation in the
preceding list. Figure 2 then outlines the level of acceptability of each violation to the respondents. Figure 3 summarizes the responses to the 10 questions on moral leadership (Treviño et al., 2000) as measured on a scale of 1 to 6. The mean scores are 5.24 for the U.S. and 4.37 for the Dutch respondents.

Other results worth noting relate to the ethical climate in the participating organization. For the discussion on this dimension, rather than analyzing all aspects of ethical climate, three statements on communication aspects were selected:

1. In my work entity, colleagues address each other’s unethical behavior.
2. In my work entity, integrity dilemmas can be discussed openly.
3. In my work entity, personal opinions can be expressed freely.

Figure 4 graphs the mean scores of these statements.

Discussion

The results reported here point to several interesting issues. First, although the trends in frequency and acceptability of integrity violations are similar for both countries, the frequency is somewhat higher in the United States, whereas the acceptability is higher in the Netherlands. This finding suggests that the more acceptable an integrity violation is considered, the less it is observed. Another major conclusion drawn from the comparison of Dutch and American city managers is that the Americans perform significantly better than the Dutch on every one of the 10 statements on moral leadership. Of particular interest is that the Americans are relatively
sure in answering these questions ($n$ missing $= 8$ or $9$ on every statement), whereas almost a quarter of the Dutch city managers failed to answer the statements on the manager’s private life ($n$ missing $= 25$) or the disciplining of employees who violate ethical standards ($n$ missing $= 21$). This omission may have a cultural explanation in that the general attitude in the Netherlands is not to interfere in another person’s private life, making it less likely that this topic will be openly discussed in the work environment. A parallel can be observed with the communication items graphed in Figure 4, for which the Americans again score more highly on open discussion of ethical dilemmas and personal opinions. On the other hand, Dutch civil servants seem more willing to address unethical behavior by colleagues.

Study 2: Broadening the Scope

The second study compared the United States and the Netherlands with samples from two Eastern European countries, Serbia and Montenegro (Kolthoff, Erakovich, & Lasthuizen, 2010). As in Study 1 about the United States and the Netherlands, this section starts with a short description of the structure of governance and ethics policy in Serbia and Montenegro.

**Serbia and Montenegro**

After the dissolution of the Socialist Federal Republic of Yugoslavia in 1992, Montenegro remained part of a smaller Federal Republic of Yugoslavia along with Serbia. In 2002, Serbia
and Montenegro came to a new agreement regarding continued cooperation and entered into negotiations regarding the future status of the Federal Republic of Yugoslavia. In 2003, the Yugoslav Federation was replaced in favor of a more decentralized state union named Serbia and Montenegro. On June 3, 2006, the parliament of Montenegro declared the independence of Montenegro, formally confirming the result of the referendum on independence (http://en.wikipedia.org/wiki/Montenegro#cite_note-19). Serbia did not object to the declaration. The Serbian Local Government Reform Program (SLGRP) was launched in 2004 in order to re-establish the roots of government founded on the community and basic principles of Serbian society, aiming to restore the tradition of efficient, appropriate, and accountable local government. Montenegro voted to separate from Serbia and become a separate country but follows the Serbian law. Montenegro proclaimed its new constitution on October 22, 2007. The constitution of Montenegro describes the state as a “civic, democratic, ecological state of social justice, based on the reign of law.”

Since local government reform in 2004, municipalities in Serbia and Montenegro retain charge of a wide range of communal and utility services, although this continues to be qualified by parliamentary failure to enact a law establishing municipal rights to ownership of property. Social sector responsibility remains confined to preschools and maintenance of primary and secondary school buildings.

A new law on local public finance was enacted in 2006 and promises to make substantial progress in the equity, transparency, and stability of the fiscal decentralization system. The 2006 law substantially increases the discretion of local government while limiting that of the federal government. In particular, local governments gained the right to collect property taxes and to set the tax rates. They were also awarded the right to borrow money.

The Study

The second research project used an abbreviated version of the survey described to compare the four countries involved. The questionnaire developed for the analysis in this study focused on only six integrity violations:

1. Accepting bribes from external parties.
2. Selling confidential information to external parties.
3. Favoring friends or family outside the organization.
4. Accepting gifts, favors, or entertainment (less than $25) from external parties.
5. Accepting gifts, favors, or entertainment (value more than $25) from external parties.
6. Engaging in activities that pose a conflict of interest.

In Montenegro, 50 surveys were administered to managers of key departments in two different cities, 25 of which were returned and usable, for a 50% response rate. In Serbia, 52 surveys were administered to managers of all major departments in one city, 31 of which were returned and usable, for a 60% response rate. In the United States, 28 surveys were distributed to key department managers representing about 15% of city employees and 95% of city departments, 27 of which were returned and usable, for a 96% response rate. In the Netherlands, all 120 managers in one larger city received the survey, and 67 returned them, for a response rate of 56%. The results for the observed frequency and acceptability of integrity violations in the four participating countries are graphed in Figures 5 and 6.
Discussion

The results reported here bring to light several important findings, not least that the trends on frequency of integrity violations follow consistent patterns. For all integrity violations other than "small gifts," the United States and the Netherlands score lower on frequency than Serbia and Montenegro. For the acceptability of integrity violations, however, the differences between the countries are much smaller, although the frequency and acceptability scores for small gifts are both higher in the United States and the Netherlands than in Serbia and Montenegro. One explanation could be that after an initial zero-tolerance policy in the Netherlands, which evoked much discussion and an intense debate on integrity violations and ethical codes, small gifts are now generally accepted in the Netherlands, as they are in the United States. (Lamboo,
Lasthuizen, & Huberts, 2008). In Serbia and Montenegro, however, this debate is still young, and the observed frequency for “large gifts” (e.g., for taking bribes and selling information) is relatively high even though their acceptability is as low as in the Netherlands or the United States. Favoritism and conflict of interest, on the other hand, are considered more acceptable in Serbia and Montenegro than in the Netherlands or the United States, and their frequency is consequently higher.

Study 3: Integrity Violations and Human Rights

The third research project, which included corruption as a clear manifestation of white-collar or state crime, comprised a case study of a Dutch police force, conducted by the author in 2008. Given the extensive research already cited in this article, it is not necessary to delve deeply into matters of definition. What must be emphasized, however, is that corruption must be located within the broader view of integrity violations and misconduct (see the section on ethics and integrity) and that misconduct in general is seen as being systematically embedded in the organization.

A useful summary of the key causes of police corruption is offered by Newburn (1999), who cites organizational circumstances, opportunity, organizational culture, and neutralization mechanisms (p. 17), the same catalysts attributed to white-collar crime. To broaden the definition of corruption, Newburn follows Punch (2009) by including not only illegitimate but also approved goals, sometimes rather misleadingly referred to in the United Kingdom as noble-cause corruption (Bakker & Schulte Nordholt, 1997). In ongoing research at the Open University in the Netherlands, the concept is replaced by the term “task-related rulebreaking.” Miller and Blackler (2005) emphasize that police officers operating in an environment of widespread illegal drug use and large amounts of drug money are particularly at risk (p. 126), an argument that holds not only for drug offenses but for myriad types of organized crime. These authors also expand Newburn’s list to include a lack of police officer competency.

In our hypothesis, all the factors that affect the development of corrupt practices in police work (as an example of white-collar crime) also affect the development of human right violations (Kolthoff, 2010).

Police Corruption and Integrity Violations in the Netherlands

Compared to many developing countries, emerging countries like China and the former Soviet Union, and developed countries like the United States, it is safe to say that the Netherlands shows very low levels of police corruption (Huberts & Naeyé, 2005; Punch, 2009). That is, even though figures are hard to find and tend not to deal with the dark numbers, as compared with other countries, they are low indeed. For example, Nelen and Nieuwendijk (2003), in research into corruption investigations carried out by the Rijksrecherche (a special investigation agency directly responsible to the prosecutor general and charged with investigating the more serious cases of criminal behavior by police officers and politicians), identified 56 cases of police corruption over the 1998–2000 period. For the 1999–2000 period, Lamboo and Huberts (2005) identified 25 cases of corruption nationwide investigated by the police force’s internal investigation bureaus. In fact, the Rijksrecherche’s annual reports for 2005, 2006, 2007, and
2008 show a total of 14, 30, 30, and 23 investigations, respectively against police officers, of which 58%, on average, deal with corruption.

However, when the strict definition of corruption is abandoned and the focus shifts to misbehavior of police officers in general, more information becomes available. For example, an inventory of police complaints during the 1995–2000 period shows an average of about 4,000 complaints a year (Krysztof van Rijn, 2001), meaning about 12.5 complaints per 100 police officers, or 25.2 complaints per 100,000 inhabitants. According to Naeyé and Schalken (1999), complaints for 1997 were related to the following issues: the performance of police tasks (36%), treatment by police officers (29%), (mis)use of authority (17%), use of force (10%), care for prisoners (1%), dealing with complaints (0.2%), and others (7%). Of all the complaints received, only 20% were proven well founded, while only 15% of the average 464 complaints against the police received over the 1998–2000 period by the National Ombudsman resulted in investigation and a formal opinion. Of this 15%, about 45% (or 30 cases a year) were proven to be well founded. The nature of these complaints clearly illustrates their connection with human rights.

**Connection Between Corruption and Human Rights**

Even though the International Council on Human Rights Policy (ICHRP, 2009a, 2009b) has published some impressive research-based reports, the connection between corruption and human rights is too often neglected in research. More literature on the relation between the two phenomena becomes available, however, when corruption is studied in its broader definition of integrity violations, particularly as applied to the police force (Alderson, 1998; Fijnaut & Huberts, 2002; Lynch, 1999; Neyroud & Beckley, 2001).

The link between corruption and human rights can be approached from several different angles. One approach emphasizes the independent right to live in a corruption-free world on the grounds that endemic corruption destroys the fundamental values of human dignity and political equality, making it impossible to exercise most other human rights. Another focuses on the human rights already recognized in major international treaties, for which the ICHR report builds a case with its claim that where rights are guaranteed and implemented, corruption is drastically reduced (ICHRP, 2009b). The ICHR report further suggests that state commitment to combating corruption runs parallel with state commitment to promote and respect human rights. In fact, Pearson (1999) claims that approaching corruption as an exclusively economic and political issue is inadequate and fails to consider the effect of corruption on people’s lives and rights. He further argues that because state tolerance of corruption leads to breaches of human rights, existing international human rights mechanisms may be useful in the fight against corruption. Yet international anti-corruption conventions rarely refer to human rights, and with the notable exceptions of the Preamble of the Council of Europe Criminal Law Convention on Corruption and certain practical guidelines, major human rights instruments seldom mention corruption.

Although it is often taken for granted that corruption violates human rights, this claim brings to mind a wide range of issues. When corruption is widespread, for instance, people have no access to justice and are insecure and unable to protect their livelihoods. Nevertheless, assuming that all forms of corrupt practice may in the long run have an impact on human rights does not automatically mean that a given act of corruption violates a human right. Rather, the ICHR
(2009b) report distinguishes between direct violations, indirect violations (corruption as a necessary condition), and remote violations (corruption as but one factor among others).

An alternative viewpoint is offered here: Corruption and human rights violations can prosper when the same conditions are (un)fulfilled. From this perspective, corruption and human rights violations are two manifestations of the same cause. For example, both Kolthoff (2007) and Lasthuizen (2008) report that in a police organization, independent variables like leadership style and accountability have a more or less similar effect on different forms of integrity violations, including corruption and human rights violations. Another important finding in their researches was that all the observed integrity violations summed up with high and significant correlations.

The Study

The 2008 survey was requested by a large regional police force in the Netherlands with the aim of providing information on which to further develop the force’s integrity policy. Although all force members were invited to participate, the final response rate, at 54%, represented just above half the force. The survey items asked participants about their knowledge of and attitude toward rules and policies, their opinions of the force’s leadership, the ethical climate, the frequency with which they observed integrity violations, and their assessment of such infractions. Most particularly, as in the earlier-discussed research, the survey recorded how many times respondents had observed any of 26 integrity violations (ranging from corruption and fraud to waste of resources and misbehavior during leisure time) during the last year in their direct working environment and how acceptable they found such behavior. A secondary analysis of the original results was then carried out, focusing on selected integrity violations: five types of behavior that could be considered corrupt and 11 that constitute violations of human rights. All were examples of white-collar crime or, in the case of a police organization, state crime. The five corruptive acts selected were as follows:

1. Accepting bribes from external parties during duty;
2. Providing or selling confidential information to external parties;
3. Favoritism by managers;
4. Favoring friends or family outside the organization; and
5. Accepting larger gifts (> €25) from external parties.

For human rights violations, manifestations of police behavior were selected that violate specific human rights as codified in the Netherlands’ primary legal framework of reference, the European Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter ECHR). The 11 behavior types selected can be direct or indirect violations of the right to life (ECHR Art. 2), the prohibition of torture (Art. 3), the right to liberty and security of person (Art. 5), the right to a fair trial (Art. 6), the right to respect for private and family life (Art. 8), the right to freedom of expression (Art. 10), and the right to freedom of peaceful assembly (Art. 11). The corresponding behaviors are outlined below:

1. Concealing information from supervisory authorities.
2. Falsifying or improperly manipulating police reports.
3. Careless handling of confidential police information.
4. Discrimination among colleagues based on gender, race, or sexual orientation.
5. Discrimination toward the public based on gender, race, or sexual orientation.
6. Sexual harassment.
7. Bullying (e.g., teasing, ignoring, or isolating colleagues).
8. Use of inappropriate or disproportionate violence.
9. Insufficient care for prisoners.
10. Threatening violence during interrogations.
11. Use of illegal investigative methods.

To answer the question of whether they are interrelated, correlations between corruptive acts and human rights violations were calculated. Before discussing the results of that calculation, however, some descriptive statistics of the survey are presented.

**Discussion**

As expected, the absolute figures on the observed frequencies of the selected items are very low, suggesting that such behaviors are not widespread within the Dutch police. In fact, the mean scores reflect observed frequencies near to “never,” which is the lowest score possible on the scale. Nevertheless, it should be kept in mind, particularly when the number of respondents is as large as in this survey and the frequency of specific behaviors is low, that mean scores can give a wrong impression. In addition, our analysis deals with types of behavior that individuals will try to conceal if possible, meaning a probably substantive dark number. To extrapolate an accurate picture, therefore, it is more appropriate to look at the standard deviation and the minimum and maximum scores rather than the mean score. For the item “Accepting bribes from external parties during duty,” for example, the mean score is very low (1.1 on a scale from 1 to 5). The raw scores for this item, on the other hand, indicate that 29 of the 545 respondents (5.3%) had observed such behavior, and 22 had even seen it several times or regularly. Scores were also relatively high for favoritism, careless handling of confidential police information, discrimination, bullying, and the inappropriate or disproportionate use of violence.

The scores on the acceptability of the different types of behavior more or less resemble the results for the observed frequencies, with respondents showing a low tolerance for all the behavior types assessed. In general, participants seemed to consider such behavior unacceptable, although the maximum scores and the standard deviation indicate exceptions. For example, 22 of 398 respondents (5.5%) selected something other than “never” for how acceptable they considered the use of illegal investigative methods. In fact, participants tended to consider favoritism, acceptance of gifts, the use of violence, and the use of illegal investigative methods as more acceptable than other types of behavior.

The second research goal was to identify any correlations between corruptive behavior and the violation of human rights. A Spearman correlation was used to capture the strength of the link between the two types of integrity violations. For this coefficient, the closer the correlation \( R \) to +1 (a perfect positive correlation) or −1 (a perfect negative correlation), the stronger the likely correlation. Hence, \( R \)-values larger than 0.5 (or smaller than −0.5) suggest fairly strong relations. If the correlation is above the 0.01 significance level, there is 99.9% confidence that it did not occur by chance. Obviously, however, correlation does not indicate that one variable causes the other.

The conclusions of this research can be succinctly stated. The integrity violations comprising corruptive actions and those considered human rights violations all correlate relatively highly
and significantly at the 0.01 level with respect to both observed frequencies and the acceptability of the different types of behavior, with $R$-values ranging from 0.381 to 0.721 but mostly above 0.5. Therefore, despite the relatively low absolute outcomes for these two variables, this relation is worth further investigation. If, as claimed earlier, a human rights approach to combating corruption is a good strategy for developing a solid additional legal framework, then when focusing on the prevention of corruption or police violations of human rights, it seems wise to concentrate on the common cause of the behavior to be eliminated. For this endeavor, an integrity approach seems more promising than a strictly human rights approach.

The link between corruption and human rights also needs to be seen in the light of what Den Boer (2010) calls “shifting security paradigms.” Radicalization, terrorism, organized crime, pro-active police methods, anxieties that turn into racial tensions, the introduction of performance management, and the emergence of a surveillance society in Europe are among the many developments to which police work has to adjust. Not only do all these issues raise specific questions on the relation investigated here, but in these relatively new fields of police work, much can and does go wrong, suggesting the need to include ethics in their development.

REFLECTION ON CAUSES OF UNETHICAL BEHAVIOR AND THUS OF WHITE-COLLAR CRIME

Average People Committing Organizational Crime

Not surprisingly, many criminological explanations of organizational crime focus on opportunities (Benson & Simpson, 2009) and organizational characteristics, such as the bureaucratic nature of large organizations and their emphasis on performance (Brants, 2007). In such a context, because production processes are broken down into small units, employees need not worry about ultimate outcomes, managers are focused on achieving their targets, and any damage is translated into a cost–benefit analysis. As a result, victims remain hidden from company employees, a phenomenon that Slapper and Tombs (1999) term the “pathology” of organizations. Managers at the top of the organization, on the other hand, do have an important influence on the organizational culture and hence on the conduct of its individual members (Shover & Hochstetler, 2002). Therefore, investigations of large fraud scandals (e.g., Enron in the U.S., Ahold in the Netherlands) and financial sector activity leading to the 2009 financial crisis focus extra attention on the risky unethical behavior of managers in large firms (Braithwaite, 2009). Such individuals, it seems, are not only influenced by their positions within the organization, the organizational culture, and the organization’s set of procedures, but they behave differently within their organization than in private life (Huisman & Vande Walle, 2010).

As regards organizational crime in the Netherlands specifically, a 2002 qualitative analysis of 41 cases by the Research Center of the Dutch Ministry of Justice (WODC) found that those committing organizational crimes were quite “average” people (Berg, Aidala, & Beenakkers, 2002). Hence, although some literature suggests that the stereotypical white-collar criminal is an older, respected, but amoral businessperson who commits crimes deliberately and intelligently, the WODC research pointed mainly to middle-aged men in management positions. Not only did these subjects have no more than an average education, but they were not characterized by either an amoral or a calculating attitude. Rather, they committed crimes in the course of their daily routines.
This profile of an average offender in the WODC research echoes the results of Milgram’s (1974) classic experiments in obedience to authority, which wholeheartedly supported the concept of the banality of evil proposed by Hannah Arendt (1963) in her report on the trial of Adolf Eichmann. In this piece, Arendt argues that “the trouble with Eichmann was precisely that so many were like him, and that the many were neither perverted nor sadistic, that they were and still are, terribly and terrifyingly normal” (p. 276). In her view, Eichmann could best be characterized as passively obeying orders and trying to do so in the best and most efficient way. In other words, he was the ultimate “desk murderer.” Milgram (1974) endorsed the general applicability of Arendt’s concept as coming “closer to the truth than one might dare imagine” (p. 6). Nevertheless, Arendt herself was aware of the limitations of the “blind obedience” concept. In her introduction to Naumann’s (1966) *Auschwitz*, describing the 1963–1965 trial of a group of SS men who had served in the notorious camp, she emphasized that nobody had given orders for the horrific torture that the men had personally performed prior to murdering their victims (p. xxiv). More recent research has revealed that Eichmann might not have been so ordinary at all and, in fact, was an ideologically motivated Nazi with strong anti-Semitic feelings (Cesarani, 2006; Stangneth, 2011). Still, Cesarani concludes his extensive biography of Eichmann with the words:

Under the right circumstances, normal people will commit mass murder and the circumstances of our age—with its racism, ethnic cleansing, suicide bombers and genocidal killings—are ominous. Eichmann appears more and more like a man of our time. Everyman as génocidaire. (2006, p. 368)

Moreover, as several scholars have pointed out, Milgram’s experiments reveal less about authority per se than about the behavior of people in certain contextual situations (Haney, Banks, & Zimbardo, 1973; Zimbardo, 2007; Zimbardo, Maslach, & Haney, 2000). That is, in certain circumstances, people obey; in others, they do not. More relevant to the purpose of this article is that Milgram’s work greatly enhances our understanding of the relevance of context for obedience to authority by mirroring the structural conditions of large bureaucratic organizations (Russell & Gregory, 2005). In fact, his laboratory setting exemplified a hierarchically organized authoritarian system characterized by a division of tasks, separation of the participants from the consequences of their actions, the need to perform the task in a technical and structured manner, and working according to a standardized procedure—all Weberian bureaucratic characteristics indeed. His experimental setting was also characterized by a high degree of impersonal, emotionless, directive communication, instrumental use of advanced technology, and peer pressure, all under a binding condition (i.e., contract) that made subjects feel obliged to participate (Russell & Gregory, 2005).

That further research is warranted on the elements in bureaucratic organizations that may contribute to and perpetuate organizational misconduct, and on the best means to combat them, is supported by the very fact that Western governments, like most large private companies, are organized bureaucratically. Yet to date, most governmental approaches to developing integrity policy seem to be based on rational choice theory and the assumption of a distinction between those who are or are not predisposed to commit unethical behavior (Weisburd & Waring, 2001, p. 139).

Neutralization and Organizational Crime

It should also be noted that the preceding observations, although perhaps valid for crimes committed by organizations or by individuals on behalf of or in favor of organizations, do
not address individuals who commit crimes or integrity violations in their own interest without any perceived benefit for the organization. For example, in the WODC research on organizational crime (Berg et al., 2002), the researchers found that many offenders believed that they were acting for the good of the organization. They also identified a predominance of neutralizations and opportunity structures underlying and/or following the offenses.

In the context addressed here, neutralization theories are particularly important because they actually explain the offender behavior that follows the unethical conduct. Specifically, organizations and their employees justify subsequent behavior using the neutralization techniques identified by Sykes and Matza (1957) in the context of juvenile delinquency. These techniques include denying damage or involvement, emphasizing the positive effects, claiming to be victims themselves, invoking obedience to local authority, suggesting that “everybody’s doing it,” appealing to higher interests, and blaming the accusers (Benson, 1998; Coleman, 1987; Coleman, 1995). Such techniques also play an important role in international crimes (Huisman, 2010; Maruna & Copes, 2005; Slapper & Tombs, 1999; Smeulers, 2012); most particularly, because managers of large international companies—usually highly educated, on successful career paths, and upper middle or upper class in status—view themselves as respectable, law-abiding citizens. They therefore use neutralization techniques in an attempt to justify their behavior to themselves and others and to maintain their self-image of respectable entrepreneur or manager.

Such machinations are amply reflected in the press and in legal proceedings following allegations of organizational crimes. For example, based on 41 in-depth interviews with convicted and incarcerated white-collar criminals, Goldstraw-White (2012) outlines these offenders’ struggle with the offender label placed on them by society and identifies rationalization and opportunity as the most important theme in their accounts. In other work, Anand, Ashforth, & Joshi (2004) supplement Sykes and Matza’s (1957) five original neutralization techniques with Minor’s (1981) “metaphor of the ledger” (the belief that “I am entitled to use organizational resources since I do so much overtime”) as a starting point for explaining why corruption can be so endemic in some organizations. Their model also incorporates socialization processes in which newcomers perceive the behavior they see as normal and take it as “the rules of the game,” which, combined with particular organizational context factors, leads to enduring and institutionalized corruption (see Figure 7).

![FIGURE 7 Facilitating rationalization/socialization in organizations. Source: Anand et al., 2004, p. 40.](image)
Psychopathy and Organizational Crime

Here a specific area of interest is worth mentioning, namely, the relationship between psychopathy and organizational crime; also a subject that has been undervalued in public administration—as in many applied sciences—until now. Traditionally, psychopathy has been associated with violent and horrifying crimes like serial murders and violent robberies and sex crimes. That is also the image presented by Hollywood movies, in which the offender often is a caricature with manifest disturbed traits. Think of Anthony Hopkins’s character Hannibal in the movie *The Silence of the Lambs.* Psychopaths are often identified with the inhabitants of forensic mental institutions, and most available research is conducted on these populations.

However, there is no doubt that everyone has come in contact with, and possibly been deceived by, a psychotic personality (Babiak & Hare, 2006). In fact, most disturbingly, it is the nature of a psychopath to initially come across as very appealing and likable. The relationship between psychopathy and organizational misbehavior and crime has only recently been placed on the agenda. Modern organizations provide a safe home for executives and managers with psychopathic traits and even need them. For example, it is easier to reorganize and downsize an organization if you are less bothered by your conscience and empathic feelings, a characteristic of the psychopathic personality. To a certain degree, of course. A lot of unethical behavior can be caused by psychopathic personalities, and it is not a very blind guess that Eichmann and other offenders of genocide and thus, in our times, of state crime would score high on the PCL-R test for psychopathic personality (Kolthoff, 2013). However, it appears that psychopaths are difficult to recognize and can cause disastrous consequences for their organization and employees. This process is extensively described by Boddy, Ladyshewsky, and Galvin (2010). A comprehensive overview of research in this area with a focus on corporate crime was recently published in the *Journal for Forensic Psychology* (Pardue, Robinson, & Arrigo, 2013).

CONCLUDING REMARKS

This article started with the statement that integrity violations can comprise white-collar crime or human rights violations, or can act as an indicator for more serious crime in an organization. As defined in *Black's Law Dictionary* (http://thelawdictionary.org/crime), crime is

> an act committed or omitted, in violation of a public law, either forbidding or commanding it; a breach or violation of some public right or duty due to a whole community, considered as a community. In its social aggregate capacity, as distinguished from a civil injury (*Wilkins v. U.S.*).

It is safe to conclude that many of the observed integrity violations—including corruption and falsifying police reports—are crimes as such. Since these crimes are committed in organizations, the label white-collar or organizational crime can be applied.

The integrity violations discussed that did not fit in the definition of crime—like careless use of organizational property or falsely reporting in sick—are also very important. The high correlations of these types of ethical violations with the criminal violations suggest that they can serve as a warning signal for more serious violations in the organization. This is emphasized
by the relations found between corruption-like ethical violations and violations of human rights. The development of integrity violations in the research populations discussed was not part of the study, but further research should shine light on the question whether the idea of the stepping-stone-theory—that someone starts with less serious violations and develops toward committing more serious (criminal) offenses—could be true for these kinds of organizational crime. Contributing elements could be derived from—among others—opportunity theory, neutralization theories, social learning theory, and theories on (bureaucratic) organizations and organizational culture.

Another interesting remark is that the observed trends with respect to observed frequencies and acceptability of different types of integrity violations are similar in the countries that were included in the research projects discussed, but differences can be observed related to stadiums of development of democracy.

A last remark concerns cultural differences between the countries researched here. Culture is always difficult to discuss, because everyone seems to hold different opinions on it and culture was not part of our research. Nevertheless, it seems safe to assume that the importance of privacy in the Netherlands is an explanation of why Dutch managers are less willing to discuss their private behavior with employees than their American colleagues, and are more reluctant to discipline unethical behavior. Americans are also more willing to openly discuss ethical dilemmas and personal opinions. On the other hand, Dutch civil servants seem more willing to address unethical behavior by colleagues. Another finding—apart from stage of democratic development—that might have a cultural background, is that favoritism and conflict of interest are considered more acceptable in Serbia and Montenegro than in the Netherlands or the United States, and their frequency is consequently higher.

To conclude this article, a plea to invest in ethics and integrity management as an instrument to prevent and attack organizational and state crime seems fitting.

NOTES

1. For other illustrative examples of this nature, see Huberts, van Montfoort, and Doig (2006).
2. For examples of this form of crime, see also Huisman (2010).
3. The International State Crime Initiative (King’s College London): http://statecrime.org; the International State Crime Research Center (Old Dominion University): http://statecrimecenter.com; and the Platform for Supranational Criminology: The criminology of international crimes and other gross human rights violations (Tilburg University): http://www.supranationalcriminology.org.
4. Kamerstukken (Parliamentary Proceedings): TK2002–2003, 28 844 nos. 1–2.
5. Kamerstukken (Parliamentary Proceedings): TK2002-2003, 29 436 nos. 1–2, 3.
6. Kamerstukken (Parliamentary Proceedings): TK2002-2003, 28 844 nos. 1–2.
7. Ongoing Ph.D. research by Robin van Halderen.
8. Signed in Rome on November 4, 1950, it came into force on September 3, 1953.

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