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The Phenomenon of Corruption is not a "crime"

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Abstract

This article addresses a very important issue, for aspiring scholars studying the forms of the phenomenon of corruption. It concerns the fundamental scientific error of using the term "corruption crimes." This term, lacks grounding in any scientific theory, axiom or methodological framework. As will be analyzed, it is employed by scholars in certain countries for two primary reasons. First, to advance the professional interests of specific academic or professional groups, such as lawyers, economists or criminologists. Second, because it confines public and academic perception of the phenomenon of corruption, to only certain forms, effectively equating the phenomenon with those alone. As a result, all other forms of corruption are left unexamined and unhindered in practice.

Keywords: Phenomenon of Corruption; Theory of the Phenomenon of Corruption; Crime; Forms of Corruption; Code of Forms of Corruption

1. Introduction

The phenomenon of corruption, global in scope yet simultaneously manifesting within nation-states, has, for more than 80 years, served as a catalyst for both the intensive use of the term "corruption" and the prolific production of related literature by scholars, academics and technocrats.[1] This reality is indicative of the persistent stimuli the phenomenon has generated and continues to generate. The result of this sustained engagement, has been the gradual imposition of a western cultural framework and its corresponding agendas, upon the ways in which "corruption" is conceptualized. This has occurred at the expense of a more neutral, scientifically grounded approach.[2]

Such imposition has contributed to the emergence of a dominant perception: that the phenomenon, through its various forms, is uniform across all countries—as if no sociocultural or historical differentiation exists among global populations, a notion that contradicts the very foundation of disciplines, such as sociology. More critically, it has led to the unscientific conflation of the entire phenomenon of corruption with a select few of its forms, such as embezzlement, bribery or fraud. This reductionist perspective is evident in the myriad "definitions" that circulate across academic literature, legal texts, documents issued by international organizations and online platforms. These "definitions", lack any theoretical grounding or methodological rigor and in some cases, such as that of Greece, an official definition is altogether absent from the legal framework.[3]

To the aforementioned scientific oversights, must be added the problematic use of an imprecise and inappropriate term: "corruption crimes". This is an unscientific term, deliberately employed. First, it originates from one of the scientifically flawed "definitions" of the phenomenon, namely, the characterization of corruption as "the abuse of public office for private gain." Second, it conspicuously disregards, the vast cultural variations across the globe, which are embedded in human actions that, while they may formally meet certain criteria to be labeled as corruption form, do not align with either statutory or customary law in various countries.[4] Third, the term lacks any grounding in scientific methodology or evidentiary support that would justify reducing an entire, multifaceted phenomenon and its forms, to the narrow and

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rigid confines of what the term “crime” implies. This term itself, stems from a highly specific and limited academic domain: substantive criminal law. Thus, the use of the term “crime” in reference to corruption, a global human phenomenon characterized by a wide diversity of forms and consequences, raises significant scientific concerns. It presumes a level of normative uniformity that simply does not exist across legal, cultural or societal contexts around the world.

The use of the term “crime” in conjunction with “corruption”, effectively confines the perception of both populations and their respective leaders, to a narrow set of the phenomenon’s forms, such as bribery or fraud, while disregarding other, equally significant forms, including legislative overproduction, legal inconsistency, private sector corruption, political corruption, nepotism and others. Moreover, a specific human act classified as a form of corruption in one country, according to the Code of Forms of Corruption, may be legally defined and addressed strictly as a “crime.” [5] Yet, should the same act, in a different country with a different “ideotype of corruption” and population “profile homo corruptus”, be treated identically?[6] Where is the minimum scientific legalization to do or impose something like this?

Why, then, is this term “crime” so persistently appended to corruption? Because its invocation, exerts a powerful psychological and cognitive effect: it induces a form of collective intellectual and practical inertia. Populations are led to await the intervention of technocrats, aspiring political leaders, financial managers, accountants, or criminal lawyers, as modern-day “*deus ex machina* “figures, who will “protect” them from forms of corruption, selectively identified and emphasized. These are the forms that serve institutional or personal agendas, generate income for professional offices, enable temporary political or academic prestige and crucially, leave the remaining and often more entrenched manifestations of corruption untouched and unchallenged.

Thus, in response to the self-evident question of why this complex of scientific errors persists, namely the conflation of the phenomenon with certain of its forms, the use of inadequate "definitions" and the employment of the unscientific term “corruption crimes”, the answer is clear and unequivocal: because it serves specific agendas and interests at both the global and nation-state levels. Incomplete knowledge, distorted perceptions, entrapped thinking and anti-scientific approaches, focus the attention of populations solely on those forms of corruption, that align with these interests and objectives.

Consequently, a constant flow of discourse emerges, from politicians, entrepreneurs, lawyers, financial analysts, technocrats, criminologists and others, presenting analyses and interpretations of a phenomenon they neither fully understand, nor can define, nor grasp in its true scope. Inevitably, this results in the phenomenon of corruption being reflected through the very concept of chaos itself. This deliberate ignorance and indifference, toward the theoretical understanding of corruption within each distinct societal context, along with the devaluation of the scholar in favor of the “crow-intellectual”, who focuses exclusively on particular forms, not only prevents populations from perceiving corruption as a multifaceted phenomenon intrinsically linked to numerous fields of knowledge, but exploits this lack of understanding, to advance specific interests.

A particularly illustrative example of the aforementioned issues can be found in the case of international organizations. Fundamentally, an international organization is a cooperative entity established by treaty among two or more nation-states, aimed at promoting matters of common interest. The operational processes of such organizations, functioning as regulatory frameworks at a global or regional scale, differ fundamentally from the structures of nation-state governance. In the case of the latter, the subjects of regulation are populations; in contrast, international organizations operate through nation-states, represented by their governments or heads of state. What both frameworks share, however, is the attempt to regulate the coexistence of autonomous and unequal entities. So, what occurs within these international organizations in relation to the phenomenon of corruption?

Their engagements with the corruption phenomenon, often reflect a disheartening combination of satisfying the interests of specific members-states, a conspicuous failure in managing even selected forms of the phenomenon, or some ambiguous state in between. This failure stems from several core issues: the initial conceptual error of equating the entire phenomenon with one of its specific forms. [7] the pursuit of global regulatory initiatives without a foundational understanding of the nation-specific dimensions each form of corruption, the lack of application of rigorous scientific methodology and of effective criteria for evaluating strategies, objectives and outcomes of their "anti-corruption initiatives". These deficiencies form the structural pillars of their ineffectiveness, for the management of corruption forms, in any scientifically valid manner. [8]

Moreover, these organizations, remain entrenched in the agendas of their most powerful member states, as well as in the bureaucratic logic of rules, regulations, resolutions and institutional disputes. Such entrenchment, leaves little room for addressing the vital differences among nation-states differences, such as resource inequality, variations in

governmental structures and cultural distinctions. Equally concerning, is the limited academic freedom afforded to the researchers employed by these organizations, freedom to analyze forms of corruption utilized by certain states which, paradoxically, finance these very organizations and thus, by extension, the researchers themselves.

Within this context, beginning in the 1990s, there emerged a prolific wave of studies focused not on the *phenomenon of corruption* itself, but on the term *corruption*. Technocrats, economists, criminologists and lawyers, contributed their diverse perspectives to this "production," which has culminated in a range of so-called "anti-corruption conventions."

These conventions, represent institutional constructs intended to imposition, of a universal dimension of a phenomenon, but without the slightest knowledge of both the ethnocratic and the scientifically correct meaning of the terms "corruption" and "form of corruption". Even a cursory examination of the contents of these agreements, reveals, the superficiality of their foundations and underscores the extent to which they are disconnected from both empirical complexity and scientific rigor.

The United Nations Convention Against Corruption (UNCAC), adopted by the UN General Assembly on October 2003 and entered into force on December 2005, with the European Union also among its signatories, constitutes the most widely recognized instrument among existing international treaties for the so-called "fight against corruption".[9] The convention, outlines three primary pillars of action: prevention (Chapter II), criminalization-law enforcement (Chapter III) and international cooperation (Chapter IV). Within the core pillar of criminal law enforcement, the criminalization focuses on bribery (Articles 15–16), embezzlement (Article 17), trading in influence (Article 18), abuse of functions (Article 19) and illicit enrichment (Article 20). This is an international treaty, fundamentally grounded, in an unscientific definition of the phenomenon of corruption: "the abuse of public office for private gain." Yet, abuse constitutes, only one form of the phenomenon of corruption. By what criteria, then, is such a "definition" established, one that conceptually equates the entire phenomenon, with a single form, that of abuse? What are the justifications for privileging this particular form over others? Why is the definition confined to the public officeholder? Does the private sector not exist? Are there not forms of corruption within it? Is it not interconnected with the public sector? Moreover, this "definition," apart from reducing the phenomenon, to the power dynamics of public office and authority, imposes a particular outcome: personal gain. But what kind of gain, is meant here and why must it necessarily be personal? For instance, if a person in a position of authority, uses their influence to help secure someone else's right to life, deriving intangible personal satisfaction (a form of moral fulfillment), does this constitute the emergence or utilization of a form of corruption? Finally, is this "definition" analytical, descriptive, or scientifically valid? [9]

All these epistemological questions, unfortunately, cannot be answered in the slightest, within the framework of this Convention. Beginning from such an unscientific premise, the Convention additionally presents the following problem: even if one were to accept its unscientific practice of imposing a globalized regime of criminalization for certain forms of the phenomenon, assumed "a priori" and "unconditionally" to be identical across all countries of the world, it restricts the mandatory extension of criminalization in the foreign public sector to active bribery solely in the context of international business transactions. In this way, what is essentially projected is the organization's anxiety, to impose "rules" upon the global economic system (shadow and otherwise), even over the minimal need to protect the public service of foreign nations as a legally recognized good under international law. [10]

Given that the unscientific challenges posed by the UN Convention, regarding the phenomenon of corruption, are not limited to the points above (but cannot be fully analyzed within the scope of this article), another "anti-corruption agreement" worth noting, is the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions by the Organisation for Economic Co-operation and Development (OECD), adopted on December 1997 and entered into force on February 1999. This convention constitutes a deliberate scientific parody, hailed as a "milestone" by those who benefit from the scientific distortion of the corruption phenomenon. The following elements of the Convention, are particularly indicative:

- It provides its own scientifically unsubstantiated "definition" of the term corruption.
- It does not approach bribery, as a form of corruption, but rather equates it entirely with the phenomenon itself.
- It refers to the use of criminal law exclusively to combat active bribery of foreign public officials worldwide, solely in the context of international business transactions.
- It completely omits the national dimension of the bribery form of corruption in each respective country.
- It entirely disregards the dimension of passive bribery, even when committed by foreign public officials.

This particular convention therefore, does not constitute an international legal instrument, addressing certain forms of the phenomenon of corruption, let alone the phenomenon in its entirety. Rather, it reflects the interest of an international organization, in safeguarding the interests of its member states, against the pressures and practices arising

from global business competition. It is an initiative that, evidently, offers no scientific contribution to the proper conceptualization and interdisciplinary analysis required for the study of the phenomenon of corruption. On the contrary, it actively hinders such inquiry, diverting the study of the phenomenon of corruption, from its scientific domain, confining it, within the framework of the interests served by the organization itself.

The practical results of its implementation, remain to be seen, specifically, its real-world effectiveness, for the administration of forms of corruption, within the nation-states that have adopted the convention. Notably, in the case of this particular organization, it is worth recalling the following: at the onset of the global financial crisis in 2007, the OECD, prompted by the G20 leadership, compiled a "blacklist of tax havens". In order for a country to avoid inclusion on this list, it was required to sign twelve information exchange agreements with other states, thereby implementing a contested OECD model (referred to as an "international standard") for the provision of information, upon request. Nevertheless, even under these conditions, the list remained empty, thus ensuring the continued dominance of various global banking institutions and tax-havens.

The next international initiative, chronologically, toward the scientifically unfounded so-called "fight against corruption", originated from the Council of Europe, through the adoption of the *Criminal Law Convention on Corruption* on January 1999, which entered into force on July 2002. This convention, constitutes yet another characteristic example, of the enduring practice among bureaucrats (aided by legal professionals) to overlook even the most minimal scientific grounding when addressing complex issues. The preamble to this convention, states: "corruption threatens the rule of law, democracy and human rights, undermines good governance, fairness and social justice, distorts competition, hinders economic development and endangers the stability of democratic institutions and the moral foundations of society." It is evident that, the authors of the above text, failed to recognize that corruption, is not some indeterminate or autonomous force, inherently capable of undermining or distorting the functioning of nation-states. Rather, it is individuals, through their actions, who utilize the forms of corruption and thereby generate the consequences that affect democratic processes, social justice, competition and the moral foundations of societies. This convention, therefore, stands as yet another international legal document in which no effort has been made to formulate, even a single scientifically valid definition of the phenomenon of corruption, nor has any methodologically sound framework been proposed to support the systematic examination and management of its forms.

The Council of Europe, however, proceeded further, by adopting the *Civil Law Convention on Corruption*, which was signed on November 1999 and entered into force on November 2003. In this instance, the notion of "corruption" is defined in article 2 as follows: "For the purpose of this Convention, 'corruption' means requesting, offering, giving or accepting, directly or indirectly, a bribe or any other undue advantage or promise of such advantage which distorts the proper performance of any duty or behavior required of the recipient of the bribe, the undue advantage or the promise of such advantage." By this definition, limiting an entire phenomenon to the dimensions of a "gift" or an unspecified "benefit", not only exceeds the limits of the scientific discipline required by the study of the phenomenon· it even exceeds the limits of ridiculousness.

Thus, when an international organization expresses interest in certain forms of corruption, equating these with the phenomenon as a whole, this cannot be considered a genuine concern for the welfare of its member states, nor can it be regarded as a scientific endeavor. Rather, it constitutes an act of hypocrisy, a set of communicative maneuvers, and a clear promotion of vested interests. One need only reflects on the various forms of corruption within the European Union, lobbying, favoritism, bureaucratic corruption, legislative overcomplexity, clientelism and patronage among others. Not only are these forms virtually nonexistent in the discourse and scope of the aforementioned conventions, but even when we focus solely on form of corruption of lobbying, what do we observe?

Ten years ago, in 2014, the European Commission introduced a mandatory requirement for the heads of its Directorates-General to register their meetings with lobbyists. This refers to a type of "registry", in which, lobbyists are required to enroll before engaging with European officials. According to the 2022 report by the European Parliament, a total of 13.366 lobby representatives were registered. Considering that the European Parliament comprises 705 members, this corresponds to approximately 19 lobbyists per Member of the European Parliament. These lobbyists, include not only individuals, but also corporations, trade associations, labor unions and notably, non-governmental organizations (NGOs).

Two particularly noteworthy points emerge here. First, between 1979, the year of the first direct elections for the European Parliament and 2014, when the aforementioned registry was finally introduced, there was a 35year period, of unregulated lobbying activity. Importantly, all of the aforementioned European conventions addressing "corruption", were adopted between 1997 and 2002· a period marked by the full, unfettered operation of various European and international lobbies.

The second point, concerns the role of lobbying, within a widely celebrated institutional procedure: stakeholder consultation. In practice, this procedure often resembles the speculative "bubbles" commonly seen in financial crises. Interactions between lobbyists and officials involved in legislative processes, ranging from preliminary consultations to final plenary votes, are therefore pivotal. If the lobbying objective involves the advancement of automobile industry interests, interactions are directed toward officials from countries with strong industrial sectors. Conversely, if the lobbying goal aligns with environmental principles and policies, the targeted officials are typically from states with demonstrated environmental "sensitivities." In all cases, the direction and effectiveness of these engagements are largely determined by the profile of the lobbying entity be it an NGO, a multinational corporation or a representative of heavy industry. Beyond the previously, discussed issue of hypocrisy, one might pose the following question: can the "interest of civil society," as claimed by a lobbying entity, be merely a façade for serving other, less transparent interests? The answer lies in a simple, yet crucial observation: it is not feasible for any actor to consistently promote only the interests of others, without simultaneously pursuing their own.[11]

What can one observe across all these conventions? That they focus exclusively and repeatedly, on specific forms of corruption, thereby committing a fundamental scientific error: equating the broader phenomenon with only those particular forms and limiting its impact to a purely economic dimension. Meanwhile, other powerful and structurally embedded forms of corruption, within both the member states and the internal operations of these very international organizations, such as form of corruption of lobbying, the form of political corruption, the form of corruption in international relations and the form of bureaucratic corruption, are conspicuously absent from any discussion. It must be pointed out here that, according to its definition, corruption refers to *"that human phenomenon comprised of a set of forms, which vary from country to country, in terms of their sources of emergence, their dimensions and their effects".* [12] The concept of a *form of corruption*, in turn, denotes *"that human act which, expressing the intentionality of a human being-homo corruptus-, produces an impact, within the framework of coexistence".* [13] So to the questions about why, in none of these conventions, do other forms of the phenomenon that we encounter both in nation states and in the functions of these organizations themselves not appear, why an entire phenomenon is identified with one or two forms that these organizations choose, with unknown and non-existent scientific criteria, the answer is absolutely specific: because the perception of the population and the research of aspiring scholars of the phenomenon of corruption, must be directed to specific forms of it. This combination, of the use of the term "corruption crimes" and the existence/invocation of these conventions, works in combination towards the manipulation of the population's thinking and the research of scholars, in a phenomenon identified with selected forms of it. Of course, in such a combination, one cannot find the elementary scientific documentation and legitimation· however, it is clear what is sought, while it is confirmed that one of the most "interesting professions" is none other than to self-identify as a "teacher" of corruption.

2. Conclusion

In conclusion, the phenomenon of corruption, this global collection of human actions, verified by their effects as distinct forms, requires the truth. This truth, that is the ability of a researcher to reveal whether a given human action constitutes a form of corruption, stems from a kind of knowledge that embodies a harmonious synthesis of scientific certainty, logical reasoning and empirical confirmation. A genuine scholar of the corruption phenomenon, must resist the temptation to substitute scientific analysis with frivolous witticisms or superficial labels such as "corruption crimes". They must not indulge in slogan-like simplifications whether political, syndicalist or corporatist in nature, such as "criminological timeframes of corruption" or "corruption crimes in systems of economic/organized criminality." Nor should they be swayed by pseudo-scientific portrayals of corruption as merely a "deviant behavior," the interpretation of which is left to the subjective frameworks of an economist, a legal scholar or a criminologist. To do so, would be to fall into the trap of conflating the concept with its supposed meaning in a mechanistic and convenient manner. It would mean imprisoning the phenomenon within undefined "criminal space-times", thus betraying both the intellectual rigor and ethical responsibility demanded by the study of such a complex and deeply human reality.

References

[1] For a comprehensive account of the documentation, analysis and codification of the relevant scholarly production over approximately a century, D. Prontzas, *Corruption: From Theory to Geography*, Athens, Papazisis, 2017. For the dynamic management and visualization of this body of work, refer to the online platform: https://www.corruption-map.org.

[2] D. Prontzas, *Corruption: From Theory to Geography*, Athens, Papazisis, 2017, p.24.

[3] D. Prontzas, *The Phenomenon of Corruption*, Athens, Papazisis, 2023, pp.80-90.

[4] D. Prontzas, "Corruption Phenomenon's Misleading Definitions: Scientific Error or Deliberateness?", *International Journal of Research in Engineering, Science and Management,* Volume 7, Issue 9, 2024.

[5] For the analysis of the various forms of the corruption phenomenon and the “Code of Corruption Forms”, D. Prontzas, *The Phenomenon of Corruption*, Athens, Papazisis, 2023, pp.128-156.

[6] D. Prontzas, *Corruption: From Theory to Geography*, Athens, Papazisis, 2017, pp.61-70.

[7] D. Prontzas, "Corruption Phenomenon's Misleading Definitions: Scientific Error or Deliberateness?", *International Journal of Research in Engineering, Science and Management*, Volume 7, Issue 9, 2024.

[8] Corruption as a phenomenon, is not something to "be fought". According to the theory of the phenomenon, its forms, must be subjected to a regime of "management"· only when specific conditions are met should the field of “combating” begin. For the analysis of this critical epistemological issue, D.Prontzas, *The Phenomenon of Corruption*, Athens, Papazisis, 2023, pp.49-62· - "The interpretation of the Form of Corruption and the concept of the Code of Corruption Forms", *World Journal of Advanced Research and Reviews*, 24(03), 2547-2554, 2024.

[9] D. Prontzas, *Corruption: From Theory to Geography*, Athens, Papazisis, 2017, pp.71-85.

[10] A. Stoila, “The international and Greek dimension and its core in Greek criminal law”, *D.D.*, Democritus University of Thrace, School of Law, Komotini, 2016, pp.15-30.

[11] D. Prontzas, *The Phenomenon of Corruption*, Athens, Papazisis, 2023, pp.150-151.

[12] D. Prontzas, "The Corruption Phenomenon: a Short Introduction to the World", *International Journal For Multidisciplinary Research* (IJFMR), R.P., 14208, 2024.

[13] D. Prontzas, " The interpretation of the Form of Corruption and the concept of the Code of Corruption Forms", *World Journal of Advanced Research and Reviews*, 24(03), 2547-2554, 2024.