

The Elite Culture of Corruption in American Politics

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ABSTRACT

Many Americans doubt the honesty of elected officials, particularly at the federal level, and believe that campaign donors dominate the legislative process. Evidence on elites' views of corruption, however, suggests that they are not sharply at odds with public opinion. Such consensus on the rules of politics is essential for the vitality of a civic culture. But there are a number of areas in which elite opinion is divided, and in which many citizens tend to perceive extensive corruption even though their understanding of the process is diffuse. These areas are not only the source of many contemporary scandals, but also include processes -- such as campaign funding and constituency service -- that are both essential to democratic politics, and the locus of corruption. These activities are politically controversial and unbounded by a solid ethical consensus. While reformers must address these problems, they must refrain from regulation for its own sake, and need to remember the importance of appearances as well as of transparency in politics.

“If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”

James Madison, The Federalist 51

I. INTRODUCTION: A PERCEPTION OF DECAY

Many Americans believe corruption runs rampant in political life, even though most have only a diffuse sense of what corruption is and of how it occurs. A 1997 Gallup Poll asking adults “how you would rate the honesty and ethical standards” of people in 26 different occupations found local officeholders ranked 14th of 26, with only 20% of the sample rating their ethical standards as “Very high” or “High” and 21% saying “Low” or “Very low”. State officeholders ranked 18th (17% saying “Very high” or “high”, 8% “low” or “very low”), Senators ranked 22nd (14% vs. 33%), and Congressmen 24th (12% vs. 36%) – ranking above only insurance salesmen and car salesmen. (For the record, the top rankings went to pharmacists, followed by clergy, medical doctors, and college teachers). The results were consistent with results since 1976.¹ Another survey found that 63% believed the Democratic Party had done unethical things in the course of its 1996 fundraising, and 55% said the same of the Republicans.² Some of these responses might

¹ Gallup Poll Archives, “Honesty and Ethics Poll: Pharmacists Strengthen their Position as the Most Highly Rated Occupation”. “The results are based on telephone interviews with a randomly selected national sample of 1,003 adults, 18 years and older, conducted November 6-9, 1997.” The estimated 95% confidence interval for error was $\pm 3\%$. Results are reported at http://www.gallup.com/POLL_ARCHIVES/971213.htm.

² Gallup Poll Archives, “Public Has Low Expectations of Campaign Finance Investigation”. “The results were based on telephone interviews with a randomly selected national sample of 1,004 adults, 18 years and older, conducted July 25-27, 1997.” Estimated margin of error was $\pm 3\%$. Results are reported at http://www.gallup.com/POLL_ARCHIVES/970808.htm.

be attributable to sentiments regarding particular parties or public figures. But there is considerable pessimism about politics generally: another 1997 Gallup survey found that more respondents believed elected officials in Washington are influenced by pressure from campaign contributors (77%) than by the best interests of the country (19%), while 59% said elections are “for sale to the candidate who can raise the most money”, compared to 37% who said they are “generally won on the basis of who is the best candidate”. Finally, 59% said that even if major reforms were enacted, “special interests will always find a way to maintain their power in Washington”.³

Whether or not these views are an accurate appraisal of the ethical health of American politics – and I will suggest below that they are not – they are an important concern. In a representative democracy, citizens must be able to trust those who make decisions in their name. Representatives must be confident of their mandates, and must have the freedom to debate, to make deals and, when needed, to enact unpopular but necessary policies.⁴ Heidenheimer⁵ argues that agreement between mass and elite judgments of corruption is an essential ingredient of civic-culture politics. Corruption can

³ Gallup Poll Archives, “Americans Not Holding Their Breath on Campaign Finance Reform”. “The results are based on telephone interviews with a randomly selected national sample of 872 adults, 18 years and older, conducted October 3-5, 1997.” Estimated margin of error was $\pm 3\%$. Results are reported at http://www.gallup.com/POLL_ARCHIVES/971011.htm.

⁴ Moodie, G. C. 1980. "On Political Scandals and Corruption", Government and Opposition 15, pp. 202-222.

⁵ Heidenheimer, Arnold J. 1970. “The Context of Analysis”, in Arnold J. Heidenheimer (ed.), Political Corruption: Readings in Comparative Analysis. (New Brunswick, NJ: Transaction Books), pp. 3-28.

undermine this essential bond, but it is difficult to define⁶ and measure. For these reasons, appearances and perceptions count for a great deal.

One explanation for the public's pessimism might be that American politics is in fact deeply corrupt. We will never know precisely how much corruption takes place in any country. But the indices we have suggest that the US, while far from “squeaky-clean”, probably ranks somewhere in the middle of the world corruption league tables. Lambsdorff,⁷ for example, compares countries in terms of their corruption problems “as seen by businessmen, risk analysts, and the general public”, drawing upon a variety of surveys and proprietary data. With a score of 10 representing a “clean” country, and zero assigned to “highly corrupt” ones, the US score of 7.61 would make it 16th “cleanest” of the 52 countries compared. This comparison must be viewed with caution, because (apart from the technical problems of reconciling a variety of data) many countries are not included in the comparison, differing kinds of corruption are collapsed into a single dimension, and comparisons based upon perceptions may tell us more about the openness of corruption than its actual extent. Nonetheless, the Lambsdorff data do not support the notion that the United States is an exceptionally corrupt place. Another explanation might be that a convergence of interests between the news media, who seek attention-getting

⁶ Philp, Mark. 1997. "Defining Political Corruption", in Paul Heywood (ed.), Political Corruption. (Oxford: Blackwell), pp. 20-46.; Johnston, Michael. 1996. "The Search for Definitions: The Vitality of Politics and the Issue of Corruption", International Social Science Journal 149 (September), pp321-335; Thompson, Dennis F. 1993. "Mediated Corruption: The Case of the Keating Five", American Political Science Review 87, pp. 369-81; Scott, James C. 1972. Comparative Political Corruption. (Englewood Cliffs, NJ: Prentice Hall, Ch. 1; Heidenheimer, Arnold J. 1970. "Definitions, Concepts, and Criteria", in Heidenheimer, A. J., Political Corruption: Readings in Comparative Analysis. (New Brunswick, N. J.: Transaction Press), PP. 3-9.

⁷ 1997 Internet Corruption Perception Index; indices for 1995, 1996, and 1997, and a detailed account of methodology, are available at <http://www.gwdg.de/~uwvw/rank-97.htm>.

stories, and politicians looking for ways to discredit their opponents, leads to frequent scandals. In the culture of investigation institutionalized by special-counsel legislation, and energized by partisan conflict in the absence of a real policy debate, allegations of corruption can yield political and media dividends, and may reinforce public perceptions of widespread official abuse. But the sustained public *support* for President Bill Clinton over the course of the past year's sex scandal suggests that much of the public refracts allegations of wrongdoing through a complicated set of pre-existing opinions, values, and impressions of prominent individuals.

A “Values Gap”? A more worrying possibility is that citizens and officials understand the rules of the political process differently. Such a “values gap” could reflect elite arrogance or originate in a lack of public comprehension of the complexities of politics. Either way, if the ethical consensus between mass and elite should break down, the result could be what Suzanne Garment⁸ has called a “culture of mistrust”. In such a setting, policies aimed at transparency – such disclosure of campaign spending and donations – may only solidify the perception of corruption by revealing more of a process that citizens do not understand, and that officials are unable to defend. The same might be true of the deals and compromises necessary to make policy. Politically popular reforms such as term limits could further fragment the policy process and contribute to the impression of ineffective government. Major casualties might include not just public

⁸ Garment, Suzanne. 1991. Scandal: The Culture of Mistrust in American Politics. (New York: Random House.)

trust, but also the working consensus among elites essential both to making the system work, and to enabling government “control itself”, as Madison put it.

Systematic comparisons of mass and elite values in American politics have not often been done. This paper offers some basic comparisons, however, based on the evidence already available in the literature. I will suggest that American officials and citizens still share a core understanding of the nature of right and wrong, and that the most pessimistic perceptions of politics are off the mark. But when we move beyond core notions of corruption to the less formal situations that arise in the course of everyday politics, perceptions diverge. Citizens tend to refract questions of right and wrong through personal experience, judging official conduct by the sorts of standards they apply to familiar situations and to people like themselves. While this is not surprising in a republic where sovereignty is presumed to rest with the people, and where political figures portray themselves as “just plain folks”, the resulting social standards are in some ways with elites' conceptions of corruption and their views of political reality.

II. AMBIVALENT MORALISTS

We often hear claims of lost virtue in American politics. It is never specified just when clean politics was the rule, or when that era ended; indeed, a look at American history⁹

⁹ See, for example, Summers, Mark W. 1987. The Plundering Generation: Corruption and the Crisis of the Union, 1849-1861. (New York: Oxford University Press); Summers, Mark W. 1993. The Era of Good Stealings. (New York: Oxford University Press); Eisenstadt, A. S., A. Hoogenboom, and H. L. Trefousse. 1978. Before Watergate: Problems of Corruption in American History. (Brooklyn, N.Y.: Brooklyn College Press).

suggests that politics today is cleaner than at most times in the past, and that perceptions of growing corruption have more to do with rising standards than with falling morals. Perhaps the safest generalization is that the rules of American politics have always been in flux, and that many changes are politically-driven, growing out of contention among our contradictory views of politics.

Most Americans hold an ambivalent view of the political system and of their role within it. We are in many respects moralistic – particularly when it comes to judging the conduct of others – yet we are also individualists who insist on the liberty to advance our own interests.¹⁰ We say we want deliberative democracy serving the interests of all, yet we expect our representatives to “deliver the goods” for our home states and districts. We expect candidates for election to compete for our votes, and yet are deeply suspicious of the fact that it costs money to do so. We are uncomfortable with basic processes of political influence such as lobbying, party discipline, and compromise, and yet we wonder why our legislators seemingly cannot legislate. Madison might conclude that while we want government to control itself, we do not particularly want it to control the governed.

Americans are especially ambivalent about inequality, and tend to link it closely to our conceptions of corruption. Tocqueville observed that we fear:

¹⁰ See, on this subject, A. S. Eisenstadt, "Political Corruption in American History" Ch. 31 (pp. 537-556) in A. J. Heidenheimer, M. Johnston, and V. T. LeVine (eds.) (1989). Political Corruption: A Handbook. (New Brunswick, NJ: Transaction Press).

...not so much the immorality of the great as the fact that immorality may lead to greatness. In a democracy, private citizens see a man of their own rank in life who rises from that obscure position in a few years to riches and power; the spectacle excites their surprise and envy, and they are led to inquire how a person who was yesterday their equal is today their ruler. To attribute his rise to his talents or his virtues is unpleasant, for it is tacitly to acknowledge that they are themselves less virtuous or less talented than he was. They are therefore led, and often rightly, to impute his success mainly to some of his vices; and an odious connection is thus formed between the ideas of turpitude and power, unworthiness and success, utility and dishonor.¹¹

Such sentiments are neither surprising, nor wholly inappropriate, in a society that celebrates individual success while retaining an egalitarian political culture. Nonetheless, these expectations do not make governing any easier. How do citizens judge the ethical aspects of political life, and what sorts of opportunities, dangers and incentives do their perceptions create for political elites?

Popular Conceptions of Corruption. Survey data on citizens' conceptions of corruption offer a baseline against which elite views may be compared. A 1986 survey¹², for example, asked respondents to judge the degree of corruptness of a range of hypothetical actions. While they recognized and condemned actions that were clearly corrupt by legal standards – “skimming” a percentage of a government contract, for example – degrees of perceived corruptness were affected by a range of factors. The larger the stakes and the more direct the method of taking – demanding a payment as opposed to accepting a “gift” – the more corrupt the action. Public officials were judged more strictly than were private citizens.

¹¹ de Tocqueville, Alexis. 1945 ed. Democracy in America, vol. 1. (New York: Vintage), pp. 234-235.

¹² Johnston, Michael. 1986. “Right and Wrong in American Politics: Popular Conceptions of Corruption”, Polity 18:3 (July), pp. 367-391.

Heidenheimer suggests where otherwise-“black” practices are judged “gray” in civic-culture systems, it is likely because they can be justified in terms of some collective good.¹³ This suggests that an account resting on a plausible notion of the public good or on other widely shared values can mitigate judgments. And indeed the data showed, for example, that an official's taking public funds to pay his sick child's hospital bills, or donating the money to his political party, was seen as less corrupt than taking the same amount and keeping it. Such justifications had a greater effect to the extent that they invoked motives familiar in everyday life: judgments were eased much more for paying hospital bills than for giving the money to the political party. Finally – as Tocqueville might have expected – the status of those involved affected judgments. When a powerful person or organization took benefits from a similar victim, or from an ordinary citizen, judgments were strict, but when an ordinary citizen benefited at the expense of a distant or powerful interest they became relatively lenient.¹⁴

Notions of corruptness thus seem to be embedded in broader conceptions of right and wrong, and of fairness. Another survey¹⁵ using a factorial design¹⁶ asked people to judge hypothetical actions on a scale ranging from zero (“not at all wrong”) to 10

¹³ Heidenheimer, 1970, pp. 23-28.

¹⁴ Johnston, 1986, pp. 372-391.

¹⁵ Johnston, Michael. 1989. “Corruption, Inequality, and Change”, Chapter 1 (pp. 13-37) in Peter M. Ward (ed.), Corruption, Development and Inequality: Soft Touch or Hard Graft? (London: Routledge).

¹⁶ For a general discussion of factorial designs, see Rossi, P., and S. L. Nock, Measuring Social Judgments. (Beverly Hills: Sage, 1981).

(“seriously wrong”). The factorial design treats the judgment, rather than the individual respondent, as the unit of analysis; thus both attributes of the respondent and of the hypothetical action can be examined as independent variables affecting the judgment. Multiple regression allows a comparison of estimated effects. The actions presented to each respondent were sampled from a larger universe defined by the possible combinations of attributes under study – in this case:

- whether or not a formal rule is broken (yes/no)
- whether the stakes are tangible or intangible
- the size of the stakes (large/medium/small)
- the status of the taker, and of the giver or victim (high/medium/low)
- the sector in which the taker, and the giver/victim, operate (public/private)
- whether or not an action is kept secret (yes/no)¹⁷

While some of these distinctions are subjective, together they define a wide range of situations – from openly giving a small gift to a friend, to a politician’s secret theft of public funds – for which judgments can be compared.

Across the full range of hypothetical situations, the strongest predictor of a strict judgment was whether or not a formal rule was being broken. Not surprisingly – but important for the kind of civic-culture system discussed by Heidenheimer – people recognized formally illegitimate behavior and condemned it. Public-sector givers and takers, and the presence of large, tangible stakes, were also linked to strict judgments – but were not as strong in statistical terms as the rule-breaking variable (the adjusted R-square for the model was .49). However, 52.2% of the actions in which rules were not broken were also judged as wrong, at least to a degree: a third were rated at least a “5” on

¹⁷ Johnston, “Corruption, Inequality, and Change”, pp. 29-31.

the wrongness scale, and 7.8% were given a “10”. Some may have mistakenly thought laws were being broken, but it also may be that popular conceptions of wrongdoing rest not only on the law, but on a variety of other norms and values. For the non-rulebreaking actions, significant predictors of strict judgments included secrecy in a transaction (by far the strongest predictor); large and tangible stakes; high-status givers or victims, and high-status takers. By contrast, transactions involving a combination of private-sector giver and private-sector taker were seen as less seriously wrong, other things being equal. In other words, a secret, high-stakes transaction of tangible value between high-status, public-sector figures was likely to be seen as seriously wrong – even when no rules were being broken.¹⁸

Degrees of “wrongness” and “corruption” are not precisely the same thing, of course, although the results of these surveys did not reveal any striking discontinuities -- again, perhaps, a sign of the civic culture congruence posited by Heidenheimer. What is important is that citizens not only recognize and share the formal rules of the political system, but also link them to social standards in consistent ways. This is encouraging for those concerned about the longer-term political effects of perceived corruption. At the same time, however, the Gallup data noted earlier point to a persistent skepticism, even suspicion, of elites -- perceptions consistent with the sometimes demanding judgments of cases where no rules have been broken. Appearances – such as secrecy, the size of the stakes, and benefits flowing to the powerful or losses to the humble – count for a great

¹⁸ *Ibid.*, pp. 32-35. As for respondent characteristics, older individuals tended to voice stricter judgments, while highly-educated persons and those with a strong sense of their own political efficacy tended to be more lenient in their judgments.

deal. Is this an emerging threat to essential political trust, or a kind of skepticism that is healthy in a republic and creates incentives for “government to control itself”?

Officials have strong reasons to consider popular conceptions of morality and fairness as they make decisions and justify their actions. McGraw finds, for example, that representatives who offer moral justifications for unpopular roll-call votes are likely to be viewed more tolerantly by the public.¹⁹ Experimental data suggest that allegations of scandalous behavior are judged in the context of party identification, an official’s perceived effectiveness and motives, and the warmth of his or her personal image.²⁰ Attempting to conceal actions rather than to justify them, by contrast, is a high-risk strategy.²¹ Such complexities are on display in the Clinton sex scandal. A generally empathetic personal image (and ironically, perhaps the fact that his fallibility has long been integrated into that image), the negative images of many of his critics, and the belief of many that he has been an effective President helped him weather his political crisis for much of 1998. When he finally admitted to sexual indiscretions and to “misleading” his family and the public, the public opinion effects were telling: while Clinton’s presidential approval ratings remained high, his personal ratings in the polls dropped from 60%

¹⁹ McGraw, Kathleen M. "Managing Blame: An Experimental Test of the Effects of Political Accounts", American Political Science Review 85:4 (1991), pp. 1133-1157.

²⁰ Funk, Carolyn L., "The Impact of Scandal on Candidate Evaluations: An Experimental Test of the Role of Candidate Traits", Political Behavior 18:1 (1996), pp. 1-24; Chanley, Virginia, John L. Sullivan, Marti Hope Gonzalez, and Margaret Bull Kovera, "Lust and Avarice in Politics: Damage Control by Four Politicians Accused of Wrongdoing (or, Politics as Usual)", American Politics Quarterly 22:4 (July, 1994), pp. 297-333; Rundquist, Barry S., Gerald S. Strom, and John G. Peters, "Corrupt Politicians and their Electoral Support: Some Experimental Observations", American Political Science Review 71:3, pp. 954-63; Dolan, Kathleen, Bruce McKeown, and James M. Carlson, "Popular Conceptions of Political Corruption: Implications for the Empirical Study of Political Ethics", Corruption and Reform 3 (1988), pp. 3-24..

²¹ Funk, *op. cit.*; Chanley *et. al.*, *op. cit.*

approval to 40% almost immediately.²² Perhaps this reflects the effects of his admitted deception in a kind of situation that is easily judged in personal terms. Much of the public views Clinton's troubles primarily in terms of sexual misconduct, rather than the more complex and less familiar (but arguably more threatening, in the long run) legal issues of perjury and obstruction of justice. In his speech admitting wrongdoing, Clinton catered to these views, and claimed his misconduct was a private matter. That appeal was apparently widely accepted, judging by the 68% of an NBC Poll sample who said immediately afterward that the Special Prosecutor's investigations should end.²³ At present a final verdict on the Clinton scandals is nowhere in sight; initially positive responses may turn less favorable as people mull over the implications of presidential deception. Still, it seems clear that elites who can appeal effectively to the public's conceptions of right and wrong have a political advantage over those who cannot.

The public's everyday standards, however, may not apply so neatly to the more obscure officials and situations involved in most politics and policy making. In a decentralized political system besieged by demands from innumerable private interests, representation and legislation are difficult tasks. Making the system work requires bargaining, negotiations, and a variety of compromises that the public may understand only poorly if at all. Secrecy may aid the process, up to a point, while making everything public knowledge could make legislation more difficult or, worse, demagogic rather than

²² Reuters news service, "Americans Satisfied with Clinton's Admission", 18 August 1998 (http://dailynews.yahoo.com/headlines/ts/story.html?s=v/nm/19980818/ts/polls_2.html); Reuters news service, "Clinton Mends Fences; Polls Show Scandal Fatigue", by Patricia Wilson; 18 August 1998 (http://dailynews.yahoo.com/headlines/ts/story.html?s=v/nm/19980818/ts/scandal_127.html).

²³ Reuters, "Americans Satisfied".

deliberative. Given these complexities, it would be no surprise to find that elites have devised codes and norms of their own. We need, therefore, to consider what elites understand “corruption” to mean in situations, and at levels, that are much more typical of political life than are presidential sex scandals.

III. ELITES’ VIEWS OF CORRUPTION

Surveys of American elites’ views on corruption have not been extensive.²⁴ The major effort in this direction was conducted by Peters and Welch in 1975, shortly after the Watergate scandal. They sent postal surveys to 978 state senators – all members of the upper houses in 24 states “chosen randomly with a few substitutions made to ensure geographic differences.”²⁵ After several mailings and reminders, they obtained responses from 441 legislators. State legislators are not national elites, but they do make important policies and raise and spend of large amounts of revenue, and the governments in which they participate are more directly involved in citizens’ daily lives than the federal government. They are also likely to reflect state and regional variations in political cultures.

²⁴ For studies on Australia, see Jackson, Michael, Elizabeth Kirby, Rodney Smith, and Lynn Thompson, "Sovereign Eyes: Legislators' Perceptions of Corruption", Journal of Commonwealth and Comparative Politics 32:1 (1994), pp. 54-67; and Gorta, A. and Forell, S. 1995. "Layers of Decision: Linking Social Definitions of Corruption and Willingness to Take Action", Crime, Law, and Social Change 23, pp. 315-343.

²⁵ Welch, Susan, and John G. Peters. 1980. "State Political Culture and the Attitudes of State Senators toward Social, Economic Welfare, and Corruption Issues", Publius 10:2 (Spring), p. 62.

Peters and Welch presented their sample with ten hypothetical political actions that might include some degree of corruption. Actions likely to evince unanimity were omitted in favor of those reflecting variations in four basic “components” of any political act, corrupt or not:

- the official involved
- the favor provided by the official
- the payoff gained by the official
- the donor of the payoff and/or recipient of the favor²⁶

Thus, legislators were asked about the following actions and situations:

A presidential candidate who promises an ambassadorship in exchange for a campaign contribution (AMBASSADOR)

A congressman using seniority to obtain a weapons contract for a firm in his district (WEAPONS CONTRACT)

A public official using public funds for personal travel (TRAVEL)

A Secretary of Defense who owns \$50,000 in stock in a company with which the Defense Department has a million dollar contract (DEFENSE STOCK)

A public official using his influence to get a friend or relative admitted to law school (LAW SCHOOL)

The driveway of the mayor’s home being paved by the city crew (DRIVEWAY)

A state assemblyman, while chairman of the Public Roads Committee, authorizing the purchase of land he had recently acquired (LAND SALE)

A judge hearing a case concerning a corporation in which he has \$50,000 worth of stock (JUDGE)

A legislator accepting a large campaign contribution in return for voting “the right way”

²⁶ Peters, John G., and S. Welch. 1978. "Political Corruption in America: A Search for Definitions and a Theory", *American Political Science Review* 78:3 (September), pp. 974-984.

on a legislative bill (RIGHT WAY)

A congressman who holds a large amount of stock in Standard Oil of New Jersey (about \$50,000 worth) working to maintain the oil depletion allowance (OIL)²⁷

Respondents were asked whether an action was corrupt, whether citizens would condemn it, what they would do if they knew a member of their own party had committed a given act, and (for some items) how frequently they thought an action took place in their state.

The results were interesting both for what they did and did not show.²⁸ While no single characteristic determined judgments of “corruptness”, the presence of a number of factors generally added up to a strict judgment. State senators’ ratings were as follows:

²⁷ Peters and Welch, "Political Corruption in America", p. 978.

²⁸ The following discussion draws upon Peters and Welch, "Political Corruption in America", *loc. cit.*, and Welch and Peters, "State Political Culture and the Attitudes of State Senators", *loc. cit.*

Table 1:
State Legislators' Ratings of Potentially Corrupt Actions

Item	Respondent Views As Corrupt	Most Officials Would Condemn	Most of Public Would Condemn
DRIVEWAY	95.9%	92.2	97.5
TRAVEL	95.2	80.4	96.5
LAND SALE	95.1	92.1	97.5
RIGHT WAY	91.9	82.2	94.3
JUDGE	78.8	82.3	91.0
AMBASSADOR	71.1	44.5	81.2
DEFENSE STOCK	58.3	62.1	84.4
OIL	54.9	55.1	81.2
WEAPONS CONT.	31.6	20.9	34.4
LAW SCHOOL	23.7	15.5	35.9

State legislators, like the general public, strongly condemned illegal actions. Corruption was also perceived in actions in which an official stepped outside of regular duties to provide a favor, or provided a favor to a non-constituent or to a single beneficiary instead of to a broad segment of the community. Where the favor was a private (rather than a public) benefit, where it was larger or was provided in exchange for a specific, short-term benefit (a bribe, rather than future support), and when the exchange took place outside of the scope of a campaign, judgments were also more strict. Judicial and other “non-political” officials were also judged more strictly than were elected representatives -- though we should recall that elected representatives were doing the judging.

Variations among legislators were modest in most respects. A scale measuring overall tolerance of corruption, in which the items were weighted according to the number of corrupt attributes (e.g. illegal act, favor for non-constituent, etc.) present in each case showed that 24.0% perceived few of the situations as corrupt, 50.9% saw “a moderate number of acts” as corrupt, and the remaining 25.1% saw a “large number” as corrupt – but none fell into the category of seeing all, or none, as corrupt.²⁹ Women were more demanding in their judgments than men, while senators who had served more than one year in office were more tolerant than newcomers.³⁰ There was also a slight but significant tendency for legislators from states with what Elazar³¹ terms “Moralistic” political cultures – those where politics revolves around moral issues and is regarded as a quest for the common good – to be less tolerant.³² But overall, there was little striking variation in judgments, either among types of individuals or different states and regions – a fact that Peters and Welch attribute in part to common processes of elite socialization.

Discussion. More than two decades have elapsed since Peters and Welch gathered their data – years that have featured a number of scandals, changes in the law, and the continuing development of the news media as a kind of “permanent opposition”. Thus

²⁹ Welch, S., and J. G. Peters. 1977. "Attitudes of U.S. State Legislators toward Political Corruption: Some Preliminary Findings", Legislative Studies Quarterly 2:4, p. 454 at Table 2.

³⁰ *Ibid.*, pp. 455-461.

³¹ Elazar, Daniel. 1970. Cities of the Prairie: The Metropolitan Frontier and American Politics. (New York: Basic Books).

³² Peters, J. G., and Welch, S. 1978. "Politics, Corruption, and Political Culture: A View from the State Legislature", American Politics Quarterly 6:3, pp. 345-356.

these results should be regarded as only suggestive of what we might find today. Still, to the extent that they retain some accuracy – and there have been no public developments to suggest that they are seriously in error – a few points are worth making.

First, these elites' views of corruption do not differ greatly from those of ordinary citizens. Abusing a public role for a private-regarding benefit is judged corrupt at both levels, and respondents have little trouble in recognizing such behavior for what it is. The finding that favors for specific individuals are seen as more corrupt than benefits for broader segments of the public is consistent with Heidenheimer's suggestion that civic-culture societies will be more tolerant of activities if they can be justified in collective terms, and with McGraw's evidence that unpopular roll call votes are more acceptable to the public if accompanied by similar justifications. The mass-elite consensus identified by Heidenheimer as central to civic-culture politics seems to remain intact.

Peters and Welch are likely correct in suggesting that a common elite socialization process shapes notions of corruption; this could also account for the tendency for legislative "veterans" to hold somewhat more tolerant views than newcomers do. At times this elite culture may apply to situations, and lead to judgments, that are unfamiliar to ordinary citizens and that they do not share. But the 77% of those questioned by Gallup who believe legislators' votes are determined by donor pressures, not by the common good, might be surprised that 91.9% of the legislators said voting the "right way" because of a contribution was corrupt. The elite may be dated by now, and what legislators *say* and what they *do* can differ. But scholarly attempts to find

independent effects of donations upon roll-call votes have turned up little evidence of *quid pro quo* influence, a result echoed by the anecdotal accounts of those who know the process. I would expect that in today's climate of opinion the share of legislators condemning such deals would be nearly one hundred percent.

This raises a related issue: to what extent do the public's values and perceptions shape the elite culture? If the foregoing discussion is correct, both elite socialization and the broader culture of politics uphold generally consistent values and standards, so it would be difficult to compare their effects. Without time-series data it is impossible to answer this question authoritatively, but it does seem reasonable to expect that, via the ballot box, public opinion polls, their responses to scandal and to politicians' accounts of their own behavior, and through the general cultural context in which politicians live, the public's values very likely do have some influence. The Peters and Welch finding that senators from the more moralistic states were less tolerant of corruption lends some support to this view.

Marginal Cases. While citizens recognize and condemn lawbreaking, there is a penumbra of activities judged by more informal norms. So it is with elites too, and it is here that elite and mass judgments diverge – often with political scandal the result. Some of these cases reflect the cultures and traditions of political institutions: so-called “pork barrel” legislation, loaded down with benefits for particular states and districts, is often a target of criticism. A position of power on a major committee, or the norm of “Senatorial courtesy”, can allow US Senators to block bills or nominations for virtually any reason;

at times, as in the case of Jesse Helms's one-man blockade of William Weld's nomination as Ambassador to Mexico, this becomes controversial. In the New York State legislature, members are allocated a certain number of public improvements for their own districts – often called “Lulus” – as a matter of course. The extent to which such practices become controversial depends in part upon mass-media attention and the degree to which a case can be justified as serving the public interest. Some might even be defended as the basis of compromises that allow legislation on nobler purposes to move forward, and even some critics see these actions more as "politics as usual" than as deep corruption.

But there are other cases on which elite consensus is weak and the views of many citizens differ -- cases that raise important issues regarding the nature and sources of influence in the policy process. While the Peters and Welch data do not allow direct comparisons between elite and mass judgments, there is a group of items – such as “Judge”, “Ambassador”, “Defense Stock”, and “Oil” – on which legislators said the public's view would differ significantly from their own. While these cases apparently embody middle-level corruption for many legislators, others see them as acceptable. They pose complex questions of motives, circumstances, and the forces shaping official conduct. Apparently, at least a significant minority of the legislators believe they, and others like themselves, can keep their private interests from distorting their public actions. But many fear the public does not share that confidence. The elite views are likely shaped by the norms of their institutions, by knowledge of their own and others' motives, and by their understanding of the complexities of political influence. The public knows relatively little about these considerations; most citizens likely react on the basis

of general feelings regarding privilege and power (*viz.* Tocqueville). Whatever factors shape these views, however, if the legislators are correct in their responses there is a zone of activities outside the realm of unambiguous corruption on which elite opinion is divided and does not reflect values shared with the population.

Other issues cut to the core of vital, responsive politics, but also are seen differently by citizens and elites. One is political fundraising. Politicians know that election, and then re-election to all but the safest of “safe seats”, costs money. Most loathe fundraising, but without re-election they cannot serve the public at all. The Gallup data cited above, however, suggest that the public take a dim view of political money, and believe their representatives are pushed and pulled about by campaign donors, despite high rates of re-election and the leverage that gives them.³³ Are campaign donations really “legalized bribery”, or are they resources essential to competitive politics and the open advocacy of political views? In real life cause and effect are complex. A representative from a dairy-farming district who accepts donations from dairy PACs and votes consistently in their interest might appear to be “bought”, but is more likely supporting the district economy and voting as any sensible representative would vote, donations or no. If campaign donations do buy influence, it is likely to be at the committee and subcommittee level, where a sympathetic Member can make (or prevent) fairly small changes to legislation, out of the public view. Such changes can still be very important to specific interests, however, and raise important ethical questions. They suggest that the constraining force of public values and opinion, and of news media

³³ Keim, Gerald, and Zardkoohi, Asghar. 1988. “Looking for Leverage in PAC Markets: Corporate and Labor Contributions Considered” Public Choice. (July).

scrutiny, has definite limits, and again points to a range of activity where the elite political culture very likely differs considerably from popular values and expectations.

A second question is what constitutes constituency service. Several of the US Senators involved in the “Keating Five” case – in which they obtained access to regulators for a major donor whose California Savings and Loan was a focus of federal inquiry – justified their actions as constituent service. That they would resort to that account suggests the centrality of constituent service in the elite political culture, but highly skeptical reactions from many colleagues and from citizens showed that it is neither a clear-cut nor an open-ended concept. The donor did not live or do business in all of the states represented by the five senators, and the favor given -- influence on behalf of a specific individual, rather than in pursuit of a broader public goal -- was widely viewed as suspect, as the studies cited in this paper would lead us to expect. In the end, the “Keating Five” were the focus of acrimonious Senate Ethics Committee hearings in 1991; no formal action was taken, but all were criticized for exercising “poor judgment”. Again, when it comes to the acceptable boundaries of an activity essential to democratic politics -- constituent service -- neither elite political culture nor public opinion offers clear working guidelines as to what constitutes corruption.³⁴

IV. CONCLUSION

³⁴ Thompson, 1993; Thompson, 1995.

Despite recurring cases of scandal, democratic politics in the United States does not seem to be experiencing a “corruption crisis.” A Gallup report shortly after the 25th anniversary of the Watergate break-in found that “the long term impact of Watergate on public trust has been relatively light... [I]n spite of some decline in confidence, Americans’ perceptions of government today remain more positive than negative.”³⁵ The public may not hold a sophisticated view of what constitutes corruption or of how elite processes work, but their judgments generally reinforce, rather than conflict with, those of elites. Elites develop their own informal codes and justifications, but for the most part these are not fundamentally at odds with social values, and are constrained to a degree by public opinion. Elite and mass perceptions of corruption are shaped by political contention as well as by moral reasoning. But this is a good thing, for historically such contention has often been the way ethical issues have been raised, debated, and settled, at least for a time.³⁶ A political system contentious enough to engage in scandal is open enough to enable critics to have their say, and for elites to respond, even if only for reasons of partisan advantage or self-preservation. That process, while hardly the same thing as a state of political virtue, demonstrates the value of open, competitive politics – one reason why corruption is a concern in the first place.

³⁵ Gallup Poll, “Americans’ Faith in Government Shaken but Not Shattered by Watergate.” The results are based on telephone interviews with a randomly selected national sample of 935 adults, 18 years and older, conducted May 30 - June 1, 1997. The 95 percent confidence interval for the margin of error is ± 4 percent. http://www.gallup.com/POLL_ARCHIVES/970619.htm

³⁶ Johnston, M. 1993. "Political Corruption: Historical Conflict and the Rise of Standards", Ch. 18 (pp. 193-205) in L. Diamond and M. F. Plattner (eds.), The Global Resurgence of Democracy. (Baltimore: Johns Hopkins University Press).

But the country faces major problems too. While the limits of acceptable behavior are seen in basically similar terms by citizens and elites, citizens are not particularly confident that their officials abide by those rules. Some of their concerns are misplaced: citizens tend to say corruption is less common in local government than at the state levels, and less serious there than in Washington. Most analysts would reverse that ranking, but again appearances count for a great deal. As noted, the “gray area” in which elite and mass standards differ includes not just ethically dubious conduct, but key functions such as campaign funding, access to decision makers, and the organization of the legislative process. The vigor and openness of those processes must be preserved, and the impulse to regulate soft-money donations and spending on issue advocacy simply because they are now unregulated -- a lamentable feature of the current debate -- should be resisted in favor of a more subtle consideration of what makes for an open, competitive process.³⁷ Politics involves influence and the advocacy of private interests, and it will always create winners and losers. More debate is better than less, and the process will always cost money. We gain nothing, and put much at risk, by trying to take the politics out of politics.

While public demands for action cannot just be ignored, and while there are problems in the current system, reformers must proceed with caution. The task is not just to prevent wrongdoing, but also to win back, or to retain, the enthusiasm, trust, and participation of the citizens -- to be concerned with good politics as well as with bad conduct. Widespread public distrust, low levels of participation, and weak mandates do

³⁷ See, for a discussion, Stanley C. Brubaker. 1998. "Campaign Spending Limits: Unnecessary, Pernicious, and Wholly Foreign to the Constitution", The Public Interest 133 (September), forthcoming.

not help any party to govern, and do nothing to strengthen the constraining force of public opinion. Reformers would do well to consider ways to address, not just the need for transparency, but also questions of appearances -- both devising reforms that take public conceptions of good politics into account, and doing everything possible to educate citizens about the effects reforms will, and will not, have. In that task the news media and scholars can undoubtedly play more effective roles. Proposals that would regulate (or more extensively report) the timing of donations, that would channel them into anonymous funds with candidates not knowing the sources of donations, or that would restrict donations to home-state or home-district sources, might all be worth careful thought in that regard. (Regulations on constituency service activities would seem much harder to devise without threatening democratic processes.) But much is up to the citizens as well, for if the bad news is that dubious behavior goes on in a sizable ethical gray area, the good news is that public opinion still makes a difference. In a democracy, people may not get the kinds of politics they ask for, but they do get what they have shown they will tolerate.