

The case of colombia politics essay



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No society is immune to corruption, however, it is obvious that the developing world has been prone to suffer more than developed countries; corruption is a problem that many governments as well as citizens from different communities in the third world prefer to ignore. This essay attempts to present the reader the most prominent forms of corruption in the developing world specifically the case of Colombia in a comparative perspective with Latin American, Asian and African countries where corruption is one of the main problems that have affected these parts of the world.

This essay includes three sections; the first one presents the relevant literature review; definition of important concepts, types of corruption, and approaches of corruption in developing countries. The second section refers in detail to the case of Colombia and its most prominent forms of corruption. The third section covers the analysis of the Colombian case in a comparative perspective with some Latin American, Asian and African countries and portraits relevant ideas as conclusions.

LITERATURE REVIEW

Corruption in the last few years has become a contested concept due to the considerable overlap between various components and wide connotations to agree on a single definition; additionally, different perceptions and understanding of situations and behaviours have influenced the concept of corruption.

The understanding of corruption among nations guarantees that no definition of corruption will be equally accepted in every nation. Therefore, this essay

agrees with the definition of corruption presented by Transparency International (TI) because it is an international organization that reaches most of the countries in the world and maintains an unbiased performance. (TI) defines corruption as “ the abuse of entrusted power for private gain”[1].

In order to understand the implications of corruption, it is necessary to bear in mind the different types of corruption that have been considered by some authors. Each type of corruption has different origins and characteristics and therefore, they require diverse strategies to tackle it and different degrees of severity to punish it. Corrupt behaviour was coded in terms of black, grey and white (Gardiner: 2009)

“ Black Corruption: indicates that certain actions in a majority consensus of elites and mass opinion would condemn and would want to see punished as a matter of principle. Grey Corruption: indicates that some elements, usually elites may want to see the action punished, others not. And the majority may well be ambivalent. White Corruption: signifies that the majority of both elite and mass opinion probably would not support an attempt to punish a form of corruption that they regarded as tolerable which implies less attachment to the values”. (Gardiner: 2009)

The critical emphasis of this essay is on developing countries and corrupt activities in the political sphere at the public and private level. It is clear that there exist different forms of political corruption with a range of characteristics, which need to be mapped. Alatas in 1990 distinguished between ‘ transactive’ and ‘ extortive’ corruption. The former refers to a mutual arrangement concerning a donor and a recipient to the mutual

advantage of both parties, whereas the latter entails a sort of pressure, usually to avoid the harm being imposed on the donor or those close to him/her.

It is possible to consider other categories which could contribute to a typology of political corruption: differences could be drawn between high and low level ('grand' corruption versus 'petty'); the first one involves a substantial amount of money, it involves political decision-makers, the laws and regulations are abused by the rulers, ignored, or tailored to fit interests. Whereas the latter refers to the bending of rules in favour of friends, it's the everyday corruption in connection with the implementation of existing laws, rules and regulations at the "street level with minor public administration officials and services. (Heidenheimer: 2002, p. 150)

In most developing countries, corruption has been widespread and has become part of everyday life; most societies are aware of it and some even make it look like part of their culture. Developing countries are more likely to experience "State Capture" and "Kleptocratic" corruption. State Capture represents a form of corruption introduced by Hellman and Kaufmann and used by the World Bank in 2000[2]

The World Bank report refers to State Capture as "the actions of individuals, groups or firms in both in the public and private sectors. This is done to influence the formation of laws, regulations and other government policies to their own advantage by illicit and non-transparent provision of private benefits to public officials. Alternatively, the state can be captured to serve the private interest of a political leader who shapes the framework of

reforms to ensure his private control over key resources” State capture refers to the capacity of private interest groups to exert influence in high spheres of public decision making through corrupt practices (World Bank report: 2002).[3].

On the other side, “Kleptocratic corruption” refers to the actions of people within the government who use their power to exploit natural resources and wealth for personal enrichment by establishing policies that favour personal interests[4], it’s very common in authoritarian governments specially in African countries characterized by the lacked of accountability and unqualified public officials. Kleptocratic corruption is characterized by nepotism, favouritism, cronyism, reflecting problems in the public services; where citizens may go to prison or be executed for treason. In some nations citizens do not even try to hold elections which allow leaders to remain in power for ever. (Case of the Philippines)[5]. Some of these characteristics are shared by some Caribbean, Asian and African countries. This will be presented and discussed later on.

Many scholars have studied corruption through different approaches in order to understand how corruption affects the performance of a country; the first approach to consider is the “ Modernization Thesis” established by Samuel Huntington. He stated that “ Corruption may be more prevalent in some cultures than others and seem to be more intense during the period of modernization and reflect their differences in political modernization and political development” (Huntington: 2009, Ch. 15 pp. 253)

The Modernization Thesis proposed by Huntington suggests that modernization involves a change in the basic values of a society; he refers to certain behaviours that were legitimate but became intolerable and corrupt when viewed through modern eyes, consequently, the fact that levels of education provide citizens with a more critical view of situations to demand an accountable and efficient government, however it contributes to corruption by generating new sources of wealth and power where new laws multiply opportunities for corruption and hence increase the capacity for violence.

To comprehend the “ cultural approach” this essay first understand culture as “ The deposit of knowledge, experience, beliefs, values, attitudes, meanings, hierarchies, religion, notions of time, roles, spatial relations, concepts of the universe, material objects and possessions acquired by a group of people in the course of generations through individual and group striving” (Samovar & Porter, 2003, p. 8)

Abdiweli, M and Said Isse, H. (2003) identified the determinants of corruption by examining on factors related to corruption such as such as education, political regimes, the type of the state, ethnicity, judicial efficiency, political freedom, and the size of government to explain the differences across countries and how those actions considered corruption in the west are considered traditional gift giving in developing countries.

Sandholz and Taagepara: 2004, referred to the cultural approach to corruption as: “ The most significant obstacle to democratization and economic development. Structural and cultural factors lead to higher levels

of corruption, low levels of competition and increase the incentives for corrupt practices among bureaucrats or among those being regulated.

Cultural patterns' tendency to reproduce themselves through socialization entails a general expectation of continuity, culture changes but it tends to change slowly even when substantial changes occur" (Sandholz and Taagepara 200, 4 pp. 109-111)

THE CASE OF COLOMBIA

This section outlines the case of corruption in Colombia as a developing country, where corruption has left political, social and economic effects; corruption has contributed to political instability, undermined governmental institutions, increase the lack of trust and the perception that corruption is normal. Despite its effort to fight corruption the Corruption perception index (CPI) seems to get worst.[6]

In Colombia a clear example of petty corruption are the traffic violations where drivers may bribe a police officer to avoid a fine or get the car impounded; since traffic violations are extremely expensive, paying a bribe sounds more reasonable. Most of Colombian drivers have developed persuasive skills to approach a police officer finding a way to relate or build any personal connection such as economic difficulties or family problems. Sometimes the police officer will " understand" and will give in a ticket with a lower infraction without making personal profit. Sometimes, they will accept the bribe, give a verbal warning and just let the driver go; it basically depends on how the driver approaches the police officer.

In terms of Grand Corruption, the problem of Colombia can be expressed in one word: Politiquería- bad politics, where it is hard to tell if corruption is the cause or the consequence of bad politics. A significant factor that determines corruption, is the “ illegitimate actors” Guerrillas, paramilitary groups and drug dealers; they control large amounts of drug money, induce violence as a way to regulate the illegal and legal sector and resort to kidnappings for funding; they are influential in some parts of the country called red zone or conflict zone. There, Government has less control or there is absence of authority allowing these groups to reach several levels of public organizations. (Misas 2005: 120-122).

In Colombia scandals of all kinds and cases of Grand Corruption And State Capture are characterized by the flaws in the political system, the non-existence of political parties as independent actors, the Internal division within political parties and the opposition at the inner and outer level enhancing contradictory performances responding to political rivalry or lack of competence; political parties use opposition to exert tension and pressure and bring to light the scandals. In this dynamic mass media plays a big role, in Colombia some cases of corruption are interconnected as a network of corruption; corruption becomes a scandal when it is impossible to hide or when it is convenient to bring it to light.

The illegitimate impact of private interests on political decisions is another major problem in Colombia. Political parties’ system and campaign financing create some sort of liability of the politician towards the donor. In Colombia, is common to see that candidates pay back the favour after being elected. “ Positions within the government and the local level are given out due to

personal relations rather than through academic careers and competition”. (Lambsdorff, 2006)

This is illustrated by the typical pattern of Grand Corruption, referred to as triángulo de hierro (iron triangle) figure 3 The structure of a corrupt relationship is pictured as a triangle where each corner represents an actor and the sides the relationship between them. (Misas: 2005) Figure 3: iron triangle

MAKES A CAMPAIGN DONATION

HELPS GETTING A POSTION IN PUBLIC ADMINISRATION

HELPS WINNING A PUBLIC CONTRACT

In most of the countries in South America; cronyism, nepotism, conflict of interests, abuse of power, embezzlement and extortion to name a few are part of the main problems of public life and can be observed at all levels, from the local up to the National level. In Colombia there are rules and regulations properly designed but not correctly applied, the fundamental problem causing high levels of corruption in Colombia appears to be the failure to apply the existing rules. Therefore, a cultural pattern such as the consideration of sayings in daily life activities implies a rather “ flexible” interpretation of rules. “ Hecha la ley, hecha la trampa” (every law made, there is also made the loophole) (Lambsdorff, 2006) P. 25.

In addition to cultural patterns, Colombia is a developing country with a low GDP[7]where social inequality, great income differences between strata, poverty and exclusion predominate and lead to violence. It is not a secret

that Guerrilla and Paramilitary groups control highways charging truck drivers a toll to use the road having the truck burnt or taken away. They also kidnap journalists, politicians, government officials and military men for extortion or to cause pressure in the government. (Lambsdorff, 2006)

Although Colombians are aware that corruption exists, it's not accepted.

However, people instead use sarcasm or irony to refer to this issue influenced by cultural features such as morality, values and ethics.

The cases of corruption in Colombia are innumerable and it is hard to tell if one is worst than the other first because some are related or connected and second because all of them have affected the country economically, socially and also in the way Colombia is perceived at the international level, affecting relations with other countries and levels of trust towards those in power who are supposed to look after the citizens' rights.

Examples that illustrate corruption in Colombia[8]

8000 process[9](embezzlement, illegal funding for political campaign)

This is the name given to the process against the ex-president Ernesto Samper accused of receiving money from drug dealers “ Cali cartel” for his presidential campaign. Despite the proofs, he denied it. Moreover, Fernando Botero Zea as the campaign director offered his bank account in New York to receive the donations from different business man to avoid taxes and exceed the amount of money permitted to develop the campaign. Botero seized control of US\$413. 898 to buy a country house and cover personal expenses. Botero moved to Mexico where he is originally from to avoid extradition and

has not gone back to pay his time in prison which affected the relations and image with neighbouring countries.

DMG[10](campaign funding with money laundering- illicit enrichment)

DMG is the acronym for the millionaire “ company” of David Murcia Guzman which worked under the pyramid scheme for cocaine money laundering.

DMG was also funding the referendum for the third consecutive presidential term of Alvaro Uribe as well as for the candidate in Panama[11]. This company worked across some Latin American countries (Panama, Venezuela and Ecuador) where not only politicians but also thousands of citizens invested their savings expecting high profits, in some parts of the countries people relied and depended on this profit as a regular income. Murcia accepted the charges and was extradited to the US.

“ Para-politics”[12]

Para-politics is the term used to refer to the political scandals since 2006 that show connections between more than 200 politicians and government officials with the paramilitary group Autodefensas Unidas de Colombia (AUC) which has direct implications with drug dealing and has used intimidation, extortion, slaughter, genocide, displacement and kidnapping towards public citizens to help politicians and public officers to reach positions in the government and then manipulate decisions and funds. Recordings, videos and intercepted calls are some of the proofs that involve government bodies and important national entities.

“ Carousel contraction” (Conflict of interest, Clientelism, Cronyism, Abuse of power, State Capture)

This is the name given to one of the biggest scandals of political corruption that left obvious scars in the city, indignation and huge economic lost. “

Carousel contraction” involves a group of recognized business men “ Los Nule”[13]who won the grant for the biggest project in building an important highway in the country and several other contracts for the transportation system in the city of Bogota using retainers as bribes. Other people involved and found guilty are The ex-mayor of Bogota, (Samuel Moreno[14]) who was suspended from office and is under police custody, some of Moreno’s’ relatives as his brother (Ivan Moreno) and several friends, government bodies, public officers and more than 30 companies who were sub-contracted to carry out they project.

Health system embezzlement[15]

A scandal in the Colombian health system involved five health insurance companies acronym for (EPS) associated with millionaire embezzlement. These EPS were audited and intervened with a police raid due to the irregularities in the provision of medications and misuse of funds. This has resulted in huge number of cases of double billing, seeking reimbursement for medications EPS are supposed to provide to patients. Public officers, EPS board members and the minister of social protection are some of the people involved in the scandal.

These are just some of the examples that can provide a wide picture of what Grand corruption/ State Capture look like in Colombia; in the following

section a comparative perspective is presented to illustrate corruption across developing countries in Latin America, Asia and Africa.

This section refers to corruption in developing countries in Latin America, Asia and Africa in a comparative perspective with the case of Colombia.

LATIN AMERICA

Corruption in Latin America specifically in the case of Ecuador is a structural problem that goes beyond political parties or businessman funding campaigns; it has become an issue deep-rooted to cultural features. Low levels of education, weak Social Capital, and low levels of participation in elections are characteristics shared with Colombia. The most common forms of corruption in Ecuador are bribes, nepotism and cronyism used to speed up processes or get contracts. As an example, In June 2009 the media reported that companies associated with businessman Fabricio Correa (the president's brother), had signed large public-sector contracts during the Correa administration. Another example is the contraction of unqualified unnecessary or inexistent public employees in the national congress known as “ Piponazgo”[16].

According to CPI 2012 edition by (TI) the most corrupt country in Latin America is Venezuela; some causes of corruption are the lack of effective strategies to fight corruption and poor freedom of the press. In Venezuela more than 30 radio stations, TV channel and newspapers have been harassed and threaten by the government which creates opportunities for corruption. This situation is slightly different in Colombia where although it's one of the most insecure countries for journalists; the aggressions are not

provoked by the government but related to the armed conflict: (guerrilla, drug traffickers and paramilitary). Additionally, Venezuela shares two characteristics of corruption with African countries: mismanagement of oil resources, authoritarian government seeking influence through oil diplomacy and control of oil funds by the Government which has caused several scandals[17].

Another country that has suffered from similar types of corruption is Mexico, (kickbacks and bribery[18]from wealthy businessman, kidnappings of civilians and drug trafficking by the Cartels of Mexico[19]). However, the comparative study carried out by (De la Torre L., 2000) showed that although the Police system in Colombia is not necessarily uncorrupted is one of the most efficient in Latin America. Colombia has implemented long term strategies, there is a better recruitment process, salaries, training and drug-related corruption remains confined to individual or smaller groups of policeman[20]. Figure 4: data taken from Transparency International web site CPI results 2012[21]

ASIA

In 2012 India ranked 94th out of 176 countries in TI with a CPI of 3.6 tied with Colombia and Greece. Apart from sharing the ranking position in the CPI score, India and Colombia share bribery, kickbacks and nepotism as some forms of corruption although at different levels of impact in the society.

Transparency International India developed a Corruption Study in 2005[22]showing that the problem of corruption in India lies at the public service level (health care system, electricity, water supply and “ black

money”) affecting citizens’ daily needs. As a result, corruption in India is due to the “ Excessive regulations, poor implementation/ monitoring of laws, lack of punishment and highly strong cultural patterns create opportunity for corruption”. (Vito Tanzi: 1998). While the perception, cases of corruption and impact in the population regarding public services (water supply, electricity and taxes “ black money”[23]are higher in India, in Colombia Organized Crime and drug trafficking plays the main role dominating almost 50% of the country.

Another Asian country which has been prone to suffer from widespread corruption and poor CPI score is Bangladesh; the most common forms of corruption are bribes, abuse of authority, nepotism, favouritism, fraud and patronage. Likewise Colombia many cases of corruption are intertwined with their consequences at the national or local level. In Bangladesh payoff include luxury gifts, overseas travel hotels, restaurant bills and personal liabilities while in Colombia payoff are mostly in the form of money or jobs. However in terms of political corruption both countries share the same characteristic “ Using position while in power to grant undue favour and benefit to one’s relatives, friends and key supporters is a hallmark of politics.” (Khan, 1997).

Nonetheless, in terms of administrative corruption, in Bangladesh civil officers involved in corrupt practices in most cases do not lose their jobs. Very rarely they are dismissed from service on charges pertaining to corruption. Still more rarely they are sent to prison for misusing public funds (Khan, 1997), this is considerably different in Colombia where if found guilty most likely, they will go to prison although the sentence may not be

significant; Corruption is all-pervasive in Bangladesh, is a part of the politico-administrative heritage, not only citizens have accepted it as a part of their daily life but also they feel themselves powerless to address the phenomenon at any level (Lewis, 1996).

AFRICA

Corruption in the developing world has been harmful for economic growth specially for transition or emerging economies and poor countries in Africa; where the influence of decolonization, type of economy (based on natural resources as a source of rent), low levels of education and types of governments (regimes or dictatorships) are directly related to levels of corruption.

Africa is a continent where Kleptocracy dominates and leads to grand Corruption; an example of this is the rule of Mobutu in the Democratic Republic of Congo (1965-1997). Characterized by the misuse of foreign aid and rent from natural resources leading to worse governance, embezzlement and illegal enrichment. In the case of Nigeria, 2007 elections' candidates were more likely to buy votes because is " more reliable and less difficult." [24] In Nigeria, the misadministration of oil and natural gas resources from Kleptocratic governments, nepotism and graft are the most common forms of corruption.

Another case worth looking at is Kenya which demonstrates how corruption can turn a " stable" country into political crisis. Corruption comes in the form of " a little something" to speed up processes or to ignore infractions; and Tribalism " loyalty first to families then clan and then tribes". Kenya likewise

Colombia has suffered from scandals within the government “ Goldenberg case”[25]where the Kenyan government of Daniel Arap was found to have subsidised exports of gold beyond standard arrangements by paying the company Goldenberg International 35% more.

Despite the fact that Colombia is an older democracy and the GDP less affected by corruption in Latin America than in African countries[26]; clientelism, graft, bribery misuse of funds at the national level and embezzlement are shared forms of corruption; however, corruption in Colombia is highly generated by drugs traffic while in Africa is due to misuse of natural resources and abuse of power.

CONCLUSION

This paper has given an account of the most prominent forms of corruption in the developing world with deep focus on Colombia in a comparative perspective with other Latin American, Asian and African countries. In this paper, becomes evident and implicit that regardless the geographical position of a country, the developing countries studied in this essay share mostly the same types of corruption. Instead some variations in terms of forms and levels of perception of corruption may appear depending on type of government, levels of education, poverty and whether it is an emerging or established democracy.

At the same time history plays an important role in places of Africa and Colombia where in order to understand the reasons and causes behind levels of corruption it is not only important to recognize the political, social, economic and cultural conditions of these countries but also to understand

the impact of these situation on the levels of corruption, this will enhance comprehension of the strategies implemented or reasons for not implementing as well as for punishing or not corruption.

From this essay can conclude that; Even though forms and types of corruption are shared across countries the political, social, economic and cultural patterns should be considered individually to fight corruption where political will and anticorruption programs work in reality effectively.

In Latin American countries like Colombia where the drug war fosters corruption and increases private gain (money) at public expense (violence) while in Africa and Asia corruption affects foreign direct investment.